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India

# Police intimidate activist in Gujarat

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**On Sunday, Oct 9th 2011, at around 12.30 p.m., two plainclothes policemen visited my house. They asked for my phone number, name of my organization, and about my activities. Having nothing to conceal, I provided the requested information. Within 5 minutes of their departure two more policemen in uniform appeared and demanded two passport size photographs. I responded that I could provide the photographs only if there was a written request. Within 15 minutes we got a phone call requesting me to provide the photographs. I repeated that I would require the request in writing. The letter was provided within 10 minutes . Accordingly I promptly provided 2 passport size photographs**

This was not an isolated occurrence, but the latest in a series of such enquiries that have been going on for some 2 years - police have visited both our home and the offices of trade union Jyoti Karmachari Mandal (JKM). The first visit to Jyoti Karmachari Mandal was on March 7, 2010, followed by a police visit to our home the next day. The first visit to our home occurred in our absence, and the police questioned our young son, who was present at home at that time.

The next visit occurred on 20th April, 2010 when 2 officers spent nearly an hour asking about details of my background, contacts, activities etc. After a few days they returned to collect copies of my passport.

A few months later a team of the Special Operations Group (SOG) came to my home in the late evening. Six or seven members of the SOG team barged into my house and straight away went upstairs. We objected to their entry and demanded to know their identity and the reason for their "visit". After that several of the team left, while three remained to question me.

We pointed out that the same kind of extensive (relevant as well as irrelevant) questions had been asked and information collected by the police on earlier occasions, to which they replied that this was different because they were from the SOG. They also took copies of my passport.

The next police visit was on the afternoon of 3rd October 2011 when 3 officers spent about 45 minutes getting "updates" on my activities. One of the matters they questioned me about was my complaint about the residential complex coming up next to industrial hazardous solid waste sites in Ahmedabad (Vatva & Naroda). They demanded to know why I was raising objections against the State Government's move to amend the law prohibiting residential construction within 500 metres of hazardous waste sites (to permit construction within 100 metres of such sites). In spite of this police officials returned six days later came for further investigation as mentioned above.

During all the visits and questioning by the police, no specific reason has ever been given for the questioning; they have always insisted that these were "merely routine" enquiries. So far, I have cooperated with the police and provided whatever information or documents they have asked for, including things like bank account details. My activities in association with the People's Union for Civil Liberties, Jyoti Karmachari Mandal and Paryavaran Suraksha Samiti (PSS : Environment Protection organisation, a radical environmentalist group operating in Gujarat) organizations have been completely open, legal and public (and in the public interest). I have never had any reason to conceal any information related to these activities.

However, in the light of repeated visits by the police, with demands for the same information provided earlier and already available with them, it is now difficult not to conclude that these repeated visits have any other purpose than intimidation and harassment.

In today's Gujarat, it appears that anybody who questions the correctness of government policy or actions, or is seen

in any way to obstruct the purposes of the government, is a target for intimidation and harassment.

I have written to the Police Commissioner requesting to the reason for the repeated questioning by police, whether there are any allegations or charges, and if so, what these are and if there is an investigation of any kind what is its nature.

## My Recent Activities

I am involved in three organisations - PUCL, JKM, and PSS. As a Trotskyist, I have been an internationalist, and have collaborated with comrades in the Fourth International over trade union, environment and other issues. In 2002, during the pogrom like atmosphere created by Hindutva fanatics, I along with other friends played some role in fighting that. As a matter of principle, we decided to stay on in Tandalja, resisting the attempt to turn it into a purely Muslim ghetto. We campaigned for the restoration of peace. We brought out, through PUCL, a comprehensive report of the Gujarat Carnage.

We also collaborated in bringing out the first collected documentation in English about the Gujarat Carnage, The Genocidal Pogrom in Gujarat: Anatomy of Indian Fascism. Though I am also involved in a new organisation, Radical Socialist, my chosen areas of work have been, in the last half a decade or more, the three organisations already named.

My work as a trade unionist and my work as an environmental activist have been intertwined. We believe in the need for environmentally aware trade unionism, as well as a class approach to the question of environment protection. As a result, for a decade and a half, we have been developing environmental agenda connected to industrial pollution. We have consistently raised the issue of industrial pollution in Gujarat and exposed the industry-Gujarat Government nexus that touts 'treatment facilities' as a solution to the problems of hazardous solid waste, effluent, surface and groundwater contamination. Our position has been founded on the facts and figures obtained under the Right to Information Act (RTI). Gujarat Pollution Control Board officials admitted that a lot still has to be achieved in pollution control.

As treatment facilities were / are not able to meet the Gujarat Pollution Control Board's (GPCB) norms a moratorium on starting of new industries or expansion of existing industries was declared for the Ankleshwar area in July 2007 and now Ministry of Environment and Forests has extended it until March 31 2012.

In January 2010 a moratorium was declared for other areas like Vatva, Bhavnagar, Junagadh, Vapi,. The moratorium was subsequently lifted for the Vapi, Bhavnagar, Junagadh area. PSS objected to the lifting of moratorium for Vapi because treatment facilities of Vapi are still not able to meet the GPCB norms. Today the moratorium for Vatva, Ankleshwar is extended till 31-3-2011. This has stalled the projected huge investment in these areas of Gujarat. However, we believe that as responsible citizens, we are not and cannot be concerned only with the size of investment, but with what is being invested, what the goal of the investment is, and how it affects the masses of working people.

On 4-1-2007 Government of Gujarat granted permission to incinerate the hazardous waste of Union Carbide, Bhopal at Ankleshwar. We opposed this and filed an intervention application in the Jabalpur High Court. Ultimately Government of Gujarat was forced to withdraw its permission by letter dated 4-10-2008 and now the case is pending in the Supreme Court.

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A direct outcome of our persistent efforts since 1994 has been GPCB / Government having to act against Hema Chemicals which was responsible for illegal dumping of hazardous chromium waste. The Supreme Court Monitoring Committee ordered the company has been ordered to pay Rs. 17 crores as a first instalment towards remediation of the site. The GPCB was constrained to order the confiscation of passport of Hema Chemicals' owner, and prohibiting him from disposing of his property. The owner's name was flashed across all international airports in India so that he does not leave the country.

We also launched a complaint against residential & commercial complexes coming up in the vicinity of hazardous solid waste sites in Ahmedabad (Vatva & Naroda) in violation of GPCB notification on industrial hazardous solid waste and The Hazardous Waste (Management & Handling) Rules, 1989.

Now we are given to understand that Forest & Environment Department and Urban Development and Urban Housing Department of Government of Gujarat have decided to modify the CPCB & GPCB guideline and norms - which require 500 meters distance from TSDFs & CETPs for the residential complexes - and reduce it to 100 meters to legalize illegal residential complexes. The original guideline was issued with the intention of preventing risk to peoples' health and safety. The revision looks at the profit margin of unscrupulous promoters, not the innocent buyers who will suffer in future.

The decision to continue to enforce the 500 meters distance stipulation clearly shows that this norm is not wrong and that is why Government of Gujarat is now modifying it to 100 meters to regularize of illegal residential complexes which violate the guideline and norms. This will be disastrous for health and safety and can only be due to immense pressure from the rich and powerful.

We opposed the proposed dilution of norms and letters were written to Government of Gujarat and also to Ministry of Environment and Forest to intervene in the matter to prevent such illegal modification.

Vapi Industries Association (VIA), United Phosphorus Limited (UPL), and Avik Pharmaceutical Ltd. have filed a defamation case to the tune of Rs. 25 Crores against 'The Times of India' and Rohit Prajapati in the Vapi Court, District Valsad, Gujarat with reference to a news item which appeared in *The Times of India* on 5th June 2010 <http://articles.timesofindia.indiat...>

On 17th September 2011, I filed an RTI application with the Chief Minister's office, seeking information regarding the 'Sadbahvna Mission'. The application enquired how much money was spent on this programme, who were the sponsors, and under which policy or rules this programme was conceived and carried out.

There is sufficient reason to think that individuals and interest groups affected by our efforts may resort to legal, extra-legal and other means against some of us. We want to alert you to that possibility and request quick action in case of any such eventuality. I have already been subjected to repeated questioning by police both in our office and at home, amounting to intimidation and harassment.

I would therefore appeal to friends and activists in trade unions, in human rights movements and in environment protection movements, as well as in other sectors of social movements, to take note of these developments and to extend solidarity with us.