

Developmental Activities and Human Right Issues in India: A Study of Life-livelihood Debate in Kerala

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Abstract

It seems that many projects initiated by post independent governments of Kerala with the intention to bring development, particularly to generate more number of employment opportunities have resulted in serious violation of human rights, that too the right to life of thousands of underprivileged sections of people living in the project area. It is a paradox that when the right to livelihood of a relatively small number is guaranteed, the right to life of a large section of people is brutally denied. The situation becomes more complicated when the governments that are preoccupied with a modernist perception on development did not pay attention to the question of environmental degradation and allow the projects to continue to operate. The present study is an effort to analyze those human rights movements in Kerala with an inclination to challenge the existing development paradigms with a focus on selected issues from industrial and agricultural sectors.

Keywords

Life-livelihood Debate- Cross Movement Pollination- Green Marxism

Introduction

It seems that a large number of initiatives intended to guarantee means of livelihood and to bring economic prosperity have become detrimental to right to life of thousands of underprivileged sections of people living in the project areas. The conditions of the victims become more vulnerable when the state extends unprecedented support to the so called agents of development. The economic backwardness along with the alarming rate of unemployment put governments under acute pressure to follow pro-modernists policies. In short, the negative impact on natural environment and the resultant health hazards thus leads to a dichotomy between right to life and right to livelihood.

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Objective of the Study

The present study is an effort to analyze those human rights movements in Kerala with an inclination to challenge the existing development paradigms with a focus on selected issues from industrial and agricultural sectors. It also tries to analyze the contradictions between the two fundamental human rights; right to life and right to livelihood in the context of environment degradation caused by the modern industrial and agricultural practices in the state of Kerala in the post- independence period. It also tries to expose the shortcomings of those liberal policies especially its impact on inter-generational justice.

Theoretical Framework

The study is mainly held within the theoretical framework of new social movements particularly its two prominent variants; environmental and human rights movements. The theory of cross movement pollination is also used in this study to explain blue-green coalitions/conflicts and the inter relationships between environmental activism and human rights movements.

Methodology

Historical and analytical methods have been used for collection and analysis of data. Both in-depth interviews and informal interactions were extensively used for the collection of empirical data. Information was also collected from reports, journal articles, newspapers, periodicals and internal documents. Interviews were organized in person as well as by phone. This study is mainly depended on primary and secondary data. The Primary data include information collected from the fields, activists, scientific reports and various publications of non-governmental organizations representing the victims, political parties and trade unions, reports by experts committees appointed by Government of Kerala and various government orders and communications. Articles, books and reports in newspapers and periodicals constitute secondary data.

Industrial Pollution in Chaliyar River Basin

The establishment of Grasim Industries at Mavoor in Calicut district was a landmark in the history of industrial development in Kerala. Providing 5000 employment opportunities directly and another 10,000 indirectly it developed into one of the largest industrial units in Kerala in terms of employment generation. It is to be admitted that the permission to this factory was sanctioned in a context, when people had little idea about the environmental impact of industrialization. As the production started in 1963, it began to cause heavy damages on the natural environment. The operations of the factory unleashed a series of environmental problems in the area. There was absolutely

no control over the emission of industrial waste. The factory used to discharge untreated toxic effluents into river Chaliyar. There was no system for controlling gas emissions, which led to drastic air pollution. Moreover, the irrational extraction of raw materials from Kerala forest caused serious damages on bio diversity. Nearly 30000 traditional workers like basket makers, fish workers and sand miners lost their employment (Rajan, 1984). A review of the 40 years long operations of this industry seems to expose the hollowness of industrial development carried out at the cost of natural environment. It was in this context the people living in the nearby villages started a movement to protect their right to life from industrial pollution. Alarmed by the fear of retrenchment, the industrial workers and their sympathizers refused to sensitize the rationale of environmental activism, and come forward for the protection of their right to livelihood. (Anas, 1999). The following discussion would further explain this new discourse.

The wide perceptual gap between the workers and the environmental activist was firstly manifested in the issue of mass fish death due to the water contamination caused by the discharge of untreated toxic effluents. However, the workers in the factory turned up with a propaganda that the fish death was due to some 'other reasons'. Interestingly, some of them took the pain to collect the dead fish and destroyed it secretly. Dr. Vijayamadavan has recollected that some of the KSSP members who were also workers in the factory had given him wrong information about fish death. They had also advised him not to visit the area. This incident indicates that the trade union movement in Mavoor had developed a tradition of resisting the environmental activism blatantly. The management had also tried to accommodate maximum number of local people either as workers or as contractors. In short, exploiting the acute unemployment prevailed in the area; the factory management was able to abort the early attempts of environmentalism. A stake in the factory was returned with a perceptual change in favor of the management. Thus, People who were in the forefront of agitations turned to be a part of workforce with a conviction to protect the industry (Vijayamadavan, 2009).

It was in this context, the Achutha Menon Government passed the Forest Produce Act 1978, which mainly authorized the government to affect a periodic hike in the royalty rate. It also introduced a system for regulating the process of collecting and transporting the raw materials from the Forest areas. Above all, the government took a strategic decision to nationalize the 30,000 acres of Forest Land in Nilambur Valley, which was used by the company for eucalyptus plantations. When the public welcomed the Act, the management and trade union leadership in Mavoor strongly objected to it. C. Chathunny Master, the leader of CITU union in Mavoor was the main critic of the new Act. He strongly argued that the decisions of the government would inversely affect the prospects of Grasim Industries. He even described the closure of the factory for

period of 39 months as an after effect of this act. In effect, it was considered as the common opinion of the trade union movement in Mavoor (Chathunny Master, 1987).

There was a feeling that most of the labor disputes in Mavoor were the result of a 'collaborationist kind of trade union leadership'; a collective effort to pressurize the government to continue its liberal policies towards the factory. In the opinion of Jayakumar, an environmental activist associated with Center for Nature Studies (CNS), the threat of closure was used as a smoke screen tactic to divert attention from the environmental impact of the factory. "By threatening to close the factory, the management hopes to pitch the workers against the government and thus browbeat the government into offering raw materials at grossly subsidized rates". He further added that "in the past the, management has been charged with indulging in declaring many lockouts, to split the environment movement between affected villagers and plant workers for whom the factory was a source of survival" (Raman, 2005).

The labor agitation in 1985 and consequent closure of the factory, it is alleged that, was a pre-planned movement against the environmental activism in Kerala which induced the government to pass the Forest Produce Act 1978. When the prolonged closure of the factory led to the suicide of 13 workers, the environmental issues related to the factory became completely irrelevant. The period also witnessed a cross pollination of environmental and trade unions movements in Mavoor. The regular members of the Chaliyar movement identified themselves with the GROW led social movement trade unionism and in the process, the environmental issues submerged with human rights. Finally, it culminated in a situation, where ecology became a non-issue in Mavoor. The social movement unionism led by GROW union finally succeeded to amend the environment friendly provisions of Forest Produces Act 1978. The new Ordinance promulgated by the Governor of Kerala exempted the Grasim industries from the purview of periodic revision of the royalty rate of Bamboo and eucalyptus. Assigning the 'status of Public Sector Undertaking', the new Ordinance also allowed Grasim industries to avail concessions given to the government sector companies. Thus, the 39-month long labor struggle failed to achieve anything substantial for the working class except their right to work (Vasu, 2010).

The period after the reopening of the factory in 1989 witnessed a series of conflicts between the two movements. As mentioned earlier the labor dispute in 1985 and consequent closure of the factory ultimately resulted in the collapse of Chaliyar movement. Nevertheless, the reopened factory, rejuvenated by the public support, began to discharge industrial waste in an unprecedented manner. This led to serious health hazards in the neighboring villages. As a response to the new developments, Vazhakkad Panchayath organized a health survey to get

a clear picture of situation prevailing in affected areas. The result of the survey exposed the alarming situation in the area. It found that 199 people died of cancer within the Panchayath area during 1989-94 periods (Ullath, 2009). It also revealed high rate of morbidity in the Panchayath area. Interestingly, the trade union movement in Mavoor responded to the findings of the survey in a reactionary manner. They described the survey as a preplanned drama to defame the factory management. For them, it was the excessive use of pesticides, which caused cancer in the surrounding area. In the press conference, they explained various precautionary measures taken by the management to deal with the issue of industrial pollution. They were also proud of the functioning of the Monitoring Committee working under Revenue Divisional Officer. The press conference organized by the trade union leaders, in fact, became a public relation work for the factory management. The leaders of the mainstream trade unions were in the forefront of this campaign. According to K. K Abu, former President of Swathanthra Trade Union (STU), this response of the trade union movement would cause heavy damages on working class politics in Kerala. He criticized the trade unions for openly supporting anti-people policies of the factory management. The veteran trade union leader described the new development as unheard in the history of Kerala trade unionism. The Cancer detection camp conducted by the Regional Cancer Centre (RCC), Thiruvananthapuram became another setback to the trade union movement in Mavoor because it reinforced the findings of the health survey (Chandrika Daily, 1996).

Endosulfan Issue in Kasaragod

The aerial spraying of Endosulfan over the cashew plantations in Kasaragod district in Kerala with an intention to increase/retain agricultural productivity and consequent health hazards is another issue which falls under the purview of this study. In spite of the repeated warning signals (such as mass deaths of bees, fishes, frogs, birds, foxes and also congenital deformities in domestic animals like cows), the irrational pesticide spraying went on producing abnormal health problems such as increased rate of cancers and gynecological abnormalities, neurobehavioral disorders, congenital malformations in girls and abnormalities of reproductive tract in males. Several scientific studies conducted by national and international agencies held in between 1998 and 2002 collectively argued that there was a relationship between Endosulfan and the health problems in Kasaragod (John, 2011).

The right to life campaign in this issue was initiated by Leelakumari, an agricultural assistant. The agony caused by the premature death of her elder brother, due to exposure to Endosulfan induced her to work for the victims living in worst affected areas in Kasaragod district. Her main contribution was in the field of litigation in which she received significant support from SEEK

and Thanal, two important non-governmental organizations working in the field of environment protection. The free legal service given by Adv. Daisy was also noteworthy in the initial stage of the movement (John, 2011). Sree Padhre, a freelance journalist, was also active in the movement particularly in environment communication. He published several articles in Kannada and Malayalam languages. 'Why this negligence' (Udayavani), 'Cow born handicapped due to pesticides' (Sudha Weekly) and 'Life is cheaper than cashew' (Evidence Weekly) are some examples. It was with his support Nupur Basu, a reporter from NDTV prepared a detailed story on Endosulfan issue which was later telecast as breaking news. Sree Padhre was also instrumental in the formation of Endosulfan Spray Protest Action Committee (ESPAC), the first organization of Endosulfan movement. It was his email messages that encouraged people like Anil Agarwal, the director of Centre for Science and Environment (CSE), New Delhi and C. Jayakumar, Founder Director, Thanal, Thiruvananthapuram to come forward to support the movement. The role of Dr. Y. S. Mohan Kumar, a medical officer with professional ethics, deserves a special reference. An exception to the so-called 'commercialization of medical profession', a man of social commitment, Dr. Mohankumar used his knowledge in Medical science to strengthen the movement against chemical pesticides (Ibid).

It is significant to note that the workers in estates, particularly in Cashew Plantations in Kasaragod district, under Plantation Corporation of Kerala (PCK) and those working in Hindustan Insecticides Limited (HIL), a factory in Ernakulum district producing Endosulfan have come forward with an argument in favor of the pesticide. The workers in the Cashew Plantation argue that if Endosulfan is not sprayed on the cashew plants during the flowering season, it will inversely affect the productivity of cashew nut, and thus the employment prospects of the working class. They hold the view that it is more effective and cheap compared to other pesticides. It seems that the working class is ventilating the arguments of the Plantation Corporation of Kerala. The protests of the trade unions movement in HIL tend to be more strong and ideological.

There is a section within the trade union movement in Kerala, who analyzes the anti Endosulfan struggle as a part of neo colonial agenda of multinational corporations to control the pesticide market of the world. The Endosulfan is a generic pesticide, which was originally invented by Bare, a famous Pesticide manufacturing Company in Germany. After the expiry of patent, Indian companies like Coramandal, Excell and HIL began to produce and export Endosulfan, which badly affected the business prospects of the MNCs like Bare, Union carbide and Monsanto. Endosulfan thus emerged as a cost friendly pesticide (its cost for one acre of crops falls in between Rs 50 to 75, whereas a substitute would cost Rs 200 per acre). It could be used against

nearly 44 pests affecting around 25 crops. Moreover, Endosulfan has no side effect on pollinators like bees. The World Endosulfan market has an annual business of 40 million liters which worth 300 million US dollars. India is the largest producer of Endosulfan, which constitute 70% of the total production. There are three major MNCs in the global pesticide market, which wanted to monopolize the entire pesticide market. They are mainly producing non-generic pesticides, which are more costly, compared to Endosulfan. Therefore, these MNCs wanted to stop the production of cheap pesticides like Endosulfan in order to monopolize the global market. The European Union is the main force behind the anti Endosulfan agitations for the reason that the ban would mainly benefit its economy. The trade union movement has also pointed out that there are no negative reports from states like Andhra Pradesh, West Bengal and Maharashtra, which use one third of the national consumption (Cherian, 2012).

V.B. Cherian, who leads the trade union movement in HIL, alleges that the MNCs have succeeded to influence the mass media, NGOs and various political parties including the main stream left. He criticized the CPIM and its leader V.S. Achuthanandan for having been yielded to the corporate propaganda against Endosulfan, one of the cheapest pesticides widely used by thousands of small-scale farmers. He is of the opinion that the present turmoil is a part of electoral politics, which exposes the dominance of populist policies in mainstream left politics in Kerala. He has also targeted Center for Science and Environment (CSE), and Thanal for their active role in anti Endosulfan movement. With the help of Right to Information Act, he collected information to prove that the CSE has received Rs. 53 crore from European Union as financial assistance for its various research programmes. He described *Thanal*, a Thiruvananthapuram based NGO, as the agent of MNC in Kerala. He is skeptical about the role of *Thanal* in Geneva Conference and questioned the rationality of allowing an NGO to represent a nation in an international conference.

Contrary to its stand in the silent valley issue, the mainstream left in Kerala has been in the forefront of anti-Endosulfan agitations and was instrumental in using its organization framework for mobilizing public support in favor of the victims. V.S. Achuthanandan, the veteran leader of the main stream left in Kerala and the driving force behind the green leftist movement in Kerala, has made significant contributions in this regard. Mass organizations of mainstream left, particularly youth organizations like DYFI played an active role in the movement. For example, the DYFI organized a *sathyagraha* in front of HIL to stop the production of Endosulfan. The mass media network of the main stream left was also enthusiastic in giving coverage to this issue. The Chintha Publishers, one of the publishing companies under CPIM has published a work on Endosulfan issue (John, 2011).

The Ecological Disaster in Plachimada

Plachimada struggle against the industrial pollution is another example for livelihood –life debate and thus fall under the purview of this research. The unusual kind of water extraction by the Coca-Cola Company and consequent environmental impacts made human life helpless in Plachimada. According to one estimate, the factory extracted 1.1 million Liters/day. The survey conducted by Perumatty Panchayath found that factory had annual water based production of around three lakhs liters (Jayakumar, 2010). As the water resources depleted to the minimum level, the gravity of pollution reached dangerous heights. The water quality analysis held at the environmental laboratory of IRTC exposed high levels of hardness, salinity, alkalinity and other chemical components such as chlorides, sulfides etc. which are not in conformity with the drinking water standards. The study conducted by Centre for Development Studies (CDS), Trivandrum found that of the 33 open wells situated within a radius of 500 meters from the cola factory, water in 31(94%) wells had become non-potable during the period 200-2004.

The high power committee in its report has mentioned about 17 deaths due to diseases such as kidney failure, cardiac diseases, etc during the period 2002-04. The death of Smt. Mylamma, the leader of Plachimada agitation who had been suffering from psoriasis itself reflects the seriousness of the health problems created by the industrial pollution in the region. Arsenic detected from the industrial waste seems to cause psoriasis.

Low birth weight was another significant health problem that was common in the affected area. The study conducted by M/s V.T Padmanabhan, Omji John and Mustafa noticed a significant fall in the birth weight of children born in Plachimada after and immediately before the operations of the factory. According to this study cadmium on the health of mothers caused low birth weight. For this purpose, they analyzed data kept in the registers at the Anganavadis in Plachimada and Vijayanagar colonies for the period 1996-2003. The following table illustrates that while 15 % of the children born before the operation of the factory were LBW, which rose to 31.1 % during 2001-03 periods. (Jayakumar, 2010).

Birth weight of children born near Coca Cola Factory during 1996-2003

Period	Under 2.5 kg	Over 2.5 kg	Total	Under 2.5 (%)	Over 2.5 (%)	Total
1996-2001	11	62	73	15.1	84.9	100
2001-2003	14	31	45	31.1	64.9	100

Source: Report of the High Power Committee on Plachimada, 2010

The concluding remarks by the High Power Committee with regard to the health hazards in Plachimada draw special attention. It predicts that there is a chance of future diseases as the critical impact of metal pollution takes time to appear. The biomagnification process in relation to heavy metal pollutants may affect more people in the future. Children born with low birth weight may have long term health problems.

It seems that the people of Plachimada and nearby villages had perceived the concept that free access to clean water is an inalienable right. It was because of this perception that they could not accept the alternative for a Jalandhi Project in Plachimada, a water supply scheme sponsored by the Japanese Government based on the neo liberal principle, 'pay and use'. For them, water constitutes the base of life. They even treated it as an object for worship. There is a God of water by the name Varunan. In short, the village community in Plachimada considered water as a spiritual entity with a pivotal role in human life. To quote Veloor Viswanathan,

“Water is a gift from God. The God of water is Varunan and it is the medicine for all sorts of diseases. It is the base of our life” (Pariyadath, 2006).

As the operations of the factory resulted in a water crisis with a double jeopardy of scarcity and contamination, people felt humiliated and made them restless. In the words of Mylamma,

“Suddenly we felt terribly helpless, facing the fact that we were robbed. Our precious water resource had been stolen... lakhs of liters every day... Where would I get some fresh and pure drinking water anymore? How many kilometers should we walk to fetch a drop of water? (Vikas, 2008)”

Furthermore, the World Water Conference held in 2003 in Plachimada in connection with the anti-Coca Cola agitation mainly emphasized the universal character of right to water. The Plachimada Declaration approved by the conference includes following four statements in with a direct reference to right to water (Vasudevan, 2005).

1. Water is the basis of life; it is a gift of nature; it belongs to all living beings on earth.
2. Water is not private property. It is a common resource for the sustenance of all.
3. Water is the fundamental right of all people. It has to be conserved, protected and managed. It is our fundamental obligation to prevent water scarcity and pollution and to preserve it for generations.

4. Water is not a commodity .We should resist all criminal attempts to marketwise, privatize and corporatize water. Only through these means can we ensure that the fundamental and inalienable right to water for the people all over the world.

The history of Plachimada agitation presents a different story about the interface between environmental and trade union movements in Kerala, which was mainly manifested in the form of cross-pollination of environmental, human rights and working class movements in the context of globalization and its neo liberal policies.

Conclusion

. The political document adopted by the 19th Party Congress of CPIM seems to be important in analyzing the ongoing life- livelihood debate. It endorsed the arguments raised by the environmental movements in different parts of the country particularly in Mavoor and Plachimada. The sub title of the CPIM document ‘environmental issues’ reads,

“Environmental problems in India have been worsening and are reaching crisis proportions in several areas, with serious impact on livelihood, living conditions and health of the people, especially the poor and marginalized sections. These problems have been exacerbated by the policies of liberalization and globalization, by commercialization of common resources, and by the failure of government to regulate these sectors under pressure from MNCs, Indian Corporate and other vested interests. Huge tracts of forests lands are being diverted for mining, industries or commercial plantation at the expense of both the environment and livelihoods of tribals and other traditional forest dwellers. Water resources are being severely depleted due to overexploitation, contamination and release of untreated industrial waste and urban sewage. Ground water reserves are particularly threatened by unregulated water mining for industries, for privatized tanker supply in urban areas and for the bottled water and aerated beverages industry, squeezing out both small farmers and the urban poor.” (Political document, CPIM). To conclude, the working class movement and the environmental movements which represent right to livelihood and right to life respectively are in the process of cross movement pollination. The boundaries seem to shrink slowly with a predominance of right to life over right to livelihood. The contradictions seem to be disappearing. There are indications that the growing acceptance of theory of neo imperialism and green Marxist perceptions would result in a transition from blue green conflicts to blue green coalitions with a greater commitment to inter-generational justice.

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