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

From: "Madhumita Dutta" <mdutta@vsnl.net>
To: "Dr. Barry Castleman" <bcastleman@earthlink.net>; "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>; <newohsa1@yahoo.com>
Sent: Friday, December 12, 2003 10:24 PM
Subject: Re: Prof Manubhai Shah

Dear Barry,

Yesterday I went to CERC to meet Prof Shah and see of I cuold have access to Rani's files. Prof Shah was extremely cordial and said he would be more than happy to share the files with me if they were of any use to us. I gave him a run down on BANI and my association with you all (these intl' connections somehow matters to these big NGO types!!!).

I asked him about their plans to follow up on Rani' case in terms of implementation of the orders, specially in Digvijay, since that was Rani's focus plant. (By the way Digvijyay is now called Gujarat Composite Ltd. The mgt has changed. I will need to research into the corporate part of Digvijay). Prof Shah said that CERC would be keen to file or be party to any legal case that is being filed on asbestos in Supreme Court/Gujarat High Court. He said they wanted to take up the legal case, but did not have information/data. So if we give him data/info (basically we do the dog work!) then he will file the case. Other than that he didn't seem to have any plan regarding asbestos. I also told him to look at the 7 advertisements that came in India Today magazine by the Asbestos Manufacturing Association and take action in consumer court or the Indian advertisement regulatory authority. He immediately directed the matter to his legal cell and said after his legal team studies the advs. , legal action will be taken against the magazine and the asbestos association. CERC has been good at doing these kind of things in the past.

But I DO NOT TRUST THE GUY! The reason being ---while we (Raghunath Manwar and I) were talking to Prof Shah about Digvijay Cement, he called a guy named Mr Modi into the room and introduced him as a former trade unionist and presently working with CERC. This guy seemed to know a lot about Digvijyay cement and discussed and asked us many questions what we were doing on asbestos, specially on Digvijay. After the meeting in Prof Shah's room, this guy Modi came with us to the legal Cell where Rani's files are kept. But before I could look at them, he said he wanted to talk to us. Then he told us that he was the FORMER GENERAL MANAGER of Digvijay Cements (after 1995 for 5 yrs). I almost fell out of my chair! And then he started calling up the Security Officer/Medical Officer of Digvijay Cement infront of us and asked them whether they have seen NGOs doing health surveys around the plant, asked them about implementation of SC order in Digvijay. First, I didn't realise what he was doing, but slowly I realized this guy was dangerous and he got all the information out of us and now he is alerting the Digvijay mgt. He tried his best to dissuade us from working on

Digvijay. (Digvijay has been closed for last couple of months due to some problems with the two trade unions). He told us not to work on it since it will anyway close down etc.

While I was still talking to this obnoxious person, Raghunath bhai slipped out and met one of his friend in the legal cell. This friend told Raghunath bhai why we were talking to this guy since this person was totally untrustworthy and he may be still be on Digvijay's payroll. So Raghunathbhai came and quickly told me to get out of the place, by which time I knew what game this person (Modi) was playing with us. SO I walked out of his room.
Can you guys believe this-PROF SHAH HIRING A FORMER GM OF DIGVIJAY AND THAT HE DELIBERATELY DID NOT TELL US ABOUT IT WHEN HE INTRODUCED HIM TO US.
I FELT TOTALLY DUPED AND VERY VERY ANGRY. CAN YOU GUYS IMAGINE WHAT DAMAGE
THIS GUY MODI DID BY ALERTING THE MGT???

Anyways, after I come back from the Roro public hearing (next week), I will go through the 3 files (1 correspondence, 2 legal cases) of Rani's and will have nothing more to do with Prof SHah/CERC. Raghunathbhai and I are planning out what work we can do with Digvijay and will email you all the note for your advice and guidance.

I feel completely betrayed by Prof Shah. I will take this up with him at some appropriate time.
Madhu

At 11:45 AM 12/11/2003 -0500, Dr. Barry Castleman wrote:
>Dear Madhumita,
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>I think that you will find the documents I have sent to TK on the history of
>carnage at Shree Digvijay interesting. And although I do not trust Prof.
>Shah, CERC's files on asbestos should have a wealth of documents on Shree
>Digvijay. It is clear from Rani's letters that this plant was a focus of
>her work, since Shree was based in Ahmedabad and obviously such a shithouse
>and a focus of media attention starting in 1981. Your careful review of the
>CERC files and the procurement of copies of selected items would no doubt be
>of use, and I would hope that you'll have no problem getting Prof. Shah to
>make that available to you/BANI.
>
>When you can, please explain what problems the Kalyanshree people have

Dr. Barry Castleman

From: "Dr. Barry Castleman" <bcastleman@earthlink.net>
To: "Dutta, Madhumita" <mdutta@vsnl.net>
Sent: Wednesday, December 17, 2003 11:32 PM
Attach: Castleman, ScD, Barry I.vcf
Subject: Mr. Modi

Madhumita,

I don't think that Prof. Shah's organization CERC had ever hired Modi, as he seems to have represented to you. More likely, Shah was letting Modi use him to coax whatever they could out of you. You have demonstrated to my satisfaction that Shah works with the Ahmedabad chapter of the asbestos mafia, and that explains why we heard from him after silence for so long, asking for a free ride to the activists' conference next year in Japan. The people CERC sent to the BANI formation meeting in 2002, I also wonder about. You should tell people to be careful what they share with these guys and to discuss any contacts from CERC with others.

And, can you contact the union and ask what Mr. Modi's past and present financial relationships are with "Gujarat Composite"? He probably owns a bunch of stock or is a Board member if he isn't still working for the company. And is the union dispute at all related to asbestos health effects issues?

Even with this regrettable delay, it'll be interesting to see if the files are the size of the ones you last saw, and it might still be worthwhile looking through that stuff. Of course, any documents you select will also be passed on as copies to Mr. Modi if the copies are made by CERC staff. Perhaps you can rent a portable copier and save them the inconvenience.

After you have your copies of Rani's file documents in hand and are ready to leave, that would be a good time to stop in with Prof. Shah. You might start talking a little about less challenging things that are nonetheless of interest, like his personal background and training. How did Rani and CERC come to get involved in this issue? What was Prof. Shah's earliest involvement in the asbestos case? At some point you will of course have reason to ask how he came to know Mr. Modi. And what earlier encounters with the company management had he had, from the time Rani started working on this 20 years ago. You want to maintain outward calm, because what you are trying to get at is how long ago he went to work for them and how that came about. Think of yourself as a toxic corporate crime investigator, just try to turn your anger into a form most likely to elicit what you can. You may want to start out cheerfully and only gradually get around to asking him exactly what did he think he was doing, bringing in Mr. Modi to interrogate you after Shah's deceptive introduction, later Modi's blocking your access to the files while calling in an "activist security alert" to the factory with the evident purposes of intimidation and distraction of you in CERC's offices.