

FILE NAME: Shree Digvijay (SDV)

DATE: 2003

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DOCUMENT DESCRIPTION: Emails between Barry Castleman and Contacts in India RE Prof. Manubhai Shah

**Dr. Barry Castleman**

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**From:** "Dr. Barry Castleman" <bcastleman@earthlink.net>  
**To:** "Gopal Krishna" <meetgopalkrishna@rediffmail.com>  
**Cc:** <fer.giannasi@terra.com.br>; "tushar kant joshi" <joshi\_tk@rediffmail.com>; "Laurie Kazan-Allen" <laurie@lkaz.demon.co.uk>; "Madhumita Dutta" <mdutta@vsnl.net>; <gopal@toxicslink.org>  
**Sent:** Tuesday, December 09, 2003 2:20 PM  
**Attach:** ATT00352.htm  
**Subject:** Re: Prof Manubhai Shah

Friends,

I will post a copy of the CED report to TK. I will also include letters from my India asbestos file that I had not copied in the last batch to TK, in which Rani Advani describes the confrontations with Shree Digvijay. In her handwritten personal letter announcing that the Supreme Court of India had accepted the writ petition on asbestos in 1986, she also wrote: "Due to internal politics in the organization (from where I started this case I achieved whatever I could), the case has been handed over to somebody else. It upset me so much that I went into severe depression for a week or so. Even now I have to make an effort not to feel too bitter about it. I try hard not to think of it."

Let's see if Prof. Shah will grant access to the CERC files before asking him why he took Rani off the case...

I note that I have an article by J Kumar published July 1982 in SCIENCE TODAY, "The Asbestos Connection". By then, Kumar had left the Central Labour Institute and was an industrial physician at Ciba-Geigy in Bombay. I also have a poor copy of "Killer Asbestos" from BUSINESS INDIA (Jan. 17-30, 1983, that is lengthy and quite good, by Meenakshi Behara. (I will not send copies of these.)

Barry

----- Original Message -----

**From:** Dr. Barry Castleman  
**To:** Gopal Krishna  
**Cc:** fer.giannasi@terra.com.br ; tushar kant joshi ; Laurie Kazan-Allen ; Madhumita Dutta ; gopal@toxicslink.org  
**Sent:** Tuesday, December 09, 2003 11:41 AM  
**Subject:** Re: Prof Manubhai Shah

P.S. An excellent report "asbestos: the dust that kills" was issued July 1983 by Centre for Education and Documentation (3 Suleman Chambers, 4 Battery Street, Behind Regal Cinema, Bombay 400 039, tel. 220019). Shree Digvijay in Ahmedabad is one of the case studies described:

"According to a study conducted by J Kumar of the Central Labour Institute Bombay and the annual report of the National Institute of Occupational Health 1980 (on the Ahmedabad-based Shree Digvijay Asbestos Cement plant):

1. The fibre concentrations in the yarn unpacking, mixing, spinning, weaving and rope divisions were [367, 418, 225, and 216 fibres per cc] respectively...
2. Out of 320 workers selected at random, 6.5 % suffered from asbestosis."

Unfortunately, the modest activists authors of this 28-page report did not publish their names on it, but I hope that perhaps some of the documentation they cited can be located. J Kumar probably could give more information on conditions at the plant, the fate of government threats to jail the plant management, etc., if he can be tracked down. The types of operations described in the above quote are textile operations, not asbestos-cement operations, so it would be good if the original reports can be located for verification as to what they say. And it would be most interesting if J Kumar can be asked about this.

The CED report starts with a review of a worker's efforts to get compensation for asbestosis. One problem the poor man had was that Hindustan Ferodo management referred him to Dr. GG Dave, medical inspector of factories Maharashtra, who told him he had "acute bronchitis." As his story concludes, poor Rajagopal, the worker, was pressing his claim at Employer's State Insurance medical board in 1983. The other factory case studies described in the CED report (besides Shree Digvijay) were the Asbestos Jointing Company at Andheri and Hindustan Ferodo in Bombay (then a subsidiary of T&N in the UK). Most of the report is about the health effects, description of plants and companies in the industry in India, legislation and medical provisions in the law in India, "loopholes in the law", case studies, and "what can be done" conclusions.

I started this long message with the idea of suggesting that Prof. M. Shah be asked to make the files accumulated by Rani Advani at CERC available for examination by BANI activists who may be able to see what follow up has been done and initiate better researched activities of their own. I also recommend making an example of Shree Digvijay. Madhumita now reports that 75/77 workers there have evidence of severe exposure or asbestosis. This is an Indian company today, Johns-Manville would have sold its (10%) shares of ownership soon after filing for bankruptcy in 1982.

Good luck.

Barry

----- Original Message -----

From: Dr. Barry Castleman

To: Gopal Krishna

Cc: [fer.giannasi@terra.com.br](mailto:fer.giannasi@terra.com.br) ; [gac2004@ac.wakwak.com](mailto:gac2004@ac.wakwak.com) ; tushar kant joshi ; Laurie Kazan-Allen ; Madhumita Dutta ; [gopal@toxicslink.org](mailto:gopal@toxicslink.org)

Sent: Monday, December 08, 2003 11:13 PM

Subject: Re: Prof Manubhai Shah

Dear Friends,

Gujarat has perhaps the most notorious asbestos plant in India, Shree Digvijay in Ahmedabad. I have selected the best material from my file on this company, which starts with a 1977 internal memo of their US affiliate Johns-Manville, describing conditions in 1977 thus: "The Indian Government Environmental Division has been recently tightening dust emissions and Shree has been told to either shape up or close down with their management liable for jail sentences. Their present operation is just indescribably poor...We advised Shree to repair their negative system dust collector which was 50% loaded with fiber, with half of the dust bags broken."

There follow my reports in 1981 and news reports from Times of India, etc.

----- Original Message -----

From: Gopal Krishna

To: [bcastleman@earthlink.net](mailto:bcastleman@earthlink.net)

Cc: [fer.giannasi@terra.com.br](mailto:fer.giannasi@terra.com.br) ; [gac2004@ac.wakwak.com](mailto:gac2004@ac.wakwak.com) ; tushar kant joshi ; Laurie Kazan-Allen ;

12/9/03

Madhumita Dutta ; gopal@toxicslink.org  
 Sent: Friday, December 05, 2003 10:45 PM  
 Subject: Prof Manubhai Shah

Dear Barry and Laurie,

Prof Manubhai Shah must be asked about what are his plans to make Gujarat Asbestos free.

What are his engagements with groups seeking immediate ban on white asbestos in other parts of the country.

Since his silence all along these years after the PIL in Supreme Court is puzzling, this opportunity can be used to get his current views on the issue on record. It would be useful for future use.

Delhi members of BANI are meeting on 8th December after the double speak by Indian government in Geneva.

warm regards

gopal krishna  
 BANI

>----- Original Message -----

> From: "Dr. Barry Castleman" <bcastleman@earthlink.net>  
 > To: "tushar kant joshi" <joshi\_tk@rediffmail.com>; "Laurie Kazan-Allen"  
 > <laurie@lkaz.demon.co.uk>  
 > Cc: <fer.giannasi@terra.com.br>; <gac2004@ac.wakwak.com>;  
 > <meetgopalkrishna@rediffmail.com>; <mdutta@vsnl.net>  
 > Sent: Friday, December 05, 2003 10:42 PM  
 > Subject: Re: Prof Manubhai Shah

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 >> Friends,  
 >>  
 >> The Supreme Court case was brought by CERC, true enough, because they had  
 >a  
 >> very determined lawyer named Rani Advani, who unfortunately died within  
 >the  
 >> past few years. If we could have gotten her to the conference, in fact to  
 >> all of our coalition efforts, it would have been great. But the big boss  
 >> had little if anything to do with the case, and in any event it is now 8  
 >> years past and there is no enforcement of anything the Supremes said  
 >should  
 >> be done. Rani was also trying to bring compensation cases for asbestos  
 >> victims, she was continuing to try and advance the situation, and she was  
 >> doing it with little or no support from anyone else. The only mailings I  
 >> have seen from CERC are about what strike me as frivolous consumer issues,

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>> and none have anything to do with worker health and corporate polluters.  
 >> Those of you in India may know more about CERC and Prof. Shah, but before  
 >we  
 >> pay to fly this guy to Japan, I think we should see whether his group is  
 >> interested in participating in the work of BANI. Perhaps one of you knows  
 >> Shah or his group and can talk to them about current and future activism  
 >on  
 >> asbestos in India.

>>  
 >> Barry

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 >> ----- Original Message -----

>> From: "tushar kant joshi" <joshi\_\_tk@rediffmail.com>  
 >> To: "Laurie Kazan-Allen" <laurie@lkaz.demon.co.uk>  
 >> Cc: <bcastleman@earthlink.net>; <fer.giannasi@terra.com.br>;  
 >> <gac2004@ac.wakwak.com>; <meetgopalkrishna@rediffmail.com>;  
 >> <mdutta@vsnl.net>  
 >> Sent: Wednesday, December 03, 2003 11:50 AM  
 >> Subject: Re: Prof Manubhai Shah

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 >>  
 >>> Laurie,  
 >>> In my article, which I did, for Joe and which appeared in the  
 >>> State of Art Reviews in Occupational medicine I made a reference  
 >>> of this particular development. Supreme court of India only  
 >>> endorsed the spirit of constitution of India that it is the  
 >>> fundamental right of every Indian citizen to be able to work in a  
 >>> safe and healthful environment. The govt. must ensure that every  
 >>> workman is protected. They asked industry to take all measures  
 >>> incorporated in Convention 162 of ILO and compensate workers if  
 >>> they have suffered. Unfortunately, that hardly had any impact and  
 >>> things have not changed. I must confess the activities of some of  
 >>> us more troubling to the asbestos mafia than the Supreme Court  
 >>> judgment as they do not allow any enforcement to proceed.  
 >>> But let them make a presentation and they deserve to be called as  
 >>> we consider them our allies in this battle.

>>> TK

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 >>> On Wed, 03 Dec 2003 Laurie Kazan-Allen wrote :

>>>>Dear All:

>>>>

>>>>What do you think?

>>>>

>>>>Laurie

>>>>----- Original Message -----

>>>> From: "Manubhai Shah" <manubhai\_cerc@hotmail.com>

>>>> To: <laurie@lkaz.demon.co.uk>

>>>> Sent: Wednesday, December 03, 2003 10:42 AM