

# THE BHOPAL MARATHON

A young boy with dark skin and hair, wearing a white short-sleeved shirt with a school crest and a striped tie, stands barefoot in front of a blue wall. He is holding a wooden cricket bat with both hands. The wall behind him has some peeling paint and a small framed picture.

## BHOPAL MARATHON:

A marathon  
of suffering  
measured  
not in miles  
but in years

## BHOPAL SITE:

Union Carbide's  
toxic wastes  
are still making  
damaged babies

## BHOPAL GAMES:

The children  
who can't  
play games

## BEYOND BELIEF

That Carbide's  
owner should  
be sponsoring  
the Paralympics

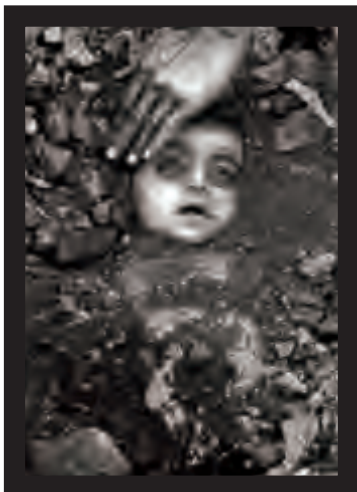
A JOINT PROJECT OF  
THE BHOPAL MEDICAL APPEAL  
AND THE BHOPAL GROUP  
FOR INFORMATION & ACTION

## WHEN SACHIN GOES IN TO BAT

A tale of sportsmanship  
courage and fair play

COVER PHOTOS: Micha Patault [front], Maude Dorr [back]

*A cry for Bhopal*



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By request of the people who come for care to the Sambhavna Clinic and the Chingari Trust Rehabilitation Centre, this report is dedicated to you, who generously support the medical work in Bhopal.

We also remember Ward Morehouse, tireless crusader for justice in Bhopal, who died on June 30, 2012, aged 82, while swimming in his favourite pond.

## Sources, Citations & Documents

Sources and citations for all footnoted articles are given at the end of this report. Full versions of all quoted documents and an online version may be found at [www.bhopalmarathon.org](http://www.bhopalmarathon.org)

## Acronyms

ADL Arthur D Little, Consultants  
BGIA Bhopal Group for Information & Action  
BGPBUS Bhopal Gas Peedit Mahila Udyog Sangathan  
BGPMPMS Bhopal Gas Peedit Mahila Purush Sangharsh Morcha  
BGPMSKS Bhopal Gas Peedit Mahila Stationery Karmachari Sangh  
BGNPBSM Bhopal Gas Peedit Nirashrit Pension Bhogi Sangharsh Morcha  
BMA Bhopal Medical Appeal  
BMHT Bhopal Hospital Trust  
BMHRC Bhopal Memorial Hospital & Research Centre  
CJM Chief Judicial Magistrate, Bhopal  
CSIR Centre for Scientific & Industrial Research  
EIL Eveready Industries (India) Limited  
ETT Exercise tolerance test  
FERA Foreign Exchange & Regulation Act, 1974  
FIR First Information Report of a crime  
GoI Government of India  
GoM Group of Ministers on Bhopal  
ICJB International Campaign for Justice in Bhopal  
ICMR Indian Council of Medical Research

IMCB International Medical Commission for Bhopal  
IOC International Olympic Committee  
IPC Indian Penal Code  
JNCH Jawaharlal Nehru Cancer Hospital, Bhopal  
LOCOG London Organising Committee for the Olympic & Paralympic Games  
PFT Pulmonary function test  
MIC Methyl isocyanate  
MP Madhya Pradesh, state of  
MPPCB Madhya Pradesh Pollution Control Board  
NEERI National Environmental Engineering Research Institute, Nagpur  
PPT Permanent People's Tribunal  
RTI Right to Information request  
SC Supreme Court of India  
SEC Securities & Exchange Commission, New York  
SEP Solar evaporation ponds in Bhopal  
TDCC The Dow Chemical Company  
UCAP Union Carbide Asia Pacific  
UCC Union Carbide Corporation (US)  
UCE Union Carbide (Eastern) Hong Kong  
UCIL Union Carbide (India) Ltd  
ZGKSM Zahreeli Gas Kan Sangharsh Morcha (Poison Gas Disaster Struggle Committee)

## Please help with a donation

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**LEGACIES:** Children being born damaged will need care for the rest of their lives, so making a bequest is a generous way to continue your support.

**WWW.BHOPAL.ORG:** See the good your gift does and donate direct online.

**VOLUNTEER:** To help in Brighton or Bhopal, please call us on +44 (0)1273 603278.

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## THE BHOPAL MEDICAL APPEAL

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In 1984 at the LA Olympics, Sebastian Coe ran 1,500 metres in 3 minutes, 32.53 seconds. He won the Gold Medal and set a new Olympic record. That same year began the long torment of the Bhopalis. On a cold December night in they began running for their lives and many have known not an hour of comfort since. We see them at our clinics, breathless, racked with pain. Had Seb Coe (now Lord Coe, Chairman of the London Games organisers LOCOG) not stopped after 1,500 metres, but kept running for 10,000 days, or 148,000 marathons, he would by now know what it feels like to be a Bhopali.

# The Bhopal Marathon: an ordeal of pain measured not in miles but years

## EDITORIAL

For almost thirty years some of the poorest people on earth, sick, living on the edge of hunger, without funds, wealthy friends or political influence, have been fighting for their lives and fundamental human rights against a multinational giant backed by the governments and economic elites of two powerful nations.

Union Carbide and (since 2001) its owner Dow Chemical have it all – wealth, power, influence. They have the funds to advertise to millions and the access to whisper in the ears of presidents and prime ministers.

The ‘nothing people’ have literally nothing. Their efforts to gain medical care and justice through the courts have been opposed and obstructed in every possible way by Union Carbide whose gases killed their families and whose toxic wastes contaminate their drinking water. Now Carbide’s 100% owner Dow Chemical is honoured as an international sponsor of the ‘most sustainable ever Olympic Games’.

The Bhopalis are not opposed to the Olympic Games. They say, ‘We celebrate the Olympics, their ancient sanctity and nobility of spirit. We

salute the Games that unite us all in delight at the health, strength, beauty and grace of the young contestants from all round the world. All of these things we believe the association with Dow debases and disgraces.’

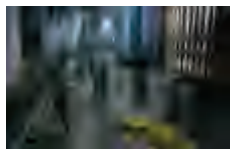
### Why this report is needed

On Feb 2, 2008, India’s Ministry of Law advised the government that ‘irrespective of the manner in which UCC (Union Carbide Corporation) has merged or has been acquired by Dow Chemical, if there is any legal liability, it would have to be (*contd. p.5*)



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1984



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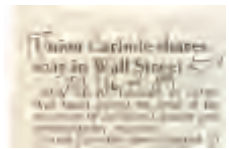
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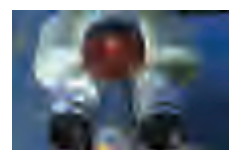
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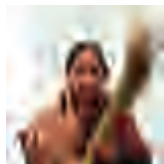
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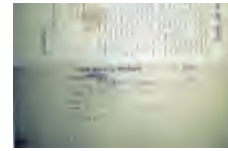


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Free clinic set up by victims to give antidote injections is torn down by police, its records handed to Carbide

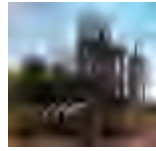


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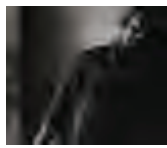
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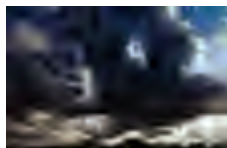


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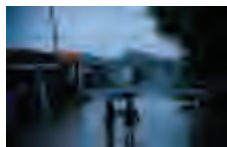
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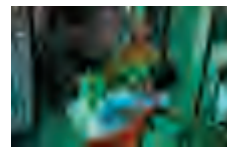
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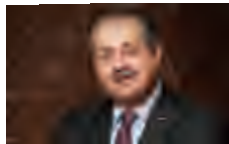
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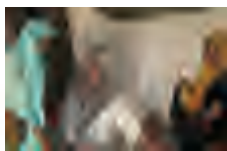


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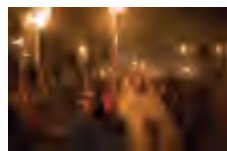
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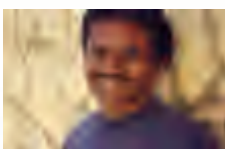
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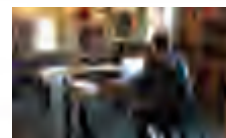
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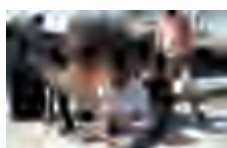
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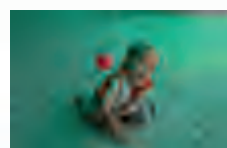


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176 Abandoned by the mighty, Bhopal's special children have their own Olympics and everyone gets a medal.



borne by Dow Chemical.<sup>11</sup> When Lord Coe endorses Dow's denial that it inherits any of Union Carbide's undischarged liabilities, he is in our view pronouncing a verdict that can only properly be decided by a court.

After meeting Dow lawyers and PR people, and ignoring pleas to talk to Bhopal survivors, Lord Coe told the House of Commons Culture, Media & Sport Committee, 'At no time did Dow operate, own or were involved with the [Union Carbide] plant either at the time of the disaster or crucially at the time of the full and final settlement...the Indian Supreme Court has upheld on two previous occasions the [1989] settlement that was reached by the previous owners of that plant.'<sup>12</sup> Pressed by MP Jim Sheridan, Lord Coe added, 'I am not here as a spokesman for Dow.' He then repeated, 'Dow were not the owners, operators or involved in the site at the time of the disaster.'

## Decoding soundbytes

The first part of what Lord Coe said was *true*, *we think, beside the point*. The Indian Ministry of Law opinion quoted above is clear that Dow didn't need to have owned or operated the plant in order potential to inherit any Union Carbide liabilities.

His comment about the Supreme Court omits that only *part* of the 1989 Settlement was upheld and that in 1991 the Court specifically reinstated charges of culpable homicide against Union Carbide Corporation<sup>3</sup>, which since 1992 has been refusing to appear in court to answer them.

## Beyond Belief

Dow's CEO Andrew Liveris told Bloomberg<sup>4</sup> that the attitude of the Bhopal victims was 'beyond belief'.

'*It was not us*,' said Liveris. 'The fact that you can speak back with science and fact rather than emotion and hysteria is your only defense... To keep coming back to the notion

that you acquire a company where there is a bright line on the liability that was settled way beyond your time, and to hook you in to that event, it's *beyond belief* that people are still trying that. The obvious reason people are trying that is because we are a healthy company *with deep pockets* that people want a *second bite of the cherry on*.'

In other words the Bhopal survivors are greedy people, who should be satisfied with what compensation they have already had. You be the judge.

## The Bhopal Marathon

Rather than engage in a battle of soundbytes, which neither the public nor media are well-informed enough to decode, we felt a better thing to do was let the survivors tell their own stories of what has been happening to them and what for nearly 30 years they have been forced to endure. Their voices are backed by opinion pieces and analysis.

We want every journalist and MP to have a copy, and hope that this will be a useful introduction to a difficult subject, valuable to anyone who needs to understand three decades of tangled issues in the politics of human misery.

No matter how much you know about Bhopal, you will be appalled.

You will learn how the victims, trusting that their government would come to their rescue, were instead let down by politicians who appear from the beginning to have been colluding with Union Carbide; how they were cheated by officials, bureaucrats and quacks; how when their water was found to be poisoned by chemicals leaking from Carbide's abandoned factory, they were denied clean water in defiance of a Supreme Court order and beaten when they dared to protest.



*Aliya Bano, with her grandson holding a photo of her taken on the morning of the gas leak (please go back to the picture on p. 1 then forward to p. 160)*

It is not a story that (we may hope) could ever happen in Britain and much of it is, to quote Mr Liveris, utterly 'beyond belief'. For our part we have carefully checked facts and wherever possible given documentary or photographic evidence. Where the story touches Union Carbide and Dow we have tried to tell it using their own public statements and private documents. Full versions of all quoted documents are available at <http://bhopalmarathon.org>.

## Thanks to generous friends

*This big report has cost us and our donors nothing*. It has been paid for by generous sponsors. The story it tells is not just of horror and cruelty, but also of the noblest things in human nature, compassion, joy, celebration and the power of love. By wish of the Bhopalis this report is dedicated to our supporters and friends who make possible the wonderful healing work that is taking place in our two clinics.

# BHOPAL MARATHON

START: MIDNIGHT  
3 DECEMBER 1984

'People ran in what they were wearing or in nothing at all. They were concerned only to save their lives so they just blindly ran. Even cows ran in panic, and crushed people. The road to the old city was a river of people, staggering as if in the last stages of a long race. We knew if we fell we would not get up again'.

**Champa Devi Shukla**

'Outside, it appeared that a large number of people had passed that way. Slippers, and shawls were strewn about. A thick white cloud enveloped everything and reduced the streetlamps to dim pinpricks of light.'

**Aziza Sultan**





# Ghosts of That Night

DEATH CAME OUT OF a clear sky. Midnight, a cold wind blowing – the city's poets would remember the cold of that night – the stars brilliant as they are in central India, even through the thin pall of cooking-fire smoke that hung above the city. Here and there, braziers were burning to warm those who were obliged to be out late.

From the factory which so many had learned to fear, a thin plume of white vapour was streaming from a high structure. Caught by the wind, it became a haze and blew downward to mix with smokes coming from somewhere nearer to the ground.

A dense fog formed. Nudged by the wind, it rolled across the road and into the alleys on the other side. Here the houses were packed close, ill-built, with badly-fitting doors and windows – plenty of gaps for the uninvited visitor to enter. As those within woke, coughing, their eyes burning, countless women's voices were saying, 'Hush sweetheart, it's only someone burning chillies. Go back to sleep.'

*This picture by French photographer Micha Patault, was taken in J.P. Nagar, where the death-toll was most savage. Terrified people surged from their homes into the darkness and gas. Bodies were crushed. Children's hands were torn from their parents' grasp. Families were whirled apart and destroyed. No emergency instructions had been given. There was no alarm.*

*Micha's long exposure captures passers by as ghostly shapes, recalling those whose lives ended here more than 27 years ago.*



# Aziza's Story



This is the story you hear again and again in Bhopal. A terror experienced individually, shared by thousands. People woke in darkness with an invisible fire searing their eyes and lungs. Aziza Sultan is a staff member at the Sambhavna Clinic. On that night she was a young mother expecting her third child.

I WOKE COUGHING BADLY. In the half light the room was filled with a white cloud. I heard a great noise of people shouting. 'Run, run'. My eyes were burning. Each breath felt as if I was breathing in fire.

Mohsin, my baby son, began to cough. All our family were coughing and groaning. The house was already full of white mist. My mother-in-law said we must go to Hamidia hospital. I carried Mohsin on my hip and took hold of my little daughter Ruby's

hand. My sister-in-law was holding two children and my father-in-law lifted up his favourite grandson who was five years old.

## Screaming for help

We went out in our night clothes. Nothing else. It was very cold but we did not feel it. We didn't shut the house, nothing mattered but to run.

Outside in the lane, it appeared that a large number of people had passed that way. Shoes, slippers and

*'I began bleeding and lost my baby right there in the street as I ran'*

shawls were strewn about. A thick white cloud enveloped everything, reducing the streetlamps to dim points of light. Our family got split up. One sister-in-law ran one way and the rest of us another. I saw lots and lots of people running, they were screaming for help, vomiting, falling down, unconscious. We'd gone about 500 metres when my father-in-law saw a truck and told us to climb on. We couldn't and in the confusion instead of lifting up his grandson Mansoor, he grabbed another little boy who was running around on his own.

My mother-in-law was vomiting. She was a heart patient and Hamidia hospital was still two kilometres away, much of it uphill. Mohsin was still unconscious. Ruby was holding on to my tunic, she did not once let go. We walked another 500 metres and came to the Bhopal Talkies crossing. Mohsin was being sick on me. Ruby was also vomiting. We had just one thought, to reach Hamidia.

At the Bhopal Talkies crossing we all fell on the ground and just lay there. I was two months pregnant and to my horror and shame I felt myself having a miscarriage right there in the middle of the street.

## What is happening?

We couldn't talk to each other or even see, our eyes were so bad. We were wondering what had gone wrong, who had done this. We had no idea that there was a gas leak from Union Carbide. We realised that if we remained at the Bhopal Talkies crossing we would die because we could see so many people lying on the ground who appeared to be dead.

Trucks overflowing with people



were passing. Somehow we got back to our feet. My body was covered with blood. Blood was all over me. I couldn't control my bowels and the faeces ran down my legs, mixing with the blood.

We took the Safia College road and walked about half a kilometer. There we saw a moving vehicle, a large three-wheeler, crawling slowly up a hill. It was already crowded, full of people. We managed to climb on board and I fell on to some man's lap. I was covered with my blood and faeces and vomit from my children.

At the top of the hill the vehicle gave way under the weight of people.

We started walking again and got to Hamidia hospital at about 2 or 2.30 am. Mohsin was unconscious, Ruby was still clinging to my kurta. There was no one to ask for help so

we went on towards Kamla Park, as everyone was running that way.

### Walking on bodies

At Rani Kamla Pati ka Mahal, the road was so thick with dead bodies that we were forced to step on them. The park between the upper and lower lakes was full of bodies lying on the ground. People from nearby areas were bringing out their quilts and bedcovers and covering people to protect them from the gas cloud.

We collapsed onto a pile of dried leaves near a garbage dump and fell unconscious. I recall that men came and lifted me and my children. They carried us to a better place and wrapped me up in a quilt.

We lay there for a long time, then heard this loud announcement from a public address system on a jeep.

'We are in control of the gas leak from Union Carbide. Go back to your houses.' By then it was dawn.

One man about 35 years old took us to his home. Our eyes were closed and swollen. We were still feeling as if someone was trying to strangle us, breathing was extremely difficult.

This man gave me clothes to wear and hot water to wash myself. He made us tea but we couldn't drink – our throats were on fire. Soon it was light, but we were helpless because we could not see. The man and his son gave us a bottle of drinking water and led us back to our house.

When we got home we saw that the trees had shed their leaves, which looked as if they had been burnt. Milk had turned light green and we threw it away. All food left in the house was also thrown away.

So the night of terror ended, but as the sun rose over Bhopal, none of us knew nor could ever have guessed what lay ahead. It never occurred to us that we would get no help, not from Union Carbide nor elsewhere, that the company would not be punished and we would be left to live or die. 'That night' was over, but the years of death and suffering had just begun.





## Elvis died in Bhopal

ELVIS WASN'T HIS REAL NAME, of course, but it's what everyone called him. Raju 'Elvis' Thanwar, the film-mad son of Mullu Thanwar. He was 18 years old and worked as a daily wage labourer at the straw board mill near the Bhopal bus stand. Raju spoke no English, but he knew the words to all Elvis's songs.

On the night of the disaster, Raju was at the home of his elder sister Sunita. Her husband Mulchand was away from home. Around midnight Sunita's young son Rakesh and daughter Puja woke crying. Sunita opened her eyes into a darkness full of invisible fire. It was agony to breathe. 'We were retching,' she says. 'Froth came out of our mouths, our lungs were burning. Raju and I took the kids and began running with the crowd. Each step was murder. The gas was destroying us. We got to Pir Gate, that's all I remember.'

Light came to city streets full of scenes from an apocalypse. Bodies lay in heaps, limbs twisted and faces contorted in agony. In some places, the streets were so strewn with dead bodies that it was impossible to walk without stepping on them. The sun came up on choking, blinded people making their way to the hospitals. The gas had unstrung their nervous systems as they fled, and they had urine and faeces running down their legs. Some, desperate to relieve the agony in their eyes, were washing them in sewage water from the open drains.

Sunita woke up two days later in a hospital, calling for her children. Rakesh was dead. His small body had already been buried. Puja died next day. Raju had not reached the hospital, nor ever came home. His family took the picture you see here and walked the streets asking, 'Have you seen this boy, the one they call Elvis?' But there were thousands of dead lying in streets and houses with no one to identify them. The bodies were taken by municipal trucks to burial- and burning-grounds. One of the drivers of those trucks told us:

'We picked up the bodies with our own hands. Every time we lifted one up it gave out gas. The bodies had all turned blue, and had froth oozing from their mouths. We could fit 120 bodies into one truck and we filled and emptied each truck five times a day. There were eight trucks on duty. This carried on with exactly the same intensity for three to four days, each day at midnight the military took over.' The army dumped bodies in the jungles to be eaten by animals or in rivers, where they formed log-jams against the arches of bridges.

Pictures of the unidentified dead were published on posters, hundreds to a page. On such a poster his family finally recognised Raju.

On his forehead was taped a scrap of paper marked '570'.





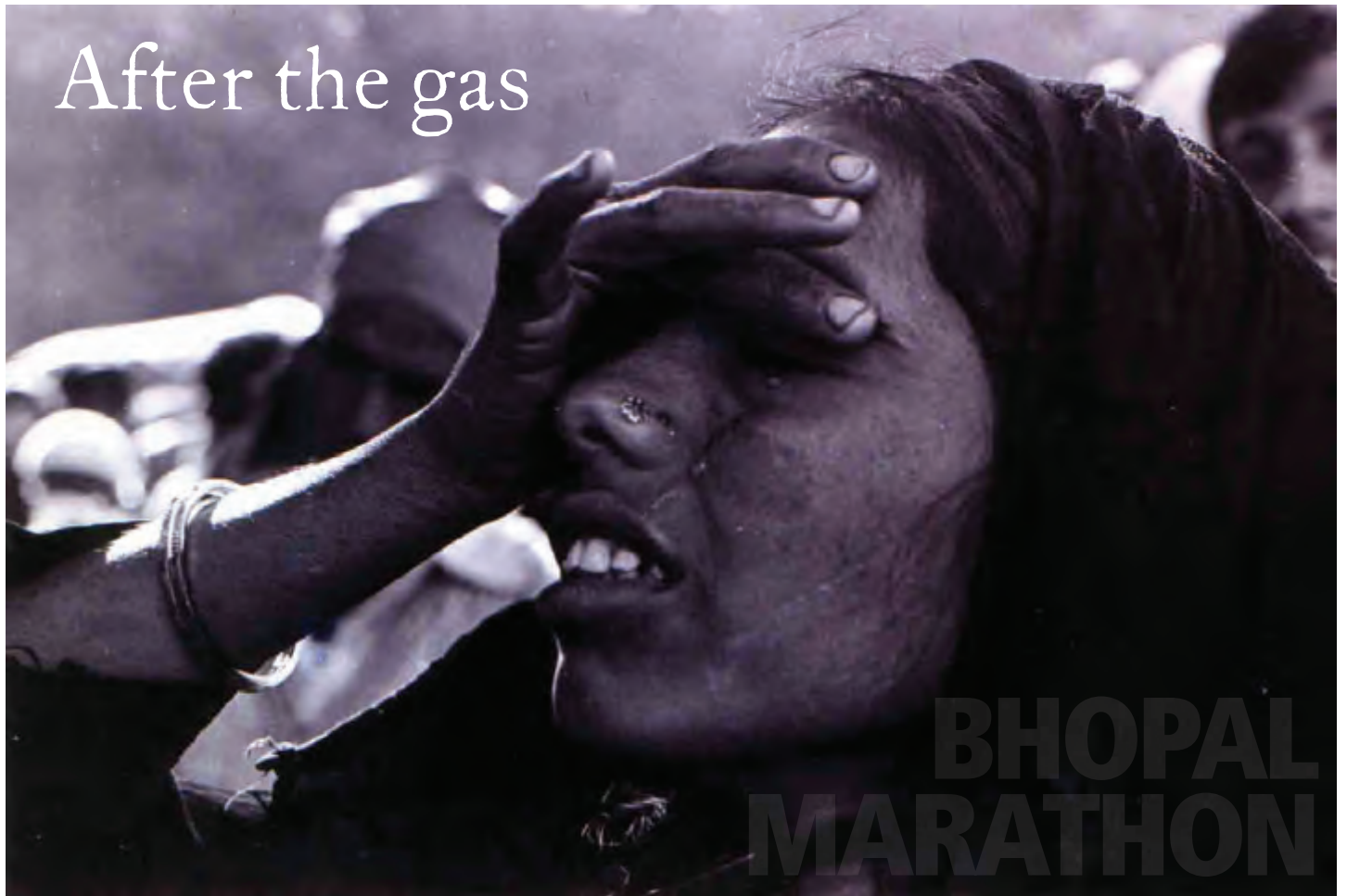


Thanks to all those who gave pictures of their lost loved ones for this page, made with tears. We remember each of the people, almost 25,000 of them, who died on that night or of injuries in all the years following. Be at peace, dears, we shall never ever forget you.



Our dead have faces  
and names, they are not  
just numbers.





Sathyu Sarangi is a metallurgical engineer who on hearing news of the gas disaster, dropped everything he was doing and came to Bhopal to help for a week. Nearly three decades later he is still there. In this article he tells what it was like to arrive the day after the disaster, how from day one, he saw efforts to help the survivors being obstructed by Union Carbide and the state government, how the spirit of resistance spread among the survivors, and how many battles begun three decades ago in the aftermath of catastrophe still continue to this day.

WHEN I ARRIVED in Bhopal soon after the disaster, I was unprepared. Rushing to the city from the town four hours away where I worked in an NGO, I had very little information (the news on the government radio station had drastically downplayed the tragedy), almost no local contacts and only a hundred-odd rupees in my pocket. I had only a few clothes. I didn't think I'd be staying in the city for much more than a week, helping out with emergency relief.

The day after the gas leak, the train to Bhopal was nearly empty. The few

people on it seemed to know little of what had actually happened at our destination. The magnitude of the disaster was not realised at the time, some of the repercussions are still coming to light nearly 30 years later.

As I walked out of the station, I could see thousands of people in utter pain – their eyes swollen, tears streaming, huddling with family and friends. I saw some try to walk with unsteady steps, before falling down – whether unconscious or dead, I did not try to figure out. The station was just 1.5 kilometres from the Union

Carbide plant, which was surrounded by densely populated communities that were badly affected by the leak.

The enormity of pain all around, and my helplessness to offer any kind of assistance, was numbing. I just stood at the station exit and stared. My head and hands finally began to work again when I saw hundreds of people helping the victims. Young and old, mostly men, from various social and religious organisations and many more unaffiliated, were busy caring for the survivors. A bus stop just outside the railway station





had become a medical relief camp, where survivors could get milk, fruit, water and words of comfort. Medical supplies were limited to eye drops and antacids for the burning in the eyes and stomach, and tablets for breathlessness. These were little use, so most of the volunteers focused on lifting survivors to passing vehicles, to be taken to Hamidia Hospital.

I joined them for a while, then went into one of the areas near the station. There, the situation was very much worse. Open a door at random, and you were apt to see an entire family sprawled on the floor – some unconscious, some groaning, few able to speak.

I ran back to the main street and soon had more than 50 volunteers join me in carrying people from their homes and into passing vehicles. Not one of the drivers of cars, trucks or auto-rickshaws refused to take a suffering person to the hospital.

## Finding ways to help

THE EVENING SKY on my first day in Bhopal was lit by mass cremation pyres. I was told they'd been burning non-stop since the previous day. I met a man whose hands were covered with blisters. He lived next to a Muslim graveyard. Not knowing what else to

do, he did not stop digging mass graves for three days and three nights, unmindful of what the work was doing to his unpractised hands. I must have been in a similar state of mind. It was only several days later that I began to make some sense amidst the chaos and uncertainty: Is the water safe to drink? Is the food okay to eat? Many mothers had died,



many aborted as they ran, but what of the unborn babies who had no place to escape to from the poison clouds, were they okay? And I found things to do amidst the millions of tasks that needed urgently to be done.

Through chance encounters and word-of-mouth I met local students, activists, social and political workers, as well as volunteers like myself who

had come to Bhopal from elsewhere.

An organisation committed to the people's struggle for rehabilitation and justice was formed. An activist scientist, a lawyer and the head of a left political party, were chosen to lead the group, which automatically began to attract victims into its fold.

Other newly formed organisations were busy distributing relief material, doing preliminary medical research and running emergency clinics.

## Medical help denied

SOON AFTERWARDS, we heard that a German toxicologist had arrived in Bhopal bringing with him 50,000 ampoules of sodium thiosulphate. Administered intravenously it helped excrete toxins ingested during the gas leak and thus provided relief.

While the ampoules were quickly dished out to government officials and people they knew, the director of health services, claiming that he was apprehensive of possible side effects,

passed an edict against administering it to common survivors.

Our own research, with much help from scientist friends, showed that there were no side effects, and that sodium thiosulphate could indeed be effective in removing poisons from the bloodstream – thus saving lives of thousands – especially of unborn babies. But scientific debate wilted in



# The New York Times

"All the News  
That's Fit to Print"

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## GAS LEAK IN INDIA KILLS AT LEAST 410 IN CITY OF BHOPAL

12,000 REPORTED INJURED

Officials Say that Fumes Came  
From Incineration Plant of  
U.S.-Owned Company

By SARAJOVIK HAZ ARIK  
Special to The New York Times

**BHOPAL, India, Dec. 4** — Toxic gas leaking from an incineration plant in central India killed at least 410 people overnight, many as they slept, officials said today.

At least 12,000 were reported injured in the disaster in the city of Bhopal, 5,000 of whom were hospitalized.

The disaster hit the city and its environs. The cause, said a government official, was a gas leak from a plant owned by Union Carbide Corporation, which is widely used in the production of insecticides.

Mixed news of India put the death toll at 410, but the city's agency for relief said the toll probably continued.

### Underground Storage Tank

An Indian environmental official, T. N. Kishore, called it the "worst such disaster in Indian history."

The Chief Minister of Madhya Pradesh State, where Bhopal is situated, told reporters that the gas had escaped from a gas storage tank at an underground storage tank of a Union Carbide Corporation plant in Bhopal.

Witnesses said thousands of people had been taken to hospitals, crying for breath, many dying at the mouth, their eyes inflamed.

The victims were treated with the vapors of drugs, cats, cows, buffalo, and other animals killed by the gas, many were dead, which is widely used in the production of insecticides.

Doctors from neighboring towns and the Indian Army were rushed to the city of Bhopal, where hospitals were said to be overwhelmed with the injured.

Over 100 victims were children and old people were also overwhelmed by the gas and suffocated, Indian press reports said.

### Valve Malfunction Suspected

There is a small reservoir, the gas gas, which is used to discharge from the area and is commonly known as the valve and internal system. Pressure can apparently reach to enough that sometimes it causes trouble. (Page A11)

The Disaster. Some, a spokesman for Union Carbide said it was hardly likely that part of a nearby industrial plant in West Virginia while it investigated the Bhopal disaster. "We don't know what went wrong," the spokesman said. (Page A11)

The managing director of Union Carbide in India, T. N. Kishore, was quoted as saying that the incident occurred when a gas valve apparently malfunctioned after an increase in pressure, allowing the gas to escape into the air in a 40-minute period early today. It was not clear why the pressure had risen or how the leak was stopped.

## The true death toll: the testimony of Mohammed Karim

I used to drive a truck to dispose of dirt and waste. It was a special truck – I also used to pick up unclaimed dead bodies from the mortuary, I was used to doing it. That night [3rd December 1984] I put in thousands of bodies that we dumped – in one grave we would put 5-6 bodies, and we burnt piles and piles with logs. Many bodies were burnt without being identified – Muslims were burnt and Hindus were buried.

They [the government] said 'leave your wives and children in your houses and go on duty'. We used to be on duty till 12:00 at night and after that the military trucks used to come and dump the bodies in the Narmada river. This went on for three to four days. Even on the 16th [of December 1984] we had to come back again. They gave us 500 rupees for this but then they took it back from our wages.

We would fit 120 bodies in one truck and this we would fill and empty five times a day.

There were eight trucks on duty so that is 4,800 bodies a day. It carried on for exactly the same intensity for three to four days, and each night at midnight the military took over. 50 to 60 drivers were all working.

Some people were picking up bodies and some animals. We took a bulldozer and dug pits to bury all the animals, but the bodies we picked up with our own hands. Every time we picked one up it gave out gas. The bodies had all turned blue, and had froth oozing from their mouths. In some houses everyone had died so there was no one to break the locks. In one a six month old girl had survived and everybody else (mother, father and siblings) was dead. I broke the locks. At least 15–20,000 people died in those first few days. What they said in the papers was absolutely wrong. What could I have done? I was a government servant. What the government said was absolutely wrong but what could I do?



the overheated environment and in the face of powerful vested interests. (See *LIE & LET DIE* pp. 22-27)

It seemed clear to us that Union Carbide did not want the antidote given and results monitored as it would establish that the gases had not just injured eyes and lungs (as Carbide wanted us to believe) but almost all the organs by getting into the blood stream. Those who managed to give the sodium thiosulphate injections through clinics we had set up were arrested. Medical issues in Bhopal in those early days were deeply political.

## Bodies dumped uncoun- ted

THE DUMPING of dead bodies by the authorities, to downplay the scale of the disaster, were quickly common knowledge. Failing safety systems, poor maintenance, as well as faulty design and slack practices – all these pointed to the criminal negligence of Union Carbide and its management – but the release on insignificant bail of Warren Anderson, then chairman of Union Carbide, who visited Bhopal four days after the disaster, and was escorted out of the city under massive security the very same day, seemed to confirm that the government was colluding with the corporation.

We also were unsuccessful in stopping Operation Faith, the government's plan, just days after the disaster, to let Union Carbide turn the MIC left in the other two unsafe tanks into pesticides.

We had the testimony of scientists that MIC, the raw material used to manufacture Sevin pesticide, could safely be neutralised with caustic soda. However, we were few, and the government, despite all that had happened still preferred to repose its faith in Carbide's tainted science.

We watched, helpless, as thousands and thousands of people left their homes again, fleeing a second time from the city before the factory could be restarted.

A number of survivor activists we had befriended stayed behind with us to guard their neighbourhoods from thieves, including from policemen, who had begun to steal things from abandoned homes.

Sitting round log fires through the winter nights, provided with wet rags for possible emergencies, we shared stories and ruminated in clichés about life, death and the meaning of it all.

resumed in the factory, a government helicopter sprayed water from the sky, jute screens were placed above the factory walls and water tankers sprayed water along major streets.

Survivors commented that the jute screens would not even stop beedi smoke, let alone any leaking gases, and wondered whether the poison gas would be co-operative enough to keep to the wet roads.

## 'The big picture'

ANOTHER DRAMA was unfolding at that time. On the road leading to the factory, workers from the Rashtriya



## No faith

OPERATION FAITH kicked off with great fanfare. As pesticide production

Swayamsevak Sangh (RSS) and other Hindu fundamentalist organisations marched chanting alongside a truck in which a *bhavan* (the burning of wood, incense and ghee) was being performed. They claimed it would purify the poisoned air. We managed to stop them before they got anywhere near the factory.

With no sense of irony, the same government that had announced Operation Faith, stating there was no cause for panic, at the same time mobilised buses from all over the state to rush people away.

The government, unused to dissent from a normally easygoing population, tried to disempower those who were organising the people by siting relief camps set up for those driven out of their homes in a far off part of the city, a ploy that back-fired spectacularly as our mass mobilisations began. In the



camps, people from several different neighbourhoods came together and began powerfully to share their pain and bitter resentment against Union Carbide corporation and the uncaring politicians and government of the state of Madhya Pradesh.

People spoke of the 'big picture' – plunder and pillage for profit – and the collusion between Union Carbide and local bigwigs.

They discussed the many ways that common people could change this, ranging from exposure of crimes to working alongside other victimised communities to fight legal and extra-legal battles for the benefit of all.

### A plague of lawyers

A PLAGUE of American lawyers now descended on Bhopal. Through local agents, they cajoled survivors into

signing retainer forms – forms that many could barely see through their swollen eyes, let alone read, as they were written in English, which most people couldn't understand. The fine print gave up to 40% of any eventual compensation to the lawyers as legal fees. The ambulance-chasers soon amassed bundles of forms marked with Xs and thumb prints.

As competition hotted up among

## Justice in alligator boots & a polka-dot tie

ENTER MR MELVIN BELLI. Into the horrors of Bhopal, the mass death and torment of thousands, oozes the extraordinary figure of one of America's leading lawyers, a courtroom whale proclaiming that he is here to bring justice and money to *those poor little bastards* who have suffered at the hands of *those sons of bitches*.

'We shall knock the stuffing out of them. There is no doubt that we will win, for Union Carbide have absolute liability. Only questions are the amount of damages – we're going for \$15 billion – and the place of the trial. We'll try for California. I know my juries there and I like my judges. It is my home. I like to see my two Italian greyhounds. They *sleep* with me.'

Mr Belli arrived yesterday. He cut a singular figure, a bulky white-haired man in a black suit with a red silk lining, his feet encased in black alligator skin boots, a white polka-dot tie lying across his aldermanic paunch. On his way to a devastated community, numbed and mourning after the greatest of industrial disasters, there was something grotesque about his American law court show-bizzery and intemperate language.

'I had an idea I was going to get a piece of this case the morning I went to the office,' he announced. 'Any



someone will call us. I want to get this case tried in the US and get these Indian people American damages for the abuse of an American process.'

He told us that his law firm has represented many famous people and reeled off the names of film stars. 'But these people in India are nobodies. Some poor little bastard living in a railroad shack goes home to find his wife and child dead. Now Union Carbide have the effrontery to offer a fucking orphanage and a million dollars. It is a monumental goof typical of American philosophy. You can hear them saying, "We gave a million dollars for an orphanage. Man, we got out of that one easy." Well, it won't wash. The American

bitch. He is concerned only with profit.'

Mr Belli stepped outside to be photographed, saw a poor woman and gave her a 20 rupee note (about £1.60). He said it was a Christmas present and she could buy cigars.

One of the US lawyers in Bhopal said that Mr Belli 'uses people'. Mr Belli replied loftily, 'When you get to 77, have two Italian greyhounds and have read as many books as I have and have as many friends among lawyers and judges, and have had as many cases as I have, you don't have to justify yourself.'

TREVOR FISHLOCK

The Times, London, 11 December 1984



these lawyers, they began doling out blankets and then cash to entice their new clients, all promising millions of dollars in eventual compensation.

## People discover their power

IT WAS interesting to observe how the disaster and its aftermath quickly became a crash course in the politics of corporations and governments.

The role of governments and their attitude towards common citizens, self-serving politicians, factory bosses who did not care about workers and other people's lives, the poor being forced to fight for their rights – such issues were suddenly being discussed on every street corner. When supplies to the camps were suddenly cut off and the camps were wound up within a week of the disaster, hundreds of survivors marched demanding that Governor K. M. Chandy request urgent help from the central government.

Instead, there came orders to close down the relief camps. Operation Faith was over and the government wanted people back in their homes.

As weeks went by, there remained no doubt that, left to its own devices, the local government would continue to neglect survivors and it would take

more than a few hundreds marching on the seat of power to get a response.

## Carbide's lies and deceit

MEANWHILE, Union Carbide was in full swing with its PR campaign. Corporate officials were telling the world's media that the leaked gases were like tear gas, and unlikely to cause lasting damage. (*See pp. 22-27*)

Medical professionals were flown to Bhopal by the corporation. I never saw them help treat any victims, they appeared to be there to endorse the corporate view in press conferences. The press reported (*p.23*) that Carbide

was buying up Bhopal doctors.

If the magnitude and complexity of the disaster were overwhelming, coping with Union Carbide's spin was equally challenging.

With such a lot going on, and so much to be vigilant about, there was little time to ponder my own future. Questions as to whether, how and how long to stay on in Bhopal never entered my mind. Thanks to gifts

from local, national and international supporters, we volunteers had places to sleep and meals; but we spent most of our time in the communities of survivors we had by then befriended.

Perhaps it sounds odd, but amidst all the sadness these evenings were quite enjoyable, with people often singing songs, playing music and sharing stories full of rare humour.

## March on the Chief Minister

DURING MY third week in Bhopal, we began planning a march to Chief Minister Arjun Singh's house. We decided to hold it on 3 January 1985,



a month after the disaster, which we would observe as Condemnation Day. It would be a chance to challenge the state government's criminal neglect of the survivors, and to demand that it make arrangements for immediate health care for people suffering from eye damage, breathing problems, immune and neurological disorders, cardiac problems, injured lungs and the spate of difficult births. As we





moved from house to house, from one neighbourhood to the next, we found that the local people did not need much convincing – only desperate health problems could stop most of them joining the rally.

The march commenced with a few hundred people near the now-closed Union Carbide factory. As we went on, more and more groups of people holding hand-scrawled banners and chanting slogans joined the march.

By the time we had covered half the distance (4 km) in about two hours, the march had swelled to over 10,000 people. Our procession was far from orderly – people were everywhere – traffic stood still. So many slogans were chanted by so many groups that it was impossible to hear any clearly; but what was very clear was that these cries came out of deep anger and despair.

People kept joining in waves. By the time we were climbing up the hill to the chief minister's palatial & heavily guarded house, there were more than 15,000 survivors with us – far too many for the police to handle.

## The magic protest

On arrival, we sought a meeting with the chief minister – it was not granted. We decided to sit on a *dharna* outside the minister's residence. Thousands of voices vowed not to move until the chief minister agreed to our demands. Thus began one of my most memorable weeks in Bhopal. Among the rocks and bushes on the hillside outside the chief minister's residence, people sat in small groups. Some began to look for wood to light fires, and teams set off



to bring food. In the bastis, women breathless and choking more than usual from the smoky wood hearths were slapping dough for chapattis, not just for their own families but for strangers as well.

Families with little to give cared for orphaned children who had joined the dharna. Truck drivers slid quietly away from their delivery runs to fetch food and firewood and people from the shanties. Children found new friends to play with, and together they would chant the slogans they had begun to learn:

*'Dolaar kee chaal ne, zabar gholaa Bhopaal mein'* (Greed for dollars spews poison over Bhopal) and *'Kaarbaaid ke kbunee panje tod do mar do'* (Carbide's bloodstained hands – strike them! break them!).

A few volunteer doctors tended to the sick, and there was always a team ready to carry people to the hospital.

Electricians rigged up wires from streetlights to power loud-speakers used for logistics and jokes and announcing the latest on the negotiations with Bhopal's politicians and bureaucrats.

Soon breathless poets were reciting poems of dignity and power; women who had rarely left their homes or showed their faces to strangers spoke of their anger against the foreign company and complicit government.

I was happy to absorb this magic, all the bustling human activity, intense communication and, most of all, the powerful spirit of survival and cooperation.

By the third day of our *dharna*, the government began to give way. Arjun Singh initially agreed to a meeting with a delegation of the leaders, but the mass insisted that he speak to all of them.





At last he capitulated and came out before the vast crowd of survivors, thousands of whom poured into his residence to goggle at its fine rooms and opulent furnishings. People had learned that government could be made to listen to them.

### No regrets

THUS BEGAN the three decades of my involvement with the survivors of the Bhopal gas leak. In early-1986, I left the ZGKSM (Poison Gas Disaster Struggle Committee) and founded the Bhopal Group for Information and Action.

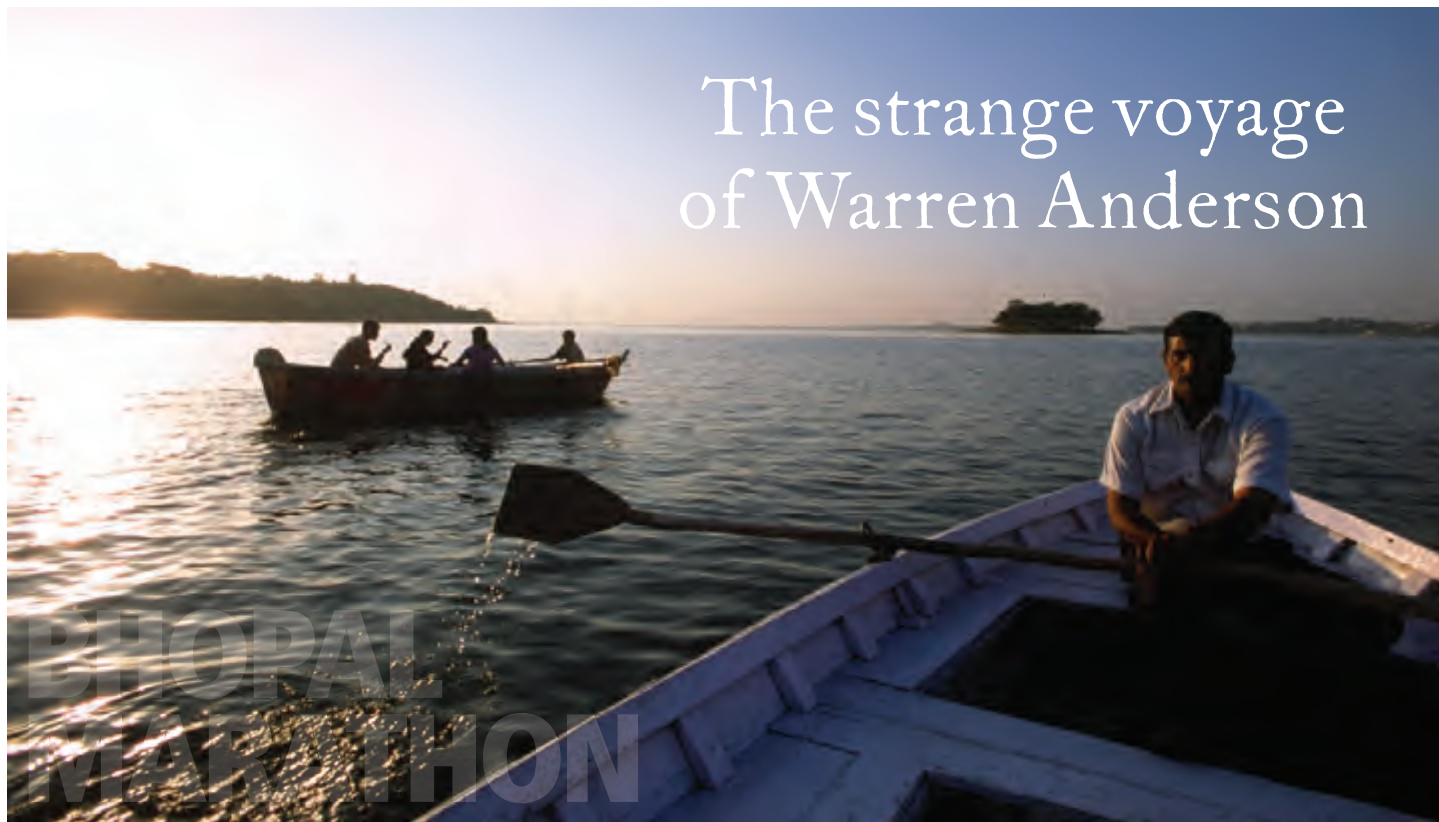
Given the intensely political nature of health issues, as exemplified by the sodium thiosulphate scandal (*see pp. 24-25*), it was many years before we could set up the Sambhavna Trust.

This was finally achieved in 1995 thanks to donations collected from concerned individuals by the newly set up Bhopal Medical Appeal. (*See pp 71-83*). I can't remember exactly when, but at some point during that week of dharna I decided to be part of this community of pain, suffering, sharing, joy and hope.

Not once in the years since then have I regretted my decision.

*Sathyu Sarangi is Managing Trustee of the Sambhavna Trust, which runs the free Sambhavna Trust Clinic in Bhopal.*

# The strange voyage of Warren Anderson



Anderson flew to Bhopal on December 7, was arrested and held at Carbide's luxury lakeside guest house. Hours later the press camped at the front gate learned he had left Bhopal. No one saw him go, but according to a reporter who was there<sup>1</sup>, the back gate leading to the lake was off its hinges. When the Chief Minister was asked if Anderson had been rowed across, his only reply was an enigmatic smile. Here, in a fictional piece, we speculate about what might have been passing through Warren Anderson's mind on that strange trip.

As the boat pulled away, with sunset beginning to settle on the water, you must still not have been sure that you were going to escape. This was the craziest thing yet in a nightmare that had begun the day you were ill and they woke you with news that your Indian plant had gone rogue.

'We're afraid there were deaths.'

How many deaths?

'Ten or twelve, we think.'

By 6am the reports said 50, then the figures spiralled beyond counting.

'I must go there,' you said.

Your wife was adamant that you should not. 'You've had a bad fever. Send Jackson. Warren, what if those Indians get mad and lock you up?'

pretty confident of that because you had sought and received assurances from a shaken Indian government.

Lily wanted you to stay home in bed but you drove to Danbury. Each of the 57 minutes it took seemed to last an hour. Then before the cameras of the world's press you took 'moral responsibility' for the thing that had happened in Bhopal. It was the idea of a PR guy, Peter Hargy-something. The lawyers predictably were most unhappy about it, but as the PR guy said, 'moral isn't the same as legal'.

Two days ago in New York, we hear that the lawyers were still trying to talk you out of going to Bhopal.

'Bad idea, sir. Could be read as an admission of guilt.'

'It'll make a good impression if I

say something in Indian. Something like, I'm so sorry for what happened.'

'Don't say sorry,' the lawyers will have chorused. 'Go ahead, express *sympathy* all you like but don't say *sorry* because *I'm sorry* sounds like you're to blame.'

As the plane landed you looked out to see police cars drawn up on the tarmac.

'Nice of them to give us an escort,' you said, but never got to recite the decent words you'd rehearsed.

The gaunt Indian who seemed to be in charge was not interested in sympathy or sorrow. At his nod a tubby cop led you to a car, and then you were moving through the chaotic city.

'Could we go via the factory,' you



asked. 'I want to see it. I'd like to visit with the victims.'

The cop gave you a strange look.

You arrived at a glass edifice that turned out to be your company guest house. It stood on a hill above a wide lake, its nearest neighbour the palace of the ex-rulers of Bhopal.

'Look,' you said, 'I have no idea what's going on, but I need to see that plant.' You explained there were many things you wanted to check for yourself. For example in the small hours of the 3rd the wind had been blowing from the north, you wanted to see what lay to the south.

Again the strange looks.

'From where do you get all such intelligence?' asked the gaunt official none too politely.

'I *demand* to see the factory.'

'I am afraid that is not possible.'

He informed you that you were under arrest, charged with culpable homicide of the thousands of people who were killed by the gas leak.

'I had a promise,' you protested. To this they didn't reply, but showed you to a bedroom and left.

'You can't do this,' you yelled. 'Goddamn it, I'm an *American*.'

You heard a key turn.

You sat on the bed, and because you are human, we imagine that your confidence probably dissolved in a pulse of panic. If they had got you here on a weasel deal it could mean they were spitting with rage and could do – why could do absolutely *anything* – that cop with the face fins, that was real relish in his voice when he told you that the charges weren't bailable. You could wind up in jail right here in India. Homicide! How the hell could this happen to you?

Homicide. How could they make a charge like that stick?

For you to be guilty of culpable homicide (in British law it would be called manslaughter) you'd have to have had prior knowledge that something awful was brewing in Bhopal,

something that might result in death, and done nothing to avert it.

What evidence was there? Okay, there was that bad Christmas when a worker died in a phosgene spill. That was an accident, that was one guy. A few weeks later those 25 guys ended up in hospital from an MIC leak. Pump seal failed. No one died.

That May 1982 report. It found 10 major hazards, at least four of which could have been involved in the gas disaster. But our Indian guys had addressed those, hadn't they? But with all that cost cutting going on, what if they hadn't? It's a Corporate Safety Program thing, the buck stops with me.

Of course you'd had to cut costs. What other choice, when the plant was losing so much money? Should have acted sooner, got rid of it as soon as stuff started going wrong. The waste ponds were leaking with who knows what consequences. It was clear that you had to cut your losses and get the hell out.

We imagine you with your mind full of worries. If things had been a little different – if you'd managed to sell the plant, dismantle it, ship it somewhere like Brazil or Indonesia. But you had problems finding a buyer to take the naphthol unit as of course the technology was unproven – and if they ever – *Wait!* – What's this?

There was a phone beside the bed. You picked up the receiver. Got a dial tone! The ambassador was properly calming. Nothing to worry about. You'll be going home soon.

The day was passing and it was mid-afternoon before the airport pair showed up again. The thin official seemed angry but apologetic. There had been a mistake. You were to be released, a plane had been arranged to fly you to Delhi, thence to New York. They were eager to leave right away but you told them you had to wait a couple of hours. It was not yet dawn in America.

They asked you for your name and address. The cop scribbled on a bit of paper and asked you to sign it. It was a bail bond. *I, Warren Anderson... am resident at 63/54 Greenidge Hills Drive, Greenidge, Connecticut, USA.* You were about to correct him: *Greenwich*, not *Greenidge*. Nope. Leave it. Let their incompetence show. Bail was set at 25,000 rupees. 'How much is that?' you asked. 'I don't have any rupees.'

No one was very keen to lend you the cash, but the police press-ganged a junior guest house employee into standing surety for you.

It was important that news of your escape did not get out before you left India. The press were at the front gate pushing their faces into every car going in or out, looking for you. 'We will take you by another route, Mr Anderson,' said the cop.

This is where, if that journalist guessed right, you did your Bonny Prince Charlie style escape.

The back gate of the guest house grounds couldn't have been used in years. It was padlocked and the key was lost. They had to lift it off its hinges. The sun was setting as they walked you down a jungly hillside to the water's edge and waiting boat.

December is chill on the lake, you were shivering as the light faded.

On the far bank a car was waiting.

'House arrest or no house arrest,' you said, 'bail or no bail, I am free to go home... There is a law of the United States... India, bye bye, thank you.' They did not know if you were mocking, but the cop saluted as you boarded the plane.

As your flight climbed away, you saw a necklace of lights glimmering on the lake: the old city of Bhopal.

As you flew away from the carnage you never saw, we wonder whether you realised that you would never be free of this place, that thereafter no day of your life would pass without being haunted by the horror and pity of what had happened here.

# LIE & LET DIE



As people lay dying Union Carbide's Director of Health & Safety, Jackson Browning, said that methyl isocyanate (described in UCC's own safety literature as a 'poison by inhalation... major residual injury is likely in spite of prompt treatment')<sup>1</sup>, was 'nothing more than a potent tear gas'<sup>2</sup>. After autopsies indicated cyanide poisoning, the cyanide-antidote sodium thiosulphate was tried with good results until, it appears, Union Carbide used its influence to have the treatment stopped<sup>3</sup>. Union Carbide said that cyanide was not involved, that MIC caused only temporary damage to eyes and lungs, and the professional witnesses it flew in testified thus<sup>4</sup>.

IN THE HOURS AFTER the disaster, Bhopal's medical system was put under a massive strain by the huge numbers of injured streaming to the hospitals. Thousands of people in deep distress, many of them dying, crowded into Hamidia Hospital.

The grounds became an open-air morgue, with bodies laid in rows. Rooms in the hospital were opened to accommodate the bodies and were soon filled with corpses lying piled one on another.

dangerous was MIC that UCC gave it the maximum rating possible in its internal hazard system.

## 'Do-to-do and la-dee-da'

There had been no warning.

Despite the factory's proximity to densely populated communities (the distance from the dangerous MIC unit to the first houses of J.P. Nagar was just 400 yards) Union Carbide had never issued any instructions about what to do in the event of an emergency.<sup>7</sup>

Dr Loya was disarmingly candid about why Carbide had hidden the dangers. 'If I say that I'm carrying a deadly thing in my pocket, people just turn you out of the town. [They] don't allow you to remain there, even though you aren't going to use it... Here people are so emotional ...if you tell them, then the next day there will be a big procession and *do-to-to and la-dee-da*, "will you please stop this factory we don't want it," even though it is not dangerous. Telling the truth is sometimes a difficult problem in our country.'<sup>8</sup>

## Carbide misleads on MIC

BHOPAL: Enough evidence is now available to indicate that the Union Carbide authorities have been trying to conceal the identity and danger of the killer MIC gas of information on certain aspects of the methyl isocyanate that leaked from the Union Carbide factory here on the night of December 2-3, killing about 2500 innocent persons, has made it difficult to know about the correctness or otherwise of preliminary measures taken by the medical authorities.

The Carbide authorities have all along maintained that thermal decomposition or breakdown of MIC takes place at 470 degree centigrade and above. Chemical experts of official institutions including the Council of Scientific and Industrial Research Director General Dr S. Varadachari have endorsed this view of the Carbide authorities.

But Union Carbide own

confidential manual numbered MIC-4744376 mentions on Page 2 that critical temperature of MIC is 218 degree centigrade. Obvious contradictory procedure to prevent MIC leak resulting in actual critical temperature 218 degree centigrade was not taken by the authorities of the Bhopal plant. Otherwise the lives of the large numbers of victims could have been saved.

Another important aspect on which the Carbide authorities were trying to mislead experts and laymen is the fact that MIC was used to produce cyanide compounds. In para five of the Carbide booklet F-414431/76 No. 17 recirculatory date of MIC leak has been stated. To quote "Thermal decomposition may produce hydrogen cyanide, carbon oxide, carbon monoxide and/or carbon dioxide. While the Carbide booklet uses the word "poison" thus indicating that hydrogen cyanide's production could only be a finding of rare acknowledged experts on MIC from the department of chemistry, University College, Cardiff, England prove that such products after thermal decomposition of MIC were hydrogen cyanide, carbon monoxide and ammonia.

## Silence and lies

Frantic calls from doctors to the factory went unanswered. Four hours into the gas leak a senior magistrate went to the plant and with difficulty elicited that the leaked gas was methyl isocyanate.<sup>5</sup> The factory's Chief Medical Officer Dr L. S. Loya then commented, 'The gas that leaked is only an irritant, it is not fatal.' Even as he was uttering these mendacities his own mother was dying of the gas.

## What Carbide knew

Union Carbide's internal safety manual, written in 1974, stated that if inhaled MIC could cause 'fatal pulmonary oedema' and that 'major residual injury is likely in spite of prompt treatment.' So

1984



# Carbide lobby hampers victims' treatment

By KANNAN SRINIVASAN  
BOMBAY, March 26.

Four months after the gas tragedy in Bhopal, medical treatment of the victims remains haphazard and disorganised. A case in point is administration of sodium thiosulphate, which had earlier shown dramatic results on the victims. The Indian Council of Medical Research has recommended it for chronic cases of poisoning. Yet the Carbide lobby in Bhopal's medical administration has ensured that facilities for the line of treatment are meagre.

This is because Union Carbide has all the while insisted that methyl isocyanate does not break up into cyanide. Yet sodium thiosulphate, an antidote to cyanide poisoning, has proved effective in treatment. So, meagre facilities limit the test results that confirm the drug's efficacy, and few can be treated.

The 30-bed DIG bungalow hospital just outside the Carbide factory is supposed to follow the sodium thiosulphate of treatment. However, not more than 10 people are injected thiosulphate every day — including all outpatients. Valuable drugs have to be stored in a refrigerator — all this despite the aid of millions of rupees which is supposed to have reached Bhopal. Till a few days ago this hospital was functioning without a refrigerator in this city's blazing heat. The machine which analyses blood gases is exceedingly sensitive to any rise in temperature because it contains a computer. Yet the administration has stopped the airconditioners. This can render the test results completely unreliable.

At a meeting of the Indian Council of Medical Research on February 14, Dr N. P. Misra, professor of medicine at Gandhi Medical College, Bhopal, went out of his way to describe the harmful side effects of sodium thiosulphate such as "severe gastro intestinal symptoms and vomiting and nausea, with fever". In fact antibiotics, corticosteroids, and tablets — all medicines either as or positively harmful, have been given to the gas victims — anything but thiosulphate.

This is so because blood and tissue cyanide levels are very difficult to ascertain in the forensic laboratory. But the good response recorded to sodium thiosulphate is a confirmation of cyanide poisoning. Cyanide attacks the cellular oxidising enzymes, disrupting the oxygen transport system in the blood. Sodium thiosulphate converts a portion of the haemoglobin in the blood to methaemoglobin, which detaches cyanide to form cyan-methaemoglobin. This can now be broken down into thiocyanates by the liver, and flushed out in the urine.

Sodium thiosulphate has worked wonders in chronic cases. Mr B. R. Dixit, a section controller of the railways whose extremities were swollen, and who could not walk properly before his treatment, improved swiftly after thiosulphate treatment. So did Mr V. D. Budhola, who could breathe only with difficulty, had muscle cramps and

burning eyes.

Meanwhile, an authoritative study by several doctors to be published next week in a leading medical journal despite sustained efforts to suppress such studies — reveals severe long-term injuries to the victims of the Bhopal gas tragedy. There is also some indication that many more people died in Bhopal than the official estimates — and there

is further corroborative evidence of cyanide poisoning.

Such grave injuries will make a quick settlement very difficult, firstly because it is now clearly premature to even negotiate with Carbide for any specific amount of compensation until a complete medical examination of over two lakh victims has been carried out. Secondly, the severity of the damage

indicates a medical bill so vast that it can only be paid by the complete liquidation of Union Carbide Corporation.

The doctors examined 1,500 patients in Bhopal and 82 of them were brought to Bombay for further detailed examination. Lung and eye damage is most severe and there is some abdominal and neurological damage, as well.

## Carbide buys up Bhopal doctors

Express News Service

Bhopal, March 26. A team of Bhopal doctors has allegedly gone to the United States on the invitation of Union Carbide to depose in American courts that there is high incidence of tuberculosis in Bhopal.

The, according to Dr. Anil Sadgopal, of the Bhopal Gas Tragedy Research Centre, is part of the efforts going on to scotch the rightful claims of the gas victims. The move is also aimed at the issue of those who are suffering from tuberculosis.

Addressing a public meeting in the city on Thursday, Dr. Sadgopal said the deposition of the doctors was to divert attention away from the fact that the gas victims are suffering from tuberculosis.

Dr. Sadgopal alleged that this was a move by Union Carbide to

prevent paying compensation to the victims.

Concerning the plight of the victims, he alleged that a strong pro-Union Carbide lobby within the Indian Government had manipulated a string of lies to conceal information about the number of deaths, the nature of the gas and the rehabilitation efforts.

He also alleged that the symptoms of cyanide-like poisoning and the deliberate denial of the incidence of sodium thiosulphate injections on thousands of gas victims for more than four critical months were an established fact now.

Dr. Sadgopal, who alleged to have seen a report prepared by the Central Pollution Control Board, said air samples collected by the board on Dec 3 and 6 at Bhopal, had shown that hydrogen cyanide was present at the rate of five parts per million around the tank from which the gas had leaked. Although

a forensic expert who conducted analysis on 20 bodies on Dec 4 had testified the presence of hydrogen cyanide, which was later confirmed by a German toxicologist, American scientists led by Dr. Vardach, had maintained till April that only MIC had leaked, he alleged.

He pointed out that the Government had finally accepted the presence of cyanide. But should the Government be aware of such a grave case that most of the victims had not been treated, he said.

Dr. Sadgopal said four organisations had set up committees to monitor the injections to identify the victims. The groups were also going to set up a respiratory physiotherapy centre.

He said people in and around Bhopal were now suffering from chronic kidney failure and bleeding. A few 95 per cent of the women had abnormal menstrual cycle and four-

death of cases of early abortion and still birth had been reported.

Although the medicals had been treating the special victims to last a few years, women, the Government had failed to respond. The medicals had already set up, under various names, many women.

Dr. Sadgopal said Union Carbide, in its efforts to harm the victims, had of late been giving some jobs to them so that they would not make any claims. Forty medicals had been given jobs. They had left the organisation.

He also criticised the political parties for not taking up the gas tragedy as a political issue. He said,

The medicals were conducting a signature campaign in 10 areas in the gas tragedy. The target was 10 lakh signatures, which would be submitted to the Prime Minister by June 30.

## MIC formula can't be revealed: Carbide

BHOPAL, May 16 (UNI): Union Carbide India Limited (UCIL) today held that it could not be compelled to disclose the process of manufacture of Methyl Iso-Cyanate and other chemicals produced at the company's Bhopal plant, contending that it was a trade secret.

Carbide counsel Vijay Gupta moved an application before Justice N. K. Singh, who is inquiring into the gas leak disaster, objecting to the enlargement of the commission's terms of reference early this month which empowered it to inquire into the manufacturing process of UCIL products.

Rajendra Singh, another counsel for Carbide, argued that the company could not be compelled to divulge its trade secret as it was bound by an agreement with its US parent company not to do so.

Singh again pleaded with the judge that the company should not be asked to furnish documents already seized by the Central Bureau of Investigation. "Why doesn't the state government ask for the documents from the CBI to whom it has entrusted the inquiry," Singh asked.

Citing various rulings, the Carbide counsel also contended that an accused could not be compelled to give evidence or produce documents against himself. The lawyers for the government and other parties, however, held that Carbide could not claim immunity from producing the documents. They also said the documents were no longer a secret after their seizure by the CBI.

On an application for the production of documents under the provisions of the Criminal Procedure Act, the commission directed

Carbide to file a reply tomorrow.

Regarding Carbide's objection to the government notification enlarging the commission's terms of reference also, the commission directed the government counsel to file a reply tomorrow.

One of the questions debated today pertained to the validity of the commission's proceedings itself.

Carbide's plea was that barring the recommendation on prevention of accidents similar to the gas leak, the commission could not inquire into their subjects as they were already under the consideration of different courts.

The company and its senior officials were being prosecuted under various sections of the Indian Penal Code in the district and session court and under the Factories Act in a labour court, the counsel for Carbide argued. The judge reserved his ruling on the matter.

Instead of helping its victims Union Carbide lied, obfuscated and obstructed efforts to save them. Knowing otherwise, it said damaged eyes and lungs would heal. Time exposed this as false, but too late for those who died.



# Carbide refuses to share information about gases involved in toxic cloud

As the scale of death and injury became undeniable, Bhopal's doctors claimed they were hampered by a lack of medical information from UCC, and were effectively reduced to treating symptoms.<sup>9</sup> For eye problems they used atropine, antibiotics and padding; for swelling, diuretics; and for breathing problems a desperate cocktail of bronchodilators, oxygen, diuretics, steroids and antibiotics.

'Why hasn't Union Carbide come forward,' asked forensic pathologist Dr Heeresh Chandra, quoted in the FT on December 8 1984, '...why have they not said "This is the gas that leaked, this is the treatment"? Is it not a moral duty to tell us what was used, what is the treatment, what is the prevention? They have not come forward.'<sup>10</sup>

## Twenty poison gases

The violence of the exothermic reaction in the Bhopal plant's huge MIC tank could have spawned up to 200 toxic compounds<sup>11</sup>, among them the first world war gas phosgene along with other decomposition products like carbon monoxide and hydrogen cyanide. As much as a third of the materials released may have been created by the explosion itself.<sup>12</sup>

Dr N.R. Bhandari, the Medical

Superintendent of Hamidia Hospital, recalls being told at first that the gas was phosgene, then that it was MIC.

Later it became clear that it was not only MIC but a mixture of about 20 gases. 'Immediately after exposure thousands of children and adults died of acute pulmonary oedema, respiratory failure, toxic effects on bodily systems including the central nervous system, congestive heart failure and other complications.'<sup>13</sup>

Knowing what these chemicals were, how they could combine and above all how they affected the body was crucial to the medical effort but from Carbide came no help.

## Carbide's 'trade secrets'

Little was known in India of MIC and its effects and Carbide was still insisting that it was no more than an irritant, a tear gas. Many industry observers in the US were shocked by the company's callous behaviour. A Senior Vice-President of the US Chemical Institute of Toxicology said that UCC may have conducted its own tests on the long-term effects of MIC but classified its results as '*trade secrets, which are therefore not available*'.<sup>14</sup> A leading chemical journal noted: 'Union Carbide may have the best information on MIC toxicity around *but they're treating it like a trade secret*...' <sup>15</sup> The US chemical industry's code of conduct calls for information to be given to doctors regardless of whether trade secrets are involved.<sup>16</sup>

## A question of cyanide

Suspicion that many deaths were caused by cyanide stemmed from weakness, acute syncope and sheer speed of demise.

First autopsies by Dr. Heeresh Chandra at the Gandhi Medical

College demonstrated a cherry-red discolouration of blood and organs, and an unpleasant 'bitter almonds' odour when the lungs were opened, all typical of cyanide poisoning.<sup>17</sup>

## A telex from Carbide

As news of the disaster reached America, it prompted an instinctive human response from Carbide's US Medical Director, Dr Avashia, who dashed off an urgent telex to Bhopal medical authorities: 'If cyanide is suspected use amyl nitrite; if no effect... use sodium nitrite 0.3gms and thiosulphate 12.5 gms.'<sup>18</sup>

Sodium thiosulphate is a proven antidote for cyanide poisoning. On December 8, German toxicologist Dr Max Daunerer flew to Bhopal with 50,000 ampoules of the drug.

Blood tests performed by Chandra and Daunerer found cyanide at 2 ppm. They confirmed that injections of the antidote led to excretion in urine of high levels of thiocyanate and helped detoxify the body.<sup>19</sup>

With patients showing 'overall improvement within hours', a group of local doctors noted that 'sodium thiosulphate is not at all harmful and could act against many injurious products formed inside the body.'<sup>20</sup>

(A series of double-blind clinical trials made by the Indian Council of Medical Research, ICMR, between 1985 and 1987 would later confirm these findings.)<sup>21</sup>

## Carbide's U-turn

Just as it seemed that a way had been found to save lives, a new telex came from Dr Avashia, abruptly and incomprehensibly reversing his earlier advice and discouraging use of sodium thiosulphate.<sup>22</sup> A Union Carbide team arrived in Bhopal, bringing a hapless Dr Avashia, who had perfected a new story.

At a press conference Dr. Avashia, flanked by Union Carbide lawyers,

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Later it became clear that it was not only MIC but a mixture of about 20



loudly affirmed that there could be no question of cyanide poisoning – and the use of sodium thiosulphate was neither necessary nor advisable as it was not an antidote to MIC.<sup>23</sup>

As reported by *New Scientist* (on November 28 1985) when reminded of his earlier advice, Dr Avashia replied that he ‘could not be expected to know what sort of gas was stored at the plant in Bhopal.’<sup>24</sup>

Asked why his telex had referred to MIC complications, ‘Avashia had no answer.’

### Professional ‘witnesses’

Union Carbide’s team included a number of medical ‘experts’, among them, Professor Hans Weill, a lung specialist. Carbide knew Weill well as a professional defender of asbestos companies, including Union Carbide.

Twenty-one of these corporations attended a Dec. 9, 1976 summit of the Asbestos Information Association. The minutes reveal that the primary purpose of the legal-medical research programme run by Dr. Weill was ‘to improve the quality of defences for asbestos companies involved in third party liability suits in tort.’ He was also to identify other ‘experts’ who would be willing to testify on behalf of the asbestos companies.<sup>25</sup>

### Weill weighs in

According to the *New York Times* Dr Weill said that the victims who had survived to this point ‘have an encouraging prognosis’ and that most would probably recover fully.<sup>26</sup> This view was not shared by the editors of *The Lancet* who, on the same day, wrote that long term lung effects ‘can be expected’.<sup>27</sup>

Months after Weill’s intervention in the Bhopal crisis, a long article in the *New Yorker* cast major doubt on his reliability as a witness.

*‘Weill went on to tell the jury that after reviewing chest X-rays of Borel ...*

*he had come to the conclusion that Borel had never suffered from asbestosis and that his pleural mesothelioma could have developed as a result of cancer spreading from some other site.’*

Borel’s attorney Ward Stephenson *‘forced Weill to acknowledge that without ever having seen Borel or examined Borel’s lung he was trying to refute the diagnosis of asbestosis which had been made at first hand by Borel’s internist, by the surgeon who had removed Borel’s lung and by the pathologists who had examined tissue from Borel’s lung. He proceeded to obtain an admission from Weill that Borel’s mesothelioma was in all likelihood associated with his exposure to asbestos.’*<sup>28</sup>

### Carbide’s cyanide panic

Another in the Carbide party was their Chief Toxicologist, chemical-warfare expert Bryan Ballantyne, whose years at Porton Down had left him with a deep interest in cyanide.<sup>29</sup>

Carbide’s strategy was to quash all talk of cyanide and play down the long term effects of MIC-poisoning.

Why, asked *The Sunday Times*, did the absence or presence of hydrogen cyanide among the lethal gas or gasses matter so much to Carbide?

Dr. Anil Sadgopal of the Medico-Friends Circle had an explanation.

‘It matters in the litigation for compensation. Carbide’s lawyers will obviously try to reduce liability as much as possible. An important part of their strategy will be to demonstrate that the industrial slums of India are endemic with tuberculosis and that doctors can’t differentiate

between TB damage and gas damage. Cyanide toxicity can’t be explained away in terms of an Indian epidemic. It will unambiguously establish the relationship between the gas leak and thousands who suffered.’<sup>30</sup>

Comments by Carbide’s attorney Bud Holman in the ensuing legal battle (see p.43) proved Sadgopal right.

### Carbide musters its allies

What the *Indian Express* (see p.23) called ‘the Carbide lobby in Bhopal’s medical administration’ was soon at work. Its first act, according to former District Collector Moti Singh, was to launch a campaign of smears against Dr Max Daunerer and drive him from Bhopal.<sup>31</sup>

Next, Dr. M.N. Nagu, Bhopal’s Directorate of Health Services (his brother held the lucrative contract for security at the Union Carbide factory) sent a circular warning doctors that ‘under no circumstances’ should sodium thiosulphate be used. Any doctor who used the antidote, Nagu blustered, would be ‘held responsible’ in case of negative results.<sup>32</sup>

This diktat, which had no medical basis, effectively stopped use of this drug that could have saved many lives and eased the suffering of the gas survivors. Ironically when early results from the Indian Council of Medical Research’s double-blind testing of sodium thiosulphate came through in April they were so good that it was recommending mass use of antidote injections.<sup>33</sup>

Given the strong suspicion that

# Antidote bringing relief to victims is stopped on advice of Union Carbide



# Victims set up their own free clinic to administer the life-saving injections

Union Carbide had colluded with its allies in Bhopal's medical establishment to stop the use of sodium thiosulphate<sup>34</sup> (see news story, right) Bhopal survivors realised that to get the antidote they would have to administer it themselves.

They decided to set up a People's Health Centre to provide injections free of charge to communities living near the Union Carbide factory.

A call for help was answered by volunteer doctors and health workers and work began on a simple pole and thatch building on land commandeered within the huge sixty-six acre factory site.

The Bhopal plaque was laid by Sunil Kumar, 13, (see pp. 39, 43, 45, 58, 115, 121, 138) who was orphaned by the disaster – seven of his family of ten died on 'that night'.

The Centre was run by volunteer doctors who meticulously recorded the effects of sodium thiosulphate on the many symptoms of gas exposure. The

Centre survived just 20 days but in that brief period it gave more injections than all the government hospitals put together had done in the previous six months.<sup>34</sup>

At midnight on 24 June 1985, police raided the homes of doctors and clinic workers. A dozen armed police entered the clinic, forced those inside into two jeeps and took them to two separate police stations where they were locked up overnight before being sent to jail.

Charges cooked up against them

**The Bhopal People's Clinic was the first attempt by survivors faced with Carbide's indifference and government neglect to take charge of their own medical care.**

included the attempted murder of officials and other serious criminal offences. The police took away 1,200 medical folders that recorded the beneficial effect on exposed people of sodium thiosulphate injections.

These were handed to Carbide and never seen again. What became of



## Police demolish clinic, hand records to Carbide

**Our Special Correspondent**  
Bhopal, June 27—The police last night raided the clinic run by the People's Health Centre, a local voluntary organisation and handed over all medical records of MIC patients to Union Carbide. The makeshift structure housing the clinic was demolished and the area cleared of People's Health Centre volunteers.

Doctors who had come to Bhopal from Calcutta and Bombay for voluntary services were also prevented entry into the clinic. The People's Health Centre set up the clinic within the premises of Union Carbide factory early this month for administering sodium thiosulphate injections to MIC patients suffering from cyanide poisoning. So far, 1,000 patients have been given sodium thiosulphate treatment and their records have been maintained for observation.

Sodium thiosulphate treatment became the subject of intense controversy in medical circles, but ultimately Indian Council of Medical Research cleared this line of treatment in its meeting held on 4 April in New Delhi.

The People's Health Centre in a statement issued here today strongly protested against the demolition of the clinic and demanded that papers and records seized by the police should be restored to it. The Centre also made a plea to the Chief Minister that it should be allowed to restart the clinic on the same premises, as the doctors were doing valuable service to MIC patients.

The Centre wondered why the police handed over the medical records to the Union Carbide management, creating the suspicion that the district administration is hand-in-glove with the multinational which is not to prove that there was no cyanide poisoning.

The Centre also condemned the arrest of four doctors on the eve of the agitation launched by Zafreeli Gas Khand Sangarsh Morcha to gherao the secretary. Doctors were detained at the police station for about 24 hours.

Police action against the clinic has come as a surprise in view of the fact that the State Health Department has been providing all facilities to the clinic including supply of sodium thiosulphate ampoules for the benefit of MIC patients.

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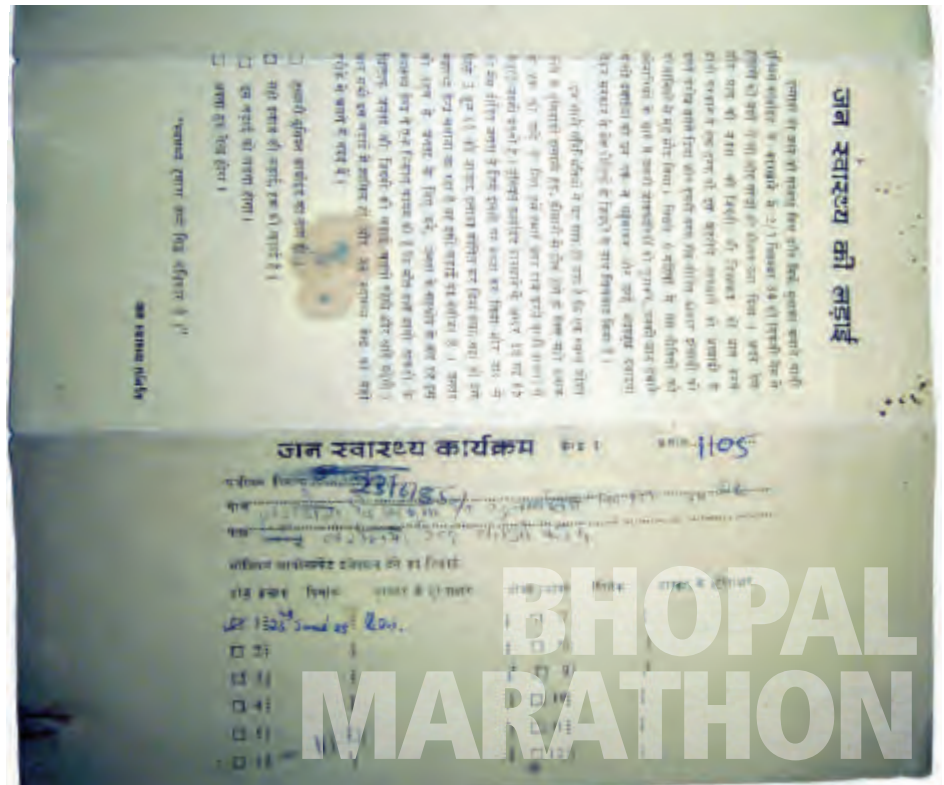
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## "The fight for public health"

"Our local and national leaders, who pledged to protect people's lives, first allowed this lethal plant to be installed close to human dwellings, and then turned their faces away from the suffering gas victims. For the past six months, politicians have hidden the problems of gas victims; withheld effective cures and blindly pumped people full of random drugs, playing havoc with their lives. We have fundamental human rights to health and proper medical care, but to get them we have been forced to fight these powers that rule and govern us. This Health Clinic was set up by the gas victims on 3 June 1985 on land we occupied inside the Union Carbide site, the first fruit of our struggle. This clinic was made by the people for the people, it is for the benefit of the gas victims. We intend to make it a model for public struggle against the merchants of death. Join us, help keep the clinic running.

- Down with the murderer Union Carbide!
- The fight for medical care is a fight for our rights!"



them, no one knows.

One of the surviving records is a patient card (*above*) issued to Mr Jagdish Vishwakarma, a 28 year old resident of Qazi Camp, one of the worst-hit neighbourhoods.

It shows that on June 25, 1985 he received the first of a course of 12 injections of sodium thiosulphate. Hours later the clinic was destroyed and his course was never completed.

On the card the Clinic's manifesto was published in Hindi. It is translated into English in *the panel at left*.

The destruction of the clinic was a defining moment in the survivors'

struggle for health and medical care, to obtain which they had been forced to fight 'these powers that rule and govern us.'

It was now abundantly clear how

**The sodium thiosulphate scandal demonstrated to the survivors of the disaster that their political rulers and the corporation were essentially on the same side.**

deep the multinational's influence ran among the country's rulers and that in any future conflict of interest it was the survivors who would be thrown to the dogs.

# Doctors arrested in midnight raids, police tear down clinic, seize and hand over thousands of confidential patient records to Union Carbide.

# Hell's Angels

Almost half of all pregnant women exposed to Carbide's gas spontaneously aborted. In the months that followed the city experienced what a Swedish doctor described as 'a spate of horrific births'.<sup>1</sup>

A CHILD IS BORN. It is past midnight inside the dank labour room at the Sultania Janada Hospital, Bhopal. Three attendants wash the tiny infant and routinely hold him up to give his mother her first glimpse.<sup>2</sup>

'*Tumbara ladka paida hua hai* (you have a son),' says one nurse as she pats the child to make him cry.

There is no response.

In the dim light, the skin of the child looks macerated and bluish. A senior doctor is called. He looks down at the curled figure, asks for the mother's medical record and scrawls in the column for details of the birth: 'Stillborn boy weighing four pounds, born to the mother'. Then he rushes out to the maternity ward to attend to another patient about to deliver.

Outside there is silence as the father looks expectantly at the white-clothed figures washing hands in the waiting room. Then comes the sound of weeping behind the green curtains of the labour room. '*Teh bhi gas kand*

*ka baccha paida hua hai,*' (Here is another child of the gas tragedy) says the nurse as she shows the father the

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shrivelled face of his newborn. The grief of these parents was drowned in a universal horror, for hundreds of parents were to hear those terrible words, 'Your child is another victim of the gas'.

### 1 in 3 babies survived

A epidemiological study by Daya R. Varma in September 1985 of women living within one kilometre of the plant reported a more-than fourfold increase in spontaneous abortions. Almost half the pregnant women exposed to Carbide's gases on 'that night' abruptly aborted. Still births too were significantly high.

The study showed that out of 865 who came to term, 43% delivered stillborn babies. Of 486 live births 14% died in the first 30 days. Only 1 in 3 children born to women pregnant on the night of the gas survived. Many were born deformed.<sup>3</sup>



### Senior doctors silenced

The horrifying statistics and the monstrous births now taking place were hushed up by panicky officials. *Sunday's* reporter Ritu Sarin found deep unwillingness among officials and senior doctors to speak about what was happening. Junior staff were more forthcoming. She wrote:

'Travelling in the ambulance which carries blood samples and placentae and ailing children to the Hamidia hospital we hear that four or five children die every day at Sultana Janana Hospital alone with more than ten placentae being sent for experiments to the Gandhi Medical College. There are sorry tales of mothers who have lost their offspring or who are bringing up deformed infants, shocking accounts given by junior hospital staff, midwives and nurses who insist they have never seen any birth-and-death cycle like this before.'

### Unprecedented horror

'Against this we have the official version of bureaucrats and senior doctors who are under instructions not to talk. An attempt is being made to cover-up the deformities and abnormalities being recorded... Nobody knows if the trauma will end with this generation, or the next.'

Writing this in 1985, Ritu Sarin could not possibly have known how chillingly on-the-nail her last remark would turn out to be.

As late as 1990, spontaneous abortion rates among gas-exposed women were *more than three times* that among unexposed women.<sup>4</sup>

Nearly thirty years later, damaged infants are still being born in Bhopal to gas-affected parents and in the communities whose drinking water is contaminated by chemical wastes leaking from Union Carbide's still uncleaned factory. (See pp. 94-5)<sup>5</sup>

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# Terrified mothers-to-be are driven away from a government hospital by police with truncheons

Early in 1985 rumours were sweeping the city of a spate of disastrous births, many barely recognisable as human.

A group of scared mothers-to-be went in a procession to a government

hospital carrying urine samples.

They begged to be tested to make sure their pregnancies were normal, and pleaded for sodium thiosulphate injections to flush out the poisons that had entered their bodies on 'that night'.

The women got neither tests nor detoxifying-shots but were instead driven off by police with long batons. As these poor women were

being beaten up — not the first time police had attacked women and even children asking for help — the Indian Council of Medical Research was conducting its double-blind clinical trial of sodium thiosulphate.

While the fears of many mothers-to-be were all too soon horrifically realised, the ICMR study took 25 years to be published<sup>6</sup>, only to prove, a generation too late, that many lives were lost that could have been saved.

## INDIAN EXPRESS, W Gas-hit women urged to undergo MTP

Express News Service  
BHOPAL, Feb. 18  
The Zahresh Gas Kanti Sangharsh Morcha, an action front of the gas-hit people of Bhopal, has suggested that all the affected pregnant women should be motivated to undergo medical termination of pregnancy to avoid birth of deformed babies.

A medical report, which was prepared by a team of doctors and presented at the two-day national convention organised by the morcha here to discuss the issues related to the gas leak tragedy, said cases of still births, abortions, birth of deformed babies and stopping of movement of foetus inside the womb were reported to the gas-hit areas.

The report said the deformities of the foetus, if any, should be confirmed through amniocentesis or ultra sonography methods. It also suggested that the gas-affected women should be discouraged from child bearing for some time in order to avoid after-effects of exposure to the methylene cyanide (MIC) leaked from the Union Carbide plant here.

A government sponsored survey conducted by the Tata Institute of Social Sciences, had identified 22 pregnant women in the affected area Bhopal.

The Morcha's report said seven gas-hit people had complained of miscarriages in their wombs, fibrosis of lungs, obstruction in breathing. However, one of total blindness was found during examination of the gas hit people. It report added.

The report said methyl or cyanide

environmental impact statement to avoid environmental disasters by big industries has been made by P. G. Padmanabhan. An eminent leader of Kerala Sahitya Akademi.

The Union Carbide Workers' Union has, meanwhile, warned the Government of the factory management's dubious intentions.

Mr J. M. Jariwala, president of the union, said the Union Carbide was making efforts to improve its image. The women in the affected areas have been asked to make "paps" which they will sell to the employees of the Carbide who have been paid huge sums by the management.

Mr Kailash Saring, general secretary of the MP unit of Bharatiya Janata Party, has termed the Government's bid to frame Mr M. N. Bhat in the Union Carbide case as a "cheap political stunt".

In a statement, he said the efforts of the Congress (I) Government to tarnish the image of Mr Bhat would not succeed because the public has not been

## Police beat up gas leak victims

BHOPAL, May 18 (U.N.I.) — A scene, but they refused to go away. A large number of victims of last December's gas leak, mostly women, were being beaten up by the police when they tried to forcibly enter the factory gate. About 100 demonstrators, mostly women, were being beaten up by the police when they tried to forcibly enter the factory gate.

## Cops beat up MIC victims in rally

Hindustan Times Correspondent

BHOPAL, June 5 — A large number of MIC gas affected people including women, who were demonstrating here yesterday against the holding of the State film festival, were severely beaten up by the police and were later rounded up.

and Broadcasting V. N. Gadgil and Chief Minister Motilal Vora, who were supposed to inaugurate the festival, could not make it as the State plane in which the two were coming from Delhi in the afternoon developed some trouble after the take-off and they had to go back to Delhi. The gas affected people had

## No let-up in Bhopal infant deaths

From Eema Midha

Bhopal, July 21: There has been a high incidence of abortions and infant deaths here following the poison gas leak at the Union Carbide plant on the night of December 2 and the state government's figure of 36 abortions till June 15 is being regarded as an attempt to underplay the issue.

The register at the Vishramghat crematorium around alone shows that 290 children were cremated between January and July 19, of which 182 were third trimester abortions. Overseers here this number unusually high and doctors and voluntary workers attribute the 368 deaths and the abortions to the delayed effects of methyl isocyanate poisoning.

The state health minister, Mr

Nalanda Shah, told the Assembly last Monday that only 35 gas-affected women had aborted between December 3 and June 15. But the crematorium around cremated as many as 160 trimester abortions between January and June alone. In the first 15 days of July, yet another 22 third trimester abortions and stillborn babies were cremated.

The break-up of the total abortions and still births over the months shows that there has been no decline over the period. The numbers recorded at Vishramghat are: January 29, February 23, March 28, April 20, May 25, June 34, and July 22 (till 19th) — 22. These figures might still be an underestimate as they do not indicate the foetuses aborted during the first trimester. The child is now

focus is now cremated.

The total cremations, adults and children, at Vishramghat are 25 per cent higher than last year. A survey conducted at smaller burial grounds in the affected area shows the same trends. Eighteen children and infants were buried at the Tektu Kalandar Shah graveyard between January and July 19, and another 15 at the Phata Mahal graveyard. Deformed babies: The government definition of deformed babies chiefly pertains to neural tube defects. It does not include damage to the brain such as a skull softening of the brain at 100 per cent. Haemorrhage in the brain which is fatal, has been found in over 50 per cent of the samples conducted on infants at the Gandhi Medical Col-

Doctors here say the widespread cases of abortion, still births and child and infant mortality could be a result of lack of oxygen-carrying capacity of the placenta (the foetal lung), hypoxia, and haemorrhage of blood. The children have a lower resistance to poisons.

In view of this doctors have been advising women to go in for a medical termination of pregnancy. But there has been no word of caution by the government to the women who were pregnant during the gas disaster. The number of abortions and still births is expected to rise as the women come for delivery in the months ahead. The MIC gas is still in the

## M-P admits 77 gas babies' death

Hindustan Times Correspondent

BHOPAL, May 26 — The Madhya Pradesh Government yesterday for the first time admitted that 77 new-born babies had died shortly after they were delivered by women living in the gas affected areas in Bhopal.

An official Press note also conceded that there were 27 still-births and nine deformed babies in these gas-affected localities. The State Government had kept under observation 2,957 pregnant women. The Press note claimed that 1,090 babies born after the tragedy were alive. The Press release, however,



## Judge rejects Carbide's sabotage theory

As civil action began in a US court, Union Carbide tried to blame the disaster on Sikh terrorists. When this met with ridicule it claimed sabotage by a 'disgruntled employee', whom it failed to name. This theory, despite being repeatedly discredited, is still repeated by Dow Chemical. In fact, as this article, first published in *The Guardian* on December 3, 2009, argues, there is plenty of evidence to show the main culprit was Union Carbide itself. INDRA SINHA

# On the edge of the volcano

WAKE UP PEOPLE OF BHOPAL, you are on the edge of a volcano!

In September 1982, the Bhopali journalist Rajkumar Keswani wrote a terrifying story for the city's Hindi *Jansatta* daily. It was the first of four articles, the last of which would be written just weeks before the Union Carbide gas disaster. Bhopal, wrote Keswani, was about to be annihilated.

'It will take an hour, at most an hour-and-a-half, for every one to die.'

The death of the city, would come in the form of a gas leak from Union Carbide's pesticide factory.<sup>1</sup>

Keswani's information came from worried staff at the factory, where a worker, Ashraf Khan, had just been killed in a phosgene spill.

The World War I gas was being used to produce methyl-isocyanate (MIC), a chemical 500 times deadlier than hydrogen cyanide, so volatile that unless kept in spotless conditions and refrigerated to 0°C, it can even react explosively with itself.<sup>2</sup>

Cooling it slows reactions, buys time in an emergency, but MIC is so dangerous that chemical engineers recommend not storing it at all unless absolutely necessary and then only in the tiniest quantities. In Europe the storage limit is half a ton. In Bhopal, on the night of the disaster, 67 tons of MIC were stored in tanks the size of steam locomotives.<sup>3</sup>



### Science helps build a new India

Oxen working the fields . . . the eternal river Ganges . . . jeweled elephants on parade. Today these symbols of ancient India exist side by side with a new sight—modern industry. India has developed bold new plans to build its economy and bring the promise of a bright future to its more than 400,000,000 people. ➤ But India needs the technical knowledge of the western world. For example, working with Indian engineers and technicians, Union Carbide recently made available its vast scientific resources to help build a major chemicals and plastics plant near Bombay. ➤ Throughout the free world, Union Carbide has been actively engaged in building plants for the manufacture of chemicals, plastics, carbons, gases, and metals. The people of Union Carbide welcome the opportunity to use their knowledge and skills in partnership with the citizens of so many great countries.

A HAND IN THINGS TO COME

**UNION  
CARBIDE**

WRITE for more information: The Union Carbide Corporation, 400 Park Avenue, New York 17, N. Y.  
Sales of chemicals, plastics, gases, carbons, and metals are made through local representatives in many countries.  
Union Carbide Corporation, 400 Park Avenue, New York 17, N. Y.



# unproven technology, cost-cutting & ‘reckless, depraved indifference’ led to an entirely avoidable disaster

## Storing up danger

IN AN AFFIDAVIT given to a court in Manhattan, Eduard Muñoz, Union Carbide’s first managing director of Union Carbide India Ltd (UCIL), said that during discussions about starting MIC production in Bhopal he had opposed the US parent’s plan to install three giant MIC tanks on the site. Muñoz’s position was that ‘only token storage was necessary, in small containers, based on economic and safety considerations.’<sup>4</sup>

He was overruled. According to experts like the Council for Scientific & Industrial Research the excessive volume of MIC stored in Bhopal, at times over ninety tons, was the most critical factor in the disaster.<sup>5</sup>

## Cost cutting to keep control

On January 1, 1974, India enacted the Foreign Exchange & Regulation Act (FERA), requiring foreign equity in Indian companies to be diluted to no more than 40%. This was a severe blow to UCC (US) which owned 60% of UCIL’s shares: the corporation’s management policy was at all times to retain majority control of subsidiaries.

UCC proposed to the government that it would aid its ‘green revolution’ by producing MIC in Bhopal. But the process for manufacturing MIC was a Union Carbide secret, necessitating high-technology inputs not available in India. UCC could provide these if, and only if, exempted from FERA.<sup>6</sup>

The exemption was granted but a new problem arose. Investment would be needed with a higher proportion coming from the Indian partners who already had 40% of the subsidiary.

UCC’s overall shareholding would inevitably be diluted but by reducing the amount of investment needed, it could still retain majority control. In plain English, Carbide’s original plan for state-of-the-art technology was too expensive, the facility must be built for less. \$8 million, over 25% of the budget, was chewed and chiselled away so Carbide could keep a 50.9% majority shareholding in its Indian subsidiary.<sup>7</sup> For the people of Bhopal this would prove catastrophic.

## Unproven technology

Union Carbide had promised state-of-the-art science but a confidential memorandum (*see p. 34*) obtained via discovery in a US court case shows that the corporation short-changed the Indian government by installing ‘unproven’ technology in the ultra-hazardous alpha-naphthol and MIC units.<sup>7</sup> The cheaper process entailed moving to a batch process and storing huge quantities of MIC on site. Hence the three giant tanks, hence the

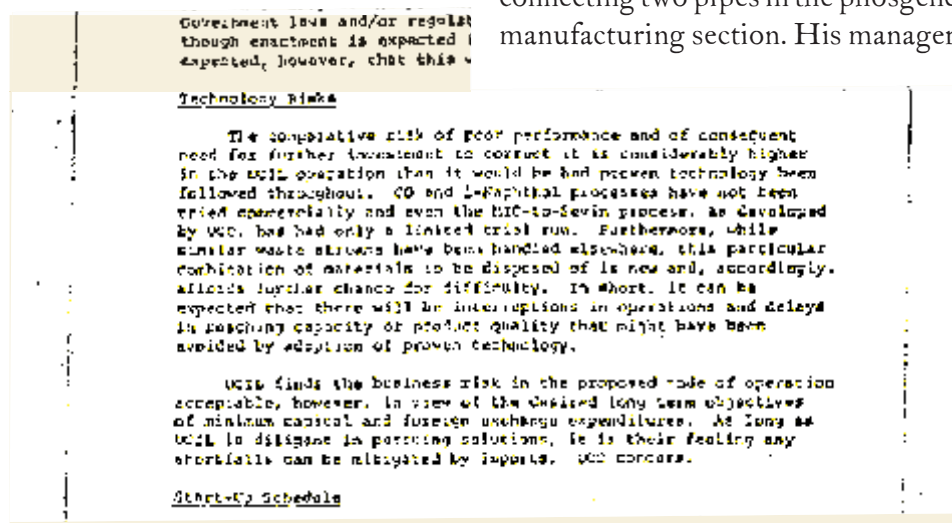


overruling of Eduard Muñoz.

UCC's American design engineers warned of problems and risks, but the board decided to push ahead regardless.

Union Carbide India, on whose board sat some executives from Union Carbide Eastern appointed by UCC, duly acceded to the plan, stating that 'the business risk' was 'acceptable'.<sup>7</sup>

No mention of the human risk.



## The cost of cutting

AS ENDLESS safety scares plagued the plant, and a sequence of failed monsoons hit harvests and depressed demand for pesticides, the factory began haemorrhaging money.

UCC bosses decided to dismantle the plant and ship it to Indonesia or Brazil, but as a confidential memo (*below*) makes clear, the unproven technology of the alpha-naphthol unit made it 'impossible to sell'.<sup>8</sup>

Carbide was paying the price for its penny-pinching. Having failed to find a buyer, bosses began cutting back on maintenance expenditure at the plant. Now others too would pay the price. But they would pay with their lives.

## Death of Ashraf Khan

ASHRAF KHAN WORKED in the 'unproven' unit of the factory and was desperately worried about the state of affairs there. His wife, Sajida Bano (*see p. 48*) remembers that he often came home complaining about the dangers he and other workers faced.

On 24 December 1981 Ashraf was asked to replace a defective flange connecting two pipes in the phosgene manufacturing section. His manager

Ashraf Khan by intensifying its cost-cutting in the most dangerous areas of the plant.

## Reckless and lunatic cuts

BETWEEN 1980-84 the workforce was halved. The crew of the MIC unit was slashed from twelve to six, and its maintenance staff from six to two. In the MIC control room a single operator had to monitor seventy-odd panels, indicators and controllers, all old and faulty, which often failed.

Safety training was reduced from six months to two weeks, reduced in effect to slogans, but the slogans were in English so the workers couldn't understand them.<sup>10</sup>

By the time Keswani began writing his articles, the huge, dangerous plant was being operated by men with little training and less English who were expected to use English manuals.

Morale was low but safety fears were ignored by management. Minor accidents were just covered up. There were so many small leaks that the alarm siren was turned off to avoid inconveniencing the neighbours.<sup>11</sup>

In plants dealing with corrosive chemicals such as methyl isocyanate, experts want fortnightly inspections of valves, pipes and pumps, with new replacements every six months, but in Bhopal inspections were rare and replacements often not made for up to two years. When repairs were needed the use of new parts was curtailed. Old ones were recycled.<sup>12</sup>

## <sup>13</sup> There's nothing left to cut

These reckless instructions came from Carbide's Bhopal Task Force, a crisis management team based at Union Carbide Eastern, the regional holding company in Hong Kong.

The formation of the Bhopal Task Force had been approved by Warren Anderson himself, and on its board sat top US executives who reported back to the UCC board in Danbury.<sup>13</sup>

By the time the Force had finished

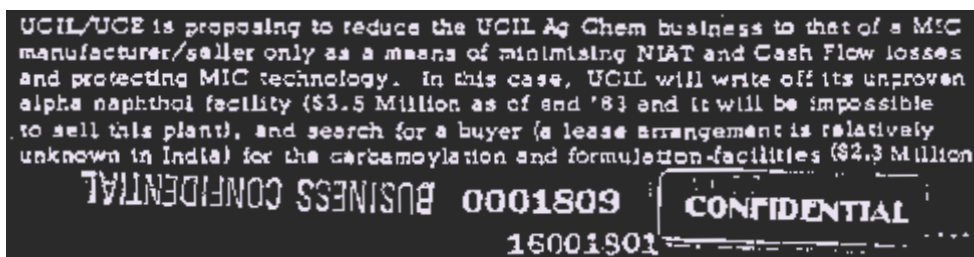
assured him there was no danger but no sooner had he removed the flange than phosgene gushed out onto him. He was taken to the plant dispensary and subsequently moved to Hamidia hospital where he died.

## Safety audit finds dangers

AFTER THE DEATH of Ashraf Khan Union Carbide management sent out a team of US engineers to conduct a 'business confidential' safety audit.

The May 1982 report identified 61 hazards, 30 of them major and 10 in the dangerous phosgene/MIC unit.<sup>9</sup>

Safety measures were improved at Carbide's MIC plant in West Virginia, but not in Bhopal, where, incredibly, Carbide responded to the death of



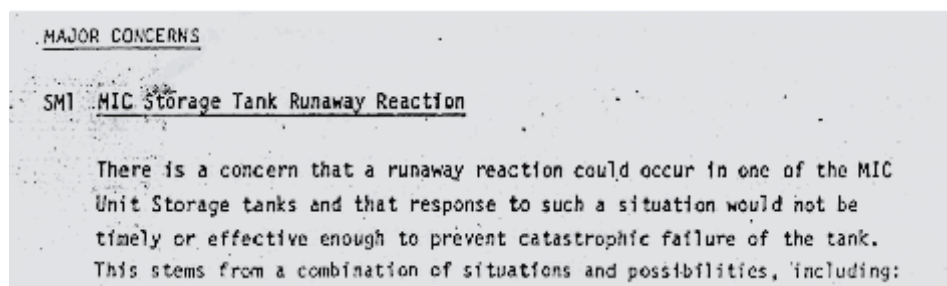


with the Bhopal factory, far from being the shining cathedral of science depicted in Union Carbide adverts, it more closely resembled a farmyard.

Surveying the devastation they had wrought, the Task Force boasted in a confidential report (*right*) of sacking 335 men and saving \$1.25 million, but ruefully reflects that 'future savings would not be so easy.'<sup>15</sup>

## Warning not passed on

In February 1984, a safety audit of the West Virginia 'sister' factory raised major concerns that a runaway reaction could occur in one of the MIC Unit storage tanks, in which



case there would be no way to prevent catastrophic failure of the tank.<sup>15</sup>

Despite the obvious importance of this report and its relevance to the MIC tanks in Bhopal, the warning was not passed on to the Indian plant, where managers were still looking for things to cut. There was nothing left.

Or was there?

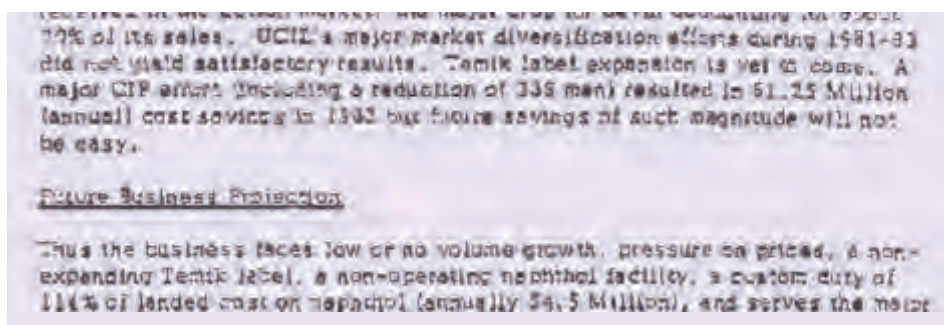
Then Carbide bosses remembered the three giant tanks of MIC.

## Refrigeration turned off

THE THREE HUGE TANKS were meant to be kept refrigerated, as per Carbide's safety manual, at 0°C.

This is crucial because MIC is so volatile that unless impeccably kept it can even react with itself. Chilling it slows down lethal runaway reactions of the very sort predicted by the West Virginia safety auditors, buying time to solve the problem, and most importantly, giving a chance for warnings to be issued and any nearby populations evacuated to safety.

Given the threat of a catastrophic



tank failure and knowing the lethal nature of MIC, Union Carbide did the right thing in West Virginia and improved safety systems. In Bhopal, where ambient daytime temperatures can top 40°C, cost-cutters turned off the refrigeration of the MIC tanks to save freon gas then worth \$37 a day.<sup>16</sup>

by design engineers in the US.

The true story is told by Carbide's own confidential papers obtained by 'discovery' during an action brought by Bhopal survivors against Union Carbide in a Manhattan court. Some excerpts are presented here. The rest are available online and can be accessed at: <http://bhupal.org/discoverypapers>

## Depraved indifference

If safety was ignored inside the plant, Union Carbide had no plan at all for the nearby densely-peopled areas. As the safety situation in the factory worsened, its staff, fearing for their own lives and for those living nearby, put up posters warning of a terrible danger. Keswani wrote to the Chief Minister begging him to step in before Bhopal 'turns into Hitler's gas chamber.' Its sensational style, perhaps, caused him to be ignored. His final article, 'We are all about to be annihilated,' appeared just weeks before the gas disaster.

Unproven technology, inadequate safety systems, storing giant amounts of a lethal poison in conditions made doubly dangerous by negligence and cost-cutting, ignoring warnings, and endangering a whole city to save \$40 a day – all of these contributed to the terror of December 1984, caused the deaths of 20,000 and condemned 100,000 more to a lifetime of pain.

All were expressions of a Union Carbide culture of greed and double standards which fostered what one prosecuting attorney speaking in the New York court would describe as a 'reckless, depraved indifference to human life'.

## US bosses blame workers

Confronted with a huge mountain of evidence that its factory had been negligently and shoddily managed, Carbide soon began claiming that UCC, the American parent, had no authority or control over the plant's design or operations, and could bear no responsibility for the disaster.<sup>17</sup>

After Carbide's Sikh terrorist ploy failed, it fixed blame on an unnamed 'disgruntled employee', who, it said, bore a grudge against the company.<sup>18</sup>

This too was rejected by India's Central Bureau of Investigation and the Indian government, which called Carbide's claim 'an attempt to obscure the material facts of this action with irrelevant facts, improbable detail and blatant misrepresentation'.<sup>19</sup>

## Out of their own mouths

In fact every important element, from the 'unproven' Alpha Naphthol unit down to the MIC plant, had been designed by UCC, or else approved







# Voices from the abyss

1985 passed. And 1986. In Bhopal people continued to sicken and die, but their deaths no longer made headlines. As in New York lawyers argued over jurisdiction, Union Carbide claimed it was not to blame for the disaster. The Indian government retorted that it could not provide reparations for the victims. Abandoned to their fate, ignored by the great and powerful, all that remains of many is the faint echo of their voices.

*'Listen, I will tell you what terror is.'*

People rushing past like water in a river. In the crush my children's hands are torn from mine. They are gone. I scream their names.

People are dying with piss and shit running down their legs. People are washing their eyes in drains to ease the pain.

I'm searching among the dead for my family. Blackened leaves falling like rain. I meet a man burying his baby. He looks at me and says 'Good morning.' We both start crying.

Days pass, we have pain, fever, fits, nausea, breathlessness, our eyes burn, limbs ache. Don't know if we'll live or die.

Survive? How? I used to carry sacks on my back, now I can barely carry myself. But so what? I have no family to feed. When the gas came everything fell, and everything fell through our fingers. Before the gas, I was poor. Now I am a beggar.

What is terror? It's women scared to give birth. It's 'Carbide babies', born dead with tiny heads, flesh like blue jelly, eyes like boiled eggs.

People stay sick. Who knows what new hell will emerge in our bodies?

Nanko (75 yrs)  
Unemployed, homeless



*'There's very little to eat.  
Very little to wear.'*

There's very little to eat. Very little to wear. My papa just doesn't get a job. A permanent job he can't get. Before the leak, he used to work on a boring machine. Now he cannot work on that machine.

Carbide must be punished. Take them to the police station. Then hit them, then jail them – those Carbide fellows. I can't play. I am weak. My hands and legs ache when I run. I get breathless. I run and fall down immediately.

Suresh (8 yrs)  
Class 2, Shakti Nagar





*'The people are being lulled. When a child cries, one diverts it by saying that a tiger is coming or a goat is coming. Neither does the tiger come, nor the goat.'*

People are going around in circles for relief money. Carbide's assets are still intact. The government is not taking it over nor will it use Carbide's assets to help the victims. The people are not quiet, it's just that they are being lulled. When a child cries, one soothes it by diverting its attention saying a tiger is coming or a goat is coming. Neither does the tiger come nor does the goat. And the child eventually sleeps. The government is working in a similar fashion. We will have to cry out all over again.

Shammu Khan (50)  
Rents out bicycles,  
Indira Nagar

*'The doctors say there is no treatment for MIC poisoning.'*

That night I was on duty at the Sevin plant. I was also a member of the emergency squad so I stayed on to control the leak. That is how the gas hit me and I became unconscious. I was admitted to the hospital and my lungs were operated upon. Now I

face great difficulty in walking. I suffer from breathlessness and my chest hurts terribly. I try to read but everything seems hazy. The doctors say there is no treatment for MIC poisoning. The ICMR people call me for tests, blood gas analysis, lung function tests urine tests etc. We are never given the reports of these tests and the doctors don't tell us anything properly. I used to inhale toxic gases even before the gas disaster. All kinds of gases used to leak inside the Carbide plant and the managers never did anything about them.

S.K. Dube (32)  
Former UCIL Plant Operator,  
Firdous Nagar



*'From the gas leak until today I haven't worked. I go here and there in search of work, but no work is available.'*

Before the gas leak I worked in the textile mill, in the spinning section. When the gas leaked I was very ill in hospital. I got certificates made there and went back to the textile mill. I told my boss 'here is my certificate, give me some lighter work to do'. He said 'we are reducing the number of workers, so we can't give you lighter

work. Hand in your resignation.' The company people told me to give it in writing that my health was very bad and that I was resigning of my own accord. If I wrote that, they said, they would accept it, and if not, they wouldn't take me into work anyway. I was a permanent worker, and I had worked there fifteen years. Now I'm not doing any work. From the gas leak till today I haven't done any work. I go here and there in search of work, but no work is available.

Ahmed Ali (45)  
Unemployed, Bapna Colony

*'I wrote to the Speaker of the Legislative Assembly asking permission to immolate my self and my family. I was so desperate.'*

Since the gas leak I suffer from acute breathlessness, my limbs ache and I often get high fever. I have worked as a chef in many of the big hotels in India but now I can't do this work; when I enter a kitchen where the fires are burning and spices are being fried I start coughing violently and feel like vomiting. I somehow manage to drive an auto-rickshaw to support my family of eight. Earlier I used to earn three to four thousand rupees a month, now I can hardly earn five hundred. I cannot work for more than four to six hours and can only work for 15 to 20 days a month. I have sent six applications to the Collector, six to the Chief Minister, six to the Commissioner, Gas Relief. I wrote to the Prime Minister and the President about the plight of my family. I wrote also to the Speaker of the Legislative Assembly and asked permission to immolate myself along with my family because I was so desperate.

Chander Singh (41)  
Auto-rickshaw Driver,  
Karimabaksh Colony



# Sunil Kumar, orphaned by Union Carbide



Our earliest picture (*left*) of Sunil Kumar with his little brother Kunkun. Sunil would become an icon of the Bhopal survivors movement. He would lay the foundation of the survivors's first clinic (*see p. 26*) appear in documentaries, travel to America only to be arrested and handcuffed by Union Carbide security personnel (*p. 58*). He would tour Europe with Bianca Jagger to protest against the 1989 settlement and tell of the neglect and injustice suffered by his forgotten community.

*'Two years have passed and Union Carbide and the government are still arguing but they are doing nothing. I think if the owner of Carbide were here, I would slay him'*

Just as people were killed by the gas, something similar should be done to punish Carbide. This punishment cannot be given by the Bhopal court. Two years have passed and Carbide and the government are still arguing but they are doing nothing. I think if the owner of Carbide were here, I would slay him—and it is not just me but the whole neighbourhood that thinks so. Carbide has destroyed my family—seven people, my mum, dad, three sisters and two brothers died. Many of my friends also died.

Sunil Kumar (14)  
Student, Class 9,  
J.P. Nagar

*It is Carbide's fault that the poison escaped. The big-big officers in Carbide should be punished. They should be hung.*

Pradeep (12)  
Student, Class 6, Kainchi Chhola

*'I have spent most of the last five years on this hospital bed.'*

It's the sixth time I've been admitted to the MIC Ward. I have been here since the last month of 1985. When I feel a little better the doctors send me home but I can't stay there for long. My breathlessness becomes acute and my husband has to bring me back to the hospital. The doctors say that the gases have damaged my lung badly. They say nothing can be done about my disease. Before the gas I had never seen the insides of a hospital. And now I have spent most of the last five years on this hospital bed. I used to work as an assistant at a day care centre and now I can not do any work. My husband Kaluram also can not go to his job. He used to carry loads. My son is a tailor, he is the only one earning in the family.

Narayani Bai (35),  
Mahamayee ka Baug

*'Before the gas I performed magic in the streets. Now I can't do it. I get breathless.'*

The story of Hari Shankar Magician is told by Suketu Mehta on p. 49.

Hari Shankar (40)  
Street magician, Vijay Nagar



*'I feel as if there is a fire in my head and it seems as if the gas is leaking again'*

When I cough it feels as though it is the gas again. What do I know about the case? I can neither read nor write. I have got my claim form filled. But I don't know how much it asks for. Will we get compensation? When will it come? No good asking me.

Gafooran Bee (60)

Housework,  
Indira Nagar

Source documents:  
'We Will Never  
Forget 1986-1987'  
Bhopal Group for  
Information & Action

1985  
1986  
1987  
1988

BHOPAL MARATHON



**Bhopal victims betrayed**  
 Pat. 16.2.89  
**T**he compensation of Rs 715 crore the Supreme Court has ordered the US multinational Union Carbide Corporation to pay in "full and final settlement of all claims, rights and liability" arising out of the 1984 Bhopal gas tragedy would be widely perceived

The UCC has obviously been let off lightly. Considering that, even to begin with, the multinational had offered about Rs 350 crore as interim compensation, the final figure of Rs 715 crore is no great advance after four years of litigation and protracted negotiations for an out-of-court settlement. It is, in fact, only a minuscule proportion of the UCC's unencumbered assets, as the

The legal wrangling lasted four years while victims died but we now know that Carbide had dictated the settlement *within three months of the gas leak*

The 'settlement' of 1989 came as a baffling shock to most observers. No one understood how the death and injury figures and criteria for assessing claims and compensation had been worked out. The potential for civil damages in the Union Carbide gas tragedy case was unprecedented, and there seemed no way to account for the degree to which justice had failed the survivors. Then in April 2011 a right-to-information request unearthed a hitherto secret correspondence that explained much.



In December 1984, having presided over the worst industrial disaster in history, Union Carbide appeared to be in a hopeless legal position.

That it was able to emerge four years later, in February 1989, with a result that made its share price jump for joy cannot be ascribed to Indian incompetence. India then, as now, had no shortage of clever lawyers who had built a damning case against the multinational. They were never to have their day in court.

## Anderson's queer optimism

On February 27, 1985, less than three months after the carnage in Bhopal, Union Carbide CEO Warren Anderson wrote to his stockholders:

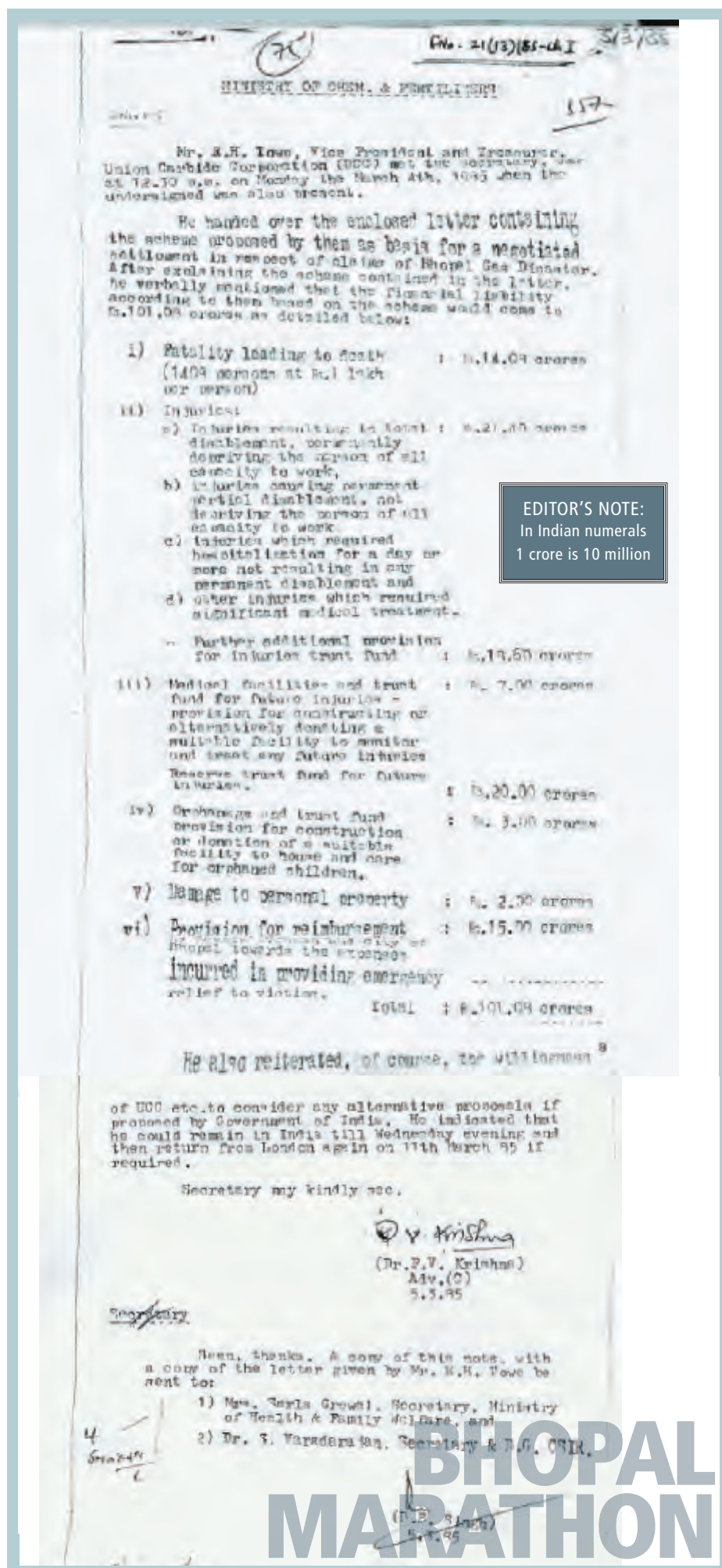
'In an earlier communication, we advised stockholders of counsel's opinion that victims of the Bhopal tragedy could be fairly & adequately compensated *without material adverse effect on Union Carbide's financial condition*. We reaffirm that opinion and our belief that a prompt and equitable settlement is in the best interests of all concerned.'

Such optimism was puzzling, as flamboyant US attorney Melvin Belli, who showed up in Bhopal sporting alligator boots, boasted: 'This is an easy one. We will knock the stuffing out of them. There is no doubt that we will win as Union Carbide have absolute liability. The only questions are the damages – we're going for \$15 billion – and the place of trial.'

Damages, it was widely believed, would be so huge that Union Carbide was certain to be bankrupted.

## Carbide's secret deal

The day after Anderson wrote to stockholders, top Carbide executive Rolf H. Towe and Union Carbide India Managing Director Gokhale, visited India's Ministry of Chemicals & Fertilisers and presented Indian officials with a detailed, costed plan for a negotiated settlement. (right)



# Carbide dictated the injury categories and compensation amounts, demanding immunity from prosecution for itself

According to the minutes of the top secret meeting, the Carbide duo said that Warren Anderson had been told by the Indian ambassador in Washington that ‘the Government of India had an open mind on the issue’ but would like Carbide to take the first step.<sup>3</sup> On March 4, Carbide duly made a formal proposal aimed at ‘avoiding protracted litigation in India or in the US by or on behalf of the claimants’ in return for a sum to be paid to the Indian government.<sup>4</sup>

## Outrageous terms

Carbide chose the Railways Act to fix amounts to be paid for deaths and injuries, thus guaranteeing itself minimum financial loss. It proposed categories of injury that were at best unscientific and at worst bitterly cruel to the victims.

Carbide then demanded from the Indian politicians that ‘in exchange (for cash) UCIL and UCC require that all claims by Indian citizens, corporations, partnerships or other entities arising out of or connected with the Bhopal gas leak disaster against either or both of them, their affiliates, directors, officers and employees to be fully released and extinguished in all respects.’<sup>5</sup>

## Victims cheated of justice

In order, as now seems clear, to ensure that this monstrous deal was not obstructed, the government just 24 days later rushed through the Bhopal Gas Leak Disaster Act of 1985<sup>6</sup> making itself sole plaintiff

## *Union Carbide’s tactics to force down the price of a settlement*

### RED HERRINGS

*It was either terrorism by a Sikh group called Black June, or else sabotage by a ‘disgruntled employee’*

### DELAY

*Carbide threatened to drag proceedings out indefinitely as people suffered and died. “If there are 200,000 claimants, the 200,000 claimants will have to appear in court”*

*Carbide Attorney Bud Holman*

### NON-COMPLIANCE

*Having argued that India was the right forum for the Bhopal trial and agreed to accept the jurisdiction of Indian courts, Union Carbide turned round and said it would not appear for trial in India because Indian courts had no jurisdiction over it*

for the gas victims in all proceedings. The victims were not consulted.

## Sold down the river

In taking these powers (and thus depriving the survivors of the right to seek their own legal redress), the government pledged to pursue full justice and compensation for loss of life and personal injury, health-care costs, loss of property (food, crops, animals), loss of earnings, livelihood and business. All of these aims were sacrificed to placate the company.

In their eagerness to collude with the American corporate giant, India’s politicians adopted the categories of injury proposed by Union Carbide.

Its definition of temporary injury covered 94% of the victims, nearly all of whom were people with injuries that would last all their lives. They were to be awarded \$494.

Union Carbide fixed a payment of \$1,976 for each death (six years later this is the amount the government actually paid families of the dead).

## Carbide accuses victims

The sensational case opened in New York, but Carbide successfully got it transferred to India. Michael Ciresi, a US lawyer representing the Indian government was cynical.

‘The chairman of the Board of Union Carbide, Warren Anderson, has said they prefer to resolve this case quickly and in a just fashion. If his attorneys do otherwise, we have an accurate reading on the integrity of Mr. Anderson’s statements.’<sup>7</sup>

Union Carbide went on the attack by questioning the integrity of the

1985  
1989



people whose families it had killed and whose lives it had ruined.

As predicted (*p.25*) Bud Holman, attorney for Union Carbide, cynically tried to downplay the effects of the gas by suggesting that the victims had already been sick: 'Some have TB which is endemic in that area, some have emphysema, endemic in that area, some have malnutrition, which is a troublesome thing in that area. Each individual history has to be examined in order to determine what damage he has, or whether he has a claim or not. The claims include a considerable number of fraudulent claims, we expect ... If we're going to defend ourselves, and we are, if there are 200,000 claimants, the 200,000 claimants are going to have to appear in court.' He suggested the court allot one day to each witness.<sup>8</sup>

In fact the Indian government's official tally of the injured listed well over 550,000 people.<sup>9</sup>

### Bid to settle out-of-court

As the litigation developed, UCC was adamant that 'There has got to be a settlement, and that's the answer.'

It did not escape observers that a settlement would deny survivors proper compensation and the chance of imposing exemplary punishment on Carbide and its officials:

'An early settlement would allow the corporation to sidestep a public jury trial and a media airing of the issues, avoiding possible punitive damages, likely imposition of a just damage-award matching the damage it had done, bankruptcy, the transfer of company assets to the victims and the deterrent and preventive effect that a trial would inevitably have.'<sup>10</sup>

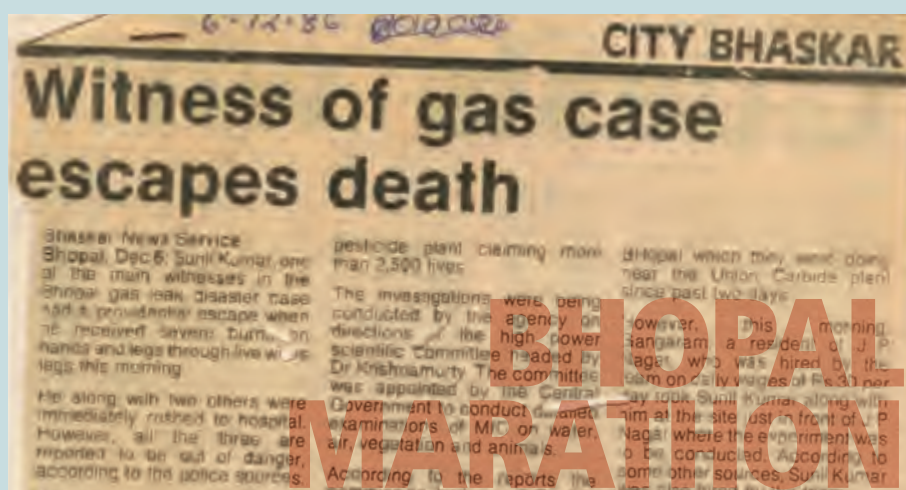
Carbide's aim was to force the price low, while Indian politicians, who started by asking for \$3 billion, needed enough to save face.

### Falsifying the figures

The Indian government's civil

claim for \$3.3 billion against Union Carbide was based on an estimate of around 3,000 deaths and 100,000 injuries, but its own official figures show that more than 5,000 death claims and well over 550,000 injury

claims were granted. Had the real figures of death and injury been used, the Indian government's claim ought to have been for upwards of \$15 billion, more indeed than the company was worth at the time.



## Sunil gets a kiss in New York and a shock in Bhopal

Young Sunil, orphaned by the gas (see *p39*), was sent to New York to testify in the hearings against Union Carbide. He was rather unimpressed by high tech things like escalators or infrared taps and skyscrapers. He felt people in the USA were not happy because they worked very hard and had no time for friends. He was quite affable with people we met and amused himself inventing names for them. An anti-toxic campaigner in Baton Rouge who said 'basically' rather too much became 'bycycly'.

One young woman moved by the boy's brave bearing kissed him on the lips in a lift and he couldn't stop talking of it.

On Sunil's return to Bhopal he found himself in J.P. Nagar holding a line attached to a large helium balloon floating high up above the Union Carbide factory.

We were trying to locate the position of the 'inversion layer' that determines whether gas from a stack will be forced downwards or will disperse. The balloon had to hover at different heights, being raised or lowered one metre at a time and held in position for an hour at each level.

For some reason the important job of controlling the balloon was given to Gangaram who recruited Sunil as his assistant.

It was hot and Gangaram was drowsy so he said to Sunil, 'I am going to have a nap, you take hold of the wire for an hour.' The time passed and Sunil too became drowsy. While they were asleep a wind gently drifted the balloon onto some high tension wires.

The pair were lucky to escape with a few burns and were soon fully well. What befell next is quite another story...

SATHYU

1986

# The victims were at no point consulted about a settlement which utterly betrayed them

## Carbide's first offer

An early offer of US \$100 million 'exceeds all applicable standards in India or the US', said Carbide, and claimed it would 'pay the heirs of each deceased person the equivalent of more than 100 years income and each of the reported serious injuries approximately twenty years annual income.' This offer was just half of Union Carbide's declared insurance cover of US\$200 million.<sup>11</sup> It would in effect have cost the company nothing.

The final amount eventually paid as compensation for a lifetime of pain currently amounts to about 7p a day.<sup>12</sup>

## Carbide used victims' pain to force price down

At the outset of the US hearings Union Carbide had petitioned that the case be transferred to an Indian court – which it evidently never had the slightest intention of attending.

The petition was granted, on the condition that Carbide obeyed the ruling of Indian courts,<sup>13</sup> but Carbide next claimed that the Indian courts had no jurisdiction over it.<sup>14</sup>

With little progress being made in court the only hope of resolution lay in a settlement but as arguments dragged on and more victims died, the pressure on the Indian government grew.

Union Carbide had breached the right to life and security, the right to health and an adequate standard of living, the right to sufficient food and clean water and the right to a safe environment.

The settlement finally agreed in 1989 failed to cover any of these.

## Carbide shares soar

When details of the settlement reached Wall Street, great were the celebrations. Instead of bankruptcy Union Carbide had got off scot free.

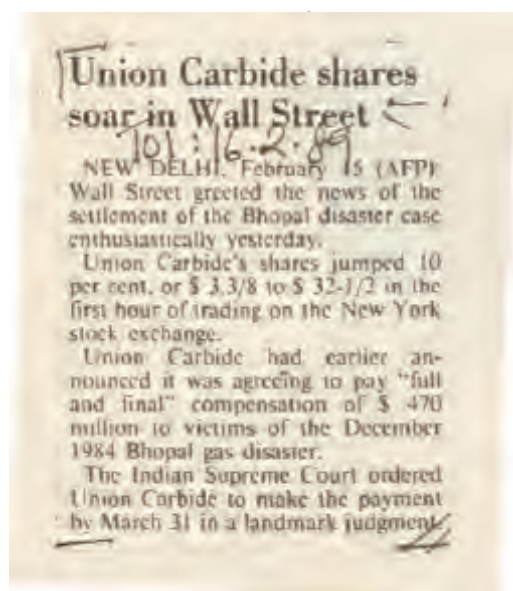
The \$470 million paid to the Indian government was mostly covered by insurance. It has been calculated that the real ultimate cost to the company was no more than \$25 million.<sup>14a</sup>

The Times of India reported that in the first hour of trading after the news broke Union Carbide's shares jumped 10%.<sup>14b</sup> (right)

These scenes of joy underlined the infamy of the settlement, which lacked any restitutionary or punitive aspect. Carbide's callous negligence and cost cutting went unpunished.







## A pittance for the poor

The settlement of \$470 million, if shared between so many, produced a theoretical average of about \$800. The Indian government banked the money and disbursed it as it saw fit. Many illiterate victims who could not produce papers, were left out. Of those who got any compensation at all, most had between \$300 to \$500.<sup>15</sup>

## Criminal charges revived

In 1991, in response to an appeal from survivors' groups the Supreme Court of India woke up at last to the idea that criminal liability cannot be bought off and ordered the criminal proceedings against Union Carbide Corporation to be revived.

Once again the possibility existed for survivors to be compensated for all they had lost and suffered.

You can't imprison a company, but in Indian criminal law, restitutionary and punitive fines are based on the scale of the crime and perpetrator's ability to pay.

There is no upper limit.

In reviving criminal liabilities, the Supreme Court said:

**'It is a matter of importance that offences alleged in the context of a disaster of such gravity and magnitude should**

**not remain uninvestigated.**

**The shifting stand of the Union of India on the point should not by itself lead to any miscarriage of justice.'**

SUPREME COURT OF INDIA, OCT 3, 1991

## Carbide breaks its word

The criminal trial recommenced in Bhopal in February 1992, but Union Carbide declined to attend.

Breaking the promise given to the US court when the proceedings were moved to India, a spokesman said,

*'Union Carbide and Mr Anderson do not recognise the right of the Bhopal court to hear criminal charges against them...*

*Neither has any intention of appearing before it.'*

## Compensation of 7p a day

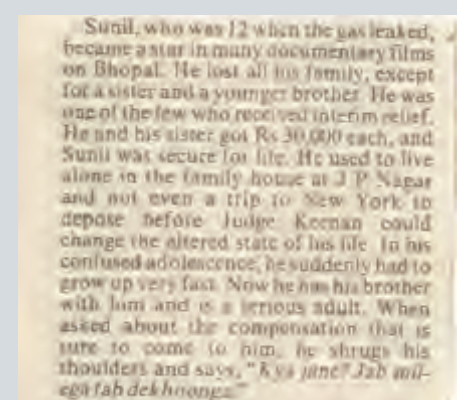
After years of petitioning, a second payment was made out of the interest accrued by the government over the years. The total average pay out still came to less than \$1,000.

How could such a sum last the survivors for the rest of their lives, cover their medical costs and replace lost earnings? Over the decades that have passed since 'that night' the value of this 'compensation' has dwindled to just 7p a day, scarcely enough to buy a cup of tea, even in Bhopal. (*See p. 107*)

## A disastrous precedent

If the 1989 settlement served as a precedent for anything, it was that a foreign company, provided it had deep pockets, could do what it liked in India and that Indian politicians would take its side and shield it from the consequences of its crimes.

That, unfortunately, was the real lesson of Bhopal, and as evidenced by the indemnities demanded and won by foreign technology-suppliers against Bhopal-type disasters, it still continues to be true to this day.



## Sunil (17) on the settlement

*Those responsible should be hanged*

My brothers Anil and Santosh died from the gas. My parents and three sisters, Pushpa, Kiran and Sanju also died. I live with my sister Mamta and my brother who is three and a half. He is sick a lot. Union Carbide has done this to my family. I want to teach them a lesson. I'm a member of Children Against Carbide – other children who have lost their parents are also members.

The Government told us nothing about the settlement with Carbide. I read about it in the papers and went to the court to find out about it.

The case against Carbide must be continued. Till now they have not established who were responsible for the gas leak. The CBI inquiry has also been stopped. The people must know who was responsible for the gas disaster—who killed their loved ones. And those who are found to be responsible must be hanged.

What is the use of all the money if those who have killed so many go scot-free. Similar things will happen elsewhere and there also they will say 'take some money and settle the matter.' This will become the rule.





# A man destined to burn

WHEN THE LETHAL GAS leaked on 'that night' in December 1984, the lack of information from Union Carbide was so total that Kailash's mother Jiyabai thought the gas spreading around them was tear gas, being used to quell a riot somewhere in the city.

Fearing for her son, she closed the door and sat outside, to make sure he did not go out and no one came in.

The gas, however, found its way into the house through the windows and through cracks and crevices. Kailash's wife's eyes were burning and he felt breathless and unwell.

Opening the door, he found his mother unconscious on the doorstep. On his way to get help for his mother and wife, Kailash fainted. He woke hours later on a truck, among a pile of bodies bound for the funeral pyre.

Years later, he described the terror of waking among dead people, their bulging eyes, swollen faces, twisted limbs and sunken heads. His mother died the same day, and embittered by her loss his father shut himself away, to become a recluse. Kailash was left totally disabled, unable to breathe for coughing fits, constantly shuttling between home and hospital.

Kailash Pawar was thrice a victim: first of MIC, then of ignorance about its effects stemming from Carbide's refusal to share its knowledge, finally of society's failure to meet the needs of the victims of the world's biggest industrial disaster.

Many treatments were tried out on Kailash Pawar, in the hope of finding a cure for MIC's ravages. Initially he was regarded as a star-witness to the





On March 24, 1989, Kailash Pawar doused himself in kerosene and struck a match. In his early twenties, he had been ill since the gas leak. Choosing to die by fire, he left a statement that he was killing himself in order to remind a forgetful world of the continuing suffering of the gas victims in Bhopal. It was just over a month after the 'settlement' with Union Carbide.

efficacy of sodium thiosulphate, as he too showed an improvement after the injections.

Alas, it was shortlived, followed by frequent attacks of acute illness, relating to his burnt-out lungs, and serial hospitalisations.

Winter was the worst time. Every winter he would be back in hospital, trying sometimes one, sometimes another, treatment, injection after injection, test after test.

As the years dragged on, his pain grew. In his interviews we hear the same notes of pain and helplessness over and over again.

Often he said it would have been better to burn.

In Kailash's last interview, a few days before he killed himself, the loss of hope and total destruction of any pleasure in living dominate.

'My body is the support of my life. When my breathing is normal, I feel like living but when it becomes heavy thinking stops, absolute pain takes over ... In winter when my breathing grows worse I take up to six injections a day. I have become worthless ... My wife inspires me to live. She too must be tiring of me

sometimes. But I am helpless.'

If ceaseless pain eroded Kailash's self respect, the fact of being unable to support his family, the fear that he was a burden, killed what sense of self might have been saved by relief and rehabilitation. Both his sense of worthlessness and his consciousness of the burden and stress that his pain put on his wife preyed incessantly upon him. Added to this was his grief and guilt that his mother had lost her life in trying to preserve his. Ultimately he could no longer bear his trauma.

On the 24th of March 1989, just over a month after the infamous Union Carbide settlement he killed himself.

In how many ways was Kailash Pawar victimised: how many victims made up this one being? There is the victim with the burnt out lungs; the victim subjected to treatment after treatment; the victim who could no longer work; the victim who was a strain and burden on his family; the victim for whom his mother lost her life; and the victim whose hopes were constantly rising and being dashed to the ground. Redress is surely due

on each of these counts.

What too of the redress owed to his wife, who shared so much of his pain and suffering, whose own hopes were dashed year after year, and on whom the burden of restoring his spirit rested most squarely? His wife had to work to support the family, and the only job she could get was at Rs 200 a month, sewing, less than a tenth of their previous income. With her MIC-injured eyes, sewing must have been agony. How many victims are there in her person?

And finally, what of the suffering of the hundreds of thousands who were exposed to MIC more than five years ago and who still live in fear of its effects, because these often have a delayed appearance?

In giving interim relief (pitifully inadequate though it is) to residents of the 36 wards 'directly affected' by the leak the government accepts the important principle that the entire community suffers in such disasters, not individuals alone. It remains to be seen whether Union Carbide will accept its own responsibilities.

RADHA KUMAR

*Adapted from The Hindu, March 26, 1990*

# A letter to Union Carbide

FROM 'BHOPAL LIVES'

SUKETU MEHTA

SAJIDA BANO never had to use a veil until her husband died. He worked at the Carbide plant and was its first victim. In 1981, three years before the night of gas, Ashraf was at work when a valve malfunctioned and splashed him with liquid phosgene. He was dead within 72 hours.



In 1984, Sajida visited her mother in Kanpur, and came back to Bhopal on the night of gas. At the railway station she began to experience a choking sensation. Her eyes began burning and tearing profusely. With her two sons, she rushed to the station's waiting room which was full of people who were unconscious or choking to death.

In the panic, Sajida was separated from her children.

She passed out. Her four-year-old son died in the waiting room with his little brother holding on to him.

The factory had killed the second of the three people Sajida loved most. She was left with one surviving son, sick in body and mind. For a long time, whenever he heard a train whistle, he would run outside, thinking that his brother was on that train.

Sajida Bano asked if I would carry a letter for her to 'those Carbide people, whoever they are.' She wrote it all in one night, without revision. She wants to eliminate distance, the food chain of activists, journalists, lawyers, and governments between her and the people in Danbury. Here, with her permission, are the excerpts I translated:

Sir,

Big people like you have snatched the peace and happiness of us poor people. You are living it up in big palaces and mansions. Moving around in cars.

Have you ever thought that you have wiped away the marriage marks from our foreheads, emptied our laps of children, bathed us in poison, and we are sobbing, but death doesn't come.

Like a living, walking corpse you have left us. At least tell us what our crime was, for which such a big punishment has been given.

IF WITH THE STRENGTH OF YOUR MONEY YOU'D SHOT US ALL AT ONCE WITH BULLETS, WE WOULD NOT HAVE TO DIE SUCH MISERABLE SOBBING DEATHS.

You just put your hand on your heart and think – if you are a human being – if this happened to you how would your wife and children feel? This one sentence must surely have caused you pain.

If this vampire Union Carbide factory had been quiet after eating my husband, if heartless folk like you had had your eyes opened, then probably I would not have lost my child after the death of my husband.

After my husband's death my son would have been my support. But before he could grow you uprooted him. I don't know why you have this enmity against me.

Why have you played with my life so much? What was I, a poor helpless woman, spoiling of yours that even after taking my husband you weren't content?

You ate my child too. If you are a human being and have a human heart then tell me yourself what should be done with you people and with me. I am asking you only, tell me, what should I do?

Hope sustains life, it's said – for some maybe.

But what about hopeless, deathless lives – like mine?

SAJIDA BANO



THE GAS CHANGED PEOPLE'S LIVES in ways big and small. Harishankar Magician used to be in the negative-positive business.

It was a good business. He'd sit on the pavement, hold up a small glass vial, and shout, 'Negative to positive!' Then, hollering all the while, he would demonstrate.

'It's very easy to put negative on paper. Take this chemical, take any negative, any you like. Put it on any paper, and rub with this chemical, then place it in the sun for only 10 minutes.

'This is a process to make a positive from a negative.'

By this time a crowd of curious people would have gathered to watch the magical, miraculous transformation of a plain film negative to an image on a postcard.

In an hour and a half, Harishankar Magician could easily earn 50 or 60 rupees (\$2) in this business.

Then the gas came.

It killed his son and destroyed his lungs and left leg. In the negative-positive business, he had to sit still for hours. He could no longer do that now with his gammy leg, and his withered lungs could not shout.

So Harishankar had to find a new business that did not involve standing and shouting. Today he wanders the city pushing a bicycle that bears a box with a hand-painted sign:



Passers-by, seeing the mysterious gaudy box, gather spontaneously to enquire what it is. Harishankar invites them to put on the Stethoscope, which is a pair of big padded headphones attached to the Machin.

Then he flips a switch that activates a battery hidden in his bicycle basket and the front panel of the Machin comes

alive with flashing disco lights, rows of red and yellow and blue and green coloured bulbs. This fine Machin, Harishankar tells his customers, monitors their blood pressure and then tells their fortune via the Stethoscope. The fee is two rupees (six cents).

Harishankar Magician doesn't like this business. It is not like his previous trade. He thinks this one isn't honest, that working with the Electronic's Mini Computer Machin, he is peddling a fraud.

Besides, he can only do it for an hour and a half a day, and clears only about 15 rupees (43 cents).

Harishankar Magician is sad. He yearns for the negative-positive business. Once the activist Sathyu Sarangi took a picture of Harishankar's son, who was born six days before the gas came.

The child survived the night of the gas leak, but was very sick and died three years later.

Harishankar and his wife have no photo of their dead boy in their possession, and they ask Sathyu if he can find the negative of the photo he took.

Then they will use the small vial of chemical to make a positive of their boy's negative, with only 10 minutes of sunlight.

# NEGATIVE



# POSITIVE

SUKETU ALSO TELLS

## The sad story of Harishankar Magician

In the summer of 1989 a group of seventy-five gas-affected women from Bhopal, accompanied by thirty children and twelve men undertook a 500-mile padyatra – a protest march on foot – from Bhopal to New Delhi to meet the Prime Minister. They would lay before him the broken promises made to them by the state government and ask his help. In their innocence, or naivete, they did not think to inform either the PM's office or the media. They just set out, on an adventure that became one of the great turning points of Bhopali resistance. For most of them the memory of that steady walk along miles and miles of endless road now feels like a dream, but they still remember the people, things and situations they met along the way.

## The long walk of the Bhopali women



THIS SMUDGY PHOTO crisscrossed with the grain of newsprint, is all that remains in the world of our walk – the long walk of the Bhopali women.

The rest is memories.

It was Rashida's idea, this much everyone agrees.

### 'We'll go to see the PM'

When Rashida said this, all of us were happy. It just seemed right, the moment she said it. Yes, of course. The Prime Minister. He'd listen to us. It was our only way to be heard.

'Where is the Prime Minister?'

'He has a so-big house in Delhi.'

1989

'Where *is* Delhi?' Nobody knew for sure but a couple of

people reckoned it was up in Berasia direction, but quite a way off.

'How will we get there?'

Rashida and Champadevi said, 'We have no transport so we'll have to walk. It will show we're serious. We'll all go together.'

'When?'

'Soon as possible.'

'Tomorrow, then.'

We agreed to meet early next morning and set out. We'd bring a bit of food and, if anyone had any, a little money might come in handy.

### Flames not flowers

We are women of Bhopal. We are flames, not flowers. When Union Carbide's factory blew up in 1984 we

breathed its foul gases and lost our loved ones and those who didn't die right away wished they had.

That night is a terror no one wants to remember but no one can forget. Everyone has a story about what happened. These stories no one wants to tell, and none want to hear.

### After the angels

When the angel of death opened its wings over the city, bodies were piled in heaps in the streets and our old lives were gone.

Most of us had worked hard at heavy manual jobs. Now we weren't able to do that work any longer. We were ill. Breathless. Coughing all the time. Our children were ill. We had



no money for medicines or food.

What do you do when there's no food? You bind a cloth tightly round your middle to fool your stomach. If your children cry with hunger you fill their tummies with water. But how long can you live like that?

## A promise of work

Then the state government got a large amount of money from Delhi to create jobs for gas-affected people.

It decided to train some women to work in one of its printing presses. About 100 of us took up the offer. We trained four months on a stipend of Rs 150 a month (£2), not enough to make ends meet. The bosses told us that when qualified we'd earn a proper salary, but after the training they said there were no jobs. There never had been any. We might as well have trained to be astronauts.

That's when Rashida & Champa-devi spoke up. What was the point of training us, they asked, if there was no work. The bosses said we should be grateful to be trained at all. If we wanted work we should start our own printing press.

## Chief Minister steps in

We were getting nowhere with the bosses. They told us to go home and stop bothering them, so we made a petition and took it round to the Chief Minister's office.

After some time came a reply that we would be employed in the State Industrial Corporation. We should just show up, work would be given.

We were thrilled, and praised the Chief Minister for his kindness. Jamila garlanded his portrait.

On the appointed day we went to the gates of the factory and waited. Come back tomorrow, they said.

Next day it was the same story.

After a month we'd had two days' work and earned Rs 6-12 each (£0.08 or \$0.12), hardly a living wage.

Did no one explain to you, they

asked when we dared to complain, that you are piece rate workers, here on sufferance. You have no right to demand anything.

## We get angry and wise

Well, we'd had enough of excuses and of being pushed around and lied to. We warned the civil servants and bosses, look, day after day we waited outside your gates, you people shut your eyes and ears. You have hearts of stone. So be it. We'll take direct action, don't say we didn't warn you.

The officials relented and began giving us work. For the next two and a half years we earned 10-12 rupees a day (£0.12 or \$0.17).

## And angrier and wiser

Around this time, someone found out about a thing called the Factories Act and the Minimum Wages Act.

It turned out that we hadn't been paid at a proper rate, plus during the period we were underpaid the press made a profit of 400,000 rupees.

We went to the bosses and asked for our rights: minimum wages and regular employment. We asked to be treated according to the law.

The bosses were shocked, they said, disturbed by our ingratitude, but they would be generous, they would try to find us a bit more work and offer a small increase in wages.

So we told them what they could do with such generosity.

## We learn politics

We did not know how to protest but we had heard of sit ins (dharna) so we went to the state assembly and sat and slept there for several days.

This had no effect.

People gave us new ideas, and we tried rallies, meetings, rasta rokos (road blocks) and even a procession at night with burning torches, which the children enjoyed very much.

None of this worked.

Then we got wind that the Chief

Minister was canvassing in Kharasia for an election.

We issued a statement saying that half of us would go to Kharasia and canvass against the Chief Minister, while the rest protested at his office.

When the news reached the Chief Minister it had a magical effect.

He immediately instructed that all our demands be met – factory-shactory, salary-shalary, everything. Wages to rise to Rs. 535 a month.

## We are ungrateful

The poor fellow – it was Arjun Singh, late in his life he felt bad about how he treated us gas victims – got a real shock, and to be honest we surprised ourselves when we rejected his offer. If we'd known more about negotiating, we mightn't have dared.

In our ignorance, call it innocence if you prefer, we held out for what the law prescribed, a salary of Rs 2700 a month for a skilled worker and a proper employment contract.

I think a lot of the officials were horrified by our attitude. Again we had shown ingratitude. It began to dawn on us that they, coming from more affluent backgrounds than us, did not think of us as deserving of the same rights they enjoyed. Maybe that, or they just didn't like being pushed around by a lot of women like us. So we gathered, one sunrise in the summer of 1989, for the grand send-off from families and friends, who thought us mad but garlanded us and showered us with marigolds and roses – you can just make them out in that old photo, if you look carefully.

## The rains followed us

It was June, when the rains come. We were ahead, the rains behind and the gods beside us. All the while we walked, the rains were before us, or behind us, but we never got wet.

We didn't know how far Delhi was, nor the way there, nor how long it would take. We didn't know what we'd eat or where we'd sleep. We did not know how tough it would be.

Many of us had our kids with us. There were a few men too. Each of us carried a small bag with a few necessities, a blanket, bed spread, spare clothes.

## Blisters and herbs

Soon the children, and many of us women, had blisters on our feet. We'd treat them with herbs found along the way, and keep walking.

No one said 'Let's go back'.

There were times when we were so exhausted at the end of the day that we had no energy to cook or eat, but we would force ourselves to eat, and feed others. Otherwise, how would we go on next morning?

At first we walked only 8 or 10 kilometres a day. As time passed the pace picked up and we could walk 35 to 40 kilometres a day, kids and all.

## We slept in forests

We got up very early, about 3 am to escape the cruel sun. When our sandals wore out, we tied leaves to the soles of our feet.

Often people would walk with us from one village to the next as a way of showing their support.

The road passed through some wild places, forests where there were no villages. Far from anywhere, we'd sleep in the grass - a wide bedroom under the starry sky, with the odd truck roaring by. Three or four of us kept watch over the rest.

In the dawn, we were shocked to see dead scorpions and snakes killed

on the road during the night. Many more must have passed among us, as we slept and never knew...

## No food or money

Most of us had brought only 30 or 40 rupees and when these were spent, women sold ornaments to get cash for medicines, and food for the children. Genda Bai found a five rupee note on the road and used it to buy her son some medicine.

The food we had brought from home lasted just one day. After that we had to ask for food in the villages where we stopped for the night.

Country folk are extraordinarily kind. Some days they would cook for us. At other times people gave us the materials, and we cooked our own supper.

## Telling our story

Occasionally, when we begged we'd be scolded. 'You seem healthy and capable, can't you work for food like everyone else?'

Or, more cynically, 'you must all have received good compensation from the government after the gas disaster. Why are you still making more demands?'

Then we would try to explain what had really happened in Bhopal. How people were ill, compensation was a joke. We told of having to pay officials. People were angry then and they helped us and we had no more scoldings.

Sometimes, the local police would arrange food for us and put us up in government resthouses with guards for our protection.

## A night without supper

In a place called 'moti quarters' the security personnel wouldn't let us leave the rest house in the night.

We had not cooked supper and so we went hungry. It was a bad night - children crying - none of us could sleep. As soon as light came, we all

rushed out, and a kind cafe owner gave fresh milk to the children.

All along the way, people would ask why are you doing this? We would stop to explain and then have to catch up the others.

We walked in small groups - the quicker ones would leave pounded rice on the road to mark the way. The lead group would generally scout a place for us to spend the next night.

## We are all one

We were Hindus and Muslims both, but in our group all differences melted away - we cooked together, ate together, shared our troubles and slept side by side. We began bonding with one another and the people we met saw no differences among us.

We were one.

In Guna, we had planned to pass the night in a Hindu temple, then someone noticed signs that Muslims were not allowed inside. To us this seemed like a kind of madness we had left behind.

We began shouting '*hum sab ek hain*' - 'we are all one, we are united'.

The head priest of the temple heard the commotion and came out. To our delight, he joined us in the slogan-shouting, and then he opened the doors and cordially invited us all to spend the night in the temple. It was a lovely place with comfortable rooms and the food was wonderful. Rashida Bi, a Muslim, spoke for everyone when she declared, 'I will always distinctly remember the taste of *louki ka kheer*.' Pumpkin cream.

## Bandit alert

As we came nearer the Chambal ravines, people started warning us about the 'killer' dacoit gangs that hid in them and robbed travellers.

They said the dacoits would harm us, perhaps even kill us.

We weren't scared. Who would waste time robbing people who had nothing? Everything we had in our



lives had already been looted from us. Bhopal was full of killers and bribe-extracting bandits with names like kampani, minister, government.

When a rich man steals the last means of life that a poor person has, that you can call banditry.

'We are not flowers but flames, let the bandits come.'

## Police & bandits protect us

The dacoits got to hear about us and sent word that they would not touch a hair of our heads.

The local police inspector said he believed this, but just to be sure, he and his men walked alongside us almost 40 kilometres.

At the edge of his territory, he parted from us in tears. 'If I had the power, I would have agreed to all your demands long ago and saved you this trouble'.

## A cold reception

At Dholpur in Rajasthan it was a different story. Everyone we met from the commissioner of police to the local MP refused to help us.

'Who asked you to do this?'

We wanted to stop and eat and have a rest, but they wouldn't permit it and offered to drive us in buses through their district. We said no, we have come to walk, that's what we'll do. And did. As the headlights of the van pierced the darkness ahead we trudged hungry all night.

## Pain and loss

Sometimes local media covered our padyatra but mostly ignored us.

During the 33 days of our walk those who were menstruating were the worst sufferers. We used folded cotton cloth as pads and walking with the cloth on created rashes on the tender skin of the upper thighs. Walking became extremely painful, but they kept on.

Yashoda, who was five months pregnant, tragically lost the twins

she was carrying soon after we got to Agra.

And then there was Abeeda who would faint every few kilometres. Gendabai's 7-year-old son Rajendar was sick during the journey. His head would reel and his legs would give way under him.

## We keep on

In spite of all the hardships, we kept on to Delhi. Not once did anyone say 'enough, let's go back'. We told ourselves 'we're on our way now and there's no stopping - we have to get to Delhi and meet the Prime Minister.'

After crossing twelve districts in four states in 33 days, we finally reached Delhi.

We were utterly exhausted but our problems weren't over. We did not know where the India Gate was, nor how to meet the PM and let him know we had arrived.

We were finally told that Rajiv Gandhi was out of town - he reserved his weekends for family, and on Monday was going abroad.

We were in a quandary - should we wait? We had no food, no money and nowhere to stay. Unlike the villagers who had supported us, Delhi was cold. Nobody offered to help us.

Instead they sneered at us, 'what makes you think the Prime Minister of India would want to meet women like you?'

## Tricked by our MP

We were camped on the grass near India Gate, the rains were due and Delhi was indifferent to us. No one would meet us. Then Devilal, a

politician, stopped his car to hear our story. He could not help meet our demands but gave us Rs. 2,000 (£25) to keep us fed.

Next came Suresh Pachouri, our own MP. He talked us into going back to Bhopal and assured us that once we got back matters would be resolved. He promised personally to take care of our case and get our demands met. We trusted him and decided to go home. All his promises he broke.

## They're afraid of us

We are together still and we know now that we should not have come back empty-handed but our long march had turned us into gritty determined fighters. Some time afterwards many work projects were closed down by the government.

1,300 women in other centres were displaced.

Our centre was not closed. The bandits are afraid of us.

## Won't be fooled again

We even got our audience with Rajiv Gandhi. He was in Bhopal at a public meeting. We forced our way in. After walking to Delhi to meet him, were we going to let a few fat policewallahs stand in our way?

We broke in and told our story.

Rajiv Gandhi apologised to us, and said, 'I didn't know that you had come all the way from Bhopal on foot to meet me. If I had known, I would have come to India Gate to meet you myself.'

Oh yes. A likely story.



# The compensation nightmare:

Union Carbide's injury categories were based not on the actual effects of MIC (which as safety manuals show were well known to the corporation) but on its legal and PR propaganda, which held that injuries to eyes and lungs were superficial and would soon recover. The Indian government's willingness to accept these untruths, even after the injuries had not improved with the passage of years was to have devastating consequences in the lives of the survivors.

A year after the Indian government's settlement with Union Carbide, no money had reached the gas victims. Families whose breadwinners were dead or incapacitated by illness were reduced to utter destitution.

A survivors' group petitioned the Indian Supreme Court for help and in May 1990 the court ordered the Indian authorities to provide interim relief to all residents of the 36 gas-affected wards of Bhopal.

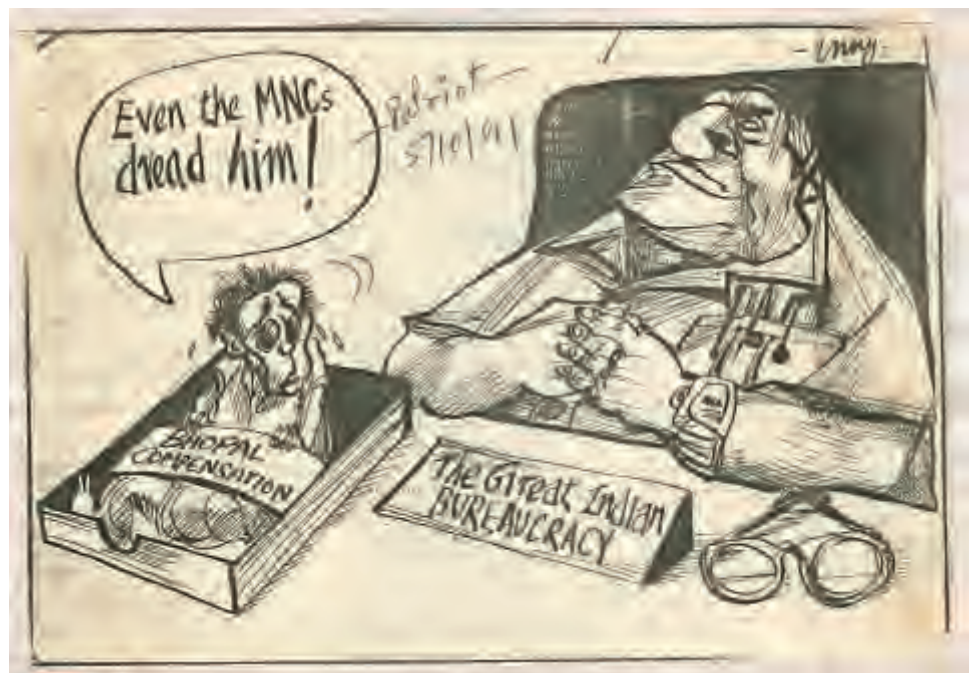
## Tortuous and corrupt

The distribution of relief monies was begun by the State government in May 1990 in a style both inefficient and marked by systemic corruption.

A tortuous claims process meant that people who often were unable to read or write were obliged to fill in long, complex application forms, and spend money they didn't have to photocopy documents they couldn't decipher. They would spend hours travelling to government offices in different parts of the city where they had to stand in endless queues before producing their reams of papers and certificates. If anything was missing the whole ordeal would have to be undergone again.

## Officials fleeced victims

This tyrannical and Kafkaesque bureaucracy created opportunities aplenty for predatory officials to rob the poor. Most of the victims had to



pay bribes to collect their meagre relief money. By the end of 1990 close to 100,000 gas victims had yet to receive a penny.

## The survey that wasn't

The amount of relief (and later of compensation that victims received) was supposed to reflect the category into which their injuries fell. After a perfunctory survey which was never completed, officials assigned people an injury category. These categories had been devised by Union Carbide to achieve the lowest settlement sum, so the damage to peoples' health was grossly underestimated.

*More than 92% of gas victims, most of whom would remain ill for the rest of their lives, were judged to have temporary injuries or no injuries at all.*

The money they received (not just in interim relief, which would have to be repaid, but when Union Carbide's \$470 million was finally distributed) would not be enough even to keep them in aspirin, much less compensate a lifetime of ruined health and lost employment.

The government's blatant rigging of the figures was contradicted by studies of the Indian Council for Medical Research (ICMR) and by other bodies, but the injustice done to the victims remains unaddressed.

## Arbitrary categorisation

The state government's Personal Injury Evaluation process measured disability in terms of loss of income.

You could be disabled only if you were gainfully employed and your

1990



# causes and consequences

income was reduced due to the gas exposure. Thus defined, 74 % of the survivors (& these overwhelmingly housewives and children) surveyed by the ICMR couldn't be disabled, regardless of how ill they were.

## Diagnosis by numbers

The evaluation process employed a scoring system to turn symptoms, signs, treatments and rudimentary observations into numbers.

Colds, coughs, headaches can be trivial or signs of serious illness but no attempt was made to diagnose the underlying disease or syndrome from which the claimant was suffering.

Only if a person's tally was *higher* during assessment than after initial exposure to the gas were they deemed to be 'permanently injured'.

If their health was not markedly *worse* than in the horrific days after the leak, they were considered to be 'temporarily injured'.

The effects of MIC poisoning were most violent and visible on the night of the leak but no account was taken of its long-term effects and the authorities refused to accept that a person who was still suffering from gas-related illnesses *fully five years after the disaster* must by any logic be considered 'permanently injured'.

## No papers, no relief

People were not classed as gas-exposed unless they could produce a hospital attendance certificate from the period immediately after the leak.

Overwhelmed hospital staff had had little time for such niceties.

A person ill with every symptom of MIC poisoning, could have proof of living in a gas-hit area and plenty of eye-witnesses to confirm that they were there on *that* night, but no chit meant 'no injury', no compensation.

## Tests too much trouble

The injury-evaluators were meant to measure respiratory function with x-rays, a pulmonary function test and an exercise tolerance test.

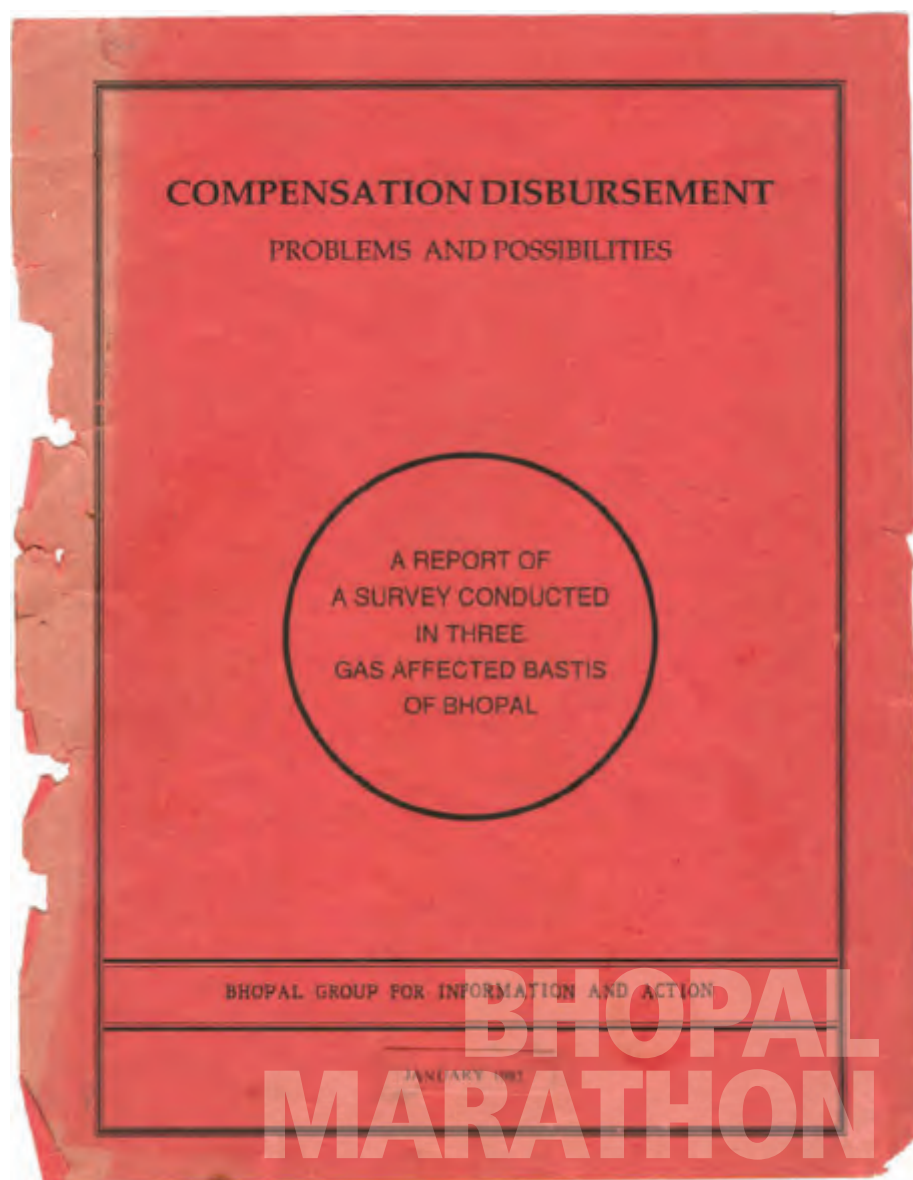
60% of the population required PFT and ETT tests, but the Claims Directorate authorised them for 15% and 2% respectively. 'It is just not practicable,' the government said, 'to subject every claimant to these time consuming investigations'.

But it put them in the 'no injury' category without the examinations.

## Guidelines ignored

Seriously ill people were to have been referred for a second opinion to specialists. But while 54% of the gas-exposed population were diagnosed with post traumatic stress disorder, which was a compensatable injury, only one person was referred to a psychiatrist.

Of the nearly 600,000 people with personal injury claims, only 350,000 had been assessed by the Directorate of Claims. Some 40 % of claimants were thus excluded from the process, and because of a change in the Directorate's rules, around 20% of gas victims had not even filed a claim.



# In the acid of injustice peoples'

By 1990 the gas victims had waited half a decade for justice, compensation and medical help. It seemed an impossibly long time. Never before, wrote the *Bhopal Group for Information and Action*, have so many victimised people struggled for so many years for justice, accountability and the right to a dignified, disease free life... And these words were written 22 years ago.

## Suleman Khan

Suleman Khan and his wife, both ill and barely able to breathe, ended up living in a shed. Till July 1986 he was a clerk at the State Road Transport Corporation, where he had worked for 24 years. His salary was stopped because he was off sick, leaving him with no income.

The situation was catastrophic. Suleman borrowed Rs. 3,000 at 5% a month, his wife pawned Rs. 20,000 of jewellery. Two family members were awarded relief of Rs.200 per month relief, but the family couldn't pay the rent and were evicted.

In August 1987 Suleman was sent for official tests to determine his level of disability but half the crucial tests were not carried out.

Later that year he was diagnosed by Dr KJ Gaur, professor in charge of the city MIC ward to be suffering from chronic obstructive pulmonary disease and asthma. He stayed three years in the MIC ward during which he reckoned about 900 bottles of IV blood were pumped into him.

He grew more breathless and his sight deteriorated. On 19th August 1989 he was informed that he was in Category B: 'temporary injury'.

His wife Rashida was admitted to the MIC ward for a month in 1987.

She too was placed in category B.

Suleman wrote to the Supreme Court that he was contemplating 'drastic action'. They asked, 'Why do you want to commit suicide?'

**1990** 'What else can I do?' he replied. 'I am

ill, I can't feed my family. Why have they put me in Category B? Why have they done this to me?'

## Shakila Bee

Shakila Bee, 30, earned Rs 200 a month working at the rehabilitation centre in Jai Prakash Nagar, where the gas was thickest. Her husband, Sheikh Chandu Khan, aged 42, was a handcart puller whose lungs were ruined. He was repeatedly admitted to the MIC ward and other wards of Hamidia Hospital. Their two boys were both ill from the gas, Mehfoz, the younger, 10, was an apprentice mechanic earning Rs. 5 to 10 a day.

The family spent Rs.100-200 per month on Shakila's treatment alone.

Naturally, they took out loans.

Shakila's medical records from the Hamidia and Jawaharlal Nehru Hospitals clearly recorded her badly deteriorating medical condition but after official tests on 27th May 1987, she was placed in Category B. Her husband in disgust tore up most of their medical papers.

## Bhojraj

Bhojraj, 50, lived in Mahamai Ka Bagh with his five dependents. The gas leak left him unable to work and the family was evicted and made homeless. His wife Parvati Bai went away to Gujarat.

Bhojraj was treated at the Red Cross Hospital. He was certified as suffering from chronic obstructive lung disease caused by exposure to MIC gas.

On 22nd December

1989 he was admitted to the MIC ward at Hamidia Hospital, dying on the morning of February 20th.

Two weeks after he had died the government evaluators assigned him to Category C: 'permanent injury, no disability' and awarded interim relief of Rs 1,000.

When news reached his wife in Gujarat she returned to Bhopal to collect the award, but was sent away empty-handed as the beneficiary had already died.

## Chhotélal

Chhotélal, 50, lived behind Lily Talkies and worked as a porter for lorry companies. On the night of gas he was injured trying unsuccessfully to save a daughter and was left unfit for heavy work. Even walking 20-odd steps made him breathless.

Chhotélal's exposure to MIC caused bronchial asthma with severe obstructive airway disease. He was always coughing up thick gunk from his lungs and was admitted to the MIC ward on at least five occasions, once remaining nine months.

On 5th October 1989, Chhotélal was informed that he had been put in Category B: 'temporary injury.'

He said, 'I have a family of two sons and three daughters to support. I don't know what I am going to do or how we will survive.'

**BHOPAL  
MARATHON**



# lives dissolve away to nothing



Durga Bai (35), gas victim whose health is fading on anti-tubercular drugs at the government hospital.



Prem, 30, is mentally ill and can't earn. By 1989 only 0.38% of gas victims had been examined for mental illness.



Narayani Bai (36) had to pay Rs 2,000 as a bribe to get the Rs. 3,000 of relief to which she was legally entitled.



Shabana, born mentally retarded a year after the disaster to gas-exposed mother Qayum, gets no compensation.

**NEVER BEFORE IN HISTORY** except in Hitler's gas chambers have so many died at one time from exposure to industrial chemicals. Never before except at Hiroshima and Nagasaki have so many people been maimed by a man-made disaster. Never before have so many victimised people struggled for so many years in the face of repression and propaganda for justice, accountability and the right to a dignified disease-free life.

**THESE WORDS FROM THE BGIA STUDY ON COMPENSATION DISBURSEMENT WERE WRITTEN 22 YEARS AGO!**



Pushpa (10) suffers from gas-related ailments but as with most other minors, officials refuse to register her claim.



A sick child from New Gandhi Nagar born after the disaster. Is he a victim? Does he get compensation?



Mohammad Shakir (30), one of many who went for medical tests that were never done

# Sathyu and Sunil go to prison and meet a couple of average Joes

In 1989, Sunil, now 17 accompanied me and another gas victim on a visit to the United States. He was unafraid when we were detained in Houston by off-duty cops hired by Union Carbide and locked in the Hyatt Hotel basement. We were handcuffed and made to sit in chairs with hands locked behind us. As the Carbide officials came down one by one to stare at us, Sunil kept up a rich stream of jokes and Bhopali insults.

SATHYU SARANGI

BOB BERZOK is your regular guy, a model corporate executive. He wears a three piece suit and has lines on his face that appear to come from libido worries.

The first and only time I saw him, the Director of Public Relations for Union Carbide Corporation was staring at me through a plexi-glass screen at the Texas state prison in Houston. It was the middle of the night and I had been brought from my freezing cell to the visiting room where he was waiting. Probably, his company had realised that keeping three of us – me, Sunil and another gas victim – in jail on charges of criminal trespass would make bad press and further sully Carbide's public image.

It wasn't even clear that we were legally detained; on the previous day, police officers at Union Carbide's annual shareholder meeting were told to arrest us for the simple act of distributing a fact sheet on Bhopal.

Bob was scared of bad PR.

'We are concerned about your suffering', he told us. 'I have the bail money with me and a limousine waiting for you outside.' 'If your company is really concerned about human suffering,' I said into the phone that connected us through the plexiglass screen, and looking into his eyes, 'you would release all the

medical information you have on the gases that leaked and are killing people in Bhopal to this day.'

I was watching for a change in his expression as he listened to my alien accent. Nothing happened.

He repeated in words and tone exactly what he had just said. Where you and I have eyes, he had frozen cubes. He politely wished me a good night, and left.

TWO YEARS later in 1991, with my friend T.R. Chouhan - a former plant operator at Union Carbide Bhopal -

I met in New York city with Joseph Geoghan. Again, here was your regular executive, a Vice-President of Union Carbide USA, flanked by lawyers on either side and a secretary to take notes. To Joe I repeated the same request I had made to Bob.

I said, 'Your company invented the production process for making methyl isocyanate (MIC), one of the gases that leaked in Bhopal.

'For at least 30 years at your labs in Research Triangle Park, Raleigh, you have been researching MIC and other chemicals and their effect on living systems. We know of at least 16 research studies that you have chosen not to publish, at least one of which is on 'human volunteers'.

'It does not cost you to give us the information you have generated over

the years and for all one knows, this information may be vital in finding the painfully elusive "proper line of treatment" for those exposed.'

As the lawyers whispered behind Joe, and he waited for their advice Chouhan described how samples of blood, urine and other substances had regularly been taken from the factory workers in Bhopal, but the findings had never been released.

The lawyers had finished their discussion by then and one of them, an Indian guy, whispered into Joe's left ear. Joe then advised us to ask the Environmental Protection Agency (EPA) for MSDS data sheets and take our other grievances to the Indian Government.

In a very few words (because I could see he was growing impatient) I described the pain of a family from my neighbourhood in Bhopal, who had not known one day's respite from exposure-related illnesses and despite their extreme poverty had left no doctor or hospital unvisited.

One of the lawyers indicated he had to catch a flight. I looked at Joe, Joe was looking at his watch. I knew I had little time. I appealed to him not to invoke the Trade Secrets Act as justification for continuing the deliberate withholding of medical information.

As politely as I could I reminded him that their denial of information



was compounding the injuries they had caused – impeding development of workable therapies and causing doctors to prescribe drugs that were seriously damaging peoples' bodies.

When I think of the disaster and try to fathom the minds that decided that it was proper to produce one of the most toxic chemicals in the midst of populated settlements; to under-design the factory that would make that chemical, and then, to direct a global 'economy drive' that, among other things, resulted in the shutting down of the refrigeration plant (to save \$37 a day) I draw a blank.

In my generous moments I can see them just doing a job to send their children to the right school, have their wives look good at parties and keep up on the golf course. They

didn't know that a mega disaster would result from routine decisions taken as part of the normal corporate practice of making a bigger profit this year than last. But when I think of the medical disaster that followed, and that will likely continue as long as you and I live, I have no generous way to think of the regular guys who are the chief authors of this tragedy.

They know what MIC does in the acute and the chronic phase. They know what it does to the lungs, eyes, the brain, the reproductive cycle and other systems. They know that by withholding this information they are prolonging the suffering they began, compounding the injuries they originally caused.

What people like Bob and Joe did was misinform doctors that MIC is nothing but potent tear gas, scuttle use of the only antidote (sodium thiosulphate) proven to work, despatch spin-doctors and Pentagon toxicologists posing as

specialists come to help the people of Bhopal, financially ruin the Red Cross Hospitals that were doing good work in the city, and more.

Bob I hear has retired. What has become of Joe I don't know. Bob's position is now renamed Corporate Communications Manager and is held by Tom Sprick. Mahesh Mathai, maker of the movie, *Bhopal Express* invited Tom to the New York premiere in April 2000.

Tom declined on behalf of Union Carbide but assured Mahesh that 'the tragedy continues to be a source of anguish for the company.'

Tom is just another guy with a normal career. He probably even sleeps well each night.

This piece was first published in *India Together* magazine in 2001 and widely republished since.

Opinions included here are the author's. Robert Berzok accepts that he disagrees with the author on many of the points relating to the Bhopal tragedy, but denies meeting Satinath Sarangi on the night in question described above.

## HOW BIG SHAMMU (FINALLY) GOT HIS INTERIM RELIEF PAYMENT



Shammu Khan was a big man in every sense, tall and well built with a large presence and a commanding voice.

He was blind and used to walk around using his 5-year old grandson as a sort of talking-walking-stick.

Shammu ran a cycle-repair shop in Indranagar, about 1.5kms from Union Carbide's factory. Blind or not he was an active community organiser with tremendous mystique. Legend had it that he'd been a bandit and had been blinded as a punishment, but he was a kind, gentle man with a lot of good friends, one of whom told the story of how Shammu got his relief money.

The story dates back to 1986-7 when the government began doling out interim relief of Rs. 1,500 (£20) per family. Maximum bureaucracy was involved and plenty of mistakes were made. In Shammu's case they had got his address and other details correct but gave his name as *Saabun*

Khan, which means 'Soapy Khan'.

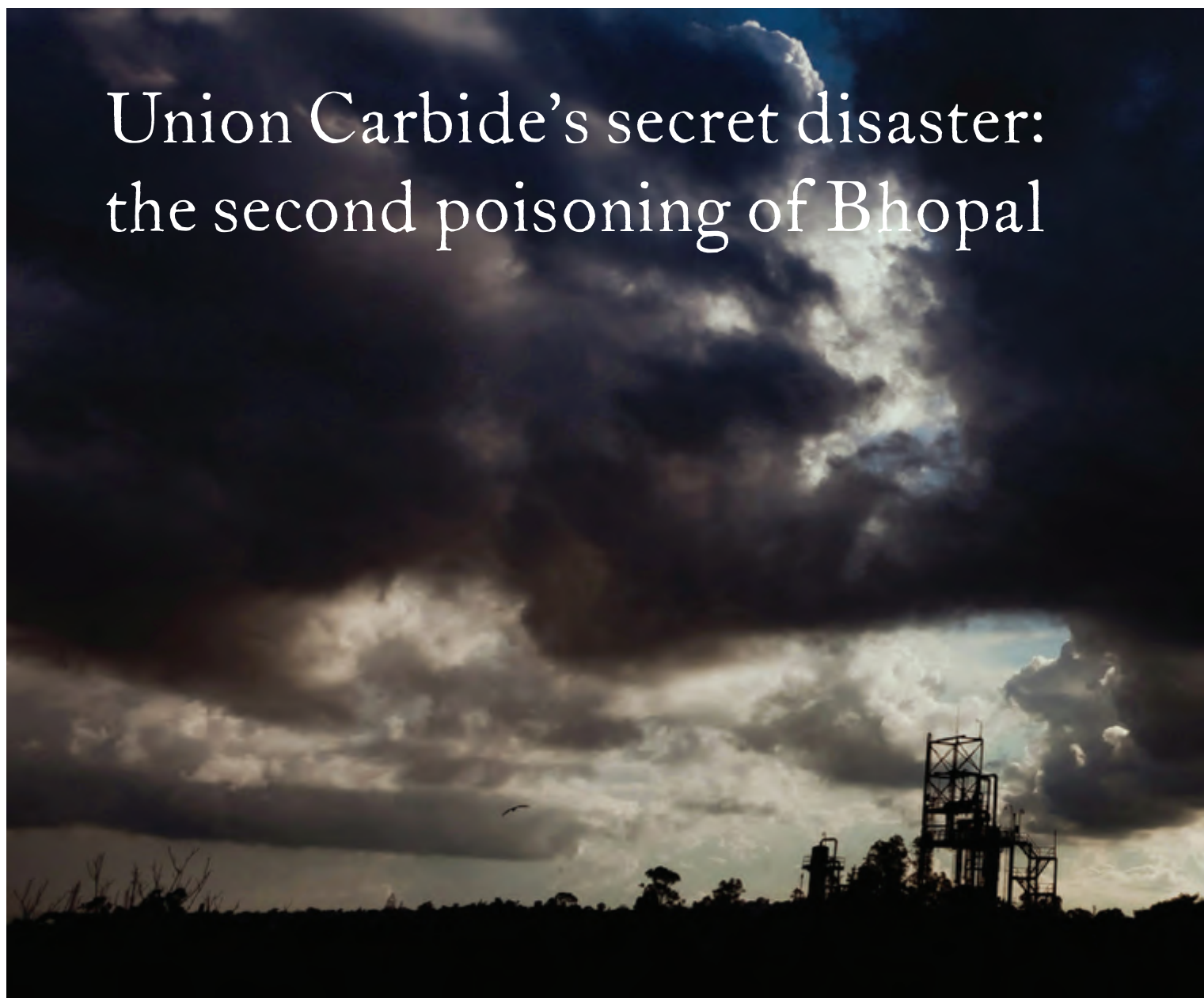
These 'mistakes' were lucrative to the officials, who charged anything from 50 to 100 rupees to amend them.

Shammu refused to pay a bribe and consequently encountered delays and endless artful prevarication.

One day he called his grandson and set out for the secretariat where the top government officials worked, stopping on the way to buy a bar of soap. Using his blindness, loud voice and grandson to get past security, Shammu located the offices of the so-called Bhopal Gas Tragedy Relief and Rehabilitation Department and walked in on its Secretary.

Placing the soap on the desk of the amazed officer, he pointed at himself and said, 'This is Shammu Khan.' He pointed at the soap. 'This is Saabun Khan. We'll not be leaving this office until one of us, don't care which, gets Rs 1,500.' And he got it.

# Union Carbide's secret disaster: the second poisoning of Bhopal



This is the story of Union Carbide's second, secret, disaster in Bhopal: the slow leaking of very toxic wastes from the factory site and three huge 'solar evaporation ponds' into soil and groundwater. It's the story of Union Carbide's decision not to warn people, to deny that there was a problem and to maintain its silence even as people living nearby fell ill, children were born damaged and families its gases had decimated in 1984 were poisoned a second time.

Long before the gas there had been troubling rumours and mysterious deaths of livestock. In 1981 and again the following year, several cattle died after drinking from three huge lakes that Union Carbide had constructed in 1977 near its Bhopal factory.<sup>1</sup> The cowherds complained to the police.

1990

Carbide denied that it was in any way to

blame and settled privately with the owners but unease continued to grow about the three 'lakes' and the Union Carbide factory. No one knew what went on in there. Carbide said it was making 'medicine for the fields'.<sup>2</sup>

'Some medicine', grumbled farmers who were discovering that land onto which Carbide's lakes overflowed suffered a drastic decline in fertility.

Two tubewells dug near the lakes had to be abandoned because their water smelled and tasted obnoxious.

Only on the horrific night of gas did people living near the factory realise how dangerous the place had always been. After 'that night' the plant was closed and locked up – still full of lethal wastes – as it remains to this day.





Factory under monsoon sky, photo: Alex Masi, July 12, 2011

## "This water stinks!"

Bhavesht lives in Atal Ayub Nagar, a slim strip of housing sandwiched between Carbide's factory wall and the railway line. His family moved there in 1989 when he was six. There were no handpumps and fetching water meant a trek to the well in Shakti Nagar, half a mile to the south.

To remedy this problem, people in Atal Ayub Nagar clubbed together to install two handpumps – a decision that would soon return to haunt them. At first the water seemed okay. Then oily globules began appearing in it – if allowed to settle they would form a layer at the bottom of the

glass. The water acquired a faint smell, which grew gradually worse. It tasted oilier too, but these changes happened very slowly.

Bhavesht's family were startled when his grandmother, on a visit from her village, pronounced the water undrinkable. 'It stinks!' she said. The locals, who had got used to the water, didn't find it so bad. They had worse things to worry about, like the number of damaged babies being born in their small community.<sup>3</sup>

## A chemical waste dump

What the people of Atal Ayub Nagar didn't know, because no one had told them, was that just yards from their

Bhavesht, photo: Maude Dorr, 2007



*Bhavesht's family lived yards from the Union Carbide factory and drank poisoned water.*

homes on the other side of the factory wall, the soil was lethally poisoned.

## Carbide's secret tests

Between May and July of 1989, the year Bhavesh and his family moved into their new home, Carbide tested samples of soil and water taken from sites inside the factory, including pits just on the other side of the wall from Bhavesh's community.

Fish were placed in samples of groundwater and into water with which soil samples were mixed.

All the fish died instantly, there was 100% mortality. All the samples were discovered to be severely contaminated with naphthol (abdominal pain, convulsions, diarrhoea and vomiting); and naphthalene (anaemia, cataracts, retinal damage, liver and brain damage, and possibly cancer).<sup>4</sup>

Despite an obvious danger to people like Bhavesh's family, living just on the other side of the wall, Carbide issued no warning and kept the results to themselves. Atal Ayub Nagar and other communities near the factory remained completely unaware of the serious risk to their health and continued to

drink, wash in, and cook with, the poisoned water.

## Enter NEERI

In 1989 the State Pollution Control Board (MPPCB) decided to invite NEERI (the National Environmental and Engineering Research Institute) to make a study of soil and water drawn from sites in and around the three 'lakes'. (See pp. 86-87)

This, it was suggested, would be followed by a study of the factory site itself.

UCIL decided to conduct its own private tests in mid 1989 and when the

alarming results were known, acted on the advice of its US parent UCC (Union Carbide Corporation) and retained consultants Arthur D. Little to guide NEERI, which had little or no experience of the kind of work it was being asked to do.

NEERI's interim report on the 'lakes' was completed by early 1990. To Union Carbide's relief it stated that it had found no contamination.<sup>5</sup>

## BGIA tests confirm pollution

Early in 1990 the BGIA (Bhopal Group for Information & Action) asked the Bhopal State Research Laboratory to analyse soil and water from near the factory.

The reply was that anything connected with Union Carbide was highly sensitive and had to be cleared by top officials.

The BGIA decided to work with an independent laboratory. It despatched sediments from the lakes, soil taken from near the lakes and water from a local well for analysis at the Citizen's Environmental Laboratory in Boston, USA.

The sediment was discovered to be richly contaminated with phthalates, 1-naphthalene, benzene

### PRIVATE UNION CARBIDE MEMO, 1990

**PRESENCE OF TOXIC INGREDIENTS IN SOIL/WATER SAMPLES INSIDE PLANT PREMISES**

The matter has assumed significant importance in view of recent reports in local and national news papers. The seriousness of the issue needs no elaboration. It is earnestly suggested that the subject be given due consideration and studies initiated without further delay. If the situation so requires, the work may be carried out primarily for our understanding of the situation, in the first phase. In the following paragraphs a summary of preliminary work carried out in 1989 is described.

1. ANALYSIS OF SAMPLES DRAWN BY PLANT PERSONNEL IN JUNE-JULY 1989.

Samples drawn in June-July '89 from land-fill areas and effluent treatment pits inside the plant were sent to A and D. They consisted of nine soil/solid samples and eight liquid samples. The soil samples had organic contamination varying from 10% to 100% and contained known ingredients like naphthol and naphthalene in substantial quantities.

Majority of the liquid samples contained naphthol and/or benzene in quantities far more than permitted by ISI for inland disposal. All samples caused 100% mortality to fish in toxicity assessment studies and were to be diluted several fold to render them suitable for survival of fish.

# 100% mortality, 0% morality

Soil and water samples from the factory caused 100% mortality in Common Carp *Cuprinus carpio*

# 1990





and other aromatic hydrocarbons, plus organochlorides including di- and tri-chlorobenzenes.<sup>6</sup>

Members of the NTC (National Toxics Campaign) stunned UCC by unveiling the sensational results at the company's AGM, and on May 15 1990 the news broke in India.

## Carbide's public fury

Embarrassed by these revelations in front of its shareholders and media, Carbide lashed out at the BGIA and survivors' groups. Next day Carbide director Subimal Bose sent a furious letter to the state government (*right*).

Citing NEERI's interim report, he claimed there was '*no contamination of soil and ground water*', described news reports as '*mischievous and designed to cause panic*' and accused the BGIA and the survivors' groups of '*agitation*'.<sup>7</sup>

Neither Bose nor anyone else at Union Carbide admitted that they had known for at least nine months that the factory was fatally contaminated.

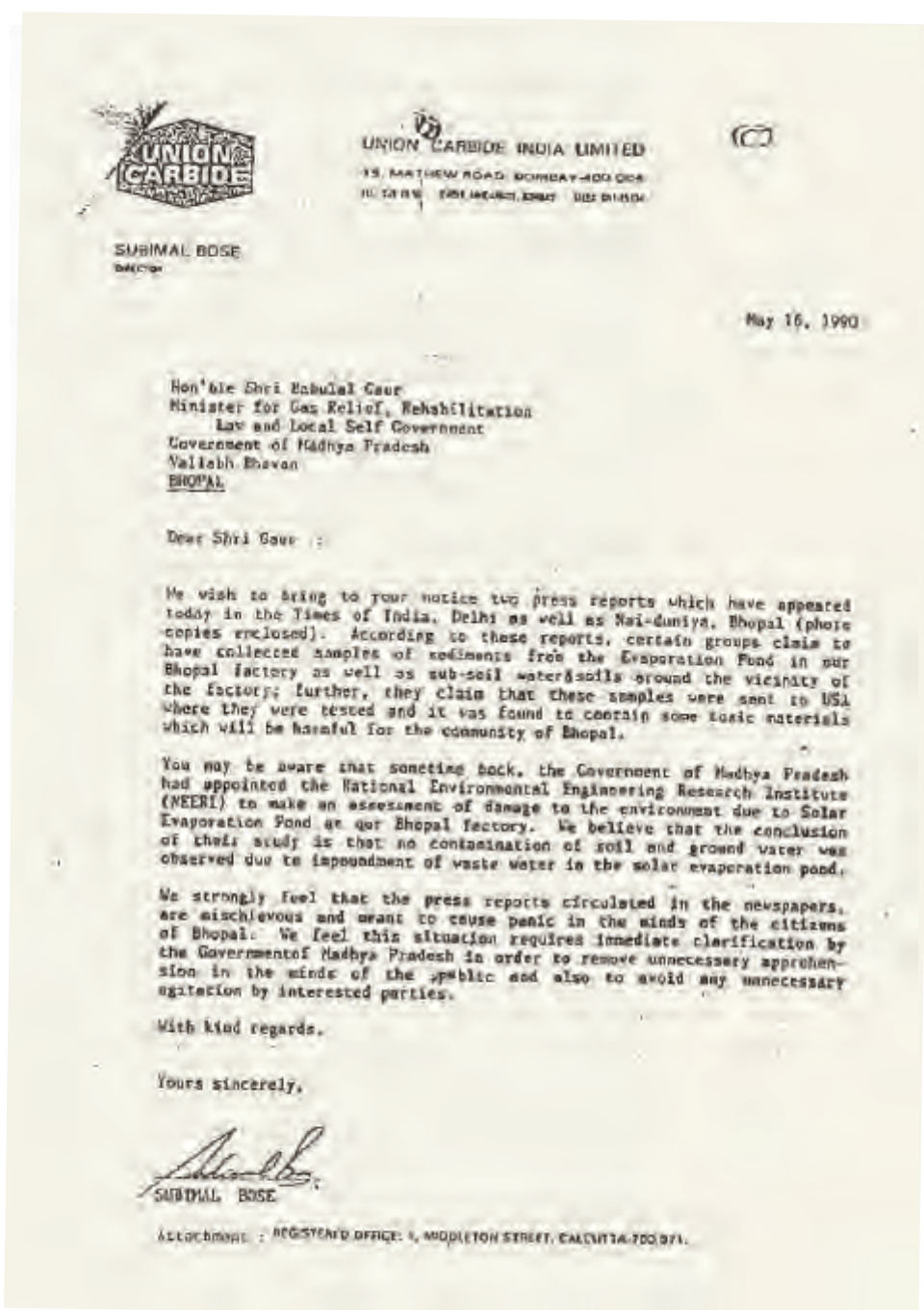
## Carbide's private worries

For all its quoting of the NEERI report, Union Carbide knew that the BGIA/Citizens' Laboratory results were more in line with what it itself had found inside the factory grounds.

A confidential memo (*left*) written after the AGM reveals that Union Carbide reviewed its alarming 1989 tests amid worries that '*The matter has assumed significant importance in view of recent reports in local and national newspapers. The seriousness of the matter needs no elaboration.*'<sup>4</sup>

It is from this same memo that we know of the tests, and the toxicity of the results.

Despite knowing what the toxins in the factory could do to the human body, the memo does not recommend warning the residents of Atal Ayub Nagar just outside its wall, but instead '*earnestly*' urges that further studies be made '*primarily for our own understanding of the situation.*'



## Who to believe?

While the tests and contamination described in the 'secret memo' referred to sites within the factory grounds, the NEERI and BGIA/Citizens' Lab samples had been taken in and around the three 'lakes' whose nearest point was 400m north of the factory wall.

UCC (Union Carbide Corporation) executives in Danbury, Connecticut, were puzzled by the clear disparity between NEERI's finding that there was no contamination, and that of the BGIA/Citizen's Laboratory which reported a slew of toxic chemicals.

Referring to the embarrassment of

the AGM, Norm Gaines, UCC's head of Health, Safety & Environmental Research, wrote to colleagues that he had discussed the matter with analytic chemists in UCC's South Charleston research center and that 'so far we are at a loss to explain the differences between the NEERI results and the alleged three samples presented by the NTC [campaigners at the AGM].'

While stating that he did not know 'the exact sample and analytical protocols used by either group', Gaines went on to suggest that the NEERI study '*seems to implicitly clear the plant site itself.*'<sup>8</sup>



It is hard to believe that Gaines did *not* know that Union Carbide's own tests showed unambiguously that the factory site was contaminated, but his comment shows that UCC's head of Health, Safety & Environmental Research saw a clear link between the environmental health of the factory and the condition of groundwater downstream of the site.

## The impact of the monsoon

In an affidavit given (in 1999) to the New York District Court, ex-factory worker T.R. Chouhan related how, between 1969-1984, huge quantities of pesticides, solvents, catalysts, by-products and other toxic wastes were routinely dumped in and around the site. Some were solid, some liquid, some gaseous, and correspondingly polluted soil, water and air.<sup>9</sup>

Carbide executives in Singapore Danbury and Bhopal planning the study to be overseen by Arthur D. Little defined as its main objective: 'to identify areas where the soil within the plant premises is contaminated and whether the contamination has caused pollution in the underground water resources.' The investigators rightly regarded this 'a matter of great concern in view of the environmental hazard potential associated with organic contaminants.'<sup>10</sup>

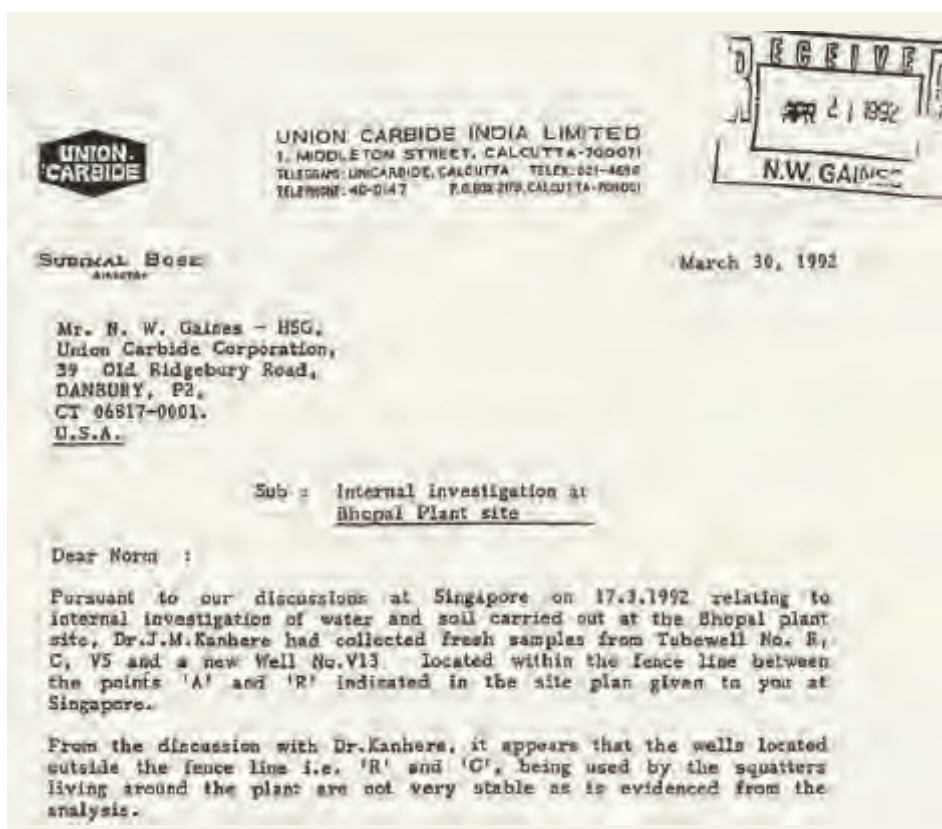
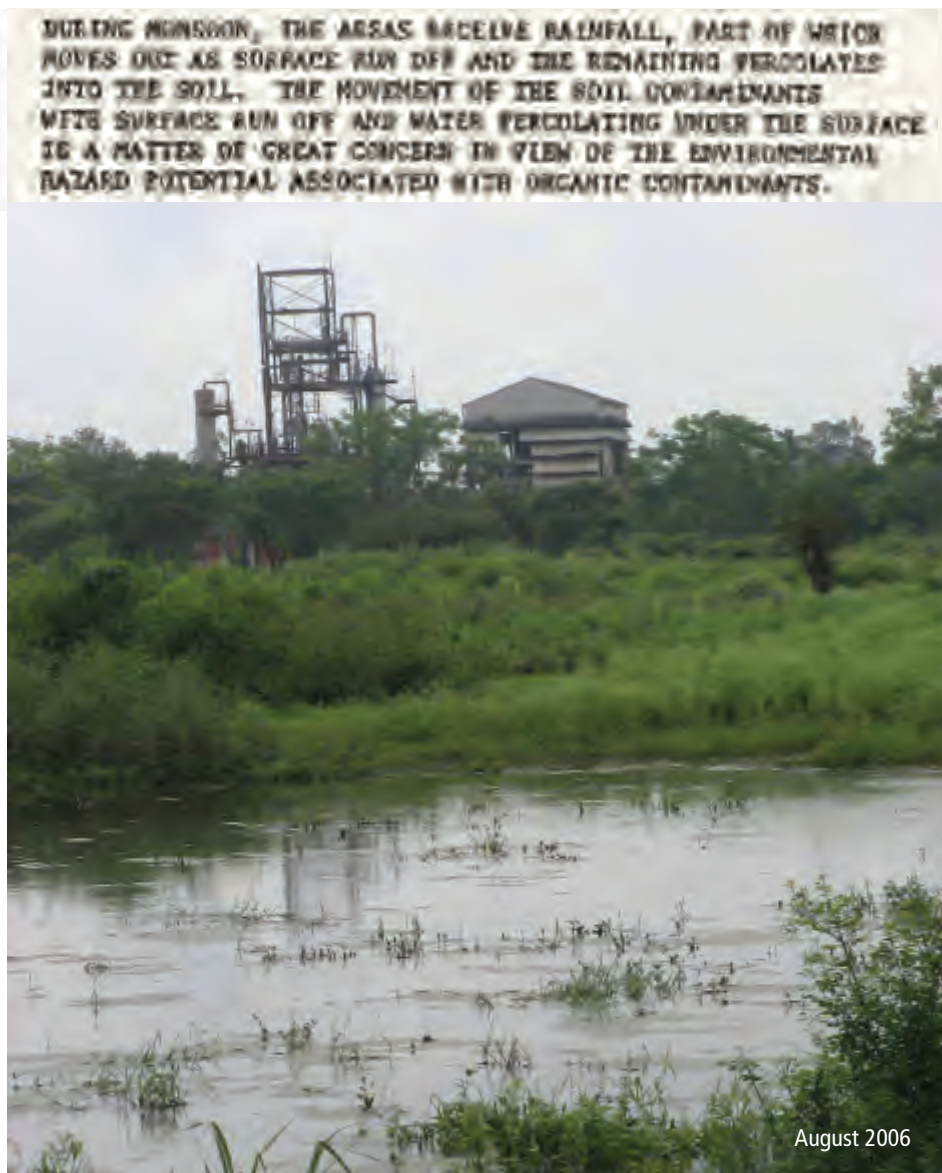
Still no warnings were issued.

## The squatters' wells

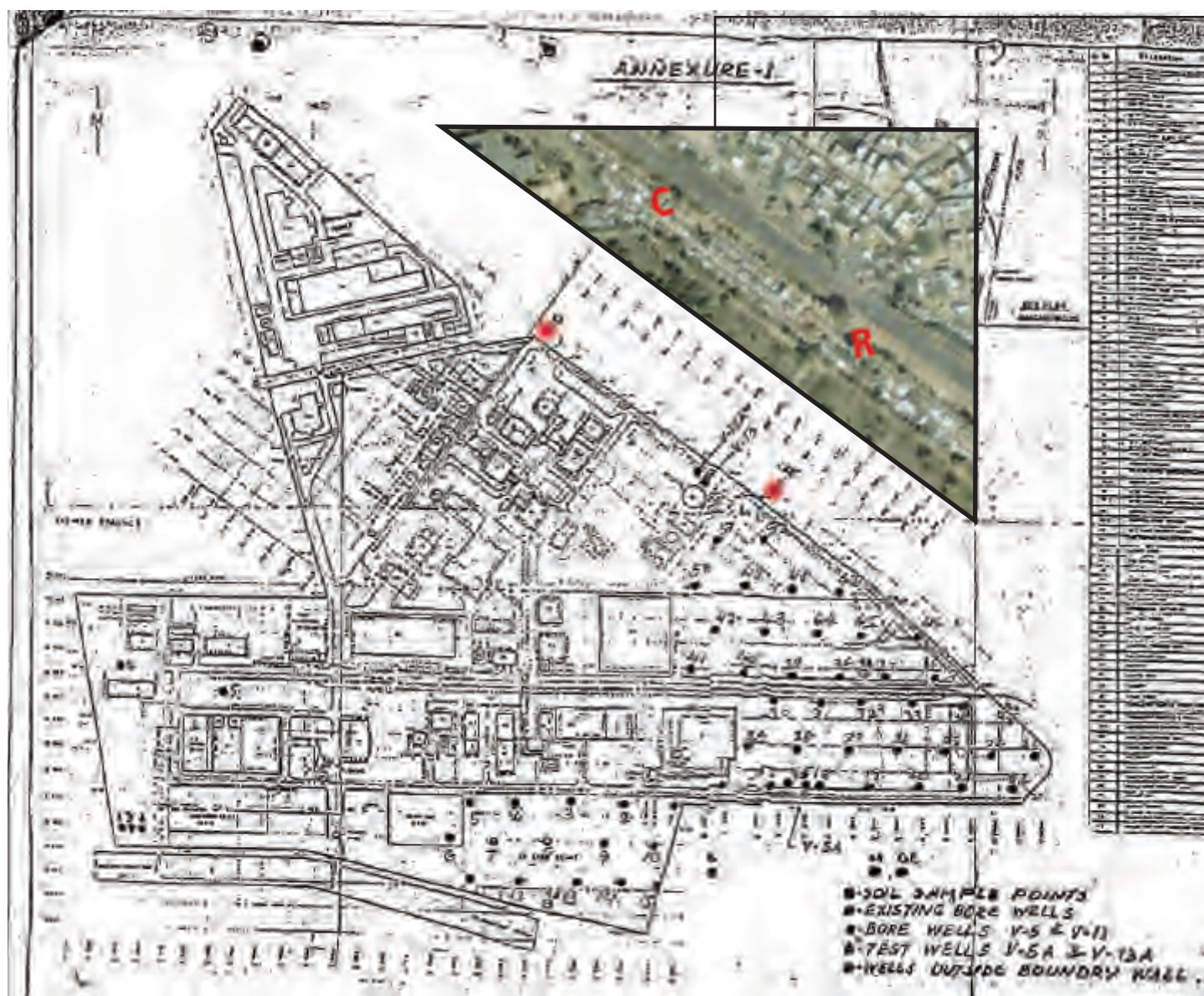
Bhavesh and his family had lived nearly three years in Atul Ayub Nagar when, in March 1992, Subimal Bose and Norm Gaines met in Singapore to discuss the factory site investigation.

In a follow-up letter (*right*), Bose dropped a bombshell: '*It appears that the wells located outside the fence line i.e. "R" and "C" being used by the squatters living around the plant are not very stable as is evidenced by the analysis.*'<sup>11</sup>

This is the first reference to real people drinking contaminated water, and the people summarily dismissed







1992 Union Carbide map of the factory showing locations of “squatters’ wells” C and R. The inset Google Earth image shows their positions in the Atal Ayub Nagar strip of housing between the factory wall and the railway line.

as ‘squatters’ were Bhavesh’s and other poor families. The wells were the ones they had clubbed together to dig, whose water was by now in the process of turning ‘undrinkable’.

### Rehana is born

Rehana lives near Bhavesh in Atal Ayub Nagar. She was born in 1997, without a left thumb, her growth is retarded. Her mind is weak and she hasn’t the strength to go to school. Rehana’s vision is not good, she’s plagued by rashes and is constantly breathless.

Her dad sadly asks, ‘Why was fate so cruel to our poor child?’<sup>12</sup>

In December 2006, just before this picture of Rehana was taken, a team of doctors from Delhi was brought by the Chingari Trust to assess the problems of children in areas like Atal Ayub Nagar where the water is poisoned. They met children with cerebral palsy, deafness, eye problems, tumours, cleft lips and palates. Many had withered or malformed limbs. Some could not speak, but lay helplessly in their mothers’ arms. (See pp. 169-170)



Rehana, 2007,  
photo Micha Patault



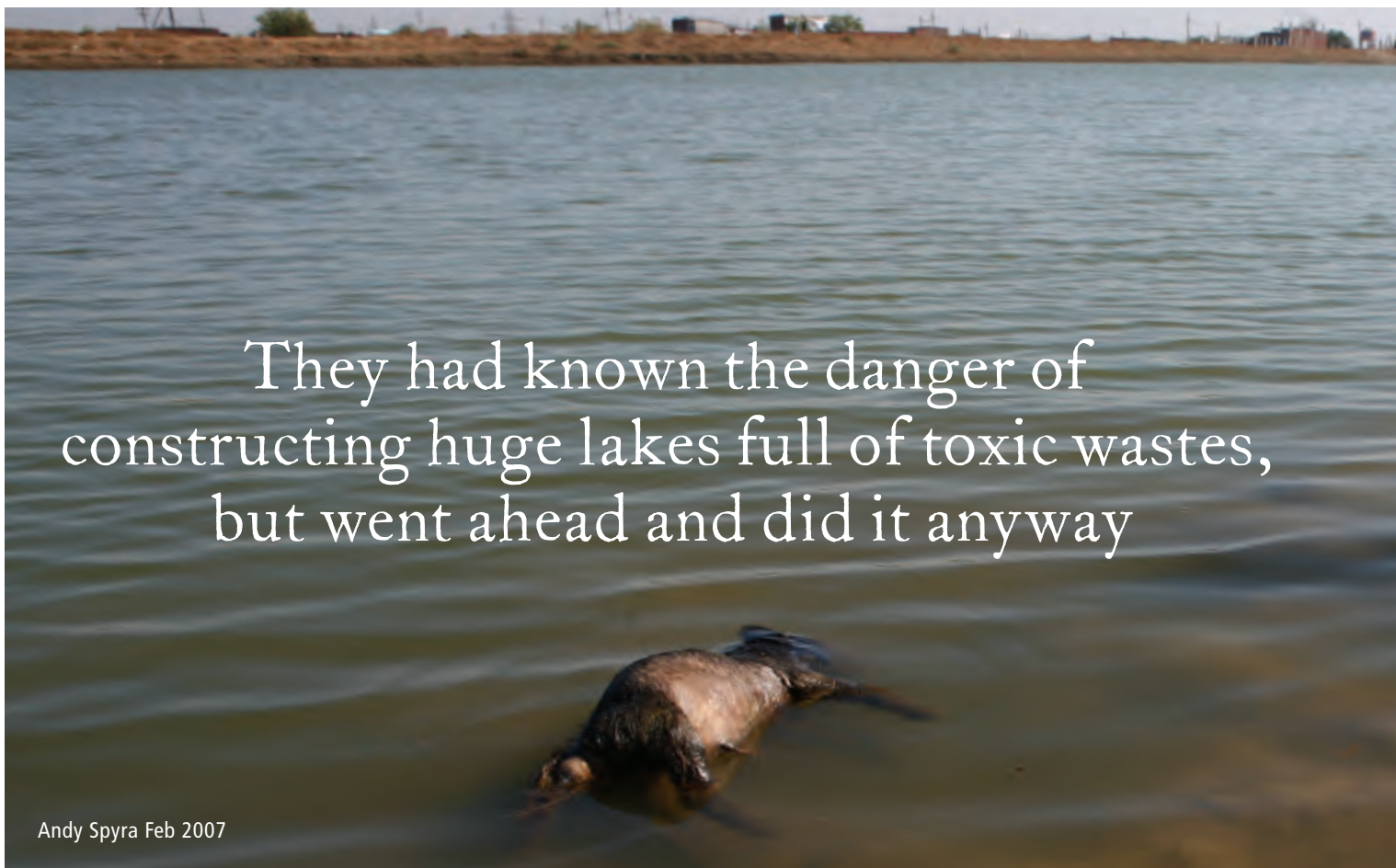


## Engineers warned of the danger to community water

In May 1972 engineers at Union Carbide's Technical Center in West Virginia were asked to design three huge 'solar evaporation ponds', into which tens of thousands of tons of organochlorines and other highly toxic wastes would be poured.

But when they began to examine the specifications and the site report the engineers grew deeply worried.

'I cannot believe,' wrote one, 'that we would be held blameless if we recognized potential problems here and did not speak up... a question can be raised as to whether the soil conditions at the site lend themselves to constructing ponds economically with completely impervious bottoms that would prevent seepage of the chloride into the ground waters and therefore into the community water supply. The essence of [the] proposed solution,' he candidly concludes, 'lies in the less advanced environmental



They had known the danger of constructing huge lakes full of toxic wastes, but went ahead and did it anyway



Against the advice of its own US design engineers Union Carbide built three 'solar evaporation ponds' into which they planned to dump dangerous organochloride wastes. All that prevented these chemicals from leaking into the groundwater was a plastic liner, flimsy as a dustbin bag. The photo (left) shows boys sitting on compacted waste above the remains of one such liner.

conscienceness [sic] in India.'<sup>13</sup>

The engineers warned that the proposed design risked the 'danger of polluting subsurface water supplies in the Bhopal area... New ponds will have to be constructed at 1 to 2-year intervals throughout the life of the project'.<sup>14</sup> They were not.

### Leaks okay to save money

In January 1977, a few days before a 'Revised Capital Budget Proposal' proposed sweeping cost cutting at the Bhopal factory, Carbide managers met contractors tasked with building the lakes. 'UCIL emphasised the need for reduction for (sic) cost of the pond as much as possible' and told the contractors that 'certain seepage/effluent from the pond can be accepted... provided there is corresponding reduction in the cost.'<sup>15</sup>

### Engineers' fears realised

Each monsoon the ponds became overflowing lakes and poured toxic sludges into the earth. The liners, never replaced, began to perish, and heavy metals and organochlorides drained out into the soil. The ponds' failure is attested in a panicky telex (below) dated March 25 1982<sup>16</sup> from

PHASE 11 EVAPORATION POND ALMOST EMPTIED. REPS OF KR DATEY AT SITE AND INVESTIGATION OF THE LEAKAGE IN PROGRESS. UNFORTUNATELY EMERGENCY POND HAS ALSO SHOWN SOME SIGNS OF LEAKAGE.

India to Union Carbide headquarters in Danbury. On April 10 the pond was still leaking and there was talk of repairs. But it is difficult to see how

APD: MIC UNIT WORKING SATISFACTORILY AFTER THE PROLONGED ANNUAL SHUTDOWN STOP CONTINUED LEAKAGE FROM EVAPORATION POND CAUSING GREAT CONCERN. REPAIRS BEING PLANNED WITH ASSISTANCE FROM CONSULTANTS.

repairs could be carried out without

decanting the liquor from the two ponds and dredging out their beds of toxic sludge. There were three ponds in all, but with two of them almost emptied, there was nowhere for the contaminated water to go but into the ground.

The leakage began during the dry season. From June to October each year Bhopal receives heavy monsoon

rain with frequent flooding. That year in August alone the skies emptied more than half a metre of rain onto the city. It was a year of cattle deaths

near the lakes. Union Carbide denied liability and settled out of court.

### Denials continue

The company's denials continue to this day. People remained in the dark until 1999 when Greenpeace's report revealed the true extent of the mass poisoning of an innocent population.

Union Carbide could argue that the gas disaster had been an accident, but the water contamination surely was not. Union Carbide executives in India and the US not only ignored warnings that the 'lakes' would leak, but accepted leakage in order to cut costs. The company knew that its chemicals had travelled to public wells, but issued no warnings, and denied there was a problem.

They knew what these chemicals could do to human bodies, that many families likely to be drinking toxic water had been poisoned by their gases in 1984, and that now they were being poisoned a second time.



# As the 10th anniversary drew near the health disaster roared on

Compared to other major chemical disasters in the world, Bhopal has the dubious distinction of not only being the worst, but also one of the least investigated. The scientific and medical response to the crisis was begun in a social, political and legal climate in which there was little experience in dealing with a major environmental release. Scientific and medical personnel needed access to accident-related and toxicological information to understand the causes and potential consequences of the disaster. Union Carbide, primary repository of this information, faced with lawsuits and the prospect of bankruptcy, closed down its channels of communication. On the other hand, the extreme sensitivities of the local and national government bodies towards all aspects of the disaster, coupled with the lack of expertise and funds, resulted in an inadequate response on India's part to meet the urgent health care needs of the community. Whereas a flood of information was expected from a disaster of this magnitude, only a trickle resulted. *International Medical Commission on Bhopal: Findings and Recommendations, 1994*

A full decade after the gas disaster an estimated 150,000 people remained chronically ill in the city, cancers were appearing, damaged births were still occurring, but medical treatment was no better informed than it had been on the morning after the gas leak.

Treatment was topical, symptom-based, with no understanding of, and no protocol to address, the syndrome of inter-related illnesses from which most gas-survivors suffered.<sup>1</sup>

## All research studies halted

As people's condition worsened, and the state government continued apathetic, successive governments in Delhi ignored the survivor's pleas for an independent National Medical Commission to assess the long-term effects of the poisoning.

1992 Instead in 1994 the government of  
1994 Narasimha Rao chose to curtail all current and ongoing studies by the Indian Council of Medical Research;



All photos Raghu Rai, Magnum

many were abandoned half-finished.

Given what was happening in the city, this, like many other mystifying decisions, made no sense at all.

## The Permanent People's Tribunal & The International Medical Commission

In 1992, the Permanent People's Tribunal met in Bhopal and suggested an *international* medical commission be set up to provide an independent assessment of the situation and the health-needs of the population.<sup>2</sup>

With the help of PPT participant doctors Rosalie Bertell and Gianni Tognoni, 14 medical experts from 12 countries, chosen for their expertise and long experience in environmental health, toxicology, immunology and respiratory medicine, were invited to form the panel.

These doctors were supported by nine members of an Indian National Advisory Committee & the Medico Friends Circle. Rosalie Bertell and



Gianni Tognoni served as co-chairs.

At the request of gas survivors organisations, IMCB members visited India in January 1994. They notified the central and state governments of their plans and during their stay met government officials and doctors, disaster experts, private physicians in Bhopal, biochemists, botanists and veterinarians.

## The first thorough survey

The Commission's work focused on 500 people officially identified as gas victims living at varying distances from Union Carbide's factory as well as a control group of unexposed folk.

From each residents group they drew random samples of 18-35, 36-45 and 45-60 year olds for interviews and every 5th interviewee was invited to undergo a clinical assessment.

140 people were tested for lung function, neurotoxic illness, immune status and eye complaints. Staff did not know to which residents group the patients belonged nor if they had been exposed to the gases.

A Commissioner met families to assess the impact of the disaster on women and children, reproductive health, standard of living, household economics and community life.

Commissioners examined medical records and asked victims for their views on the accessibility and quality of medical care. A team studied laws and regulations relating to claims and the claims court and the procedures used to assess claims; another team scrutinised prescription patterns and choice of drugs.

## A continuing catastrophe

The studies revealed continuing 'multisystemic injuries involving the respiratory, ocular, gastro-intestinal, reproductive, psychological, neuro-behavioral & neuromuscular systems', adding that 'there is some evidence of depressed cell mediated immunity and of genotoxicity.'



## Carbide condemned

The Commission's interim report states that, 'The IMCB publicly and clearly condemns Union Carbide and reiterates its full liability not only for the responsibility of the deadly gas leak but also for the confounding role of its behavior with respect to timely and effective application of medical measures since the accident.'

It criticised Union Carbide's 'lack of transparency' about the nature and composition of the gas cloud.<sup>3</sup>

The Commission did not openly criticise the lacklustre efforts of the Indian authorities, but implicit in its recommendations were what it saw as the failures of the official response.

## IMCB recommendations

The Commission made eight key recommendations:

1. *Healthcare to be community-based*
2. *Psychological and mental problems caused by gas to be taken into account*
3. *Transparency of public health data*
4. *Right of access to medical records*
5. *Victims to share in decision making*
6. *Compensation for medical, economic and social damage*
7. *Economic and social rehabilitation programmes important to recovery*
8. *Assessment of impact of toxic waste left at the Union Carbide site*

Further study was needed on the emergence of cancers in the exposed population and the need to provide care for damaged children born to exposed mothers.<sup>4</sup>

## Clinics in the community

The Pavlovian response to the gas disaster had been to provide hospital beds, but hundreds of thousands of chronically ill people need care near their homes. The IMCB called for a network of community clinics sited in the worst affected areas and easily accessible to sick people who had no transport and who couldn't afford to travel long distances by bus.





**BHOPAL  
MARATHON**



BHOPAL, 3RD DECEMBER 1984. A man is burying a child. He has laid the tiny body in a shallow grave and begun to cover it.

Then, unable to bear the thought that he will never see her again, he brushes the earth from his child's face for one last look.

The photographer, Raghu Rai of Magnum, cried as he took the picture.

The little girl died ten years ago today.

Her death was not quiet, quick or painless.

She died in fierce pain and unimaginable terror, choking for breath after a leak at a pesticide factory owned by Union Carbide spewed a cloud of deadly gas over the sleeping Indian city of Bhopal.

When you know how she perished, the quotation on this page seems a horrible thing to say. How could anything be worse than such a death?

To tell you, we've begged the money to publish this appeal on behalf of hundreds of thousands whose lives were ruined and who, ten years later, have had no compensation nor any real medical help. Please read it. Even if you decide not to help us we want you to know what has been happening in Bhopal since the night that no one in this town will ever forget.

Sunil was 13, a carpenter's son. He lived with his parents, seven brothers and sisters in Jaiprakash

of corpses. The official death toll is 5,325 but not all deaths were noted. A tribe of gypsies camped by the station was totally wiped out. Not one of them survived. Their deaths went unreported.

In the days after the leak, 7,000 shrouds were sold in Bhopal. The true death toll is probably well over 15,000.

Union Carbide said that reports of its victims' deaths were greatly exaggerated. It said the gas leak had killed *only* 1,408 people.

The company complained that if only people had kept calm and not run away they would most probably have survived.

## NO WARNING. NO ADVICE. NO SHAME.

The doctors at Bhopal's hospitals, besieged by dying people, did not know how to treat them.

Nobody knew what had leaked.

The doctors called Union Carbide's medical officer who said the gas was methyl-isocyanate. It was not a poison, he told them, but an irritant like tear gas. In fact the deadly brew of gases contained about twenty four highly toxic chemicals, including hydrogen cyanide.

Sunil woke in terrible pain, to find himself in Hoshangabad, 70 miles from Bhopal. His body had been brought there by a truck.

youngest, Somnath, born two days before the gas leak, is chronically short of breath. The medicines she can get ease his pain for two days, then it comes back again.

Ten years on, the only treatment available to most gas victims is the same inadequate treatment they got the day after the horror.

People with gas-ravaged lungs are told they have tuberculosis and get inappropriate care. Rasheed Khan was prescribed cough mixture. Two young patients became so desperate that they dosed themselves in kerosene and lit the match.

## MANY VICTIMS HAVE LOST EVERYTHING

If you have been to India you'll know how hard the very poorest people have to work pushing overloaded handcarts, carrying huge loads, often labouring twelve hours a day.

Eight in ten of the gas victims once earned their living this way. But many are no longer able to work. As a result, thousands of grindingly poor families have been forced into destitution – some of the world's poorest people beggared by one of the world's richest corporations.

Gauri Shankar is a young man. Before the gas he planned to open a workshop. Now he has trouble breathing and can't even ride his cycle. He has had

doubt.' But what if you have no medical records? How can you produce a parent's death certificate if your mother and father were nameless corpses hastily burned, buried in mass graves, or dumped in the jungles outside the city?

## THE BHOPAL MEDICAL COMMISSION

In January 1994 a team of fifteen eminent doctors from a dozen countries including Britain, visited Bhopal to determine the real health needs of the gas affected people.

The team found that the effects of Carbide's night of poison are far longer lived than has ever previously been admitted.

It worries that a crop of lung cancers may be about to appear.

The Commission's interim report tells Union Carbide's Chief Executive Officer, 'We feel it is our duty to let you know of our astonishment at the disregard your company has consistently shown for the rights of the people of Bhopal. It is our firm belief that most accepted standards of industrial accident prevention, safety and transparency have been grossly violated.'

The Commission insists people be compensated for mental as well as physical injury and for loss of livelihood. Appropriate medical care should

# "THOUSANDS OF OUR CHILDREN WERE NOT SO LUCKY. THEY SURVIVED"

Nagar, the shanty-town nearest Union Carbide's pesticide factory.

As the clock of Bhopal's distant railway station struck 1am on December 3rd 1984 the family woke in their small house with their mouths and throats burning and their eyes stinging. Outside there was commotion. People were screaming.

Guessing something had gone badly wrong at the pesticide plant, Sunil's father told his family to run for their lives. Sunil saw his mother pick up his two year old brother Kunkun, the baby of the family, and remembers his dad taking two of the younger children by the hand. The family ran outside to find a panicked crowd stampeding through the narrow, dimly-lit alley.

The force of the human torrent wrenched the children's hands from their parents' grasp. The family was whirled apart. Sunil heard his mother calling their names, then she was gone.

The toxic cloud was so dense and searing that people were reduced to blindness. As they gasped for breath its effects grew ever more suffocating. The gases burned the tissues of their eyes and a lungs and attacked their nervous systems.

People lost control of their bodies. Urine and faeces ran down their legs. Some began vomiting uncontrollably, were wracked with seizures and fell dead. Others, as the deadly gases ravaged their lungs, began to choke, and drowned in their own blood.

Those who found themselves still living fled away from Union Carbide's factory.

## THE NUMBERLESS DEAD

People had no way of knowing, but they would have been safer running towards the factory, out of the wind-borne poison cloud.

Nobody told them. The factory's emergency siren was switched off. There had been so many small leaks - it used to go off too often.

Not until the gas was upon them, filling their mouths and lungs, did people know their danger. Union Carbide's plant manager was woken at 1.30am as the gas was still pouring out over the stricken neighbourhoods. But the company issued no warning until 3am - more than two hours after the gases had started escaping. By then the cloud almost dissipated.

By 4.30am the manager was in his office, telling a reporter from the *Navbharat Times* that his safety measures were the best in the country. The journalist was struck by the way he sat with his chair tilted back and his hands clasped behind his head.

Another Carbide official told The Free Press Journal, 'Nothing has happened. Can't you see us alive?' Barely 100 yards away dead bodies lay on the ground outside the plant gates.

It was a massacre. Dawn broke over streets full

of corpses. It was ten days before he could return to search for his family. To his joy, he found Kunkun. Clapsed gently to his mother's body as she ran, his mouth and nose shielded by her sari, the two year old had survived. But his mother and father were dead. Of the other children, only ten year old Mamta was still alive.

Ten years later, the three children are still living together. All are weak, constantly tired and often in severe pain. They are racked by coughing bouts and giddy spells. In one night half a million people suffered permanent damage to their lungs, eyes, kidneys, livers, blood, digestion, nerves, muscles, bones and immune systems.

At least 100,000 are still seriously ill. Gafooran Bee, an elderly woman, feels as if there is a fire in her head. Like all the survivors she is terrified by what is happening to her body, constantly in pain, wheezing for breath and cannot look at bright lights without hurting her eyes. She says that every time she coughs she can taste the gas.

Many have become mentally ill. For years Nafisubi Ali's young son woke screaming in terror reliving the nightmare of dying figures stumbling through tobacco brown kerosene light.

## DEFORMED BABIES ARE BEING BORN

The full extent of the harm caused on that night of horror has yet to unfold.

Survivors fear that they will develop cancers, or that their children will be born damaged. They have reason to be afraid.

The Indian Council of Medical Research has found signs of genetic damage among gas victims and their children. Many babies have been born deformed. Others are mentally retarded.

"An uncounted number of horrifying births have already taken place among poor women", one authority wrote.

Mohammed Khalid's child was one of many born dead. Kanni Bai's five children are all ill. Her

to sell his tools in order to pay for medicines.

Gauri has had no compensation and is forced to exist on meagre interim relief doled out by the government. But to get it, he must stand in day-long queues, endure rude officials and numbing bureaucracy. He expresses the anger of many gas victims. 'Carbide should be punished. Carbide is a mass murderer, which has taken thousands of lives. In my heart I feel like setting Carbide on fire, blowing it up.'

## MOST HAVE HAD NO COMPENSATION

Union Carbide is one of the world's biggest multinationals but it has managed to avoid paying compensation on anything like a just scale.

Actuaries value the life of an American at \$500,000. Union Carbide got away with less than \$2,000 per Indian life.

To avoid the risk of incurring US-scale damages, Union Carbide consistently argued that the case should be tried in Indian courts. But when Warren Anderson, the former Chairman of Union Carbide was charged with culpable homicide, he ignored the warrant of the Bhopal court.

For people like Sajida Bano, whose five year old son Arshad died at Bhopal Railway Station, the legal debate is academic. Like the vast majority of gas victims, she has received no compensation at all.

At the time of writing, roughly 100,000 people have had compensation of some £350 each, not enough to cover their medical bills.

More than 639,000 claims are pending and each one can take as long as a year to settle. While people wait, they die.

Radha Bai's husband will never see his claim settled. He became giddy while drawing water from a well and fell to his death.

Every month, there are between five and ten gas-deaths in Bhopal.

Those who survive may well be waiting in vain, because claims must be proven 'beyond reasonable

be freely available to all, not just to those who can pay.

The Indian Government plans a new hospital in Bhopal, but it will be 11 kilometres from the gas-stricken districts. But many people are not well enough to travel so far. To provide the gas victims with proper care in or near their own homes, the Commission recommends that free neighbourhood clinics be opened as soon as possible.

## PLEASE HELP US RAISE £1,000,000

To establish those free clinics, the International Medical Appeal for Bhopal aims to raise £1,000,000 by Christmas 1994.

Please help. If every reader of this newspaper sends just £1 today, we would have a million pounds by the day after tomorrow.

If you can spare more, remember, the salary of a trained doctor in Bhopal is only £1,500 a year. £50 or £100 would be a princely gift.

Your money will help provide free medical care, including appropriate medicines.

It will pay for counselling and physiotherapy for those who desperately need them.

Your donation will help monitor the long-term effects of the gas and gather data that can be used to improve medical treatments.

Maybe you feel that morally it is Union Carbide which should pay for the medical care people like Sunil, Gauri and Gafooran Bee.

Yes, so do we, but it's not going to happen.

Unless we help them, Union Carbide's victims are doomed to go on and on suffering until they are all mercifully dead.

They will live and die in pain, be prevented from earning a living and have to watch their families starve. These are innocent people, who did not ask for their lives to be so cruelly destroyed. They do not deserve this.

Really and truly, they do not deserve it.

Already they have learned there is no justice in the world. If, after reading their story, we simply turn the page, we will demonstrate that there is no humanity either.

We must help them, because no one else will.

This appeal on behalf of the Bhopal survivors appeared in the UK on the 10th anniversary of the disaster. The generous response enabled the survivors to start their own free award-winning clinic and thus the Bhopal Medical Appeal was born.

## *The birth of the Bhopal Medical Appeal & the Sambhavna Clinic*

# ‘Speak the truth from your heart and good people will hear’

We made our appeal and good people did hear. Their generosity helped us to buy a building in Bhopal, hire staff and begin training. This work was carried out by survivors’ organisations in accordance with their vision of what a community clinic should be. It was the fourth time they had tried to open a free clinic. This time the result was the award-winning Sambhavna.



1994  
1996

BHOPAL  
MARATHON



The eight recommendations of the International Medical Commission on Bhopal were not treated seriously by either state or central authorities.

Given the government's complete disinterest, the survivors decided to set up their own model clinic. It was their *fourth* attempt to provide care for themselves and it would be called Sambhavna or 'possibility'. But first the money had to be raised.

On December 3, 1994, the tenth anniversary of the gas leak, a double page fundraising appeal ran in the *Guardian* newspaper, telling the tale not just of what had happened on that night ten years earlier, but of the continuing plight of the victims.

The generosity of the response from the readers was overwhelming. Within a week we had the necessary funding, and the Bhopal Medical Appeal was created to account for and disburse funds as needed.

In India, the survivors set up the Sambhavna Trust, chaired by Dr P. M. Bhargava, Founder Director of the Centre for Cellular Molecular Biology in Hyderabad, and holder of India's highest civilian honour the Padma Bhushan as well as the French Legion d'Honneur.

Other trustees included eminent doctors, scientists, writers and social workers who had been involved with various aspects of the Union Carbide disaster since the day of the gas leak.

After a period in which a suitable building was found and converted for use as a clinic, and staff were hired and trained, the Sambhavna Clinic opened its doors in 1996.

## Sambhavna's philosophy

In the prevailing atmosphere of despair, the Sambhavna Trust set out to create possibilities for healing by generating compassion.

The successes of the Sambhavna Trust Clinic have demonstrated that it is possible to evolve simple, safe, effective, ethical and participatory

methods of treatment, monitoring and research for the survivors.

Sambhavna is small compared to the magnitude and complexity of the disaster – we estimate that 100,000–120,000 survivors of the gas are still chronically ill – our clinic has given free, first-class medical care to some 45,000 people and provided support



to about the same number through health initiatives in the communities close to the Union Carbide factory.

## Medical & social pioneers

The IMCB had foreseen that an important role for community clinics would be to discourage expensive and potentially harmful treatments (especially long term steroids and theophyllins) and to investigate use of simple treatments like inhalers and bronchodilators. This approach was however confined to the use of modern, or allopathic, medicine.

Sambhavna wanted to go beyond this by recognising and harnessing the well-attested medical benefits of systems like yoga and ayurveda, the 3,000-year old tradition of Indian herbalism that includes therapeutic massage, diet and meditation as part of its practice.

Whereas these 'complementary' systems usually find themselves in

fierce, often acrimonious opposition to modern medicine, at Sambhavna the different traditions were to work together in full mutual respect.

## Award-winning approach

This approach quickly bore fruit. Physicians of modern and ayurvedic medicine sat together to discuss the

problems and care possibilities for people presenting with the complex of conditions common to survivors of the gas- and water-poisonings.

The recommended programme of treatment draw on elements of yoga, modern and ayurvedic medicine, diet and massage in a limitless number of combinations and permutations.

The 65 staff members of the Sambhavna Clinic (23 of whom are themselves survivors) include five doctors, two yoga therapists, two panchakarma (massage) practitioners and eight community fieldworkers who carry out health surveys, set up health education programmes and other initiatives in neighbourhoods close to the Union Carbide factory.

We also conduct original clinical research designed to improve the care we give to people whose bodies are suffering from toxic overload.

Our work has won several major international awards for excellence.

# For the long-term sick the most powerful of all medicines is love, because love, even when it cannot cure, always heals

## Thoughtful care

Acutely ill people, who have been suffering for years, need special care.

Perhaps they have scarred lungs, hypertension or diabetes (five times commoner among gas survivors than the water-affected).

Our clinic is sited near the areas worst affected by the gas, so as to be easily accessible to sick people who have no transport of their own, and who cannot afford to travel by public transport. Most people who come to Sambhavna walk.

We monitor patients carefully with regular check-ups and laboratory tests. If someone misses an appointment one of us will visit them at home to make sure they are okay. If need be

we will arrange transport to and from the clinic. One community worker has no other task than to follow up chronically ill and high risk people.

According to Sambhavna health worker Ritesh, 'It's like being in a family – one big family.'

## The healing power of love

Most Bhopal survivors are poor people who are used to being treated as nuisances at government hospitals. At Sambhavna we show them respect and try to provide, free, a service that no amount of money could ever buy.

The very first thing is to welcome everyone who comes, no matter how unkempt or ragged they may be, with warmth and dignity. We will address them as Mr or Mrs. Older people are

often amazed to discover that to us they are 'sir' or 'madam'.

'No one in a government hospital has ever spoken so politely to me.'

People often say this. One lady cried when a doctor was feeling her pulse. 'Are you in pain?' he asked.

'No,' she replied, 'but doctors will not usually touch me because I am from a lower caste.'

If we talk of the healing power of love, it is not a comforting platitude or pious posturing but an important practical principle in our work.

There are strong medical reasons why *care* should involve *caring*. Body, mind and what we may call soul are inseparable and a suffering person needs to be cherished and to know that they are.

Hafizur Rahman, a Sambhavna patient, said, 'A good doctor is one whose kind manner alone removes 50% of the illness. This is how it is at Sambhavna.'

## A spirit of service

Raïsa, a volunteer health worker liaising between community and the clinic, who herself knows the agony







of having had two stillborn children whose injuries were terrible to look at, says, 'The happiness of selfless service is greater than all happiness. In each other we find strength and joy of friendship. Yes, we are poor, but working together we can achieve unimaginable things.'

*Aziza (whose story is told on pp 8-9),*

says, 'My family is gas-affected. I did not start working here for a salary, but to work with the poor who need helping. I am so happy to be doing this. Out and about we often see a woman who'd had an infection of the cervix. She'd been bleeding for three months. We brought her to the clinic. She would have died if we hadn't.

Every time we see her now she smiles and gives us good wishes.'

### Total transparency

Corruption is endemic in India, so it is important for our donors and patients alike to know that their money is well spent with every penny accounted for. Sambhavna's financial records are open to scrutiny at any time without an appointment, a fact that the Supreme Court Monitoring Committee into Bhopal's hospitals found particularly impressive.<sup>1</sup>

Mr Chaudhary, who manages the clinic's finances, used to be an officer in the finance department of the state government: 'I'm retired and so have no need to work. You could say I'm making up for my previous career, because in that there was no attempt to serve the people.'

### All care is free

In a poor community mercilessly preyed upon by quacks and money-lenders, all consultations, medicines, therapies and treatments are free – freedom from worry is also a therapy.





## Using technology and 3,000 year old science to protect women's health

MANY BHOPALI WOMEN need both mainstream and alternative medical treatment for a variety of problems produced by exposure to toxic gas and water: menstrual irregularities, delayed menarche among girls, early menopause, anaemia and cervical cancer are commonly seen in women coming to Sambhavna.

The government estimated that at least 250,000 women were poisoned by the 1984 gas leak.<sup>1</sup>

Countless others have since been poisoned by drinking, washing and cooking with contaminated water in the years since, yet even basic facilities for screening, diagnosis, prevention and treatment of cervical and breast cancers are unavailable in Bhopal hospitals, even at the Indira Gandhi Hospital built especially for women, which in practice is little more than a maternity ward.

### Spontaneous abortions

The need was obvious from the off. Of women pregnant on 'that night', 76% spontaneously aborted, a 1985 study by the Citizens Committee for Relief & Rehabilitation in Bhopal found. More than half (100 out of 198 subjects) of gas-exposed women suffered persistent gynaecological problems.<sup>2</sup>

A February 1985 study by Medico Friends Circle (MFC) among women who had been pregnant on 'that night' reported spontaneous abortions, still births, diminished foetal movements and menstrual disturbances.<sup>3</sup>

A follow up MFC study in March 1985 uncovered major differences in the effects of gas exposure on women in communities more or less affected by the gas cloud. Women in worse-affected localities had significantly

higher incidence of problems such as shortening of the menstrual cycle, excessive bleeding, altered colour of blood, dysmenorrhea and leucorrhea.

Hospital and clinic statistics also collected that month revealed high frequencies of pelvic inflammatory disease, endocervicitis, menorrhagia, and diminished or absent lactation.

A September 1985 survey by D.R. Varma of 3,270 gas exposed families found that of foetuses that survived the gas leak, 14.2% died within 30 days of birth.<sup>5</sup>

### Indian Council of Medical Research studies

According to the ICMR (Indian Council of Medical Research) of a sample 2,566 pregnant women, 373 had 'spontaneous abortions'. Rates of miscarriage increased sharply in severely-exposed areas, where the rate was over 50% in 1984.

Exposed women who conceived after the incident suffer after-effects. ICMR studies continued to show a higher incidence of miscarriages in affected areas until 1989, when the study was terminated.<sup>6</sup>

A decade after the gas the problems were still there. A survey found that of 390 pregnancies conceived after the gas leak 9% resulted in still births compared to 4% in unexposed areas.<sup>7</sup>

### Lack of medical research on women's problems

While women exposed to gas- and water-poisoning face a spectrum of health problems specific to females, health care for women and education about women's health issues has been utterly neglected in Bhopal by the state medical services.

There has been a complete lack of medical research into the problems faced by Bhopali women, and there is no appropriate treatment offered to the women suffering from them.

Sitara Bi, 40, has faced chronic menstrual problems. She explained:



'The doctor says that I will have to have a hysterectomy. I had irregular periods. It began for me one year after the gas. When my period comes, I am weak. I have back pain. I cannot leave the house and would feel pain like I was having a miscarriage. I was embarrassed to have such problems. When I told the doctors that I had this, they would respond that all ladies had this problem. I asked them about whether my medicines were causing the bleeding and their reply was that I should drink milk and eat fruit. We can't even afford to eat rotis [bread]. How are we going to afford to eat fruit?'

### Sambhavna's initiative on women's health

Given official neglect, absence of monitoring and non-existent care of gynaecological complications caused by the disaster, special attention is paid by Sambhavna in this area.

While officials continue to deny that there are any long term exposure-related gynaecological issues, data collected at Sambhavna shows that of 190 females aged between 13 and 19, who visited the clinic between 1 June 1999 and 31st March 2000, 113 had menstrual problems, which included painful and irregular menses, heavy bleeding and, to them, embarrassing vaginal secretions.<sup>8</sup>

This condition, known locally as 'safed pani' (literally white water), is not often openly discussed because of social taboos. Community health worker Aziza explains, 'Women do talk about it more now but are often confined to their houses and can't talk to their husbands about their problems or get education.'

Most worrying was the finding of Sambhavna's pathologist that women survivors gave a high proportion of abnormal PAP smears, increasing fears of a direct connection between gas exposure and cancer of the cervix.

Although in India, cervical cancer

is the commonest cancer in women, Bhopali women have had no routine cervical screening. Those referred to local hospitals with abnormal smears often refused to attend, as the usual medical procedure followed in city hospitals for cervical abnormality is immediate hysterectomy.

This is called 'blind hysterectomy' because no one including the doctor knows exactly how far, or otherwise, the malignancy has progressed.

### Sambhavna introduces the latest science

As a response to this dire situation Sambhavna, generously aided by the French author Dominique Lapierre, has initiated a thorough cervical screening project.

The first step is to educate women in gas-affected communities to overcome their reluctance to talk about gynaecological health. Community health work focussing on these issues is done by several healthworkers.

This is followed by a programme of PAP smears and cytology (smear

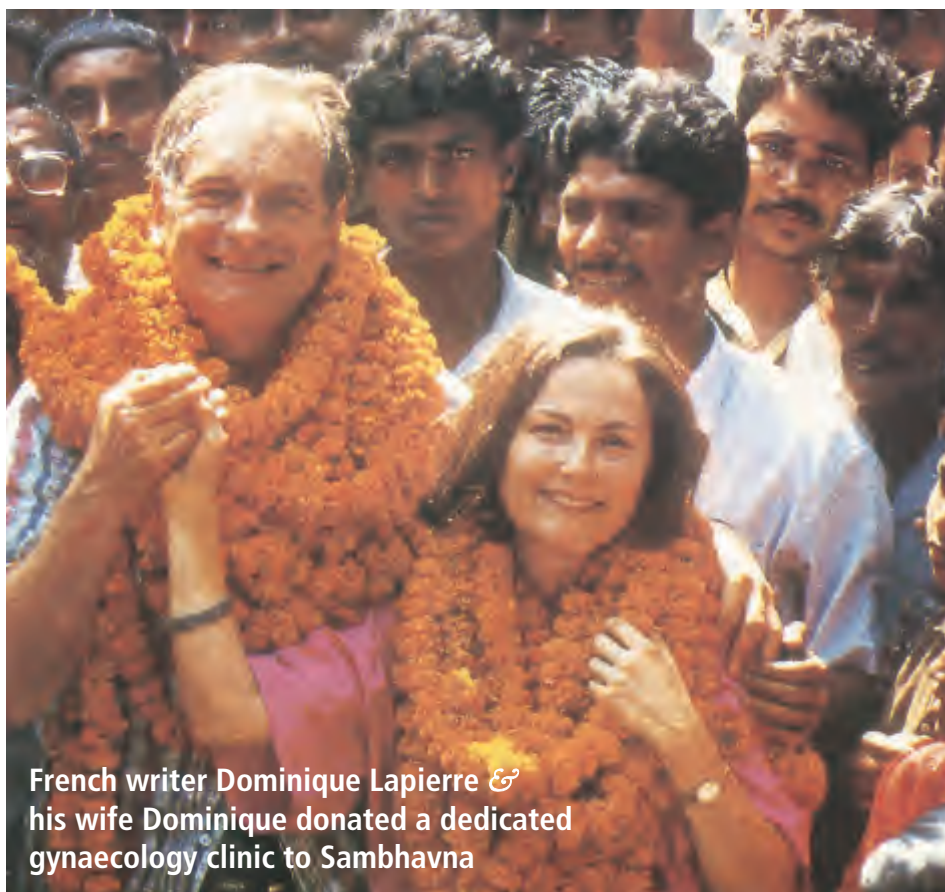
analysis), plus as needed, up-to-date colposcope diagnosis and excision by large loop excision of transformation zone (LLETZ) of suspect cervical tissue. The scientific work is carried out by two female gynaecologists with the help of an assistant. At each stage the assistance of the community health worker is crucial in helping to guide women past social obstacles.

The Dominique Lapierre City of Joy Sambhavna Gynaecology Unit is *the only facility in Bhopal* that provides female survivors with regular cervical screening, examination and treatment.

State of the art facilities such as colposcopy and LLETZ are available only at Sambhavna.

### A holistic success

Women also benefit from the use of ayurvedic herbal treatments and yoga. The popularity of Sambhavna's screening project demonstrates that the latest technology can effectively be combined with 3,000 year old therapy in seeking the most rational treatment for gas survivors.



French writer Dominique Lapierre & his wife Dominique donated a dedicated gynaecology clinic to Sambhavna

'I started my periods when I was ten. I get them once in three or six months. They go on for twenty to twenty-five days. I get giddy, weak, irritable and numb. I have breathing problems.' In a town where many women wear the veil, 'moon problems' are not easy to discuss.

## Taming wayward moons

'I WRITHE IN AGONY LIKE A FISH OUT OF WATER, from the pain all over my body. I get my periods once in four months. I'm told I mustn't mention my problems.'

'I get terrible pain in my back and abdomen for five days during my periods. I get them every 15 days.'

'In just month I have bled thrice. Some times menses come after 3 or even 6-7 months. My periods last 15 days. My sister has had similar problems.'

'I started my periods when I was ten. I get them once in 3 or 6 months. Once started they go on for 20 to 25 days, in which for 10 days bleeding is very heavy. I get giddy, weak, irritable and numb when I have my periods. I also have breathing problems.'

Menstrual chaos is one of the least-known effects of gas exposure. In a city where many women wear the veil, 'moon problems' are not easy to discuss. At the Sambhavna clinic, we are using therapies like yoga to help.

By the tenets of modern medicine, problems like amenorrhoea could be caused by systemic problems, or genital tract abnormalities or hormonal imbalance.

Pain during menstruation is caused by contraction of the uterus and the secretion of prostaglandin. Antispasmodics & antiprostaglandins are used to relieve pain. Yoga can do this without drugs.'

We carried out a study to see how yoga might help menstrual problems often seen in gas-affected

women. The sample was 30 women, aged between 18 to 38, and divided

between a test group and a control group. Before the trial began, the test group received a month

of training in specified yoga asanas. After this, for the test period of six months, they took no drugs for their

menstrual ailments and only did yoga, usually in their homes. Members of the control group did

no yoga and took normal medication. All women came to the clinic at least once a month with their menstrual

charts, the test group using the visit to check that they were doing the asanas properly. Their

charts were designed so non-literate women could easily use them, simple graphic symbols replaced words.

They were trained how to fill in the charts, recording cycle lengths, duration and amount of

bleeding, intensity of menstrual pain and any and all symptoms. Women breast-feeding, using IUDs or oral contraceptives, or with diabetes or high blood pressure were ineligible for the study.

Women in the test group practiced a sequence of asanas, demonstrated opposite by Nivritta Dutta and shot

by Maude Dorr. *Surya namaskar* improves the passage of *prana vayu* or 'vital air' in the body,

balances the nervous and endocrine

systems. *Bhujangasana*, *ushtrasana*, *shalabha asana* and *dhanurasana*

mainly affect the ligaments and muscles of the pelvic region. *suptavajrasana* and *naukasana* affect the ovaries and uterus.

Mild, alternating pressure changes in these organs as they undergo a stretching and relaxation stimulate the autonomic nervous system. Muscle tone is regulated and equilibrium maintained.

Women shyly brought their menstrual charts, hidden in the folds of their dresses, to the clinic and shared them with Nivritta in privacy.

The results were striking. Women in the control group showed no special improvement in the regularity of their cycles, amount of bleeding or intensity of pain. In the test group more than half the women with abnormal cycles

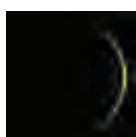
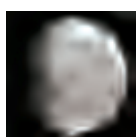
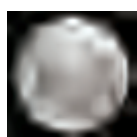
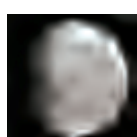
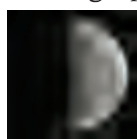
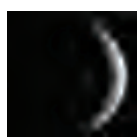
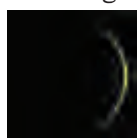
reported that they now had normal cycle lengths, 8 of the 10 women who had begun the study with abnormal bleeding

reported that it was back to normal. Eight women gained relief from pain.

We are now systematically teaching yoga to women with menstrual problems and at least two of the government hospitals in the city, enthused and inspired by the

work we have done, have begun their own yoga programmes and hired ex-Sambhavna staff to run them.

We are pleased. Any therapy that brings relief without adding more chemicals to the toxically-overburdened bodies of Bhopal survivors can only be a good thing.







*Vajrasana*



*Suptavajrasana*



*Marjari Asana*



*Paschimottasana*



*Ushtrasana*



*Parvatasana*



*Bhujangasana*



*Shalabha Asana*



*Dhanurasana*



*Naukasana*



*Uddyan bandh*



*Nadishodhana Pranayama*



*Ardhamatsyendra*



*Chakrasana*



*Bhramari Pranayama*







# First do no harm: the ancient herbal science of Ayurveda

The clinic's use of ayurveda, yoga and panchakarma, as a complement to modern medicine is a direct challenge to the medical methods used in Bhopal since the gas leak which are directed at symptomatic relief without affecting chronic underlying disease.

In the state government hospitals and clinics, in the Bhopal Memorial Hospital Trust and among private doctors, steroids, antibiotics and psychotropic drugs continue to be the staples of treatment.

It is quite common to find people in Bhopal who say they have taken more than 5 or 10 kgs of allopathic pills and have had only temporary relief, if any. An independent study of one big hospital found that 26.3% of the drugs prescribed were harmful, 48.5% were useless and 7.6% both.<sup>1</sup>

The ongoing disaster is a windfall for big pharma. A study carried out by Sambhavna in 1996 showed that a dozen transnational pharmaceutical firms were the chief beneficiaries of the gas disaster.<sup>2</sup>

## Natural medicines

Ayurveda is an indigenous system of medicine more than 3,000 years old, based on the principle of aiding, using mostly herbal medicines, the body/mind to heal itself. Exercise, diet and meditation play their part.

Because it is a holistic system, ayurveda does not treat symptoms but seeks to correct the underlying causes of disease, which occurs when the body and mind are thrown out of balance. Ayurveda uses a variety of techniques to restore equilibrium.

Sambhavna has successfully used ayurveda to heal Bhopal victims, and



and abroad, in the potential of this ancient medical system to heal many modern industrial diseases.

3,000 years of pharmacological experiment have produced an accurate and effective body of knowledge.

Medical studies have found that ayurveda lowers blood pressure and cholesterol, slows the aging process, and speeds recovery from illness. Many of the herbs used in ayurvedic medicine have antioxidant effects, so may help protect against illnesses such as heart disease and arthritis. Ayurveda considers diet an essential part of the healing process, and has a naturally healthy focus on plant foods.

## The karonda berry

The picture at left taken in our garden shows *carissa carandas*, a bush of the dogbane family whose berries

make delicious pickles when green and when ripe yield a jam rich in iron and vitamin C.

Karonda is traditionally used in the treatment of scabies, intestinal worms, pruritus and anaemia. Its juice used to clean infected wounds. A leaf decoction of Karonda is used against fever, diarrhoea, and earache.

In the mountains of the western ghats it is used by tribal healers to treat hepatitis, its efficacy now being confirmed by scientific studies.

Its vicious spines help to preserve the forest because deer and goats find them too nasty to tackle. Birds that have feasted on forest fruits sit in the twigs of the karonda and scatter their cargo of seeds down through the thorns to the soil below where they germinate and grow in safety – and so the forest spreads.

1996

our pioneering work has generated huge interest both in India

# We have had to battle for everything – our fight for justice is a fight for life,

Because of the miserable failures of the government, health in Bhopal inevitably became a political issue.

We did not need to politicise the people. The politicians had managed that already by themselves.

We did not want our work and the clinic to replace government in the minds of either the survivors or the authorities. We were doing what they should have done, had not done and

continued not to do, and they would not be allowed to forget it.

The lesson we had learned – that had been painfully taught to us by years of neglect and indifference to suffering by Union Carbide and the central and state governments – was that if the survivors were ever to get appropriate, high-quality medical care, they would have to provide it for themselves.

With the help of generous friends who shared our vision, and wanted to join with us in the work, we had been able to start our model clinic.

But as noted earlier, it was small compared to the scale of sickness in the city, where we estimated in 1994 that 120-150,000 people were still chronically ill, most of them unable to work and often therefore without an income.

We would be unable to help all.

## Involving the community

When Sambhavna was founded, we wanted the survivors to take control, as far as they could, of the destinies of their own bodies.

The survivors agreed that each community and everyone in it shares a responsibility to do what they can to improve and protect their own health and to help their neighbours.

People can actively participate in the work of Sambhavna, either by coming for care, or volunteering in the community.

We teach volunteers how to grow herbs that are age-old remedies for common ailments. Medicinal herb gardens, often planted in collections of old tins can now be seen all over.

Community volunteers organise people to come to public meetings, give out literature and work with our dedicated community health workers.

Our community healthworkers – eight of them – are the only ones of their kind in all Bhopal and there is a huge amount of work to be done.

## Health & Healthcare Surveys

Door-to-door surveys in the affected communities to generate a data on the demography, health and healthcare



*Our community health workers lead a session on women's issues*



# that should have been our human right health and a chance to live with dignity

status of the residents, as well as their social, economic and environmental condition. Our healthworkers also identify people in need of special medical attention and make sure they get it, either at Sambhavna or if we cannot help at one of the government hospitals in Bhopal or Delhi.

In rare cases (because we haven't the budget to do it regularly) we have found money to pay for people to have life-saving surgery.

## TB care & health education

Sambhavna has initiated major efforts to control TB at a community level.

Despite official knowledge of the unusually high prevalence of TB in the survivor population (over three times the national average) there are no official initiatives in this direction.

Our anti-TB programme includes educating people about the disease, how it spreads and how to protect themselves, identifying people with symptoms, supervising their care and constant monitoring of current and former patients.

Much of this work is shared by patient leaders, recovered patients in the community, whose experience in conquering TB uniquely qualifies them to provide both inspiration and guidance.

## Monitoring & house visits

We monitor the progress of people who are receiving care at Sambhavna via regular house visits: something unique to Sambhavna. It helps us to assess the quality of care and patient satisfaction; whether or not, and to what extent, a treatment has worked; and to ask people who dropped out of treatment what we can do to help them keep to their treatment regimes.



Through this work we show that an individual can actively participate in the process of healing and that the community can be involved in every aspect of public health; also that it is possible to evolve ways to monitor the environment and people's health

through the active participation of the community of survivors.

Our work of documenting long-term consequences of exposure to the gas and water-borne poisons is part of the survivors' ongoing struggle of memory against forgetting.

# More than ten years after the gas Batul's nightmare continued

Batul Bee, a gas widow, had tried for years to get compensation for her husband's death and her own chronic health problems.

Nearly 70, Batul is a resident of Ahata Sikander Kali. Her husband, Taj Mohammad, became seriously ill after the gas leak and was treated at two private clinics in Bhopal and one in Delhi. He died in September 1989. Batul Bi filed a claim for the death of her husband.

## Five years pass

Almost five years went by before, on 19 June 1995, Batul's claim was upheld by the lower claims court of the Deputy Welfare Commissioner.

Batul was granted the minimum compensation of Rs. 100,000.

This was not the end of the story.

Without giving any explanation, the Welfare Commissioner's upper claim court of the decided to review the case. On 30 August 1996, the upper court set aside the previous decision.

## No explanation

The Commissioner's order, about a page long, acknowledged that Taj Mohammad suffered from chronic bronchitis and that the result of his urine thiocyanate test was abnormal, indicating MIC poisoning. However it noted that Taj Mohammad had died a day after he was admitted to hospital with an infected abcess on his right shoulder, which, stated the Commissioner 'had nothing to do with exposure to toxic gas.'

There was no explanation for this cruel decision, but the Commissioner had noted that there were no records of the private care which Taj

Mohammad had received in Delhi or Bhopal and concluded that, 'Taj Mohammad's death has no relationship to the toxic gas exposure.'

## Fleeced by her lawyer

The order downgraded Batul's claim from death to personal injury, ruling that Taj Mohammad should be compensated for his bronchitis, awarded his widow Rs. 35,000.

Batul Bee's lawyer-broker forced her to pay him Rs. 32,000 for his services. That left her with Rs. 3,000. (About £40.) 'I spent more than that on my travel, preparing papers and other things. I was left with nothing, except the money that I had spent', recalled Batul Bee, almost in tears.

## A 16-year wait

Batul Bee filed her own claim for personal injury in early 1988. She handed in a copy of her registration document, a copy of Tata Institute's survey proving that she was living in an affected area on the night of gas, and that she was sick thereafter.

She waited for a reply, but none came. Years passed, *sixteen* of them, and still there was no word.

## Unacceptable

Batul Bee, who is being treated at Sambhana for breathlessness, has all the documents to show that she was exposed to Carbide's toxic gases.

Her claim for compensation had been verified by various government offices, and was correctly delivered to the Claims Commissioner but she has not received a notification of the hearing of her claim despite dozens of trips to various offices.

At last she was told that her file had gone missing. Warily she began

again the long process of collecting all the documents from government offices all over the city, copying them and having them verified.

A duplicate claim was eventually prepared but, incredibly, the Claims Commissioner refused to accept it, on the Kafkaesque grounds that no new claims were being accepted.

## 'Flames not flowers'

One of Sambhavna's community workers wrote: 'We went yesterday to Batul's house. Though she's in her late seventies, the old lady insisted on making us tea. As long as she lives, she says, she will never give up the fight for her rights.'

'We are the women of Bhopal. We are flames not flowers!' From her old throat pours the defiant song of the Bhopali women. But for Batul's brave spirit and indomitable heart, time has all but run out.

## No justice

'Walking back through a landscape of low shanties dominated by Carbide's factory - still uncleaned after 25 years - we were thinking how catastrophe after catastrophe has been heaped on these brave people.'

It is impossible not to feel great anger. The survivors still await fair compensation, proper medical care, and comprehensive economic and social rehabilitation.

The plant site has still not been cleaned up so toxic wastes continue to pollute the soil and contaminate water that so many people rely on.

And, astonishingly, while these poor people continue to suffer and die, no executive of Union Carbide has been held to account for the leak and its appalling consequences.'

1996





#### WITHOUT COMMENT

Last month, the UCO bank in Bhopal was robbed in broad daylight by a band of as yet unidentified persons. They are reported to have introduced themselves as “hum log gas peedit hain” (we are gas victims, we have come to rob the bank). While going through the news report an old gas victim commented “gas peediton ke naam par kitnon le loot liya, yeh ek aur sahi” (Many have robbed in the name of the gas victims, one more shouldn't make a difference).

*[From an old Bhopal Group for Information & Action newsletter]*

## Bano was defrauded by officials and left destitute

My husband used to carry sacks of grain at the warehouse. He used to load and unload railway wagons. After the gas, he could not do any work. Sometimes, his friends used to take him with them and he used to just sit there. His friends gave him 5-10 rupees and we survived on that.

We were in a helpless situation. I had no job and the children were too young to work. We survived on help from our neighbours and others in the community. My husband had severe breathing problems and used to get into bouts of coughing. When he became weak, he had fever all the time. He was always being treated for gas related problems. He was never treated for tuberculosis. And yet, in his post-mortem report, they said that he died due to tuberculosis.

He was medically examined for compensation but they never told us in which category he was put. And now they tell me that his death was not due to gas exposure, that I can not get the relief of Rs. 10,000 which is given to the relatives of the dead.

I have pain in my chest and I go

breathless when I walk. The doctors told me that I need to be operated on for ulcers in my stomach. They told me it would cost Rs. 10,000. I do not have so much money. All my jewellery has long ago been sold. I have not paid the landlord for the last six years and he harasses me. How can I go for the operation? Also, I am afraid that if I die during the operation, there would be no one to look after my children.

I believe that even if we starve, we must ensure that the guilty officials of Union Carbide are punished.

They've killed this one's brother, that one's husband, someone else's mother, someone's sister - how many tears can Union Carbide wipe? We will get Union Carbide punished. Till my last breath, I will not leave them.

# From cock up to cover up: the poisoning of a new generation

NEERI, the National Environmental Engineering Research Institute of Nagpur was an 'expert' retained by state politicians to assess contamination at the Bhopal plant site. Its role was, to speak generously, one of unparalleled incompetence – eagerly seized on by Union Carbide and politicians to cover up the ongoing poisoning of some 30,000 men, women and children.



At the insistence of the Madhya Pradesh State Government, NEERI was involved in two major studies (in 1990 & 1997) of contamination at the Carbide factory site and surrounds.

Union Carbide asked consultants Arthur D Little to oversee NEERI's work.<sup>1</sup> (UCC 02271)

## The 1990 study

NEERI's 1990 report stated that the 'solar evaporation ponds' outside the factory walls – essentially large shallow lakes in which Carbide had dumped thousands of tons of toxic wastes – had not contaminated soil and groundwater.<sup>2</sup>

However at least nine chemicals detected by high performance liquid chromatography in samples from the ponds were left unidentified.<sup>3</sup>

1997

Union Carbide had already made its own analysis, finding lead,

cadmium, arsenic, cyanide, phenols, chlorides and carbaryl pesticides.<sup>4</sup>

In an internal memo never meant to be shared with the outside world Union Carbide's head of Health, Safety & Environmental Research at Danbury cautioned his colleagues about relying on NEERI's puzzling results, saying, 'we do not know the exact sample and analytical protocols used'.<sup>5</sup> (UCC 02050).

But Carbide routinely quoted the NEERI study when responding to allegations about contamination and by 1993, with a new study underway, Carbide's misgivings about NEERI had turned to clear recognition that its incompetence was invaluable.<sup>6</sup>

## How Carbide used NEERI

'It was noticed,' wrote a Carbide executive, employing the scientific dispassion of the passive tense, 'that the State Pollution Control Board

did not question the investigations and recommendations of NEERI. If the work is carried out by any other agency, the Board follows up and examines the work critically and more so if Union Carbide (India) is involved.' (UCC 02400 /02401)

Carbide cited NEERI's observed weaknesses in merciless detail:

- *Not used to developing standards of contamination where not available*
- *Found to ignore standard sampling procedures*
- *Likely to recommend unrealistic standards of contamination without sufficient back-up*
- *Tendency to play safe*

'From the foregoing,' concluded Carbide, 'it is advisable to entrust the work to NEERI, but develop a strategy to minimise adverse effects of their weaknesses with the expert advice and guidance of Union Carbide India.'<sup>6</sup> (UCC 02400 and 02401)



In other words they would make full use of NEERI's incompetence and suggestibility. (For full Carbide discussion, read: UCC 02398 / 02399 / 02400 / 02401 and 02402.)

## 1997 study, first draft

The first draft of NEERI's new study, received by Arthur D Little and Union Carbide in 1996, was as mystifying as ever.

A 1996 state government study had found highly elevated levels of industrial chemicals in wells near the plant<sup>7</sup>. Nevertheless, NEERI stated that: 'The water meets drinking water quality criteria...the contaminants have not reached the water table till now.'<sup>8</sup> (UCC 01099)

While recognising that over 20% of the site was lethally contaminated NEERI was confident that it posed no danger to the groundwater.<sup>9</sup>

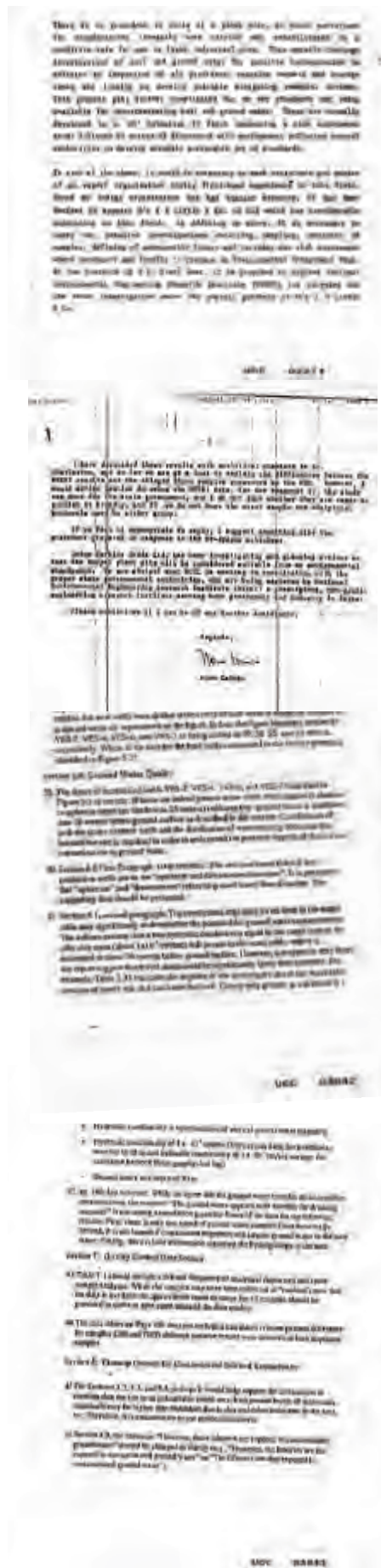
'The soil in the area is clayey... clayey soil is highly impermeable... it would likely take 23 years for the contaminants to reach the ground water table provided the leachate does not find a channel to migrate at a faster rate.'<sup>10</sup> (UCC 01100 / 01101)

## Water is *not* safe

Arthur D Little's criticisms of this new draft study ran to seventeen pages, finding fault with just about everything in it.

Critically, ADL advised against saying the water was safe: 'While we agree that the ground water samples do not contain contamination, the sentence "*The ground water appears to be suitable for drinking purposes*" is too strong given the limits of the data... first there is only one round of ground water samples from these wells... second, it is not known if contaminant migration will impact ground water in the near future, and finally there is little information regarding the hydrogeology in the area.'<sup>11</sup> (UCC 03043, p.13)

And, ADL continued, 'Statements



All Union Carbide documents referred to in this article (and many more) are at [www.bhopalmarathon.org](http://www.bhopalmarathon.org)

concerning contaminant travel times to the aquifer below the site should be considered to be highly speculative. There is very little site-specific data that can be used to confidently predict infiltration rates.'<sup>12</sup>

## Danger underplayed

What data NEERI had gathered pointed to a different conclusion.

Page 2 of ADL's criticisms says: 'The conclusions regarding travel time to the water table may significantly underestimate the potential for ground water contamination ... site-specific data from the report suggest that travel times could be significantly faster than assumed... the majority of the stratigraphy above the water table consists of sandy soil and sandstone Clay is only present to a depth of 6.1 metres. One can argue that the worst case scenario travel time would be 2 years.'<sup>13</sup> (UCC 03042- 03043)

## Criticisms ignored

When NEERI published its final report in 1997, it reasserted that the ground water was safe, citing the same estimated migration time of the contaminants that it had been warned against by ADL.<sup>14</sup> None of the changes recommended by Arthur D Little were incorporated in the final report. Not one.

What we encounter here is not just incompetence but something far murkier as both the state government and Union Carbide consistently used a NEERI report they knew to be a dud, to deny that the contamination of the ground water that refills the drinking wells of 30,000 Bhopalis had anything to do with the Union Carbide factory.

And Union Carbide Corporation, despite well knowing the specific and damning criticisms made by its own expert consultant, claimed during a US lawsuit that 'there was no ground water contamination outside the plant' due to the 'relative impermeability of the soil in and around the plant.'<sup>15</sup>

(Krobley Declaration, Para 6, Ex. A)





In 1999, the Sevin formulation tank rotted and split, dumping carbaryl 'rocks' onto bare earth

BHOPAL  
MARATHON



# After ten years of silence and denial from Carbide, a Greenpeace report finally revealed the horrifying truth

Toxins known to cause cancers and birth defects found by Greenpeace to be leaking from Union Carbide's site

On December 2, 1999 Greenpeace declared the old Union Carbide factory site in Bhopal, India a 'global toxic hotspot'.<sup>1</sup>

Greenpeace had tested groundwater and soil samples in and around the factory site, and found heavy concentrations of carcinogenic chemicals and heavy metals. One soil sample (IT9012) was by weight over 12% pure mercury (between 20,000 and 6 million times higher than expected). Over a dozen volatile organic compounds, most wildly exceeding EPA safe limits were found in the water being drunk by tens of thousands.

These chemicals were known to cause brain damage, cancers, kidney and liver failure and, most terrifying of all to women who had grown up knowing the stories of Bhopal, children with deformed bodies and damaged brains.

Greenpeace recommended total remediation of the site, including the underground aquifer and closure of contaminated wells.

A 1996 State Research Laboratory report<sup>2</sup> in Hindi (promptly suppressed by ministers) had found the water from over 100 tube wells to be unfit to drink, but victims of Union Carbide's gases, already suffering a range of illnesses, had no choice but to drink, wash and cook with this water every day, and were poisoned again.

The existence of the danger was denied by Union Carbide, citing as its authority the same flawed and uncorrected NEERI report it had itself midwived into being.<sup>3</sup> Corporate denials and government indifference continued after

**1999** Union Carbide merged with Dow Chemical<sup>4</sup> and, indeed, continue  
**2001** to this time of writing<sup>5</sup> – as do the cancers, damaged births and tears of a helpless people.

CHEMICAL FOUND IN SOIL & WATER	x EXCEEDING EPA LIMIT	KNOWN EFFECTS ON HEALTH
1, 2-Dichlorobenzene	5	Reported to induce anaemia, leukemia, skin lesions, vomiting, weight loss, headaches, yellow atrophy of the liver, kidney damage and chromosomal aberrations.
1, 4-Dichlorobenzene	11	Shown to increase risk of leukemia, bladder cancer, oesophagal cancer, skin cancer, cervical cancer, and tumours in the liver and kidneys.
Tetrachloroethene	9	Drinking small amounts may damage the liver and kidneys, cause nervous system effects, impaired immune function and interferes with foetal development in pregnant women.
Trichloroethene	50	Has a carcinogenic effect on the liver, kidneys and/or intestine. Causes miscarriages and lowers sperm counts.
Chloroform	260	According to the EPA ('97) can cause cancer. High exposure can damage the liver, kidneys and central nervous system, including the brain.
Carbon Tetrachloride	682	Causes headaches, nausea, dizziness and vomiting. In severe cases coma and even death can occur. *By 2009 the level in one previously-tested well had increased to 4,880 times the EPA safety limit.

Source: Greenpeace Lab reports 1999 & \*2009

# A-Z of diseases, Carbide's poisons & damaged children

Anorexia - (*Sevin, chlorinated benzenes*)

Blood disorders - abnormal numbers of red and white blood corpuscles, Anaemia (*chlorinated benzenes, lead, arsenic*)

Blood pressure, high (*lead*)

Bone problems - (*hexachlorobenzenes, cadmium*)

Brain damage - (*lead, arsenic*)

Cancer, including breast and lung (*chromium, arsenic, benzene hexachloride, Lindane, Alpha Naphtbol*)

Central nervous system damage (*mercury, lead, cadmium, chlorinated benzenes, Aldicarb, Sevin*)

Chromosomal abnormalities: wrong number of chromosomes, Structural defects - (*chlorinated benzenes*)

Convulsions - (*Sevin*)

Diarrhoea and constipation - (*Sevin, lead, cadmium*)

DNA impairment - (*cadmium*)

Endocrine disrupting chemicals mimic hormones, disrupt natural hormones, causing miscarriages, low fertility, damage to immune system, behavioural & menstrual problems, abnormal male/female ratios and cancers - (*lead, arsenic, Lindane, Aldicarb, mercury, cadmium*)

Excessive salivation - (*Sevin*)

Eye irritation, photo sensitivity & pinpoint pupils (*chlorinated benzenes, Sevin*)

Gastric problems - (*Sevin, lead, arsenic, cadmium*)

Hair loss - (*hexachlorobenzene*)

Heart disruptions - (*arsenic*)

Hepatotoxicity damage to liver - (*chlorinated benzenes, benzene hexa-*

*chloride, Sevin, lead, mercury, cadmium*)

Learning disorders in children, hyperactivity, behaviour problems, hyperexcitability - (*lead, mercury*)

Loss of coordination - (*lead*)

Lymphatic system damage - (*arsenic*)

Muscle problems, weakness, twitching, tremors and cramping - (*Sevin, lead, mercury*)

Nasal discharge - (*Sevin*)

Nausea and vomiting - (*Sevin, chlorinated benzenes, cadmium, lead*)

Neurotoxicity, loss of memory, sexual dysfunction, delusions, loss of vision, brain disorders, obsessive-compulsive conditions, headaches, intellectual damage - (*chlorinated benzenes, lead, Lindane, Sevin, mercury, arsenic*)

Oedema - fluid accumulation under the skin - (*chromium*)

Pharynx and larynx problems - (*chromium*)

Mental disorders, depression, stupor, personality changes, malaise - (*Sevin, lead, mercury*)

Respiratory complaints: deep respiratory tract irritation, bronchospasms, asthmatic bronchitis, breathlessness - (*chromium, arsenic, chlorinated benzenes*)

Skin lesions, severe sweating - (*chromium, arsenic, chlorinated benzenes, hexachloro-benzene,*)

Sleep disorders - (*lead*)

Slurred speech - (*Sevin, lead*)

Teratogenic effects, chemicals cross into the placenta to affect the foetus (*chlorinated benzenes 1,4, hexachloro-benzene, Aldicarb, lead*)

Thyroid damage - (*dichloride- and hexachloro-benzenes*)

**Adil's** legs are malformed. He is unable to stand.

**Ajmat** was born at home and nursed on mother's milk for two years. His growth is retarded and he is slowly losing his vision.

**Akash** is weak with hunched back.

**Akshay** is mentally retarded. His legs are deformed and he is unable to fold them. He is very weak, suffers from persistent colds and coughs which leave him exhausted.

**Amir** like so many was born with fused fingers, we paid for his surgery

**Deepika** has night blindness and cannot hear well.

**Deepu** has a defect in the bones of her hands and legs. She is unable to walk properly.

**Dipesh** has growth retardation.

**Faujia** has stunted growth and is highly anaemic. She suffers from geophagy, a compulsion to eat soil.

**Mamta** has stunted growth and at 16 has not reached her menarche.

**Rajni** has stunted growth. Her mind is undeveloped. She can't walk or talk. Liquid oozes from her ears.

**Rani** at 16 is mentally retarded. She has no nose bone, a deformed finger and does not talk.

**Rupesh** at age 4 had a series of fits which left him paralysed, unable to walk or speak, with no control over his body. He has since died.

**Salman**, has problems walking and is unable to see at night.

**Sayara** has retarded growth. She is mentally weak, and has no appetite.

**Suraj** is mentally weak. His legs paralysed since birth.

**Tajneen** has a cleft lip, she cannot eat or talk.

**Vineeta** was unable to speak or walk properly. She has since died.

Above & right: Children seen at Sambhavana Clinic and Chingari Trust born to gas-affected parents or in water-affected families





Sarmil, 2007



Amir, 2007



Tajmil, 2007



Adil, 2007



Nawab, 2007



Rupesh, 2007



Rajesh 2009



Ashwani, 2007



Ronak, 2007

BHOPAL  
MARATHON



# Sambhavna campaigns to bring safe water to the poisoned communities

The best way to fight illness is to prevent it. So in 2000 Sambhavna began mobilising water-affected communities to fight for what was their fundamental human right to clean water. The aim was to stop more people getting ill, more babies being born damaged. And to allow time for the slow processes of the law to catch the polluter and make him clean up.

Adil is a normal teenager, except that he will never walk. His legs are withered, too weak to carry him. To get about he must crawl on hands and knees. He bears his fate cheerfully.

On the night of the gas disaster, the as-yet-unborn Adil's family lived mere yards from the Union Carbide factory, so close that his mother used to say it was miracle she survived. 'I am so lucky,' she'd say, little knowing what the factory had in store for an encore – a slower, hidden terror.

People living near the place had no idea that having killed their loved ones the factory was now poisoning their drinking wells.

Union Carbide knew by 1992 (*see p. 64*) but kept silent and issued no warnings.<sup>1</sup> Five years into that silence, Adil's mother got married. Lucky again. Many girls exposed to the gas had serious menstrual problems and weren't able to have children.

By the time she was pregnant with Adil the water in the local wells had begun to smell and taste awful.

Held up to the light it appeared full of oily globules. If left to settle in a glass, a tawny layer formed at the bottom. This gloop was actually a cocktail of virulent chemicals.

## Political tomfoolery

After the 1999 Greenpeace report, these chemicals had names; effects and dangers were at last known.

'The water has been contaminated to 1,000 times more than the average



Adil

2000

BHOPAL MARATHON



drinking water standards acceptable in developed countries,' Greenpeace reported,<sup>2</sup> but the company continued its denials and Digvijay Singh, then chief minister of Madhya Pradesh, denied that the underground water reserves were contaminated.

To prove this point to a sceptical press, the state minister in charge of gas relief and rehabilitation, Arif Aqueel, was ordered to drink water from a tap near the factory.

Aqueel made a show of lifting up the glass to the light, sniffing it, and then lifting it to his mouth. But he was seen shortly afterwards, round a corner, sticking two fingers down his throat. (*Figure One, right*).

It was the first in a series of deeply unintelligent political stunts (*the latest being Environment Minister Jairam Ramesh's Day of the Python, see p.156*).

## Serious health problems

Today Sambhavna and Chingari, the two clinics funded by the Bhopal Medical Appeal, are *the only places in Bhopal that give free care to those who are suffering from water poisoning*. But in 2000 Chingari had not yet come into being.

On 11 August 2000, Sambhavna's community health workers began an intensive health education campaign in Atal Ayub Nagar, the community most affected by the contamination.

People were reporting abdominal pain, skin lesions, dizziness, vomiting, constipation, indigestion, burning in the chest and stomach.

Most children in this community were born seriously underweight and weak, with discoloured skin & other multi-systemic health problems.

Women complained that lactation had ceased. Some stopped producing milk within a month of giving birth.

## The campaign begins

Armed with a range of 12 posters, our people began discussions on the source of the problem, the nature of

the chemicals and their known health effects, the role of government and corporate agencies, and the ways in which communities like theirs could protect themselves from this routine poisoning.

The twice-weekly health education meetings began to draw larger and larger numbers of residents. In these meetings people spoke about how worried they were that these toxins could build up in the body, and that so many of them were known to cause cancers.

The community elders took on the task of organising people to pressure the local elected official who soon found himself exposed to some form of protest almost every day.

Unrelenting community pressure quickly bore fruit. On September 9, barely five weeks into the campaign, the Municipal Corporation delivered six 10,000 litre water tanks. Between six and eight tankers began coming every day to fill the tanks with safer (but still not clean enough) drinking water. The quantity was insufficient and tainted wells were still perforce used by people for cooking, washing and drinking when the government supply ran out. In addition, about 20% of affected people living in six communities had yet to see any sign of government tankers. Some 5,000 families had no option but to continue to rely on bad water for all their daily needs.

## A long struggle

The struggle for clean water had begun with a small victory, but as the 2000 Factfinding Mission on Bhopal said: 'Bhopal did not just happen on December 3rd, 1984, it is continuing to happen to those who were unfortunate to live in its vicinity on that fateful day. Not only this generation but the next generation too stands to be contaminated and poisoned by the disaster.'<sup>3</sup>

A long, bitter struggle lay ahead.



I.



II.



III.



IV.

HOW TO BE  
A GAS MINISTER

# Interview with a frightened man

In April 2001 Tim Edwards met N. Ganesh, a researcher troubled by what he had discovered but even more by fear of speaking out. A year later his work was referenced in *The Lancet*.

In April 2001 photographer Andy Moxon and I visited the Jawaharlal Nehru Cancer hospital at the behest of N. Ganesh, a researcher finishing his PhD on the long term genetic effects of MIC exposure.

The JNCH appears impressively up to date, with clean cool corridors, and broad airy wards. Ganesh's lab was very well equipped: racks of test tubes on the benches, large fridge, a centrifuge for separating blood cells, and, in pride of place, an electron microscope. Ganesh was pleased to show us round his environment, but he seemed jumpy, especially so when footsteps passed by in the corridor outside.

Ganesh's thesis was *Genetic risk evaluation of MIC - clinical and cyto-immunological studies in populations exposed in Bhopal*. He said he would show us photos of foetuses born in areas close to the Carbide factory to parents heavily exposed to MIC.

The cases had come to light in government hospitals over the previous few years, and Ganesh had had exclusive access to them.

Ganesh's sample was drawn from gas-hit areas designated as 'grade A' for the severity of MIC exposure.

'My study is only indicative of the situation in Bhopal,' he told us. 'We need long-term genetic studies, as some abnormalities may be caused by consanguineous marriages.'

Ganesh had mapped diagrams of the family history of each subject. Photographs of the chromosomes were attached to each of the case files. Ganesh pointed out ominous breaks and abnormalities



in the material.

He then showed about 30 photos - taken from 2000 onwards - of young children born in gas exposed families. The images revealed birth deformities, the majority of them so monstrous, so disturbing that I kept revisiting them in my mind's eye for weeks after.

The first pictures, amateurly

shot, with a garish fullness to the colour, presented a sequence of retinoblastomas, a type of cancer that rages just behind the eye socket, making the eye horrifically swollen, misshapen and bounded with livid tissue. None of the children affected were older than six years old. In some of the photos, with one half of the face being unmarked, there was a

2001



jolting bifurcation between monster and child. In others the deformity wrought by the cancer tugged upon already imperfect features. In one photo a young baby was eclipsed by two of these grotesque afflictions.

There was no restraint in the horror of these images. Next came genital malformations, followed by gross limb deformities (one girl held up a foot five times larger than that on which she stood - another flexed fingers that protruded from her shoulders), and tiny babies with hyenchephalitis, which swells and bloats the skull, throwing the body out of proportion and squashing the features. Finally there was a boy with doughy skin lying in an incubator looking at the camera through a large, single, milky eye near the middle of his forehead. It was a relief when the photos ended. Ganesh said that he did not have resources to collect more case studies but he knew that there were many more. It seemed that the director of the hospital wasn't giving Ganesh much support on his project. Not only that, he didn't want outsiders to find out about Ganesh's research.

I asked Ganesh if he thought the congenital abnormalities resulted from gas exposure. 'Certainly', he said. 'But what I have is not enough to publish the data.'

I thought about the sparseness of the known research on the matter. An Indian Council of Medical Research study<sup>1</sup> from the 1980's found that 15 in 1000 babies born after the gas showed congenital malformations. In a study ranging 1-10 kilometres from the Carbide factory a year after exposure 71% of the exposed people showed chromosomal damage as against 21% in a control group.

Breaks and gaps were found in the chromosomes of exposed people three years after the gas. After that,

no systematic research had been published.

As we came out of the lab and I asked Ganesh more questions, he became nervous. It wouldn't look good if the director knew that he had brought us in here. We moved off to talk to people in the hospital's MIC wards, which were funded by a grant from the Department of Gas Relief and Rehabilitation. But the Director soon learned of our presence and we were summoned to his office for a half-hour dressing down. We were asked to leave the hospital.

A few weeks later I took an ABC *Nightline* filmmaker to meet Ganesh at a neutral location: the museum of Hamidia hospital where, amongst

**'Children are being born with deformities like cleft palate, three eyes, all the fingers joined, one extra finger, one testicle, different skull shapes and Down's syndrome', says N. Ganesh, a researcher at the Jawaharlal Nehru Cancer Hospital & Research Centre.<sup>2</sup>**

*The Lancet Vol. 360, No. 9336, p.859, 14 September 2002*

other gruesome exhibits, were many malformed foetuses kept in jars in formaldehyde. One of them, blue in colour, looked scarcely human; the rear of its skull was small and squared off, whereas its frontal lobes were exaggerated and prominent. Ganesh told us that it was a gas baby.

Ganesh seemed reluctant to talk about his work. He talked instead generally about cancers, case studies that were not MIC related. Every time we tried to bring Ganesh back to birth defects, to MIC-related health consequences, he would make increasingly nervous and erratic statements that led us away from the topic. I got the sense of a man deeply afraid for his job. My suspicion, based on these meetings and other

stories I had heard, was that data pointing to the serious long-term consequences of MIC exposure were being systematically suppressed by local officials. It was not so many years ago that national officials were implicated in the same business, when the full programme of ICMR (Indian Council of Medical Research) studies, many of them unfinished, was inexplicably shelved, and a ban placed on their publication by the Ministry of Chemicals and Fertilisers. The ban was lifted in 1996, silently, but the studies have yet to receive the benefit of public scrutiny.

Before leaving Bhopal I met Dr Ghazala, a paediatrician at Hamidia hospital, gas-affected herself and concerned for the well being of the survivors. She told me: 'The government doctors won't say a word about gas problems. They are under orders not to talk about these things. If they talk to the press they will say there are no problems.'

The Indian authorities have quite a history of suppressing information about the health of the survivors. The \$470 million settlement of 1989, struck behind closed doors with officials of Union Carbide, was based on grossly under-calculated figures for dead & maimed, figures that are still quoted as fact by the company and careless journalists. Asking why just throws up further questions. Why indeed would a government weaken its own position in a settlement dispute? Why would it stop medical reports on the gas being publicly available, information that could benefit the efforts of physicians working with the aftermath of gas poisoning? Why is there even today (in 2001) an official climate of secrecy and cover-ups concerning what a foreign company had done to the helpless people that these same officials are supposed to represent and protect? T.E - K.

# The vanishings & mysterious reappearances of Union Carbide Corporation

'From day one, we started to plan for the close of Carbide,' said Dow Chemical CEO Michael Parker in June 2001<sup>1</sup>, after Dow and Union Carbide merged in a deal in which all Carbide's shares 'shall no longer be outstanding, shall be cancelled and retired and shall cease to exist.'<sup>2</sup> Over two years Carbide would be absorbed into Dow, thousands of staff would be laid off and Carbide's blue hexagon trademark would be seen no more. Even the name would vanish: How can David Cameron honestly say, 'this is a different company and a different business'?<sup>3</sup>

Union Carbide vanished from Bhopal by degrees.

## Warren Anderson's escape

The FIR (First Information Report) that a crime had been committed in Bhopal was filed by a station officer at the Hanumanganj police station on the evening of December 6.<sup>3a & 9</sup>

On Dec 7 1984 Warren Anderson flew into Bhopal only to be arrested by order of Chief Minister Arjun Singh and held for several hours at the Union Carbide guest house (often described as 'palatial', it was a glazed building with wide views over Bhopal's beautiful Upper Lake).

Though accused of crime bailable only by special court orders he was later released on orders of the same Chief Minister, after a junior UCIL staff member had been ordered to sign a bail bond for Rs 25,000.<sup>4</sup>

Anderson mysteriously vanished from the guest house. The world's media, camped outside the front gate, never saw him go.

## Carbide divests assets

Between 1984 and 1986, UCC's assets

2001

fell from \$5 billion to an estimated \$697m.

Stock depreciation and sales accounted for some of this, but most melted away in a divestment drive undertaken, it was said, to foil a takeover bid by GAF Corporation.<sup>5</sup> Around 80% of UCC's equity went direct to shareholders and lenders.

## US case dismissed

In 1985 thousands of individual civil claims filed by US ambulance-chasers (*see p. 16*) were consolidated into a single class action in the Lower Manhattan District Court.

Union Carbide petitioned that the case be transferred to India arguing that jurisdiction lay with the Indian courts. On May 12, Judge Keenan granted the petition subject to Union Carbide accepting this jurisdiction.<sup>6</sup>

On June 12, Union Carbide duly committed itself in writing to accept jurisdiction of India's courts.<sup>7</sup> The dismissal of the US case was based on this letter.

## Carbide refuses to appear

Two years pass, throughout which period, as alert readers will recall, Carbide and the Indian government were in secret negotiations to agree an out-of-court settlement<sup>8</sup> (*see pp.*

40-46). In the autumn of 1987 India's Central Bureau of Investigation is ready to proceed with its case against Warren Anderson, Union Carbide Corporation (UCC, the US parent) Union Carbide Eastern (UCE, Union Carbide's Hong Kong based regional holding company), Union Carbide India Limited (UCIL) and 8 UCIL executives, who are all charged with manslaughter offences under Section 304 Part II of the Indian Penal Code (IPC) and with other crimes.<sup>9</sup>

Shortly before the case opens, an unnamed Indian government source advises Carbide to establish a dummy trading company to handle imports of UCC products into India.<sup>10</sup>

Two weeks before the criminal trial opens in Bhopal, UCC registers an Indian trading arm with a different name, new directors & shareholders.<sup>11</sup>

UCC refuses to appear in Indian courts to face trial and numerous summonses are ignored by the three foreign accused.

## Rejects Indian jurisdiction

May 16, 1988 Further summonses against Anderson, UCC and UCE draw the following response from Robert Berzok, Carbide's director of





communications: 'Union Carbide will not appear because, as a United States corporation, it is not subject to India's jurisdiction.'<sup>12</sup> (for Berzok, see pp. 58-59)

### UCE prepares to vanish

Two weeks after an arrest warrant arrives in Hong Kong for UCE's Peter J Whitley, Carbide registers a new company called Union Carbide Asia Pacific (UCAP) under Delaware law.<sup>13</sup> It will be sited in Singapore. UCE begins transferring its regional business management to UCAP.<sup>14</sup>

### Bhopal court orders arrests

February 9, 1989. Things hot up. The Bhopal court issues a non-bailable arrest warrant to Warren Anderson for repeatedly ignoring summonses and declares Anderson, UCC and the soon-to-be defunct UCE absconders from justice in India.<sup>15</sup>

The U.S. authorities finally grant the CBI permission to inspect the

UCC safety systems at its MIC plant at Institute, West Virginia. The visit is scheduled for February 15 and will analyse the differences in technology, particularly between the safety systems at the two plants.

### A surprise settlement

The day before the investigators are due to visit Institute, the Indian Supreme Court announces that UCC and the Government of India have agreed an out-of-court settlement.<sup>16</sup>

UCC will pay \$470 million in full settlement of civil claims. In return the Indian government will extinguish the criminal cases against Anderson, UCC and UCE. This stretching of the law to breaking point and beyond was prescribed by one of the accused – Gokhale – within the first settlement proposal (see *Towe letter pp 40 et seq*).

India's Attorney General Sorabjee said that the settlement compounded 'non-compoundable' offences.<sup>17</sup>

With the criminal charges vanishes the possibility of any real redress or of exemplary punishment and a chance to deter other multinationals from killing and injuring through negligent management of industrial hazards.

A furious outcry in the media, and public disgust, force the politicians to promise that they will reappraise the settlement. The five Supreme Court justices are subjected to such intense criticism, their motives questioned and their honour impugned, that one of them is said to have cried in court.<sup>18</sup>

### Criminal charges revived

On October 3, 1991 the Supreme Court upholds the financial part of the settlement, but orders criminal proceedings against Anderson, UCC et al to be revived. If UCC refuses to accept this, say the judges, they can have their \$470 million back.<sup>19</sup>

The court expresses the rather naive hope that UCC will contribute



Rs. 50 crores, about £7 million, to setting up a hospital in Bhopal for the victims.<sup>20</sup>

### Court threatens sanctions

February 1, 1992. Revived criminal proceedings recommence in Bhopal. Once again, Warren Anderson, UCC and the dissolved UCE are absent. The court orders them to appear on March 27, 1992, failing which it will order attachment of all UCC's assets in India, including its shareholding in UCIL.<sup>21</sup>

On February 3 the court publishes a proclamation in the Washington Post requiring Warren Anderson to appear in court on March 27,<sup>22</sup> but on the day he is nowhere to be seen.

### UCC's dilemma

UCC faces a dilemma. If it comes to court and is found guilty, it will face potential punitive damages that are limited only by its ability to pay.

If it does not appear, it will lose

all its Indian assets worth nearly \$100 million. At the March 27 hearing, UCIL, itself accused in the case, asks that attachment of the shares be deferred.<sup>23</sup> On April 15, UCC creates the Bhopal Memorial Hospital Trust, in London, gifts it £1,000 and endows it *with all of the threatened shares* in UCIL. The sole trustee is Sir Ian Percival, who had previously been Mrs Thatcher's Solicitor General.<sup>24</sup>

On April 30, the Bhopal court refuses to recognise either the Trust or the endowment of UCIL's shares, viewing them as malafide, a snub to the court. Chief Judicial Magistrate Gulab Sharma remarks: 'It is clearly evident that the accused wants to evade prosecution by any means.'<sup>25</sup>

He directs attachment of all UCC properties in India.

### Carbide's Indian sales hit

1993. Under the court's attachment order Union Carbide (US) can no longer sell its products in India for

fear of the proceeds being seized.

(See *A Dance of Several Veils*, p xxx)

### The quest of Sir Ian Percival

December 10, 1993. Sir Ian Percival approaches the Supreme Court of India on behalf of the new Trust.

He states that in order to alleviate the suffering of the people of Bhopal the Trust wishes to build a hospital for them –not just any hospital, but a superspeciality hospital.

The Trust owns the shares deeded to it by Union Carbide, and would like to sell these shares to raise the funds to build the hospital.

However the shares are entangled in the case in Bhopal and the court had described the Trust's intentions as 'malafide', so the super hospital couldn't be built.<sup>26</sup>

### Indian government steps in

The Union of India now files an application asking the Supreme Court to enforce UCC's obligation to build





the expert medical facility.<sup>27</sup>

At a hearing, attended by Sir Ian, the Supreme Court represents to the Union of India that the Sole Trustee's ideas are 'eminently reasonable' and 'worthy of consideration.'<sup>28</sup>

On February 14, 1994 – the 5th anniversary of the hated settlement – a Supreme Court bench presided over by Mr Justice Ahmadi overrules the Bhopal court and permits sale of the attached shares.<sup>29</sup>

## Bhopalis file appeals

The news prompts Bhopal victims' organisations file review petitions for recall of the order. They argue that the hospital was meant to be funded from UCC's unencumbered assets, that sale of the attached shares will permit UCC to escape justice in the criminal case.<sup>30</sup>

Hearings of these applications are adjourned five times before being eventually heard on October 20, by which time the sale of the shares has already taken place.<sup>31</sup>

## UCC shares are sold

In September 1994 UCC's shares in UCIL are sold to McLeod Russel for Rs. 170 crores. UCIL is renamed Eveready Industries India Limited (EIL).<sup>32</sup> After release of around Rs. 125 crores (including dividends) to Sir Ian Percival's Trust, the remaining proceeds of about Rs.183 crores stay attached.<sup>33</sup> A series of later petitions removes the whole amount from the custody of the Bhopal court and hands it to the Trust.<sup>34</sup> Between them the Supreme Court and the Indian government loose the Bhopal shackles from UCC, which soon vanishes from the contaminated factory site.

## Carbide vanishes from India

June 19 1995. Robert Kennedy, new Carbide CEO says, 'We would like to do business in India again as a supplier of technology, but it is very unlikely at the moment... until these

issues are resolved you will not see Union Carbide in India.'<sup>35</sup>

UCC might not be seen in India, but it is there. Between 1994-2000 a multi-million dollar trade in UCC products (*see p. 102*) is carried on in India<sup>36</sup> with the help of what UCC and Dow lawyers will describe in a 2006 brief to a US court, as 'commission-compensated middlemen'.<sup>37</sup>

August 24 1995. UCIL withdraws its legal objections to the attachment order which thus attains finality and remains in force to this day.<sup>38</sup>

## Carbide prepares to vanish

The time has come for UCC itself to vanish from history. In August 1999, UCC announces plans to merge with Dow Chemical: 'All Company Shares shall no longer be outstanding, shall be cancelled and retired and shall cease to exist.'<sup>39</sup>

On May 3, 2000 a class action is filed against Dow by a worried Dow shareholder who alleges that Dow has violated federal laws by failing to reveal to the Securities Exchange Commission that UCC still faces charges of culpable homicide and other crimes in a Bhopal court.<sup>40</sup>

Dow also had not disclosed that UCC was refusing to appear to face the criminal charges, was a 'proclaimed absconder' from justice, and that its Indian assets had been attached. The shareholders claim the merger could cause them financial harm.

A few days later Dow Chairman Frank Popoff says Dow considers the Bhopal case settled, but admits that the company is worried about double jeopardy. 'That's a tough question, one that we'll have to deal with.'<sup>41</sup>

## Carbide integrated into Dow

February 6, 2001. Dow Chemical and UCC merge in an equity swap plus cash deal worth a total of \$8.1 billion to a cacophony of concern.<sup>42</sup>

After the merger, those pursuing

Union Carbide find that it has for practical purposes all but disappeared.

'From Day One,' said Dow's new CEO Michael Parker, 'we planned for the close of Union Carbide. 300 separate 'integration projects' began, with the aim of by 'Day 730', melding the two companies into one.'<sup>43</sup>

## Facing the market as Dow

A sense that Union Carbide has vanished, even as a name, is clear from an email sent five weeks after the merger by a senior Dow manager: 'All business activities are done under the umbrella of a Dow business. *We face the market as Dow*. Reporters will be tempted to keep talking about Union Carbide *but we should discourage reporters from using the words Union Carbide, unless it's reference to a historical activity...* All products are sold as Dow products...any current or future activity of a business is done as Dow.'<sup>44</sup>

## No separable segments

Dow's 2010 SEC filing confirms that: 'Union Carbide Corporation's business activities comprise components of Dow's global operations rather than stand-alone operations... there are no separable reportable business segments for UCC.'<sup>45</sup>

## No responsibility

Dow claims that Union Carbide is a separate company responsible for its own affairs and liabilities.

Responding to clamour for Dow to be dropped as an Olympic sponsor because of its Bhopal connection, George Hamilton, Dow's Vice President of Olympic Operations, said, 'Dow bought the assets of Union Carbide seven years after UCIL had been divested to McLeod Russel, India ... We didn't buy the Indian assets or liabilities because they had sold them to McLeod Russel. So now to get Dow to take some action that says we are responsible... Legally? No. Ethically, morally? No.'<sup>46</sup>

# A Dance of Several Veils

Dow Chemical's purchase of Carbide in February 2001 was part of an 'unprecedented spending spree' in which Dow spent \$10.4 billion buying chemical businesses. 'It's a big swallow,' Dow CEO Michael Parker told *Chemical & Engineering News* <sup>1</sup>, but commented that the merger with Union Carbide was in some ways the safest purchase because it would be easiest to integrate into Dow. Carbide was, he said, 'a very low risk transaction for Dow'. Why no worry about Bhopal?

It wasn't as if Dow didn't know, or hadn't been warned. In August 1999 when Dow's plan to acquire Union Carbide Corporation (UCC) was made public, Bhopal survivors said they would hold Dow liable for all UCC's unfulfilled liabilities.<sup>2</sup>

If Dow was not concerned, this was presumably owing to the method by which it had acquired UCC.

Dow had performed what is known as a 'reverse triangular takeover', first forming a wholly-owned subsidiary which merged with UCC and then dissolved itself. This left Dow with complete ownership and control of UCC's assets, Carbide shareholders reborn as Dow stockholders and UCC board appointments at the sole discretion of Dow.<sup>3</sup>

Dow could now say that UCC was a separate business with its own distinct legal personality, responsible for its own liabilities.

## Evading court orders

In 1987, just two weeks before it was charged with culpable homicide in a Bhopal court, UCC formed a trading company in Bombay called Visa Petrochemicals<sup>4</sup> (later MegaVisa). A distribution agreement was signed with Union Carbide Eastern<sup>5</sup> (UCE) which also faced charges in Bhopal.

Arrest warrants were issued early in 1988 for officials of UCC & UCE.<sup>6</sup>

In October UCC registered Union Carbide Asia Pacific (UCAP) to operate in Singapore.<sup>7</sup> UCAP

later took over the contracts signed by UCE.<sup>8</sup> By 1990, UCE was dissolved. Indian police said they were not able to pursue charges against a dissolved company.<sup>9</sup>

After UCC & UCE refused to appear for trial, the Bhopal court in 1992 proclaimed them fugitives, and issued an order that all of UCC's movable and immovable assets in India be seized.<sup>10</sup> From proceedings in a US court we know that in 1993 UCC issued a legal directive that its products not be shipped directly to India.<sup>11</sup> UCC wanted separate corporate affiliates be formed *outside* India to buy UCC products in the USA and resell them to end users in India.

MegaVisa set up a Houston office to act as conduit, describing itself as 'a reliable front-party' for UCAP.<sup>12</sup> In 1999 MegaVisa Singapore took over from Houston as 'front-party' and Indian orders for UCC goods were now processed through Singapore.<sup>13</sup>

In 1999 alone the 'front-parties' helped to sell \$24 million worth of UCC products to customers in India, including state-owned enterprises.<sup>14</sup>

## Cutting out the middle man

In the spring of 2001 the UCC-Dow merger led to UCAP morphing into Dow Asia Pacific.<sup>15</sup> Thus the fugitive and vanished Union Carbide Eastern appears to have ended up as a Dow subsidiary.

Now began a complex dance of several companies: MegaVisa India fielded enquiries, went to Dow India

for price approval, then passed the orders to MegaVisa Singapore which ordered goods first through UCC Singapore then Dow Singapore.<sup>16</sup>

Dow Asia Pacific managers were soon asking if they needed MegaVisa. '*MegaVisa Singapore is a dummy company who negotiates nothing and owns nothing, Dow India now would like to do business with MegaVisa India direct... Can Dow India supply UCC NA (North America) products to MegaVisa India?*'<sup>17</sup>

A Dow lawyer in Hong Kong replied: '*Country management and I are against this idea at the present time due to the threat of litigation and the protest incident of a couple of months ago.*'<sup>18</sup>

## Dow's perspective

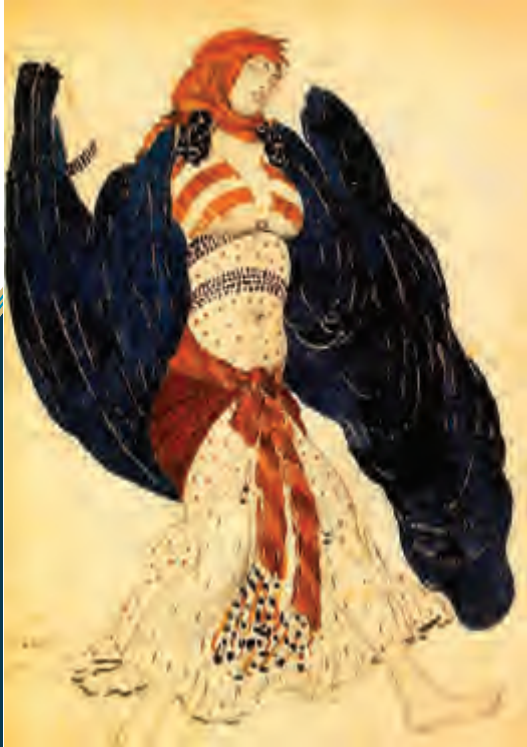
Commenting on an article in the *Independent* covering the history of UCC, Megavisa and Dow, a Dow spokesman said, 'None of the alleged business transactions cited as violating the 1992 court order involved products or technologies that are covered by the court order which only applied to UCC properties in India. It did not apply to UCC products or technologies acquired overseas and brought into India by other separate companies.'<sup>19</sup>

## 'No nexus' with UCC

When Dow India and Dow US were in danger of being impleaded into the criminal case in Bhopal, they argued that Dow India had no links to Dow US but was in fact owned by Dow Singapore, and that neither had 'a nexus' with UCC.<sup>20</sup>

2001









**BHOPAL  
MARATHON**



# *Jaan bai to jahaan bai.*

## If we have life, we have the world.

I CALL HER MY ADOPTED MOTHER. She says I am her daughter and that I'll be there for her whenever she needs me. I just hope I will be, but these days I'm far away in England and I can't stop worrying about her.

I first met Mehboob Bee when Tim and I were filming with the People's Tribunal – this is when she lived in her old house, it was a lot better than the house she lives in now, but the moneylenders took it.

She had mortgaged it to get money for medicines for her sick husband, Chand Miya. He told her not to spend money on him, she replied, 'How can I not?'

Now she has moved to a corner of Qazi Camp to a house without a roof. In the monsoon the rain comes right in. The house is beside the stinking *naala* (an open sewage ditch). It was the only place she could find. I went to see the Chief Minister to ask him for some money for a new roof. He gave me 500 rupees, so I just spat in the earth outside his house. After this Raghu Rai the photographer and some others paid for a new roof.

Mehboob Bee, she has the most wonderful presence, looks straight into your eyes like she knows the truth.

The film cameraman was being an asshole and Mehboob Bee began to cry. I sat next to her and hugged her and cried with her. She had just lost Chand, she was emotionally raw. You could see the pain and feel it in her.

Tim and I then took a French journalist to her house. In the one room where everyone

slept there was a goat tied to the steel bed. When he offered her money she refused to take it, so he left it under her pillow.

Mehboob Bi was married to Chand Miya. She did not belong to Bhopal. When she arrived here life was really easy as Chand Miya was working for Union Carbide.

'We were so happy,' she said. 'We used to be well off, but my *kismet* was written in Bhopal.'

Even today when she speaks of Chand tears roll from her eyes. She is so deeply wounded, so hurt. The gas has taken everything.

From the first time I saw her to the time when I left for England her face has weathered. Her daughter, the youngest one was so beautiful and wild, she looked a lot like her mother in the picture Mehboob Bee proudly showed us of her and her husband. It was in an album of her pictures from before her marriage.

She was stunning, dressed in short kurtas with big goggles, two plaits and curls plastered to the sides of her cheeks. One of her daughters said 'Ammi looks like Mala Sinha.'

'No,' said the other one, 'she's like Sadhna.' (Both Indian filmstars.)

'Chal hat pagli ladki'. Go on with you silly girl. That is what she said to her daughter with a coy smile.

When her daughters were small and there was no food Mehboob Bee used to give them water at night to fill their stomachs.

'Afterwards I came to know that the wells have been poisoned by that factory, the same cursed place that tried to kill us all with gas.'

So many years after the disaster Mehboob Bee suffers from serious head aches, often faints and gets very high temperatures for which there is no clear or obvious cause.

'I am waiting, daughter,' she tells me. 'I am just waiting to go. I'm so tired, but who will look after these children then? The debt collectors will tear them apart, the least I can do is spare them from debt before I go.'

'My husband warned me how dangerous the chemicals were. If by mistake you put your hand into them your hand would dissolve.'

'The day after the tragedy when we came back home our utensils were covered with a green coating. Chand Miya did not let us come in to the house he cleaned everything up and washed every corner of the house before he let us come in.'

'The days just before the disaster were the last few days I saw him happy. Our miseries began on that night. All of us had breathed the gas, but he most of all. When he got really ill and could no longer work ... I ... we ran short of money and I started work for the first time. He apologised to me for putting me through this.'

'I said *jaan bai to jahaan bai*, if we have life we have the world.'

'He often told me not to spend the money on him and his illness.'

'I will die,' he said, 'don't waste your money on me.'

'And he did. He left me alone.'

*Narrated by Farah Edwards, a Bhopali woman who met her husband Tim when he cycled from Brighton to Bhopal to raise funds for the Bhopal Medical Appeal.*

The summer of 2002 saw a worldwide hunger strike against an Indian government bid to dilute the homicide charges against Warren Anderson and UCC, and Dow's refusal to produce Union Carbide in court to face the charges. Texas shrimper Diane Wilson, fasting outside Dow's plant at Seadrift, explained to curious staff that the trial could add to the meagre compensation of \$500 paid to sick Bhopal survivors. Back from Dow's PR chief came the now famous reply:

## '\$500 is plenty good for an Indian'<sup>1</sup>



Diane Wilson, 2002

'My life as a fisherwoman has taught me one thing, that there are no seas with lines and divisions. So similarly if there is a border that separates me as an American from the anguish and sorrow of my sisters and brothers in Bhopal and their fight for justice, then that line is a false and lying one. All the great religions teach that we are one. One woman's pain is a pain to all. Injustice to one is an injustice to all. Bhopal is a symbol of the unfinished business of justice that lies before all mankind and the struggle should never be abandoned.'

So wrote Diane Wilson in her diary as she began her thirty-day fast outside the gates of Dow's factory in Seadrift, Texas. One plant worker advised her not to bother. 'Dow does not care about its workers,'

he said, 'what will it care about you?'

From the moment it took control of Union Carbide, Dow had adopted an intransigent and arrogant attitude to the 'legacy' of Bhopal.

### The survivors should pay for clean up, says Dow CEO

On May 9 2002 during a protest outside Dow's shareholder meeting, Bhopal survivors had an informal encounter with Dow CEO Michael Parker. Asked if Dow would clean up the mess left by Union Carbide in Bhopal, Parker replied that rather than pestering Dow, the survivors should use their compensation to fund a clean-up of the site.<sup>2</sup>

This jaw-dropping suggestion flipped the 'Polluter Pays' principle (part of both US and Indian law) on its head. Never before had anyone suggested that the innocent *victims of pollution should pay* to clean it up.

### Philanthropy would be unfair to shareholders

May 19, 2003. Dan Feldman of the CalTech Environmental Task Force sat down with Dow board member and CalTech chemistry professor Jackie Barton to discuss the Bhopal disaster and Dow's liability. In the half-hour discussion, Jackie Barton denied that Dow had inherited any liability for the disaster or the soil and water contamination.<sup>3</sup>

Professor Barton said that though she sympathised with the suffering of the Bhopalis, she felt that it was impossible for Dow to do anything

philanthropic since that would be unfair to shareholders and could be read as an admission of guilt.

(Statements of this kind inspired the famous YesMen hoax of 2004 when Andy Bichlbaum, posing as Dow executive Jude Finisterra, told the BBC that Dow was accepting full liability for Bhopal with \$12 billion set aside to compensate the victims, causing worldwide celebration.)

### The Bhopal Medical Appeal should pay, says Dow director

When asked what she thought should be done to help the suffering Bhopalis, Professor Barton said there should be an international 'passing of the hat'. Instead of trying to pressure Dow the Bhopalis should organise an international fundraising campaign to fund the clean-up.<sup>4</sup>

Given that the only international fundraising is done by the Bhopal Medical Appeal, it seems Professor Barton was actually suggesting that the BMA's generous donors should stump up for cleaning the plant site.

### Indian government must pay, says Dow's new CEO

Greenpeace's *Technical Guidelines for Cleanup of the UCIL Site* October 2002 laid out standards and methods to be applied, concluding that the cost could be around \$500 million.<sup>5</sup>

No doubt this explains why the present Dow CEO Andrew Liveris maintained, on March 3, 2007 that responsibility for the clean up lay with the government of India.<sup>6</sup>

2002  
2003





*One of these per day*  
is all that most peoples'  
compensation will buy.  
Meant to last a lifetime,  
it is by now worth only  
5 rupees (7p) a day.







1



2



3



4



5

2002  
2003

## The Union Carbide site 18 to 20 years after the 1984 gas leak

*(Based on guided tours by former UCIL plant operator T.R. Chouban<sup>1</sup>)*

1. Pile of carbaryl<sup>2</sup> 'rocks' spilled in 1999 from a split tank in the rusting Sevin plant
2. The charred stack up which the gases flew
3. The underground concrete bunker that held MIC tank E-610, cracked by the force of the explosion
4. Lindane<sup>3</sup> and Sevin pesticides sift from sacks in an abandoned warehouse
5. Derelict control room with pressure valves still stuck on overload<sup>4</sup>
6. Ruined MIC unit.
7. Sacks of organochlorine pesticides
8. Reagents in the derelict laboratory
9. Dead calf that had strayed into the Union Carbide plant

10. Mercury spill
11. Upended drum of waste
12. Drums of lethal Sevin tar stored in a shed open to the elements
13. Shadowy ghosts in the MIC piping
14. The giant MIC tank E-610 lies in bushes like a dead locomotive
15. Safety notice in overgrown grounds

*All pictures: Maude Dorr, Dan Sinha, Andy Moxon, Paul Bullivant, 2002-2004*





DIOPAL  
MARATHON



# Women take the broom to Dow. Clean

It was us women who came up with the idea of using the humble broom as a symbol of our contempt, defiance, as an invitation to clean the site or be swept out of the country – everyone agreed the jhadoo was a perfect weapon in our women's struggle for justice.

On 15 August 2002, we started a 'jhadoo maro andolan' (campaign), to show that Indian women who use the broom to clean their houses, can also use it against corporations.

We demanded that Dow take responsibility for decontaminating the Carbide site and its surroundings failing which, these jhadoos would sweep them and their business out of India and the world.

**2002** With what gusto and delight we sang:  
**2003** 'Atal ko belan, Advani ko chimta – JHADOO MARO DOW KO'

*JHADOO MARO DOW KO!*

*phool nahin chingari hain hum  
JHADOO MARO DOW KO!  
(not flowers but flames are we  
TAKE THE BROOM TO DOW!)*

*nai aazaadi ki nai ladaai  
JHADOO MARO DOW KO!  
(a new battle for a new freedom  
TAKE THE BROOM TO DOW!)*

*idhar se maro, udhar se maro  
JHADOO MARO DOW KO!  
(hit from this side, hit from that  
TAKE THE BROOM TO DOW!)*

*Hosh se maro, josh se maro  
JHADOO MARO DOW KO!  
(hit with oomph and hit with wit  
TAKE THE BROOM TO DOW!)*

*Atal ko belan, Advani ko chimta  
JHADOO MARO DOW KO!  
(Let Atal feel the rolling pin,  
Advani taste the tongs  
TAKE THE BROOM TO DOW!)*

*har naari ki yahi ladaai  
JHADOO MARO DOW KO!  
(this is the battle of every woman  
TAKE THE BROOM TO DOW!)*

## Launch in Bhopal

More than 200 women marched from near the Union Carbide factory with jhadoos in their hands to the bus stand and beat an effigy of Dow.

While traffic at this busiest street crossing in the entire city stood still, the women burned the effigy amid chants of *phool nahi chingari hain hum, nai azaadi ki nai ladaai*, and *idhar se maro, udhar se maro*.

Armed police, patrol cars, paddy wagons lined the entire stretch of the 1.5 kilometer march. The police were peaceful despite the fact that, in keeping with our tradition we had neither informed nor sought police permission. It helped that almost all the local and national TV channels and press reporters were with us.

The spirit was brilliant. What a clear statement a woman makes when she has a jhadoo in her hand and is marching with her sisters.

## Dow CEO Parker jhadoo'd

Inspired by this start, the jhadoos travelled all over India and beyond.

Dow CEO Michael Parker was at a \$75 a head luncheon in Houston's upmarket Hyatt Hotel to receive – wait for it – an environmental award when a camerawoman taking pictures of him proved to be Diane Wilson shrimp-boat-captain-turned-activist and merciless scourge of Dow.

She interrupted Parker's remarks about Dow's love of the environment and said she had an announcement.

Local Dow staff recognised her and began waving at their hapless chief, but Diane, using the power of lungs fortified by years at sea, told Parker that Dow merited no awards when it had not cleaned up the toxic mess in Bhopal.

'We have someone here from





# up or our brooms will sweep you away

Bhopal with a better award for you,' she told him in front of 500 bemused guests.

The Dow contingent were booing and shouting 'siddown' but fell silent when Kinnu appeared in her sari bearing two Bhopali jhadoos.

She made her way to the stage, held out the brooms to Parker and told him he was wrong to say that Dow had no liabilities in Bhopal.

## Jhadoos in Europe

In Milan Rashida and a team of Italian activists met Dow directors who expressed their personal shame, promised to take the message to top management. The Public Relations Director accepted the offered broom.

In Switzerland, the Dow Europe CEO Respini grudgingly agreed to meet Champadevi who enumerated the Bhopalis' four demands and held out the broom. Respini fled.

## Jhadoos in Norfolk

Two strange beings arrived in the sleepy port of King's Lynn, Norfolk and headed for Dow's sprawling plant on the Great Ouse River.

'We've come bringing a gift from Bhopal,' they said.

'Oh yes, we've heard of you,' said the Environmental Health & Safety Manager. 'You're the ones who deliver soil and water.'

He sat marvelling as if they were beings from another galaxy. 'I can't take the broom!'

The campaigners said their piece.

'Union Carbide,' he said. 'I don't understand why we bought them, it was a mistake. We've enough trouble with our own history. We do try to be a responsible company, but this sort of thing really doesn't help.'





# If no one else will stop our water being poisoned we'll have to do it ourselves.

On 25 Nov 2002, fed up with government inaction, Bhopal survivors aided by Greenpeace toxics experts began a partial clean-up of the factory site. Someone filmed what happened.



waste disposal experts. They were heavily armed. Some with rifles, others in riot gear with shields and long sticks.



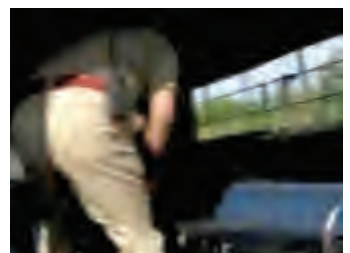
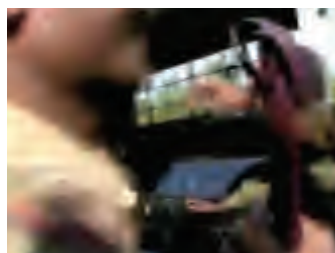
as they surrounded us, but joined in the survivors' chant. The chief barked orders, a plump angry officer rushed in.



him alone. They stopped, then a cop hit him with his long stick, hard, on the ankle. It must have been very painful



Then the Greenpeace co-ordinator spoke up. They grabbed him. The inspector was shouting at him, 'Bastard, who



2002

away to a police van. The journalist was first to be hurled inside. The fat cop Reserve Inspector





We brought warning signs. And began work. Before long, the police arrived in force and headed for our team of



Champa led the chanting. Jhadoo maro Dow ko! the women chanted. "Take the broom to Dow!" We sat down



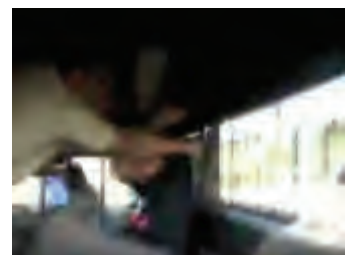
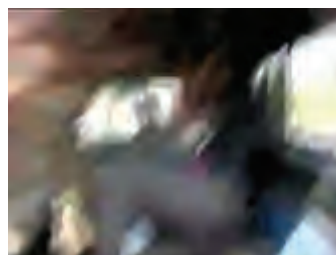
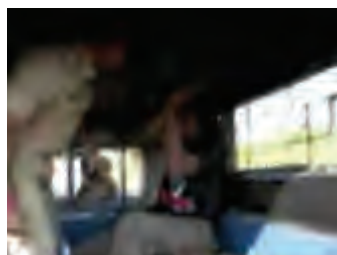
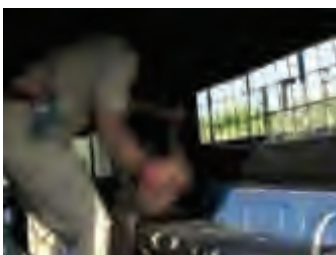
Grabbed a human rights journalist and began dragging him off. People were protesting, shouting at them to leave



He asked them why they had hit him, and the tubby inspector got enraged. A few of them began roughing him up.



gave you permission to come in here?' He slapped him. The police got hold of the two of them and dragged them



Chouhan clambered in after him and started punching him. They beat him up till the cameraman too was arrested.

# A report by the journalist who was beaten up in the police van

NITYANAND JAYARAMAN

0830, 25 Nov 2002

It all started so peacefully.

Children playing cricket inside the contaminated factory site made way as a procession of gas-affected women and a large group of local residents entered the factory to begin a citizen's clean-up.

With us were 30 decontamination experts, Greenpeace members from 16 countries and Bhopalis who had been given special training in waste disposal. The plan was to pick up the loose chemicals abandoned by Union Carbide when it fled India after the 1984 gas disaster. We would pack the toxic wastes into drums, store them safely in a warehouse on the site, and hand the key to the authorities.

We were professionally trained and organised into four groups, each with a specific task. Team members wore biochemical suits and breathing apparatus. Back-up units brought in generators and petrol to fuel them. There was a road tanker full of water for washing down equipment and structures. Other trucks had drums for packing up the waste.

Planning was meticulous. The ICJB organisers had made models of the plant to help explain to the local people what was being done and why. There were even kites for the children - red diamond shapes bearing the legend *Life Poisoned Daily*.

0915, enter the police

The teams were inside the factory site, starting work about 100 metres from the broken boundary wall.

Within 45 minutes, police arrived wanting to know what we were doing

in the factory? The women explained.

Did they have permission?

Permission for what? Cleaning up a site that was polluting their water and poisoning their children?

We wouldn't *be* here, they said, if chemicals from here weren't leaking into our water, showing up in blood and the milk of nursing mothers.

We wouldn't *be* here if it weren't for the fact that nobody has done a blind thing to clean up the wastes, by now *left lying for eighteen years*.

In 2001, Union Carbide and Dow Chemical had merged into a single giant chemical organisation which blankly refused to clean the site.

We wouldn't be here if the Indian government had had the guts to tell it to clean up.

We wouldn't be here, the women said, if the politicians cared as much about justice for the victims of the world's worst industrial slaughter as about protecting the interests of American multinationals.

0930, human punchbags

Reserve Inspector P. S. Chouhan was angry enough to start pushing women and punching others.

Even as we were sitting peacefully outside, Chouhan pointed at one of us and told the other protestors that he was a Hindu fundamentalist come to spread communal disharmony.

This was ludicrous, since many of the people there - like 19-year old Waseem who was on his Ramzan fast - were muslims from the locality.

The crowd began chanting 'We're human beings. We're Indians', *hum insaan hain. hum hindustani hain*.

That didn't make us popular with

Mr. Chouhan. He set upon us with a vengeance, punching, kicking and slapping people. Outside the factory, meanwhile, the police had started on the everyday business of beating up innocent people. Women, including residents and people passing by, were abused, dragged and pushed.

1100, mass arrests

The police confiscated the team's equipment. They even snatched the kites out of the hands of the children.

A bruised but spirited convoy of Bhopali women and their supporters, about 70 people, were arrested and taken to the Shahjahanabad police station, outside which a crowd of about 500 survivors soon gathered to demand their release. All 70 were eventually charged with criminal trespass. Later on, police chief Arun Pratap Singh (who obviously had not seen the video) announced additional charges of rioting.

1500 pm, community anger

We went back to the factory site, called a meeting of the community and explained what had happened.

People were dumbfounded by the savagery of beatings given by police to peaceful protestors who wanted to protect themselves from Union Carbide's poisons. They were angry.

Shame on Union Carbide and Dow and on the politicians. When people try to stop their families being poisoned, they should be helped, not beaten with sticks and fists.

*Nityanand Jayaraman is a human rights journalist who writes for major newspapers and journals*



# My memories of that day by Greenpeace's coordinator

SHAILENDRA YASHWANT

Because you asked and because its important to remember and tell, here is my personal memory of the 2002 National Voluntary Day of Action at the Union Carbide site in Bhopal.

From the day in 1998 when I first photographed the waste at the site, piles and piles of it just lying around, I'd wondered what it would take to pack up and secure the above-ground stuff – stop it causing more damage.

In March 2002, I was called to be action-coordinator for a 'clean-up' by Greenpeace International at the site.

With experience of coordinating a similar packing up and securing of pesticide wastes in an old warehouse in Nepal, I was confident that despite the audacity of the proposed action, we could do it – in one day secure at least the sacks in the cycle shed, the toxic heap around what I used to call the core reactor and other dirty stuff.

I truly believed, right till the end, that the cops and the collector's office would see the sense in what we were doing, as long as we didn't take away any 'crucial evidence'. The worst case scenario was that we'd get only six hours, so we would pack as much as we could and mark the rest for later.

By 7 am on the day, more than six teams, each up to 20 strong, were in place. Hazard tapes secured areas for the various stages of packing, teams brought in the packaging material, women and kids from nearby bastis, some barely awake were shown by volunteers to their appointed tasks.

I remember being pleased with the large turnout. We all agreed that the least we could do was secure what waste we could and then ask for a full clean up of the site along with health- and compensation-related demands.

Our togetherness of purpose that

morning was palpable. I remember noticing that the team with the water tanker were having a problem at the site gate which was stuck hard in the rust and grit of two decades. They were pulling, pushing hard to bring the gate down. I joined them and the tanker eventually drove through.

I recall checking in with Raj, our lawyer on site, and running with Kadir, the Greenpeace photographer – hanging on to my radio with one hand, clutching my mobile phone in the other – to join the survivors.

We waited for a final signal from the safety team and scientists inside the factory before signalling Tara to unfurl the banner on the roof and the loading team to proceed inside.

I remember a flurry of calls with various people, and then clear like it happened this morning – the police jeep entering the very gate I had just helped bring down, Kadir shooting pictures as he moved back and wide.

I remember reminding myself that we would welcome the police, ask them to come join us, help us clean up the mess. I folded my hands to the first police officer I saw, adding the plea of an extra-low bend of my back and SLAPPP! – the sting in my ears, my glasses flew away in an arc, hands breaking *namasté* to grope for them.

I remember Nity being dragged on the ground, me worrying about his bad back, and him still chanting that slogan-song we had been singing as he was kicked by two constables. Also the police officer pushing me shouting, 'saala ringleader!'

I remember Kadir yelling 'Press, Dutch, Holland!' as he was put into the back of a police jeep. I was pulled out of the scrum that had imprisoned me and

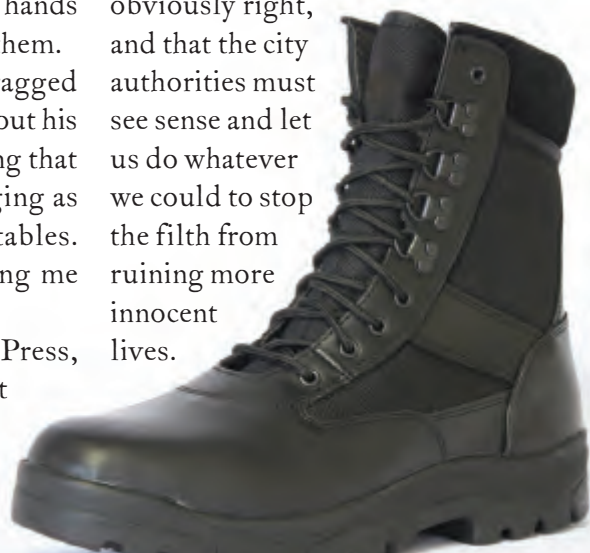
dragged away along with two others. I don't any longer remember their faces but I do recall the strength and the friendliness of those two people who had their arms locked around my back to protect me.

And then it's mostly a blur aided by some of the debrief videos, that I do not remember any more except the part where Ananth is being slapped, which was shown at the Greenpeace International EDM. (For all sorts of reasons it became cult viewing for a while.)

Without being overly dramatic, even today I cannot believe we were stopped, that the police confiscated all the packaging material, that the action ended so quickly and violently, without even a kilogram of the toxic stuff secured in a plastic bag.

I am not naïve enough to believe that the police and the administration weren't aware of our intentions after over six weeks of hectic preparations, safety trainings, buying of equipment and materials, and negotiations with various parties, all of which despite our best attempts to be discreet were being widely talked about.

I thought, no doubt naïvely, that what we were attempting to do was so obviously right, and that the city authorities must see sense and let us do whatever we could to stop the filth from ruining more innocent lives.



# The Star-Ledger

UNION EDITION

NJ.COM

MONDAY, DECEMBER 15,

## Drill at Dow plant prepares for terrorism

By Chandra M. Hayslett

Three terrorists were shot dead yesterday at the Dow Chemical Company plant after they stormed the Piscataway facility, taking eight hostages and killing one. Well, not exactly.

The 'terrorists' were police brass from across the state and the 'hostages' were Dow employees and a truck driver. Both groups volunteered to role play so the Piscataway Police Department's S.W.A.T. team could sharpen its skills in case real terrorists try to overthrow a chemical plant. The drill started peacefully with five demonstrators marching outside a gate at the River Road plant. They were protesting against Warren Anderson, who was the CEO of the Dow subsidiary Union Carbide during one of the world's worst industrial disasters in Bhopal, India, in 1984, which claimed more than 20,000 lives.

About 5 minutes into the demonstration, three protesters - actually, Sgts. Scott Bonito and Tony Bonito, brothers with the Union County Department of Corrections, and Lt. Dave Michelini, with the Passaic County Sheriff's Department - pulled out toy guns and overthrew the guard truck, shocking Dow security guard Eric Hiney-Anim.

'I knew it was going to happen, but I wasn't expecting it to be so real,' Hiney-Anim said after he was escorted to safety. The three 'terrorists' then hijacked a Papco tanker truck and took driver Dave Kozak, a house operator for Papco, hostage. Then they raced into the plant and

took seven Dow employees hostage.

When the plant's security was breached, police were summoned and about a dozen members of the Special Weapons and Advanced Tactical team arrived and took their place around the plant. They were joined by hostage negotiator Jerry Mahoney, also of Piscataway's S.W.A.T. team. While Tony Bonito was making his first demand - ten cups of hot coffee with cream, Michelini was attaching fake explosives to the

**The little things mean a lot to a person,' Bonito yelled, holding a gun to the head of Kozak**

hostages and the door of the conference room, where the hostages were held. The coffee arrived about an hour later.

'If I hit the panic alarm, that's to know that something's going on and just start executing,' Tony Bonito said to the other terrorists before he left to get the coffee.

Bonito escorted Kozak through the plant with a gun pointed to the truck driver's head. Kozak grabbed the java and the two headed back to the conference room.

But the coffee was cold, which ticked off Bonito.

'The little things mean a lot to a person,' Bonito yelled, holding a gun to the heads of Kozak and Dow employee Dan O'Brien. 'Who's not going home today?'

Bonito then forced O'Brien and Kozak

outside. He freed O'Brien, but shot Kozak with the toy gun. O'Brien provided information to the police about the number of hostages and the explosives.

Once the terrorist burned a hostage, that gave the S.W.A.T. team the 'green light' to enter the building and take control of the situation, said Piscataway Sgt. David Powell, who is also the deputy commander of the S.W.A.T. team. Fourteen S.W.A.T. team members rushed the plant, weapons drawn. Police removed the guns, magazines and live rounds for training purposes, Powell said.

About 20 minutes later, the three terrorists were dead, the bombs were detonated and the hostages were free.

'This went great. This is our second drill with Piscataway and they're getting good,' Scott Bonito said. Tony Bonito, one of the ones who critiqued the drill, said he checked for the preparedness of the facility and how the employees handled themselves. 'The security system is good here,' he said.

Stephenson said the site is vulnerable because the security guards are not armed and Dow has no plans to arm them, but he was comforted by the S.W.A.T. team's swift response. 'Knowing the response is five minutes away, it makes us a little bit of a harder target,' he said.

Michael Stephenson, emergency services and security leader for Dow's New Jersey properties, said, 'We've turned the corner with the events of 9/11. We had hostages and a vehicle bomb. And the irony of it is it happened on the day they got Saddam Hussein.'

## 'The day they got Saddam'

Was this a crude attempt to smear disaster victims as terrorists?<sup>1</sup>  
Fake terrorist attack stirs debate among a fictional city's chai-drinkers.

'The terrorists killed the guard because they didn't like the coffee.'

'What was wrong with it?'

'Not enough cardamom, maybe.'

In typical Khaufpuri fashion there starts a debate about how cardamom or clove should be used in coffee, and whether adding a few grains of salt improves the flavour.

'It wasn't hot enough,' says Zafar.

2003 Silence, a moment of incredulity, a rose of laughter blooms.

Says Zafar. 'Friends, for a moment think what's really going on here. What is terror? The dictionary says it's extreme fear, violent dread, plus whatever causes it. On 'that night' our people knew terror beyond what a dictionary can define. Who caused it? Our people continue to feel extreme fear, violent dread, because they don't know what horrors might yet emerge in their bodies. Who refuses to share medical information? Our people want justice in a court of law.

Who sneers at justice by refusing to appear in court? Terrorists are those who cause terror, who end innocent lives, who don't respect law. By this way of looking at it the terrorists are those who run the kampani.'

'It's a strange world,' says one, 'where a kampani does acts of terror and then portrays us, its victims, as terrorists.'

*Extract from the novel Animal's People Shortlisted for 2007 Man Booker Prize, European Winner 2008 Commonwealth Prize*



# Escape from the land of rice gruel: the further adventures of Sunil

Sunil is diagnosed with mild paranoia and is sent to an ashram in Kerala to be healed

Of course he did not want to go.

'They won't understand Hindi,' he grumbled. 'Food will be strange.'

To reach Kerala would take three days. Sunil was confided to the care of VT, a friend heading to his family's home in Goa. They'd spend a night there, then go on to the ashram.

Late on the second evening they arrived at VT's house but Sunil could not sleep. In a basket by his bed a huge cat snored loudly. Sunil loathed cats. He hadn't realised they could snore.

It was a wild night. The wind was moaning, ripping at coconut fronds and outside the window moonlit clouds were churning.

In the deep of the night Sunil woke to find a face staring in at him through the window. It was a frightful face, with something familiar to it like the face of a ghost, it was goggling at him with big horrified eyes.

'VT! VT!' VT wouldn't wake so Sunil picked up the cat and tossed it on to his sleeping form.

VT sat upright and said, 'Sunil, did you throw the cat at me?'

'This horrible face,' said the lad. 'Grinning at me in the window.' They looked, but outside the window were only coconuts frantically waving in the moonlight.

'Go to sleep,' said VT, returning the cat to its basket.

Sunil lay down, but fear tugged at his eyelids. What if the hideous, the unspeakable thing, were still there? His eyes flew open! It was back, the face! Now it seemed to have acquired a triumphant leer.

'Sunil, will you stop throwing the cat at me? Go to sleep.'

Next morning VT asks, 'Can you describe the face?'

'It was hideous', says Sunil. 'Very foul, but in a way also familiar.'

'Yes. It was my brother.'

'Ah, are you sure? It was horrible.'

'No doubt. It was my brother... the one who looks just like me.'



When they reached the ashram VT said to Sunil, 'You'll enjoy it here. The food is first class. I will come back for you when the time is up.'

By lunchtime, Sunil was hungry, wondering what kind of delicious dish might be about to be served.

'It's kanji,' the ashram assistant said, placing a bowl of rice porridge on the table. 'Enjoy.'

The kanji was cold and to Sunil's taste buds, trained on spicy Bhopali biryanis, unutterably bland.

Never mind, he thought, there'll be something good for supper.

But when supper came, it was a

bowl of kanji. Rice gruel for lunch, rice gruel for supper, what kind of place is this? thought Sunil. How can a human being live on rice gruel? Well, breakfast will be different.

But breakfast was a bowl of kanji.

'Excuse me,' asked Sunil, politely as he could. 'When do we eat other things. I mean other than kanji?'

'Kanji is the joy of us Keralites. So many types are there, hardly do we need to eat anything else. See, there's nombu kanji, jeeraka kanji and vishu kanji plus uluva kanji and gothambu kanji. You've tasted kuthari kanji. Wait till you try unakkalari kanji or podiyari kanji and pal kanji made with milk.'

It was at this point that Sunil realised he would never be able to wait for VT's return.

He exited through a window and was gone, in his pocket just eleven rupees. (About 14 pence.)

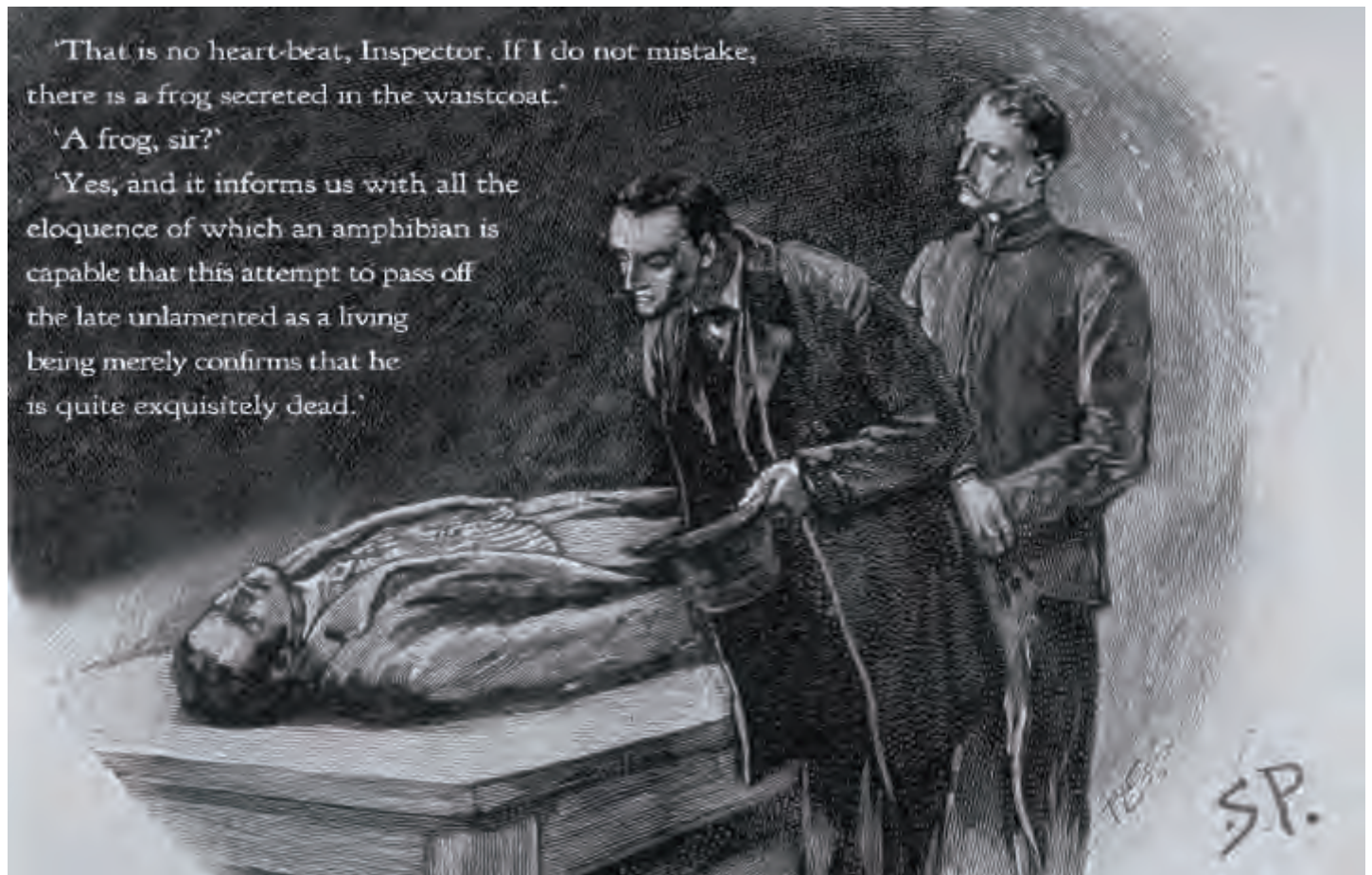
He took a bus to the nearest rail head where he found that he'd have to change trains in Andhra.

He did not have enough cash for a ticket, so he spent his last rupees on some bananas for the journey.

Sitting gazing out of the window at the green fields and backwaters of Kerala passing by, Sunil prayed, 'If I am to be arrested for riding without a ticket let it not be in here in Kerala. Not in Kerala. Please, please let the train reach Andhra first.'

'Why Andhra?' we asked, when he got home, down to his last banana, with a missing person hunt going on full swing in Kerala.

'I had heard,' replied Sunil with a grin, 'that in Andhra's jails prisoners are served every day with *fresh lamb*.'



## The case of the bungled resurrection

During legal proceedings Dow has sought to show that Union Carbide is a separate company taking its own decisions. But in 2004, on the eve of a vital court hearing Dow realised that Union Carbide no longer even had its own website. Something had to be done. Double quick.

After Dow's acquisition of Union Carbide in 2001, Carbide's logo and even its website disappeared.

When it was pointed out to Dow's John Musser that a criminal case was pending against UCC, he said, 'That is not a matter for Dow Chemical. It is for UCC to respond.'<sup>1</sup>

One wonders how he could say this with a straight face.

Balkrishna Namdeo, a survivors leader, told the *Hindustan Times*<sup>2</sup> of his anger when meeting the managing director of Dow Chemical India: 'More than seven times he repeated the *lie* that Carbide had no pending criminal liabilities'. In 2004 the US, Dow's CEO

William Stavropoulos denied that the case even existed. In May 2003 he told Dow's shareholders that there were no outstanding criminal charges against Carbide.<sup>3</sup>

'Our chairman did misspeak,' Dow Chemical spokesperson John Musser admitted.<sup>4</sup>

In the Central Magistrate's Court court in Bhopal, Carbide's ex-CEO Warren Anderson, Union Carbide Corporation & Union Carbide Eastern all stood accused of the culpable homicide of more than 20,000 human beings.<sup>5</sup>

Since 1992, the corporations and Anderson had been refusing to appear before the court. They had never sent

representatives to explain why.

In their absence the case had been stalled for 20 years, during which thousands of victims of the disaster perished from their injuries without justice or redress.

Somewhere along the line, Dow seems to have grown complacent and appears to have overlooked the fact that the court had now summoned a representative of Dow to explain why Dow Chemical itself should not be named as a defendant in the place of its absconding wholly-owned, fully-integrated subsidiary.<sup>6</sup>

The hearing to determine this would take place on September 3.

On September 1, Dow woke up.



# Union Carbide magically reappears

FROM BHOPAL.NET, SEPTEMBER 3, 2004

*"Today Dow Chemical Company was obliged to appear in court in Bhopal to explain why it should not be named as a defendant, in place of its absconding 100% subsidiary, Union Carbide Corporation."*

*"It produced a submission arguing that Dow, neither in the form of its Indian subsidiary, nor the Dow Chemical Company in the US, has any responsibility for Union Carbide Corporation, which it claims is an independent entity."*

*"But... some of us remember that after the merger, Union Carbide did its best to vanish off the face of the earth. It disappeared into the bowels of its new parent."*

*"So far from being independent was Union Carbide that if you looked up its website www.ucarbide.com, you would find yourself looking at Dow's homepage."*

*"These days a truly independent company of Union Carbide's claimed size and importance would definitely have its own website."*

*"With two days to go before the crucial hearing, Dow's lawyers seem to have woken up to this fact."*

*"Help, if they find out that Union Carbide is really Dow, then we could be in big trouble. Quick, make them look separate. Give Carbide its own website."*

*"So if you look at www.ucarbide.com today you will see a Union Carbide website, albeit identical in design to Dow's. (It has in fact just two new pages and as for the rest 'Some unioncarbide.com content is hosted on www.dow.com, the website of our parent company. In these cases, a separate window will open.'"*

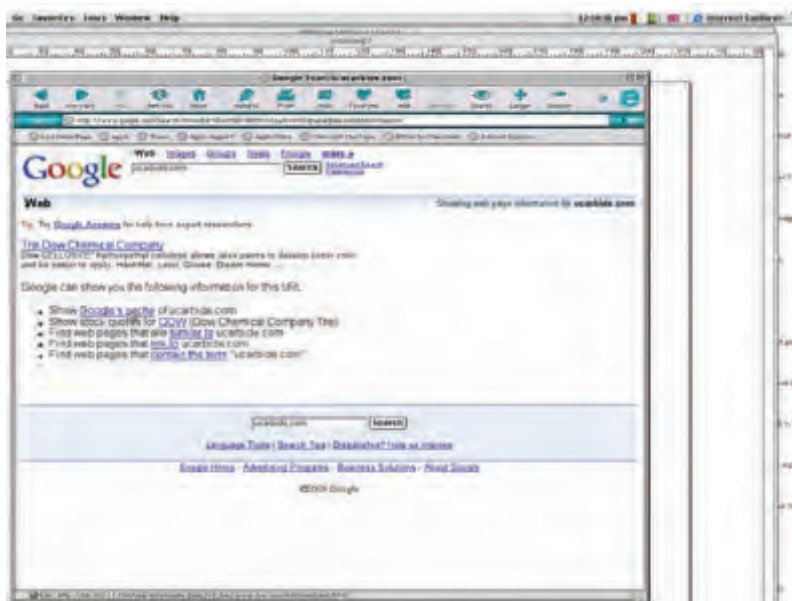
*"In other words they haven't had time to even make a realistic pretence of an independent website."*

*"What would you have seen if you had looked for www.ucarbide.com two days ago, on 1st September? Luckily, we can see, because Google keeps a cache:*

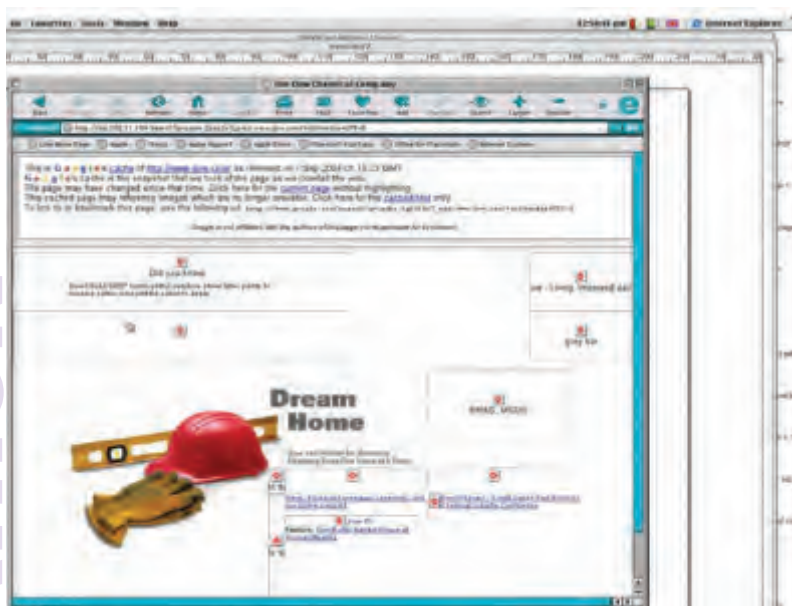
*"Screenshot 1 (12:54:38 3 September 2004): (note cursor) shows Google's cache of ucarbide.com*

*"Screenshot 2 (12:54:47 3 September 2004): Two days ago, ucarbide.com was the same as dow.com*

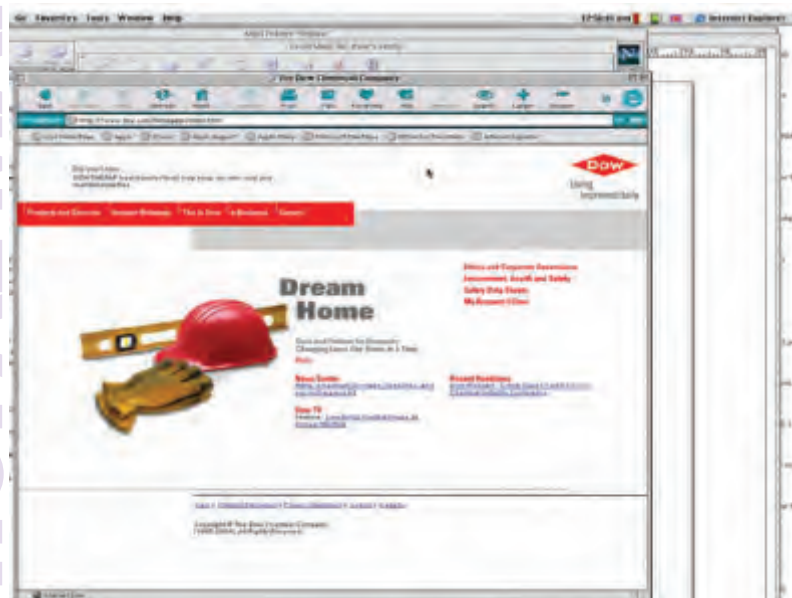
*"Screenshot 3 (12:56:41 3 September 2004: Now try dow.com - exactly the same!"*



SCREENSHOT ONE (12:54:38 ON 3 SEPTEMBER 2004):  
SHOWS GOOGLE'S CACHE OF UCARBIDE.COM



SCREENSHOT 2 (12:54:47 ON 3 SEPTEMBER 2004):  
TWO DAYS AGO, UCARBIDE.COM WAS THE SAME AS DOW.COM!



SCREENSHOT 3 (12:56:41 ON 3 SEPTEMBER 2004):  
NOW TRY DOW.COM - EXACTLY THE SAME!

(The original page can still be seen at  
<http://www.bhopal.net/oldsite/heyprestoisCarbide.html>



## Portraits in pain

RACHNA DHINGRA





Abdul Kadeer Mansuri has lived 77 years, twenty seven of them spent in constant pain, breathless and panic. His wife, Gulshan, who also suffered from breathlessness, died five years ago. The old man is cared for by his daughters.

## I. Abdul remembers

DO YOU KNOW WHAT dahi-bada is? Of course you do. But I don't mean the usual sort. I mean the sort I used to make, with real thick yoghurt and tamarind sauce, sour as a judge's hat. I made a good living from them – dahi-bada and kachori and samosa. Off a handcart near Laxmi Talkies, I sold. The clientele thereabouts was always hungry. We had a good life. Well off we hardly were, but there was enough to get by. Our house was up near Islami Gate, Shahjahanabad. Those were good days.

### Screams of the dying

When the gas leaked we stayed put. Why? Because the elders always said that during a dust-storm or a sandstorm, a person should sit tight.

So we sat choking, noses astream, eyes burning, swollen shut, hearing screams and pandemonium, knowing that people were dying out there.

The morning was the worst of our lives, many friends and neighbours were dead, some in the street, some in their houses. We realised we were all terribly hungry. Some dahi badas I'd made the day before were waiting to be sold. We ate them. It was a bad mistake. All the metal pots in the house had turned green, even the milk. We should not have eaten. We started vomiting and had diarrhoea.

### Whose kingdom?

My breathing problems began one and half years after the gas and got worse and worse. I can truthfully say that I've never had a day's health, a day without pain, since that night.

I have taken treatment at government hospitals, but without much success. Ten years my wife Gulshan and I moved to Nawab colony – only later did we discover that the water there is poisoned by the same cursed factory. I stopped earning long ago,

about 14 years back because I was just too ill to carry on.

Five years ago Gulshan died and now I live with my daughter Munni. She looks after me and even helps me go to the toilet and all.

Munni works washing dishes, but does not get regular work. Often there is no food. Then the neighbours feed us. I take medicines that I make myself – my uncle was a self-taught hakeem you know. When I'm bad I have to be taken to the hospital. All the rest of the family are registered at Sambhavna, but it's a bit far for me.

I wish I could see all their faces one last time. But it's too late. One eye I lost to smallpox when I was small – all my life I was called 'one-eye' and would retort that in the land of the blind the one-eyed is king. But now I've lost the vision in my other eye and I no longer know in whose kingdom I live.

Brother, I am tired of being unwell. I hope that death will come soon and take me.

## II. Lachho's tears

Lachho Bai sits in the door of her house, cradling a dress that belonged to her daughter. She's speaking, but what she's saying no one can tell. She breaks into song, gives a little laugh. Sometimes, she cries.

'She's been thus for years,' says a neighbour. 'All day sitting in the doorway, holding that cloth, talking to God or whoever will listen.'

Hearing our voices, Laccho turns and surveys us with empty eyes, then gives a toothless and unexpectedly sweet smile. To look at, you would think she was in her eighties, not forty years younger.

Laccho was born in Bhopal in 1958. At sixteen she was married to Narayan, a hotel waiter. There was never enough money. She earned a few extra rupees rolling leaf-cigars but the couple were always hungry. Having no money to buy a hut, they built a shack of planks near the fine new American factory that had just

opened in Bhopal and learned to put up with its nasty chemical smells.

Laccho never knew much joy. She lost four children, each at less than a year. Her fifth child, a daughter, was two years old on the venomous night of December 2nd, 1984.

'On that night there were four of us,' says her husband. 'My wife and myself, our little daughter and fate – we all fled together.'

How often described are those events – the screams, panic, street-lamps reduced to pinpoints by thick clouds of poison, dying figures stumbling past in a tobacco light – but we can never know what it was like to be there.

Those who survived find it too terrible to remember. 'We ran,' they will tell you. 'The gas burned our eyes, we were choking. We fell. We knew we would die.' But these words are mere formulae that mask how it really was – the horror and deep fear – that people can't bear to recall.

Laccho was heavily pregnant and





could not run fast. In the crush she fell unconscious. A few months later she gave birth to a daughter. By this time both she and Narayan were too ill to work and fell into the most wretched poverty.

In 1995 Laccho lost her mind.

'She strays in the alleys,' says her husband. 'Often improperly dressed.

Some make fun of her, but most feel pity. So many here have lost their wits, living beings who are no longer aware of their own existence.'

'When we lost Laccho,' says her husband, 'our daughters, needing a mother's care, had instead to look after her. Now they're married I do my best to keep her clean and cook our meals. I can't hear well, my sight blurs, my limbs are numb. I take any work I can, yet I can't fill our bellies.'

Laccho listens with a smile. Some trace of a forgotten life stirs in her, she feels the urge to offer us tea and gropes for a strainer and glass.

'She can't see,' says Narayan sadly. 'It's the final cruelty. In June last year, she was betrayed by her sight. For her there's no more day, just night everlasting. She sits at the threshold crying senseless words for this world with no one to feel her agony, other than me, and these eyes of mine are soft with sorrow.'

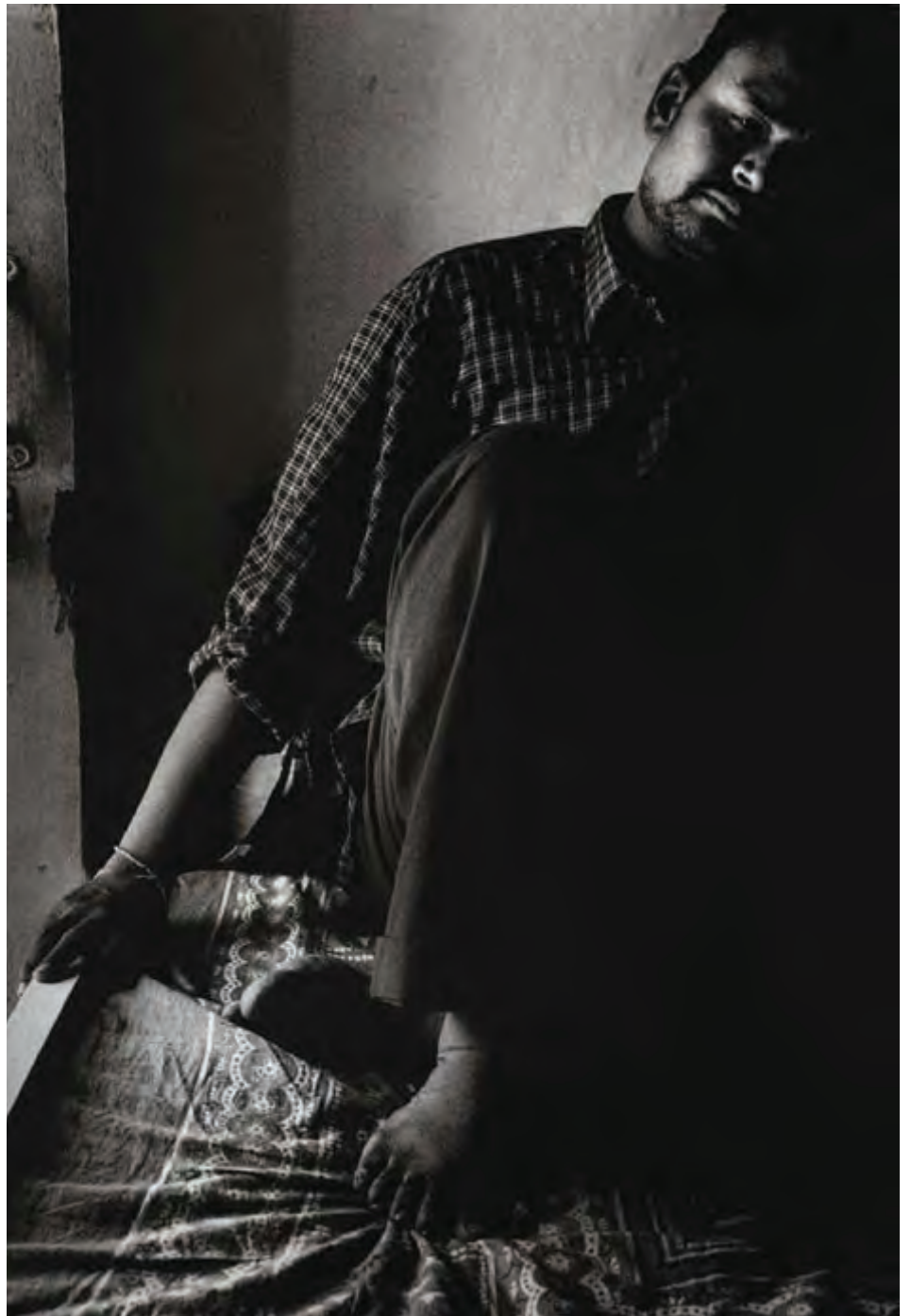
### III. A day with Sunil

A study by the National Institute of Mental Health & Neurosciences found that at least half those exposed to Carbide's gases were suffering from some sort of mental health problem.<sup>1</sup>

That was in 1985, after which there were no more government studies, but a 2000 study by the Factfinding Mission on Bhopal found that nearly 6 out of 10 survivors still suffered significant losses of memory.<sup>2</sup>

When Mahesh Matthai's feature film *Bhopal Express* was screened in the city, the audience wept.<sup>3</sup>

After his escape from Kerala and



its profusion of rice kanjis, Sunil's telling of the story had his listeners in stitches.

One day, on the flat roof of the old Sambhavna building, he narrated the tale to the present writer, who had set up a battered old recorder to capture it for posterity.

As the day wore on and shadows clambered through the branches of the big tree that shaded the roof, the batteries of the dictaphone gradually ran down until the tape was rolling at half-speed.

When played back later with new

batteries our voices sounded like two cartoon characters, rapid jabbering broken by shrill chipmunk laughter.

Funny, he could be about his life, but Sunil's illness did not improve.

He said he heard voices jarring in his head, warning that people were coming to kill him.

He sat in his room and felt fear. Would his sister and brother manage without him? The voices suggested that he should take his own life. This last he did not say out loud, but wrote it down on a scrap of paper and pushed it across to me to read.

## IV. Bano just talking

It was sheer bad luck that brought us to Bhopal and cursed our lives forever to non-stop disease and mental trauma. Three generations already are living a life of the dead and don't-know-how-many more generations will suffer.

You ask me to say what happened to us? How far shall I narrate?

*All of it? Details? Wah! Daughter, boil more water, we'll need plenty of tea, some biskutt bring, our guests will be here some time.*

Well, it has to start with the gas. There was a life before, I had one, but I no longer remember it well. The gas came and it became our life.

In 1984 when the gas leaked we were living in Jai Prakash Nagar right opposite the factory. I had seven boys,

all born before the gas tragedy. I and my husband came from hard-working farming families and we were in good health.

My eldest, Saeed, was 18 when the gas leaked; Shameem was 15, Salim 12, Ismaeel 10, Jaleel 9, Shahid 7 and the youngest Sikander two or three months old. Shameem used to go to the railway school... how we had great hopes for him. We wanted him to become a doctor. Can you imagine, so naive were we.

On that night there was total darkness in Jai Prakash Nagar. We all started coughing and felt like somebody had put chili powder into our eyes. They turned blood-red and were soon swollen shut. There was a lot of commotion, people running without any idea of where to run. We all ran up to the cremation ground, about half a kilometre from our

house, there I lost consciousness, the rest of the family got separated in the dark and chaos.

### My family were gone

When I regained consciousness three days later in Katju Hospital, I did not find anyone from my family with me. I asked the nurses and other staff about anyone inquiring about me or taking care of me when I was unconscious. They said nobody had come looking for me. I realised to my shock that the entire family had got scattered. The eldest Saeed returned home somehow but he did not find anyone there. My brother, on hearing about the gas, rushed to Bhopal and reaching here the third day, took Saeed away with him. He tried to find me and the other children but could not. My husband also looked for us and, after failing to find us,





went away thinking we all were dead.

My brother-in-law, his wife and my mother came to Bhopal to search for the other boys. We knocked at every door, went to the police, to the hospitals and orphanages, We went to the NGOs. We tried to contact every person or organisation, every government agency that could help us locate our children. How shall I? – I can not describe to you how my feelings were in those days. That was the most difficult phase of my life. I almost went mad. I did not care about food or sleep. I just wanted my children back. Remembering them, I wept all the day. All through the day I roamed around looking for them. As the days passed, hopes receded and I feared the worst. There were rumours that unclaimed bodies had been dumped in Narmada river by government agencies.

### My children are found

Only after three months did I find out that some kind person had taken four of my children Jaleel, Ismaeel, Shahid and Sikander, who were lost in the city, to the residential school for deaf and dumb children. They did not know what had become of us.

Even then, after the children had been found and the boys were calling me, 'Mother, mother!' the authorities refused to hand them over, asking for proof that I was their mother. It took a lot of effort. Even the neighbours and local politicians came to speak for us. I told the school authorities that one of my sons had an old burn mark in his hand. They finally gave us our children after making us and the witnesses sign several papers.

After the tragedy my husband lost his ability to work. He became very irritable and wasn't able to digest food nor sleep well. He'd could work one day after four or five days sick. We had money problems. Children were too young to earn at that time. It was serious, a very worrying time,

because we were all also sick. My brothers, who worked in the army and railways, helped us.

### How my husband died

Seventeen years ago, my husband was on a truck with other porters on some job. He was still weak from the fever he had suffered for a long time. The driver and cleaner stopped the vehicle at some place to drink tea. The porters went also. My husband got off the truck and sat nearby. After taking tea, the others climbed up the truck. My husband was still sitting behind it when the driver reversed it and crushed my husband. He was grievously injured and admitted to Hamidia Hospital but did not regain consciousness. The doctors used to prescribe costly medicines but we had no money. My brothers bought some medicines and mother-in-law, who had come from U.P., spent Rs 12,000 from her pocket. I even had to mortgage my small hut. But nothing helped him and he died. In a way, god was kind to him and took him off to end his suffering. I, my children and grandchildren are still suffering.

### Sickness without end

You asked me to speak about my own health. Well, when I left hospital several days after the gas tragedy, my limbs felt burdened as if the life had gone out of them. I was hardly able to move them – they still feel painful. My ear developed some infection. It still gets infected. After all these years, I am not able to walk and start panting after 15-16 yards. What? yes, I do go for the demos, the rallies. Breathlessness, I won't let it stop me. I just have to go slow, gasp, but I can still cry out. My voice is heard. I went on the padyatra, we walked 500 miles to Delhi. More on health? So then, my digestion is all wrecked. I have to take sleeping pills. I have diabetes these last eight years. I develop rash-like spots on my skin. I have a kidney

stone that sometimes makes me cry with pain. My joints get swollen – *kaban tak takleefain ginaoon?* – (how many problems shall I list?) And oh yes, did I tell you that for three years after the gas, I underwent treatment for mental illness? I had become so forgetful that I'd leave my children at somewhere then forget where I'd left them. Couldn't remember a thing. I'd wander round not knowing where I was, where was I going. A few times neighbours brought me home. The doctors gave me innumerable electric shocks. Lots of them.

Now I am taking ayurvedic and allopathic remedies from Sambhavna I keep my illnesses under check. But the moment I stop taking medicine, the problems flare up. All this could have been tolerable had the illnesses attacked just me. What pains me is that my children and grandchildren are also in bad health. I wish them whatever little health and life I have.

### My family's suffering

So then, listen, this is my clan.

Saeed, the eldest son, is frequently ill and is very weak. He cannot do anything for long and loses interest in work. He is not fit for any hard work. He develops boils all over his body. Maybe because of the ground-water he drinks. Sixteen years ago, he was treated for a kidney ailment at Khan Shakir Ali Khan Hospital. He was not allowed to eat rice. Currently, his condition is very bad. Oh, I forgot to tell you. He used to complain of heaviness in head and underwent treatment for one and half year (both Ayurvedic and allopathic) before he recovered from mental illness. He also used to lose his way and could not remember where he was.

My clan is now divided in two houses. Saeed, his wife Eidul, their three sons and two daughters live in New Arif Nagar. Jaleel with his wife Zareena and two children Aasia (8) and Rehan (8 months) also live there.

Shameem, his wife Sabina, and their children Imran, Niha, Suhail, Roshni and Mahak live in J.P. Nagar house. Salim, his wife Rubina, and three kids Sameer (12), Faizan (10) and Aman (4); Ismaeel, his wife Aasia, and their children Faisal (10), Suhaib (8), Muskan (6) and Saba (4); Shahid and his wife Afroza and their daughter Tehseen (5); and Sikander (who is not married) also all live in the J.P. Nagar house.

Saeed has five children. The eldest one, also named Shahid like my son, is 20 but very weak because he has continuous indigestion. The other children are alright. Saeed is skinny and unable to work. He has regular treatment at Sambhavna.

My second son Shameem did well at school but could not continue after his father's death. *Paisa kaban tha bamare paas?* (Where was the money?) He does welding work for others. Doesn't have a workshop of his own.

## Gas ruined our health

Shameem's wife Sabina, whose parents too were gas victims, is also frequently ill. She gets rashes all over her body. My granddaughters Niha, Roshni and Mahak have stunted growth. Niha and Roshni are 14 and 12 respectively but look 10 and eight. Grandson Imran is 16 but looks 11 or 12. He has eye problem, indigestion and ear and nose infections.

Salim's first son Sameer was born premature – at six and half months. He has an abnormally big head and often has fever. He is 13 now and never went to school. He has constant cough, his feet often get infected, his eyes get red, he has indigestion and often gets infection in nose and ear.

Salim's second son Faizan is also under-developed. His wife Rubina has irregular menses and complains of pain in abdomen and backache.

Ismaeel used to get some sort of fits... his limbs would suddenly go stiff. We'd take him to DIG Bangla

Hospital from where they used to refer him to Hamidia Hospital. His face still looks swollen as if he had some liver problem, his limbs are thin, and he has protruding a belly like a malnourished child. He is also married and has four children – two sons and two daughters. He does porter's work irregularly. His sons Faisal and Suhaib are very weak and do not go to school. Ismaeel's wife is also gas affected. She is my brother's daughter. She has been diagnosed TB and is under treatment.

His daughter Muskan is six years old but looks hardly two years old.

You sure you want to hear more?

Jaleel, my fifth son, fell down in the street while running during that night. His jaw was broken. It has not healed properly and his mouth gives a foul smell. He is also married and does porter's work. Jaleel's wife is also gas affected and very weak. She suffers bouts of giddiness.

My sixth son Shahid has shown abnormal behaviour since the gas tragedy. As he grew up, he used to have bad moods. He threw things around. We initially thought it was just childish behaviour. But when his condition did not improve by the time he was three, we consulted doctor.

His treatment continued for three years and he is by and large cured. He is also married and he runs a small shoe-shop.

The youngest son, Sikander, when he was five, suddenly fell off bed with a violent fit of some sort. He was admitted to Hamidia Hospital. Doctors said it's a mental problem. Now he has a growth protruding out his stomach. Don't know what kind of growth, maybe from the bad water. He gets treatment at Sambhavna.

## Our water is poisonous

The civic authorities say they are supplying Kolar Dam water to gas-affected communities, but the supply is irregular and insufficient. Now

even that supply has been reduced to alternate days because of last year's drought. We have no choice but to use the poisoned groundwater for drinking and cooking.

My life is divided into taking my family to hospitals for treatment. Me, my children and grandchildren. My daughters-in-law all have eye problems and need regular treatment. How this endless cycle of illness has tired me. *Aur meri yeh potiyan mere sar per bojh hain. Kaun inn se shadi karega?* (And these my granddaughters are a burden on me. Who is going to marry them?)

## I am angry, I fight back

Normally I won't talk about these things. Who to talk to? Everyone round here is in the same boat. I have replied straightforwardly to what you asked about our health, or lack of... Now I will say what I want.

Union Carbide, Dow, our corrupt and selfish leaders, I curse them all, every one. For many years I've been active in the survivors' community – me and Hazra, who lives near me, we go to every rally, to all the meetings.

I walked to Delhi [in 2006] with the rest, so many good adventures we had on the way, then sat in the street waiting for the Prime Minister to notice us. The police beat us, they kicked me in the chest and I was in hospital. I came out next day and went back to the protest. We won't be pushed around.

Next year I went to support those who were on hunger strike but I had to come back. My son, my 40 year old son, was ill. He has bad kidneys. I wanted to donate one of mine, but don't have money for the operation.

Prime Ministers, Chief Ministers, Chief Executives, we've seen them come and seen them go. They care not one jot for what we have suffered and they don't know what we are made of, but as the injustice deepens year by year, our anger deepens. We will fight on till we win. We will never give up.





BHOPAL  
MARATHON

Bano with Subina, Aasia,  
Rubina & grandchildren



# *Hum Bhopal ki naari hain* We are the women of Bhopal,

Women are the backbone of the survivors' movement, Muslim women and Hindu women putting aside their veils to join hands and fight together for justice, health and a life of dignity. They have been active since the beginning, but 2004, the 20th year of Bhopal's marathon, was the moment when the importance of the Bhopali women's struggle was internationally recognised and the Goldman Prize for the Environment was awarded to two of its leaders<sup>1</sup>. In these pages women talk about their lives and struggle.

PROFESSOR SUROOPA MUKHERJEE

Just over twenty years ago, the writer Suketu Mehta was in Bhopal (*see pp. 48-49*) on assignment for the *Village Voice*: 'On any Saturday,' he wrote, 'you can go to the park opposite Lady Hospital and sit among an audience of several hundred women and watch all your stereotypes about traditional Indian women get shattered. I listened as a grandmother in her sixties got up and hurled abuse at the government with a vigour that Newt Gingrich would envy. She was followed by a woman in a plain sari who spoke for an hour on the role of multinationals in the third world, the government's wasteful expenditure on sports stadia and the rampant corruption to be found everywhere in the country.'



The women of Bhopal are doughty campaigners. It is said that the state's Gas Relief & Rehabilitation minister Babulal Gaur is nowadays terrified to face them. Mostly poor women with next to no education, they have been remarkable not just for their tenacity in tackling issues as diverse as compensation, pensions, rations, healthcare, employment, toxic water contamination and environmental remediation, but in coming to grips



**2004** with complex issues of chemical engineering,



# *phool nabin, chingaari bain.* we are not flowers but flames.

environmental pollution, law, and medical science, both allopathic and ayurvedic.

They weren't always so daunting.

We have already seen how naive were the women of the Stationery Workers Union when they set out on a 500 mile walk to Delhi in 1989 (*story on pp 50-53*). They did not know in which direction Delhi lay, nor how far it was. They did not realise that they should brief the media, or let the Prime Minister of India know that they were coming to meet him.

Other groups of women who were finding each other in the confusing chaotic days after the disaster, had a similar lack of worldly experience.

## What *is* a Chief Minister?

Rabiya Bee was a founder of the Women's Sewing Union. Recalling its beginnings she reflects wryly:

'When I started working I did not know what a Chief Minister was. I was poor, looking for a job... I was 28 years old at that time and I had five daughters. We did not know what a union could do nor what it was. When Nirmala Buch (the owner of several sewing centres) began exploiting us it would make me very angry but I somehow continued to work despite the exploitation because I had a small baby to feed. Soon I raised objections and then, to isolate me, they pointed me out to the other women who did not object. So I began talking to these women to motivate them to join me. The women slowly began to get my point and we spoke about this more regularly at lunch and break times.

'Then ideas to make this group stronger were proposed in order to build pressure on Nirmala. The idea



of stopping the pattern-cutting for a day came up in one of the discussions and it was accepted because that way the centre would come to a standstill and work to all 300 women would stop. When women began to raise questions, the supervisor of the shed told Nirmala Buch, who complained that I had organised all the ladies in the cutting unit.

'A senior woman from the group had a husband who was working in a public service and he supported my views. Then we began getting ideas; the first one was to go to the Chief Minister but we had no idea how to approach him, we had no petition, no banner, nothing. We still went ahead with the plans, we reached the CM's residence. The security guard would not permit us to enter the premises. We insisted, so he asked why we were there and we poured out our story to him. Instead of the CM, we had our meeting with him. The security guard then explained the whole concept of a CM to us. What one was, what it did and so forth. He also explained to us the concept of a trade union and advised us to form a union.'

### Mohini Devi

When women got together at the sewing centres we realised just how many atrocities we were facing that we should speak out against. One of the things that brought us together was the first time the authorities tried to close down the centre... It started with just a few women and then news spread and more and more people came and our strength grew. In the early days meetings would be held every day since women would come daily to the sewing centres. Later it changed to two days a week and now we meet only once a week. But in the beginning there were about four or five of us who got together: Rabiya, Tara Srivastav, Laksmi etc. All we did was speak about the issues and think about doing something about

them. To start with it was just workplace issues, then other things started coming up. After discussing things in the working committee, proposals would be announced in full meetings and with a show of hands we would see if people agreed with us or not.

### Razia & Ruksana

We learned a lot from the struggles of these years. A lot of changes have come about. At first we never came out of the house and were involved in the daily activities of the home.

We had never even seen the roads of Bhopal, and only when we came to fight the struggle we saw everything. Previously we used to go to school and then back home.

My father never gave permission to go out and always used to say that when school closed we would all sit at home. Because of the struggle we got an opportunity to come out of the house. First I did not even know what a demonstration was, or a campaign or movement or union. Then we saw all these things.

### Noor

I used to give speeches wearing my purdha back then, during press conferences the reporters worried that I would be sick if I continued to wear it and even Jabbar Bhai was concerned but I still did not give up. Then I met Shankar Ram Neli from Bhilai who was also fighting for labour rights – he was assassinated – he was a very good friend of our organisation. We all went to meet his family and when we returned Jabbar Bhai made me take my burkha off, I wore it again the next day but then the reporters made me take it off.

My perspective changed slowly I felt very awkward for some time. I do not need to wear a burkha to show that I am dignified.

We raise all sorts of women's rights issues at our meetings like dowry, abuse etc. We have fought for

so many years, not just for compensation but for all issues. We have not fought just for ourselves but for all the 572,000 victims. Our fight will only end after Warren Anderson is brought to India by the CBI and awarded death.

I feel that today if a girl wears a burkha people get more curious and try to look at her but if she is open they do not pay much heed. This is my experience. A lot of women also changed after they came to meetings. After they saw their leaders without the burkha they gave it up too. I am thinking of Aneesa Bee, Chand Bee and a lot of other women – I can say at least 1,000 women.

Personally I made my daughters-in-law give up their burkhas as soon as they were wed to my sons.

Compared to the early days there are fewer people involved because a lot of people are getting weak and sick, a lot have died and many were displaced by the government to far off places and they cannot afford to come here. My family never opposed my involvement because I managed all my responsibilities. I start my day at 5 am, I cook for a family of eleven (eight children, two in-laws and my husband) then I head for field work at 10 am and stay out till 8 pm, then I come back home and start my sewing work which carries on till 2 am.

The government has not helped us a bit, they are not even talking of the Below Poverty Line cards for the victims. The victims are all living in rented houses and they pay all their savings towards rent plus they have to pay more for the provisions. The problems of widows of the disaster need to be heeded.

We have been fighting through the law and we hope that the law will certainly bring Warren Anderson to justice.

No political party has helped us they have just watched. People in the party are gas victims but they don't







care. Shankar Dayal Sharma who used to be the President of India is from Bhopal, in fact Lakerapur which is my husband's home. We expected him to do something since he himself is a gas victim but he never raised anything.

The widows of the communal riots get Rs. 1,000 per month. We worked as well with the victims of the communal riots, we arranged shelter and food for them.

At first most claims were being accepted but when the numbers were rising they passed a law that only victims above 18 years of age will be eligible. Domestic animals like cows, goats, chickens all were compensated for but if my 5 year old child who has been exposed to the same gas cannot file a claim. How is this?

They also messed up with names when the claim forms were being filled. Officials came from Kerala and Madras who knew no Hindi... an extra line or a missing dot messed up the names. Thousands of people could not claim because of these mistakes. (*see Shammu's story p. 59*)

At that time we were collecting donations of 25p and 50p in order to run the campaign. We never begged even when we desperately needed money for court cases. We always got help from our sisters in the centre who would even sell their jewellery to get us the money.

We never believe in taking money for ourselves. I have been to the tour of 7 states with Jabbar Bhai and still we did not take any money. All we took were the tickets that had been arranged by the local hosts for us.

### Hamida

We challenged the unjust [1989] settlement but the Supreme Court dismissed our claim. Then Prashant Bhushan [an advocate] called us and we ran around in a panic informing the public and overnight we gathered strength. The next day at least 15,000 people demonstrated in Delhi in front of the Supreme Court. When we reached there we ran amok with the judges and they ran. We painted the court premises red and black,

demanding the withdrawal of the settlement. Then we attacked the office of Union Carbide, around 15 of us. We ransacked it. We came outside and burnt an effigy, the police came and we faced the police. Then we held a press conference.

We also fought for employment. Whilst the Congress was in power, 2,200 women were employed. The cloth-cutting happened in JP Nagar. Each seamstress got four half-pants [pairs of shorts] and four frocks to make. It didn't help them a lot but it was a good support. They made 500, 700 or 1,000 rupees, depending on the time they could spend.

The government saw our strength increasing, we demonstrated all the time, we entered the Chief Minister's house and we would be in Delhi in huge numbers. So the BJP [political party] government tried to break the 2,200-woman union. But we were too strong for them.

### Rabiya

[We fight] to keep the sparks alive,



whatever issue it might be, the gas leak, employment, helping the poor, or the Narmada Movement; be it the floods, or people who are affected by floods – we fight for all of them– the youth and the social workers, and if there is one person from each house who listens to people's problems and helps them out, our country will be a happy and a safe place. Even Bhopal can have a happy future and so can our whole country. It's not like Bhopal is the only... there was such a huge disaster in Bhopal that it is held to be next after Hiroshima... but there are other cities besides Bhopal, and we are not the only people suffering.

We feel the pain and sorrow of humanity and all the citizens of India. Because in India live followers of all the seven religions. We should not think that we are Muslims so we should look only at the sufferings of Muslims or are Hindus so we should see only Hindus suffering... No, we are humans. Before everything else we are humans and Indians.

Politicians come to us, ask us for our votes, talk big and all they do is fill their pockets. I am not going to

take any one person's name because the common man is unhappy with *all* the politicians and leaders.

If I think about it I don't feel like talking to you about the corruption that is taking place today. Being the woman I am, I definitely don't feel like it. I say to the young children, come to me. It is my duty to tell you about good things and the old times, about those who were once living.

I say to them today this India is an independent country but who helped her win it? Your and my ancestors it was who struggled and fought with honesty. They did not think about saving their homes but their country, their city, their mohalla. They fought for all this and not for themselves. Whereas the leaders today want to come to power for their own benefits.

Many people come from outside to help us. We people of Bhopal are pitiable... pity... pity is a very bad abuse. Someone became blind, somebody else became lame, all became pitiable. Who made us pitiable?

Our government and Anderson made us pitiable. God gave us two eyes, hands and legs and made us

healthy but who made us people into unfortunates? Our government and our own people did this to us, it does not feel good. On the other hand it also feels like at least someone comes to share our sorrows. It feels good in that at least some one is there. But it also makes one say at times, see how 'unfortunate' we have become that people come off and on to remind us of our pitiable situation. Sometimes it fills a woman like me with anger when the anniversary comes, people come from outside shouting slogans.

I don't go out any more these last two or three years but I sit at home and curse, curse my government and Anderson. I curse the fact that this rogue and our government together pushed Bhopal into a pitiable state, and used Bhopal as a means to earn money. The government is taking full advantage of us. It does not provide the proper sum of compensation nor decent health care nor employment.

They have made specimens out of us, these politicians, and during each anniversary they appear with their words of pity, care and concern and then they leave.





## Hazra on women in the campaign

In the campaign most who take part are women, there are fewer men. I was a woman before the gas disaster and I am a woman today, in between I was someones daughter, someones wife, someones mother. So a woman needs to think, analyse the situation and then make a decision to participate. If there are people who can't, it may be that some are helpless because of their circumstances. Many men do not let their daughters participate and many fathers do not let their daughters take part, a lot of brothers do not let their sisters participate and a lot of sons do not let their mothers to join in, considering the situation outside. In the Muslim community you see a lot of such things. I am a Muslim too, I have been someone's wife, I am

someone's mum, now I'm a granny. My children have seen the conditions at home, my husband abandoned me, I have raised my children and they understand my difficulties they have never stopped me they encouraged me, they are proud of our strength – that their mother is capable of this and their mum is everything to them.

This is because my children through their childhood, have seen me getting beaten, working hard and fighting. They also saw my *tehzeeb* (demeanour) and the respect others gave me, the way people respected and spoke to me, so this way a lot of encouragement comes from home. It comes also through difficult times, pain, hunger. If we are furthering ourselves and there's some advantage in that and if my other sisters feel supported through this, or if their minds open up or if their fear is taken away then there is nothing wrong with that.

Some women can contribute part time and not full time, or only inside Bhopal and not in actions outside, in Delhi. Or they only come to meetings at the potato factory but not rallies. Why? Because she has small children to look after, they have to be sent to school, need to be fed, need to be looked after. Her husband goes out to earn and returns in the evening and there is always the fear of a quarrel.

My daughter was married and is divorced. Because of her father. The groom was from his village. My girl was not a bride even for one night and her life was destroyed over the issue of dowry. They demanded the money from the first compensation payment and a car, when I couldn't even afford a bicycle. When I could not give them a car they abandoned my daughter, they never came back.

Then I sued them and fought the case for 3 years and made them return the dowry that I had already given



them 'give it back, you don't want to keep my daughter, return her dowry'. 18 utensils were missing and I made them pay up for that. I am a fighter. I won the case in the court, then I got my daughter married again.

When I realised that being illiterate in these circumstances is so difficult I got my children educated. I got my daughter educated till the 10th grade but I was spending time taking my children to the hospital and sewing and doing housework and the girl was in school. When she was a little older she took charge of the house. She said, 'my mother sews, works rolling beedis (leaf cigarettes) plus spends time with my brother at the hospital' so she started doing some cooking and also went to school.

She passed the 10th grade and one son, the older one completed the 5th grade and the second son somehow also completed 5th grade because his teacher was a good man.

After that my life was chaotic, my husband left me. The youngest one does not even know the meaning of school, he is 24 years old today. My youngest son is illiterate because I was engrossed in thinking about each day's food, from where would it come? How was I to send him to school? – from where would I get his books and uniform? This is the story of my life.

Every time we have fought for our rights we have won them and even today I feel strong enough to fight the government and we will get what is rightfully ours. Even if we die it won't be before we have motivated children from the same poor families who are already coming out to fight for their rights. No matter how long it is, 20 years or beyond that, we will not give up, our fight will continue and we will not stop attacking the government and we will not just take our rights but wrest them from the government because we are not begging, we are taking what is rightfully ours. Our human rights.

Some say that Bhopal has become a place where people come from all over the world come to conduct their research, write and print their books, earn personal fame, that Bhopal is being used and the gas victims are being used. And it is true that a lot of people have come over the 20 years, documentaries were made, books were written...but you see with all the books that are written and all the organisations that we work with and the way we are fighting I do not feel that we are being used, because if someone's gain somewhere through our stories or if we receive donations from outside we can do something worthwhile in the world. We do not take money from gas victims, we ourselves are poor, all the gas victims are poor, all those who are fighting are poor people. We do not go to the rich corporations for money, nor ask the rich. And if we are fighting against the government we will not accept money from them nor of course will the government give us the money. So the work that goes on in Sambhavna is only because of kind people from outside donating money.

So I feel that I should not call them wrong, anyone who writes our stories, or captures our words either through a book or a video. I wish

that my voice will be heard, maybe through the a book or television or paper or a film. At least if it opens up the minds of other people, refreshes their memory and maybe it kindles some sympathy, then people from outside will join our voice and our voices will be amplified, our struggle and fight will get strengthened so that we don't accept defeat. I feel very good that we are getting strength from friends we don't even know, all over in other places.

Actually, my life is such that from the day that I realised and accepted the reality of the bodies in front of me, lying in the roads, in the grounds of the hospital, all those people who died such miserable and frightening deaths, I did not sit at home that day, but went in search of my son the next day, I found him lying unconscious.

I imagined the plight of other mothers who had gone through the same thing and that's when I got the hope, motivation and anger to fight – from that day I made up my mind to live and work for others ruined and wrecked, left sobbing by the tragedy that happened in our lives and if their children went through all that my children went through, then maybe others might get some relief from my fight. So we live. So we go on.



*Playing holi, the festival of colours, in mourning black at the 2007 'Tinsed' protest*

# Rashida Bee and Champadevi Shukla

Joint winners of the 2004 Goldman Prize, often called the Nobel Prize for the Environment, the award recognised their years of work for the victims. They used the \$125,000 prize money to found the Chingari Trust to benefit children born damaged from gas and water poisoning.

C: The story of how we women began work in the movement we have told already (See pp.50-53: *The long walk of the Bhopal women*)

R: For me this was a new chapter of my life, coming out of the home and out of the veil. After we formed the union we soon realised that our

struggle was not just for the women in the union but all who had suffered, against the corporation and our own governments which continued to let us down, betray the victims. At first, we were trusting, but after years of disillusion we learned the hard way how a struggle is waged...

C: ... We were rather naive.

R: In 2002 we went to South Africa to the Earth Summit. It was meant to be about the environment, but while United Nations and prime ministers from all over were there, corporations like Dow were too. We appealed to the organisers to show some sincerity in their efforts. Making fine speeches is not enough. In fact it is no use at all.

C: Actually, worse than useless as it dupes people into believing that something worthwhile is going on.

R: Allowing such corporations to take part mocks their fine intentions. We raised our jhadoos and appealed to women all over the world to join us to fight against the corporations who contaminate air, water and soil.

C: May 2003, we visited America. We held an anshan (hunger strike) of 12 days in Wall Street near a statue of a bull. In Washington we sat outside the Indian embassy to shame them that they and the Indian government had made no effort to extradite Warren Anderson who was moving around freely playing golf and the like.

R: We went to Dow's shareholder meeting and demonstrated outside the building. Their officials invited us to come in and talk, we refused and warned them we would continue our protests until they had accepted responsibility towards the victims.

C: In June 2004 in Delhi we sat on a fast without water, which was very tough. The heat was awful. A US court was asking for a certificate that the GoI had 'no objection' to Dow cleaning up the factory site. Who could possibly object? but no letter was written. Finally they sent it on the last possible day.<sup>1</sup>



2004

BHOPAL  
MARATHON



R: The government had sat for so many years on Union Carbide's cash [from the settlement] that the sum in the bank with interest had multiplied threefold. Then they decided to give a lot of it to the state government, which had done *nothing* for us, which at the time was ignoring a Supreme Court order to provide clean water in the contaminated areas.<sup>2</sup> The state said it would spend some money to make a museum for the gas victims, but most would be diverted to the Narmada dam project. We said, we will make our own museum, and the money belongs to the victims, not to the government. It is not theirs to give. We went to the Supreme Court which agreed with us and ordered all the money to be given to the victims within three months. Various parties filed five separate applications to stop or stall the order. Politicians' greasy fingerprints were all over this.

C: We burned five effigies every day in each of the 36 gas-affected wards and about 150 of us women blockaded the Director of Gas Relief in his office which we captured for five hours. We only left when he gave it in writing that the Supreme Court's order to supply clean water would be obeyed and carried out.

R: In between, Sathyu bhai called us and said we had won something called the Goldman Prize. He said what will you do with the money?

C: 'What money?' we said. We were so startled.

R: Then he told us the Goldman prize would give us \$125,000 and we two could do whatever we liked with it. So we talked. In both our families there were damaged children. They didn't count as gas victims and the government gave no help whatsoever to children born damaged by all the poisons in the water.

C: We decided that we would use all the money to help children born damaged from the gas and water.

So this is how Chingari began.





# Our fight for clean water and life

In May 2004 the Supreme Court of India orders the state government to provide clean water to contamination-affected communities.<sup>1</sup> The order is ignored. When women and children go to the government offices to ask why nothing has been done they are beaten up by police. The politicians announce grand plans to spend hundreds of millions on ornamental fountains.

The red paint on the pump says the water is unfit to drink, but the child cannot read. In long ago 1969, before even her mum was born, Carbide was already dumping its waste in Bhopal.

On the ground, in pits, into huge 'solar evaporation' ponds. Wherever.

By 1982, the ponds were leaking. The lawyer Babulal Gaur brokered a settlement between Union Carbide and farmers whose cattle had died while grazing near these ponds.<sup>2</sup>

Years later the same Babulal Gaur became the State Minister in charge of Gas-Relief, then Chief Minister. By now many people living

near the plant are sick. *(Page 90 has an A-Z of the many and severe health problems linked to contaminated water.)*

Neither the State nor the Central government showed much interest.

In May 2004 we petition the Supreme Court which then ordered the State government to supply clean water to the contaminated areas.

In August 2004 Bhopal's Gas Relief Minister Umashankar Gupta grandly announces that all affected by the leaking toxic wastes will get clean drinking water within three months. Each day we watch but never is there any sign of any work beginning.

**January 21, 2005**

## Rioting with deadly weapon

We women decide to remind Gupta of his promise. We sit outside his gate singing songs. Gupta's PA calls us in and receives our petition. All is peaceful, but nine people, including Champadevi Shukla, 51 (winner of the Goldman Prize) are arrested and police charge them with rioting with a deadly weapon, a crime carrying a two year prison sentence.

**May 18, 2005**

## 'Are we less than human?'

We enter the office of the Director of

**2005**



Gas Relief and ask to meet him. We wait singing songs. Three truckloads of armed riot police turn up.



The cops are kicking out, hitting really hard with thick sticks. I am trying to get my children out of that place and see Sathyu dragged by his hair all the way down stairs then beaten with sticks.



I don't see the man who hits me. The fist comes flying from nowhere into my eye. Such pain, I've gone blind I thought. Im so scared for my kids. When we're outside I sit down and I'm shaking. That they treat us this way, are we less than human?

**June 16, 2005**

### £180 million for fountains

No money is available for piping safe water to the contaminated slums, but Chief Minister Gaur unveils plans to spend £180 million beautifying the city with ornamental fountains and opening gymnasia and badminton courts to promote public health.<sup>3</sup>

## February 12, 2006 Umashankar's birthday

On his 53rd birthday supporters of Gas Relief Minister Gupta give him a two mile procession with elephants, camels and dancing horses followed by fireworks and a cake weighing 53 kilos – one for each year of his life. One of his garlands is 21 feet long.



## Dow promises clean water for every person on earth. (Except Bhopalis.)

**2006** Fireboats hired by Dow's PR agency jet aloft tall sprays over the Hudson River as the world's diplomats gather for a speech by Dow CEO Liveris.

'More than a billion people are in peril every day because they do not have enough water or the water they have is unhealthy. Lack of clean water is the single largest cause of disease... more than 4,500 children die each day because of it. *We are determined to win a victory over the problem of access to clean water for every person on Earth* – we need to bring to the fight the kind of things companies like Dow do best.'<sup>4</sup>

Stirring stuff. But when Liveris was asked if Dow would clean up Bhopal, where the drinking water of tens of thousands is poisoned by toxic wastes dumped by Union Carbide, and birth defects are many times commoner than in the rest of India, Dow's CEO says '*We don't feel this is our responsibility.*'<sup>5</sup>

## July 26, 2006 Sunil takes his own life

Next day, Sunil Verma, 34, who lost five family members in the 1984 gas disaster, despairing of ever gaining justice, puts on a tee-shirt that says NO MORE BHOPALS and hangs himself.



## Life & death of a mad Bhopali child. His friends say farewell to Sunil.

This tribute to Sunil from all his friends was published a few months after his death. He was much-loved, an orphan of the disaster which had taken most of his family. He worked hard to bring up his younger sister and brother and despite his illness had a great sense of fun.

Sunil, for much of your short life, you thought people were coming to murder you.

'Rubbish!' We, your friends, tried our best to reassure you. 'The sky's blue. We are all here. You've done no harm to a soul, why should anyone want to harm you?'

'I guess I'm mad,' you'd say, who could see nightmares in sunlight and hear voices bellowing in his head.

Mad? And if you *were* mad, was it very surprising?

When you are 13 years old, asleep in your house with your parents and five brothers and sisters, you do not expect to be woken by screams. You do not expect your eyes

to be burning and your lungs on fire, nor that it's your mother doing the screaming and your dad shouting at you, 'Run, run!'

Nothing in your life has prepared you for what now happens.

Your family bundles outside, into darkness thickened, and quickened, by something that blinds and burns. All around you frightened people are choking, throwing up, moaning. A woman lies convulsing where last afternoon you were playing marbles.

In the panicky rush to escape you stop for a moment and find yourself separated from your parents and are swept away to fall unconscious. You wake on a truck taking you away to another city. You are alone, lost, your

family vanished who knows where?

When you learn of the terrifying, thing that has happened you return to Bhopal to look for your family. Alone, too numb to cry, you roam the streets. Everywhere you see posters showing the faces of corpses as yet unidentified. On each brow rests a numbered scrap of paper. This is how you learn that your mum and dad and three of your brothers and sisters are dead.

What of the rest? You search on and by a miracle find them, your tiny brother of 3 years and your sister of nine, alive. You bring them back to the only home you have, the house across from Union Carbide's factory.

So at 13, mad Sunil, you are the

2006



man of the family, the breadwinner.

You find casual work as a day labourer and at night wash glasses at a tea stall. You keep your little family going and somehow manage to get yourself to school often enough to get through the 10th standard.

Champa didi says she remembers you walking to classes with a rose pinned to your shirt - she'd give you pickles and parathas for your lunch.

Mad, are you? For the sake of your brother and sister you refuse to give up or be defeated. You are kind to others and your house becomes a refuge for kids whose parents beat them. You ask, 'Is it better to have parents who beat you, or no parents at all?'

You learn all you can, dear crazy friend, about the disaster that took away your family, and you join other survivors. You are young but you take the lead. When neither Union Carbide nor the authorities give any medical help, it's you who lays the foundation stone at the pole-and-thatch health centre the survivors themselves start, which will soon be ripped down by the police.

You march at every anniversary with a lighted torch. Your voice is heard. Then, dear madman, you are sent to the USA to give evidence in the Indian government's case against Union Carbide. You've never flown before and don't care for the food.

The government lawyers tell you, 'be brave and honest, just tell your story straight'. But neither they nor the government consult you or the other survivors before they do a deal with Union Carbide that makes its share price jump for joy.

You are outraged. Off you go on another world tour against injustice, to Ireland, Holland, the UK, which you tour with Bianca Jagger, telling your story to whoever will listen. You're mixing with famous people, but you, poor mad bugger, just want to be home in Bhopal.

Instead you find yourself at the Union Carbide AGM in Houston. In the hotel lobby you are handing out copies of an environmental report when you're arrested. Union Carbide, whose gases entered your house and killed your family, charges you with criminal trespass. You're thrown in jail. It takes hundreds of phone calls to the mayor of Houston before you are released without charge. At last you can go home.

Years pass and the voices in your head grow louder. They taunt and torment you. By now you know your mind is playing tricks. You're anxious all the time about being killed, yet you show courage to defend those you love. When your friend Sathyu has a bomb thrown at him while he is riding his motorcycle in the street, you insist on sitting behind him each time he goes out anywhere during the next several weeks.

You can't sleep and talk of taking your life. Your friends try to joke you out of it, but they're worried.

Then, mad Sunil, you find a new way to quit this cruel human world. You run off into the jungle to live as a free creature. 'I lay on my belly and drank from a ditch like a dog,' you tell us when our frantic search parties finally find you.

You can't get work, but when we open our free clinic, Sambhavna, you instantly volunteer. You're penniless, but refuse to be paid for your work.

Every day you scan the papers for gas disaster stories and remember the tiniest details. You work in the herb garden and for a while your voices abate. One day you piss into a cobra's hole shouting 'Come out! O cobra maharaj!' When the outraged reptile erupts from its defiled home, head raised, hood spread, you sprint full 200 yards to the big tamarind tree and never

again do you piss in a snake's hole.

Ah, Sunil, little brother, the cool and beauty of the herb garden were not enough to keep the demons from you. Again you tried to take your life. You drank rat poison and after we'd had your stomach pumped, you rang the bastard who through his tears is writing this and said, 'Guess what, it tasted sweet!'

Dear Sunil, we did our best to get help for you, but there was little help to be had. Although some 60,000 survivors suffer from depression, anxiety, memory loss, panic attacks, insomnia and other afflictions, the government refuses to accept mental health problems as a consequence of the gas. Today, in all the government hospitals in Bhopal there's only one part-time psychiatric consultant.

When you were a child, you told a journalist that the people responsible for the suffering and death in Bhopal should be hanged. (*See p 45*)

Never were they even brought to trial. In the end, the only one hanged was you. You left a note saying that when you decided to end your life you were absolutely in your senses.

You bathed, oiled your body and chose a tee-shirt that said NO MORE BHOPALS. Then you switched off the ceiling fan and put it another use.

You thought you were mad Sunil, but a world without justice is madder.

At least you are now safe.

Your ashes we scattered in the flooded Narmada river, and for your funeral feast followed your precise instructions: quarter bottle of Goa brand whisky, mutton curry from Dulare's hotel near the bus stand, betel nut, tobacco and all.

Were you there with us? If not, who was it that in the darkness chuckled, 'I am no longer afraid of being killed - I am already dead and fearless.'



# ‘Our poorest people can come here and New Sambhavna Clinic: a centre for

The new clinic in two acres of medicinal herb gardens was built with help from the Pro Victimis Foundation, Geneva, Greenpeace, Netherlands and the Dominique Lapierre Trust, and fulfils its healing mission thanks to the warm-hearted support of individuals in the UK and all around the world.

The new clinic, built after we outgrew our original building, opened in 2006. Ecologically constructed throughout it is designed to provide a pleasant and uplifting environment for people coming to us for care – and we think it plays an important part in the process of healing.

Its shrubs, trees and climbers, not only create a pleasant environment for gas-affected people, most have specific uses in Ayurvedic medicine, which is used in conjunction with modern medicine at Sambhavna. The garden has 90 varieties of herbs. The heart-shaped leaves of *Tinospora cordifolia*, are effective in dispelling different kinds of fever. Distinctive for their foliage are small trees of *Ricinus communis*, good for easing pain in the chest, abdomen, limbs and joints – all key symptoms of gas exposure. Visitors find shade beneath the trees and can relax in the rustic hut we have made, which has a clay hearth for making tea.

It is a wonderfully soothing place to spend time, especially so when some of the plants are flowering, the garden is full of sweet herby scents.



2006



know this lovely place is just for them.’  
healing, nature, science and laughter.





# The Chingari Trust begins work

The Goldman Prize funds won jointly by Rashida Bee and Champadevi Shukla were donated to benefit the victims of the gas disaster. In 2004 they created the Chingari Trust with an all-women board, to provide physiotherapy, social skills and rehabilitation to children born with birth defects, disabilities or life-threatening conditions caused by gas- and water-poisoning.

When the Sambhavna Clinic moved to its new building (*previous spread*), the old building was taken over by Chingari as an office, and work began planning what the Trust would do.

From the beginning Champadevi and Rashida had decided that, true to its origins, it should be focused on the needs of women. The early aims of Chingari included finding work that women could do to provide them with an income. An important aim was to help children born damaged to gas- or water-affected parents.

Having children born with birth defects in their own families, the two women knew very well the pressure, grief, worry, extra work and cost of caring for a damaged child, and that there was no help at all to be had from the state there was no help at all for the families. The children were not acknowledged as victims of Union Carbide's chemicals and not entitled to the few benefits that gas victims received. A major part of Chingari's work then, would be to bring aid to the children and their beleaguered families.

## Focus on children

In view of the Trust's available funds – basically the \$125,000 from the Goldman Foundation – Rashida and Champadevi decided that they would concentrate their efforts on the children, as this would directly help their mothers and families as well.

They planned a Centre, run on the lines of a primary

school, where children could come for the day, thus giving mothers some hours of freedom. Those who needed physiotherapy to help unlock stiff limbs and paralysed bodies, would receive regular treatment.

To prepare a child for life outside the straitjacket of disability, the basic skills of daily living, bathing, eating meals on their own, learning to hold spoons and cups, utensils and finally a pencil, would be taught. Children would move on Special Education sessions, each of no more than 20 minutes, training them to maintain eye-contact, recognise and name colours, write their own names.

Those who were able would begin formal education with the eventual aim of moving to ordinary schools.

## Speech therapy

Many 2nd- and 3rd-generation victims of the gas disaster are born with congenital deformities such as cleft lip and impaired hearing.

Speech therapy is important as it helps these kids convey their needs and feelings which in turn helps them to integrate with society at large.

However at Chingari we not only provide the children with speech therapy. Children needing speech therapy may have autism or cerebral palsy. Training varies according to whether a child is visually or aurally impaired, orthopaedically disabled or suffering from multiple problems.

## Speech therapy

All children love games. There

isn't a child alive that wouldn't run and jump if it could. Our children begin with games designed especially for them, and end up running races, playing Bocce (boules) and other games. We have had children come to us who couldn't walk who can now run freely.

## Database of special needs

One of the first big achievements of the Chingari Trust was to create a database of children special needs.

This is continuously updated and by September 2010, more than 300 children of all types of disability were registered with us, and at the time of writing 120 receive treatment in our Rehabilitation Centre.

For some children, free medicine, and expenses for medical treatment, for example, surgery, are provided by the Trust.

The Chingari Trust is exploring options for providing psychological support and counselling so that the children can live normal lives within their communities. We currently offer physiotherapy, speech therapy and lessons in sign language and reading and writing in Braille at the Chingari Rehabilitation Centre.

## Nutrition programme

Most recently, in 2012, noticing that many of the children coming to us were undernourished and weak, we have begun serving every child a good, nourishing lunch from a menu that changes every day. (*See the story of Abdullah the rice pudding p.167*)

2006



# in the old Sambhavna building



Alex Masi, 2011



Actor Dev Patel, star of *Slumdog Millionaire* & *Best Exotic Marigold Hotel* visits Chingari on August 28, 2011

# Children of Oriya basti sing for Gandhiji

Oriya basti is a small settlement two-thirds of a mile from the Carbide site. Although, at first glance, its shacks, constructed from staves, clay plaster and sacking look like crude shanties, closer inspection shows how people have tried to recreate village houses using whatever materials they can find. The settlement was badly hit by the gas, many people are chronically ill, and Sambhavna's health workers, who were frequent visitors, wanted to do something to help the community and particularly the children.

The settlers of Oriya basti came, as the name suggests, from Orissa, recruited in the 50s to work on as railway gangmen and helpers. They still speak Oriya to each other but the children, in Hindi-speaking Bhopal, are caught between two cultures.

They grow up speaking a patois and can find it hard to communicate even with their grandparents. Nor, are they good at Hindi, so they don't easily fit into municipal schools and many drop out.

In 2002 with the financial support of French writer Dominique Lapierre whose book *Five Past Midnight in Bhopal* strongly features Oriya basti, Sambhavna opened a Community Centre, followed by a primary school for the youngest, both administered by elders of the community.

The school has four classes and all pupils learn Oriya, Hindi, English and Maths to prepare them for entry to mainstream schools and to help school drop-outs rejoin the system.

*From the school's 2006 Report:*

Students from the Bhopal School of Social Sciences came to work with us. We formed the children into litter-picking teams that

went all around the basti, picking up plastic bags and other rubbish. The students taught the children to sing Mahatma Gandhi's song *Raghupati Raghava Raja Ram*.

On Gandhiji's birthday all the children gathered in the community centre and the students told them stories from Gandhiji's life, about his love for the poor and his struggle for India's freedom. The children gave a vigorous performance of *Raghupati Raghava Raja Ram* and other songs. Some recited poems and two would-be comedians did stand-up routines.

Academically, the school is doing well. We are exploring possibilities for senior students to sit the 5th Year Board Examination, meanwhile our 35 children take exams set by the teachers. The four classes recently achieved pass rates of 71%, 88%, 83% and 100% respectively.

Under the guidance of Gangaram and neighbours, pupils have made a garden around the school and are growing medicinal plants. They have produced 20 kilos of shatavari roots and an almost equal quantity of aloe vera – both excellent in the treatment of gynaecological problems, which are common among women who were exposed to gas in 1984.

In order to give focus to this work the teachers are doing a house-to-house health survey of the basti's 79 families. Problems most encountered thus far are headaches, pain in the limbs, joints, chest and abdomen, coughs and fevers.

When the survey is complete, Sambhavna's Ayurvedic doctors will work with Gangaram and the school children to plant the medicinal herbs that will do most good for the basti dwellers.



2006









Feb 27. In an echo of the first padyatra 17 years ago (pp. 50-53), women parade behind their banner as marchers leave the city through Bhopal Gate. We



are walking to Delhi to ask the Prime Minister for a National Commission on Bhopal, to provide safe drinking water and make Dow clean the site.



Families and children turn out to see us off, many in tears. Several padyatris are currently ill, most have little with them but a pair of sandals and a

## 500 miles on foot to Delhi: the story of the second padyatra

*If we want to get clean water, we'll have to walk to Delhi, daughter,  
To bring killer Carbide to trial we'll walk to Delhi, mile by mile*



organised a warm reception. After a splendid meal of rice and daal cooked on a wood fire, we spend our first night under a sky of brilliant stars.



Next morning, garlanded and treated to breakfast of jalebis and poha, we set out again. Now begins a period of early starts, long days of walking and



in the morning, about 4.30 a.m. and go on until about 10 a.m. We rest until 4 p.m. and go on for another four hours. As we go we talk to people we



meet and hand out leaflets about the march and its purpose. The going is tough, especially for those with health problems. After entering a



a rapturous reception, and we are told meanwhile that Coca-Cola officials are trying to find out 'if the Bhopalis plan to protest against our factory'.



The villagers bring vegetables, buttermilk and dough for a delicious *khaddi* and *roti* supper. The headman sends for milk, so there's *kbeer* as well.

2006





few clothes, some are elderly. Ganesh Prasad, (left) is 73, Jaganath Das (far right) is in his 90s. Hindu sadhus and Muslim elders walk together.



In the crowds near the bus-stand women of the stationery union, who had walked the route in 1989, give our marchers an emotional send-off,



hugging Champadevi who with Rashida had led them on that famous occasion, because they know very well what lies in store for her and all of us.



Shehzadi, Nafeesa, Kanchan and others chant: *Bhopal's marchers say; come leave your work today; come you old, come you young; walk with us a little way.*



A light lunch of aloo-puri at Shingarcholi. Only a few miles from Bhopal but we notice how cool and tasty is the village water. People are in high



spirits and walk along singing. But by the evening everyone is tired, bodies full of aches. By evening we reach Gandhinagar, where the villagers have



innumerable kindnesses from village and town folk along the way. There is no space here to tell all of each day's experiences and adventures, but



the full account is on [bbopal.org/2006padyatra](http://bbopal.org/2006padyatra). In Sonkacch we enjoy a memorable meal of baatis – wheat doughballs slow baked over a cowdung-



cake fire. In Shyampur the we are invited to sleep in the spacious community hall and sent off in the morning with cups of chai. We start walking early



landscape of wheat fields, it comes as a shock on reaching Pillukhedhi to find it contaminated and stinking. Handpumps lie unused or dismantled.



A Coca-Cola factory is draining the groundwater which villagers say now tastes foul and is 'yellow as donkey's urine'. There are dark suspicions



about the way Coca-Cola manages its business here and discussion about the good and harm done by factories. The local high school gives us



A long road awaits. Many people are having a bad time with blisters and sore joints. Bano, a diabetic, passes out and is taken ahead by auto rickshaw.



Lunch and a dholak recital by Jagarnath at the temple of Teej Valdi, 'three hills', where all faiths were warmly welcomed. Note unimpressed dog.



After a long, gruelling walk in the heat of the day we finally come to the Ghorapachhar ('knocks down horses') River. It can be swift and furious,





but at this season is little more than a trickle over a vast bed of rocks. People seize the welcome chance to lave blistered, swollen feet, and do a bit



of clothes washing. Bano, now back with the marchers, has a reinvigorating plunge. A further stretch of baking road brings us to the village of



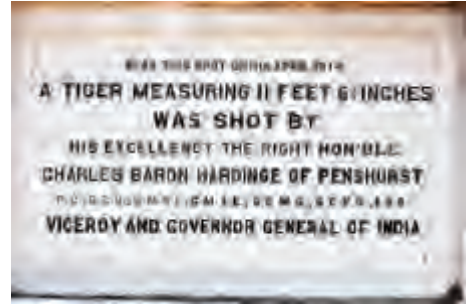
Paakahriya Pura where people ask about the gas disaster and are keen to see *Bhopal Express*, but the village will have no electricity until 10 p.m. The



the dangers we face on our journey, which now enters a stretch of bandit territory. Now all walk as a tight group. 'Stay together!', people call out



and soon enough begin to see signs that this is a troubled area. Men with guns are on the roads, and by now we are a very long way from home. A



wayside plaque shows that other riflemen also far from home, were once here. They are gone, and few tigers remain, but the place is still dangerous.



Once in a while we find somewhere pleasant to stop, and snatch a few hours of rest from the heat of the day and a chance to attend to other things.



Despite their tiredness the walkers' spirits are still high but severe pain and bad health compels a few of us to give up the walk. Dr. Jay and Dr. Qaiser



of Sambhavna come by jeep to take them home and check the rest of us. The lush fields as we near Gwalior are ravishing to dust-caked eyes.



grab our yellow fliers. The beautiful and historic city gives us a warm welcome. We eventually reach the Sindhi Bhavan Dharamshala, where we



will stay, and are thrilled to find bathing stalls, toilet stalls, clean floors *and no rats*. We've walked 432 km. Sambhavna's ayurvedic medicines are



working like a dream. We take a rest day, do some shopping and admire the great fortress, dating to the 8th century, that looms over the ancient city.



In Morena there was no electricity in the whole city. After winding through an endless maze of narrow streets, we arrived at our lodgings to be



welcomed by our hosts, local representatives of Amnesty International, who treated us to a slap up meal of pooris, daal and rice.



We set off at sunrise and by afternoon reach the Chambal river, crossing by a dilapidated bridge with sections of railing missing. The river is large





Bhopalis assume everyone will be in bed by then, but at 10 p.m. the entire village turns out to see JJ and Naseeruddin in the horrific story of *that night*.



Each day now is the same, waking in the small hours wrapping up against the cold to brew tea, gratefully cupping hands round our mugs then



We are seeing India in a visceral way, feeling it with our feet, experiencing it with all our senses, its changing colours, scents of plants and farms.



Next day at a press conference in our comfortable sleeping quarters, every local paper is present and Rashida gives an interview to a few TV channels.



and alive with fish, but across it the landscape is transformed. We find ourselves staring out over an endless sea of strange, craggy landforms



The sun gave us a spectacular greeting — glowing deep red, it shoots rays through holes in the clouds across half the sky and over the landscape.



setting off in the dark to try to outpace the sun, which is growing fiercer with every day. The long road takes its toll of tired legs and lacerated feet.



A farmer on a cart asks what we are doing. When Rashida tells him he gets down and walks with us. He is 85. 'I pray Manmohan Singh listens to you,'



We leave Gwalior at sunrise with some regret, for ahead lies some wild terrain, the Chambal ravines with their bandits, and Agra is still a long way off.



whose bizarre shapes conceal a labyrinth of cuts and ravines, perfect hideaways for the bandit gangs for which these badlands areas are famous.



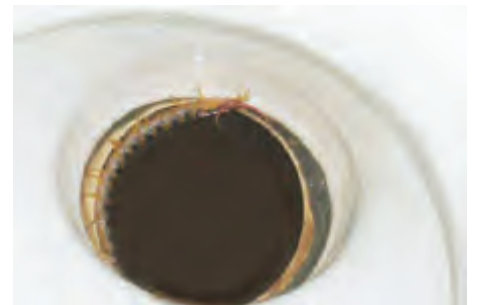
In this glorious dawn the Bhopalis begin the long trek to Guna. An overloaded public carrier has toppled and shed its load. Trucks are just one of



Days pass and the road stretches onward, towns come and go and villages where at night we rest our aching limbs, and our dreams are of walking.



he says when we part. It's raining as we enter Gwalior and we get very wet, but sing and chant and hold our banners high. People reach out to



At Banmore, our midday stop, a giant centipede is discovered lurking in a most inconvenient place, but the people enthusiastically support our cause.



We arrive at Dholpur at sunset and after what seems like a fleeting sleep, are up and off again to the Uttar Pradesh border. Along the way we hand





out leaflets to everyone we meet. People seem eager to know about our march and most, being themselves poor, with hard lives, are sympathetic.



Gulab Bai, who can barely hobble, flings herself into a passionate dance. Each of us has to perform a solo as the rest sit around singing and clapping.



The sightseeing Bhopalis are bemused to find dozens of foreign sadhus wandering the streets near the Hare Krishna headquarters in Mathura.



giving us a little shade. much appreciated after so many hundreds of kilometers through baking, unobstructed sun. The wind blows quite strongly



There's water, the Bhopalis remark, fresh and clear for the tourist route to Agra, but none for our poisoned people. It's one of the reasons why



For much of the way to Agra we are surrounded by peacocks, flocks of sheep and goats pass, and we are questioned by their inquisitive shepherds.



In the late afternoon, most of the Bhopals decide to visit the Taj Mahal. Only a few of us have seen or visited it before. Its beauty is overwhelming.



Cows wander the streets near the temple, looking for something to munch. Our three padyatris here from l. to r: are Shanti Bai, Babita and Narain Singh.



all day, which is lovely when not combined with the dust from the trucks thundering past. As we get closer to Delhi the traffic inevitably increases.



we have come here, to get the Prime Minister to intervene and make sure we get the water. The heat on the road is so bad that Munni Bai faints.



At 10 a.m. we stop at a chai stall for a rest. When the chai maker learns the reason for our journey, he serves everyone tea and won't take any money.



We spent hours slowly walking in and around the building. After the stress of our journey, the calm and peace of the Taj Mahal is a welcome relief.



A monkey steals an orange from Munne's bag. When Munne approaches it the monkey jumps onto his shoulders and gives him a good shaking.



There are now a lot more cars, buses and trucks that go so much faster than the usual bullock carts, taxi rickshaws and the dangerous wide load



Luckily we soon come to the Pandit Cis Ram Park we find gardens with lawns, flowers, trees and benches. Most people lie down and snooze.





Agra is now not that far ahead, but to the bone-weary any rest is blessed and anything will do to rest on. Every minute is precious, the road awaits.



Our route out of Agra goes past a magnificent building which turns out to be the tomb of the emperor Akbar. We stop for a rest and to explore.



After afternoon naps, we carry on walking. These huge swollen *things* keep crowding us, almost knocking us down, full of wheat husks, we think.



tractors that knocked poor Ismail off his feet. As we enter the outskirts of Delhi our journey is through an increasingly urban scene. The traffic



Already we sense that our journey is over. These are its last precious moments. We reach a park to rest. Narain Singh rests his legs. The place is full



We reach Agra at noon. Our songs attract crowds who ply us with questions. Amnesty International people greet and garland each exhausted walker.



We leave Agra in a fierce dust storm blowing and when it clears find ourselves overtaking a fellow traveller. Delhi is near now, only 200 kms away.



We become more and more excited and anxious the closer we get to our journey's end in Delhi. There is also a sense of not wanting this padyatra,



is different — crowded, clogged, and aggressive. Suddenly there is little room for us on the road and many cars and motorcycles are impatient,



of spring flowers. Lilabai offers the bouquet she has picked to Maude Dorr taking the picture. We cherish these last moments of our walk although



Our press conference is attended by the media, senior advocates and judges. Next day it's Holi. We can relax, a flock of gaudy birds of paradise.



In Mathura we pass a poster advertising mobile phones has Krishna calling up a red-haired gopi, 'Hello, Krishna speaking. Want to do multi-media?'



as difficult as it is, to end. The landscape is mostly lush and green with crops, the road lined almost continuously with tall eucalyptus and other trees,



blasting their horns in our ears and tearing by us, missing us by hairs. When the traffic crawls we hand leaflets to bus passengers reaching for them.



some, like Irfan bhai, whose shoes disintegrated this morning, will not be sorry when it ends. Our thoughts now turn to the new ordeals that await.





Our first rendezvous within Delhi proper is the park near Humayun's tomb where we are to hold a rally and give a press conference. The marchers



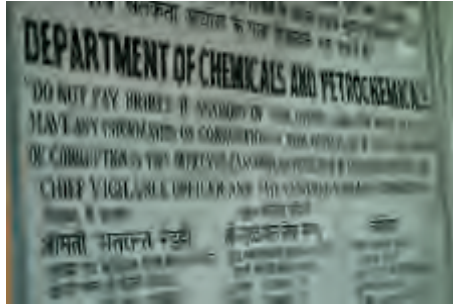
are in good voice, the tiredness of the road behind us, aches and pains forgotten, in the excitement of the beginning of this new phase of our mission.



Waiting to greet us are students and trade union representatives. We learn that thousands all over the world have sent faxes to the Prime Minister,



years and returning with empty promises from successive prime ministers. This time, we will not return to Bhopal with mere promises; we will leave



Delhi only after all our six demands are fulfilled.' Joined by people who have come from Bhopal by train, some 400 Bhopalis stage a sit in outside the



officer of Chemicals & Fertilizers Minister Ram Vilas Paswan. Paswan we're told 'is not in town.' 'Isn't he responsible for clearing up that chemical



your young husband with children to support? If you carry a baby nine months and he's born dead? If you breastfeed your child knowing your milk



is poisoned? If you must give your kids polluted water. So you're doing your duty? Why isn't it your duty to protect us? To jail corrupt officials?'



Police break up the demo. Bano, 55, is beaten and kicked before being carried away. She ends up in hospital. Even old women and kids are beaten up.



Some leaders meet minister Paswan, who assures them 'of all possible help'. His department will talk to the state government. Campaigners against



the Narmada dam are camped on the other side of Jantar Mantar from us. They come and entertain us with songs and dancing until late. From the



Prime Minister, silence. Some of the Bhopalis take the chance to do some sightseeing. Rashida, Nafeesa and Kanchan marvel at the Qutb Minar.



Still Manmohan Singh is silent. A dozen people begin a hunger strike vowing to continue until the government takes action against Dow Chemical,



into which Union Carbide is now totally merged. We hold a candlelit march and vigil. In this dim photo, author Arundhati Roy is watching with us.



Film star Amir Khan visits us at Jantar Mantar. The marchers are sceptical, recalling Pillukhedi, and ask him why he does adverts for Coca-Cola.





urging him to meet us. Twenty members of the US Congress have written urging him to heed our just demands. We are entertained by a street play.



dump? Isn't it his duty to resolve a problem that has been damaging us for the past 21 years?' asks Shehzadi. 'We met Paswan last year too,' she tells



A kick knocks Ashraf, 60, senseless. In hospital a doctor accuses her of faking pain. 'I'll open up your abdomen. Then you will know what pain is.'



Narain at the Red Fort, at the *Diwan-e-kbaas*, the emperor Shah Jehan's private audience hall where from his Peacock Throne he dispensed justice.



It's halfway through April, almost two months since we set out from Bhopal. The hunger strikers are weak, still the Prime Minister will not see us.



At sunset we reach the Bharat Scouts and Leaders Camp, the same place where marchers on the first 1989 padyatra stayed, to find this sign on the door.



the media. 'He said he'd send a team to investigate within the next eight days. But nothing happened. How can the government treat us like animals?'



Next day Bano (*see p. 129*) and Ashraf rejoin the group, now at Jantar Mantar. From the Ministry of Chemicals comes an apology saying they'd have



Bhopalis pay homage to Mahatma Gandhi at Raj Ghat where he was cremated. Our non-violent struggle against injustice is based on his teachings



Suddenly there's a call to a meeting. The Prime Minister agrees to four of our six demands. The hunger strike ends with glasses of orange juice.



Next morning, we marched to Parliament Street to begin an indefinite dharna. Rashida says, 'We are tired of repeating the same demands for 21



Suddenly hundreds of police appear. They order us to leave. 'Why do you treat us so badly?' the women yell back. 'What would you do if you lost



met the survivors but the police got there first. 'When I die,' says an old lady, 'I'll be a ghost and strangle Manmohan for causing such suffering.'



Now, as the Prime Minister continues to ignore us, we stage a die in. The corpses are not real but the grief over the shrouded bodies is real enough.



People are feeling a wild mix of relief, excitement, exhaustion and bewildered happiness. We have the Prime Minister's promise. At last we can go home.





## Gandhiji, thank god you never lived to hear these stories

In February 2008 a woman led her small daughter, who was carrying a doll, out of their house in Bhopal. Along with fifty other people they set out to walk the 500 gruelling miles to Delhi – the second time in two years that Bhopalis had made this journey. In 2006 the Prime Minister had made promises but kept not a single one; his government had seemed instead to be siding with Dow Chemical. In 2008 he kept the Bhopalis waiting on a pavement four months.

They walked on blisters, hungry, perpetually thirsty, sleeping where they could find shelter, waking at four each morning to outpace the burning sun.

When the mother felt exhausted and unable to carry on, she told her daughter, 'If Gandhiji, at his age, could do this, so can we.'

This woman was one of fifty men, women and children, many elderly, several of them ill, walking from Bhopal to Delhi,

for the second time in two years.

**"The Prime Minister broke every single promise he made us two years ago. So we are going again to ask him to honour his word."**

In 2006, the Prime Minister had promised to provide safe water for the thousands of families forced to drink water poisoned by chemicals leaking from Carbide's derelict site.

He must surely remember what they'd told him last time, him and his ministers, of the unusual numbers of

children who being born damaged: children with cleft palates, twisted legs, flipper hands, growth defects, cancers, and other injuries so horrific that their photographs could not be published in a newspaper. How to tell him, this is just the living, those born mercifully dead often bear little resemblance to human beings?

Along the road the child plagued her mother with questions. 'Why do people have to die?'

'They just do. They grow old, then they die.'

2008



‘Uncle Kabir wasn’t old.’

After thirty eight days of walking the Bhopalis reached Delhi but just like last time the PM was too busy to meet them. So they set up camp on a strip of pavement where trucks and buses roar past in clouds of diesel fumes. It’s the only place in Delhi where protesters are allowed to wait.

There are no sanitary facilities on a pavement, nor relief from dust and heat. For weeks the Bhopalis waited.

One night mother heard the child whispering to her doll. ‘Don’t be so silly, always crying. I’m here aren’t I? I’d never leave you behind all alone. Don’t worry, the Prime Minister will meet us soon, then we’ll go home.’

News reached them that the PM and his ministers were looking for a way to assist Dow Chemical in its bid to dispute successor liability.

Dow was dangling the carrot of a \$1 billion investment and ministers like Chidambaram, Kamal Nath and Cabinet Secretary B.K. Chaturvedi as well as the tycoon Ratan Tata were urging Dow’s case.

The Bhopalis drew blood from their arms and a girl wrote a letter in blood to the PM. There was no reply.

Delhi citizens rallied in support of the Bhopalis. Sixty international organisations from five continents wrote urging the PM to accede to the Bhopalis’ demands for clean water and justice. 280 lawyers including ex-judges wrote saying that to grant Dow immunity would be illegal and unconstitutional.

Another month passed.

The night of May 17 was stormy.



The child had nightmares and cried in her sleep. ‘What scared you?’ the mother asked, but the girl recalled only a sense of terror.

‘What are you most afraid of?’

‘When I go out of our house, the lane is full of ghosts.’

The next day a group of mothers and children, among their number women with damaged children, went to the Prime Minister’s house and chained themselves and their children to his railings.

Police vans soon arrived. The chains were roughly cut, and the mothers and children arrested. The policewomen who led them away were weeping.

‘Mama, I hate being in jail,’ the doll said.

‘We mustn’t ever give up,’ replied the child.

Author Arundhati Roy said the government’s failure to pursue Dow Chemical was a message to foreign corporations that ‘In India you are free to poison, rob and kill our people. The government will protect you. You will never be brought to book.’

On the pavement discussion was about the Prime Minister.

‘We are the same age as the Prime Minister’s grandchildren,’ said a girl. ‘Would he let them drink poisoned water or leave them sitting on a hot pavement for months?’

‘This time we’ll would not leave with empty promises.

‘We said that last time,’ someone observes. ‘How do you make a Prime Minister keep his promises?’

In 2006, after a month in the street and a five-day hunger strike, the survivors had finally met the Prime Minister and asked for these things: Support the survivors campaign. Clean up the toxic waste at the plant. Give water to the communities whose water it has poisoned. Take legal action against Dow Chemical which owns Union

Carbide but does nothing to stop it absconding from the Bhopal court.

Those who were there say that as they read out the first three demands the Prime Minister nodded. When they reached the fourth, he placed his hands over his turanned ears. He would not endorse any trade bans or agree to the demand for Dow to be prosecuted in place of Union Carbide.



On the pavement world, suns and moons rolled overhead. In June the temperatures rose above 100°F but from the Prime Minister came only silence. Then thirty-four women and children went to the street outside his office. They lay on the ground and draped themselves in white shrouds.

Each of the thirty-four ‘corpses’ outside Manmohan Singh’s windows represented more than 700 dead.

Soon the police were there among them. The photographs show burly men in khaki with stomachs bulging over their belts. The women and kids were hustled off the ground and shoved about. ‘Rip the clothes off these darkies,’ one man shouted.

In the lock-up the policemen began laying about them with fists and a belt. A weighty blow caught a six-year-old girl in the face.

‘Why did they beat us?’ asked the child. ‘Didn’t you say that we are just doing what Gandhiji used to do.’

Said her mother, ‘It means the government is afraid of us. Gandhiji would have been here in jail with us.’

In the darkness of her second prison cell the child’s voice spoke to the doll. ‘Poor Gandhiji, it’s better he is not alive to see these things.’

# 'Why do these people torment us?'

India's Environment Minister poses with rock python before visiting Carbide's site, picking up a fistful of soil, saying 'I'm alive, so it must be safe'.

Babu Lal Gaur is a much-reviled man in the settlements surrounding the derelict Union Carbide factory.

'If betrayal had a human face, it would be Gaur's,' says Hazra Bee, a gas victim, and veteran of two 500-mile marches for justice from Bhopal to New Delhi. 'As Minister of Gas Relief and Rehabilitation, Gaur has done nothing to help me, my son or others in our situation. But he works to let Union Carbide and Dow get away.'

Now 54, Hazra Bee finds it hard to keep from crying when she talks about her son. Twenty-five years ago, she carried her four-year-old son as she fled the poison cloud. Now 29, Mansoor has severely compromised lungs and cannot do strenuous work.

'As a child, he was susceptible to frequent coughs and ruptured an eardrum during a coughing fit. The ear was operated on, but pus still flows from time to time,' his mother says. 'I pray to Allah that no mother goes through the torture Bhopali women have experienced.'

Many will. Toxins leaching from Carbide's factory have been linked to congenital disorders, damaged births and brain damage.

'A pilot house-to-house study we did found that birth defects in areas where the water is contaminated are occurring at many



times the national average,' says Mr Satinath Sarangi, a long-time Bhopal social worker and founder of the free Sambhavna Clinic. 'Gaur knew all about Carbide's toxic contamination before the disaster.'

A lawyer, Gaur had negotiated a 1982 settlement between Carbide and farmers whose buffaloes died after drinking Carbide's effluents.<sup>1</sup>

In 2004, after Gaur's right-wing Hindu party won the state elections, he told the *Christian Science Monitor*: 'Our state pollution control board in December confirms contamination of the groundwater.' He blamed the defeated Congress Party for keeping the studies under wraps. 'The new government wants Dow to clean up.'<sup>2</sup>

Today Gaur denies the presence of contaminants in soil or groundwater, but at least 13 governmental and non-

governmental studies confirm the presence of Carbide's poisons in the water used by thousands of people.<sup>3</sup>

The *only* reports that found no groundwater contamination were made for Carbide in 1990 and 1997 by NEERI (National Environmental Engineering Research Institute).

Gaur now says that groundwater contamination in the area was caused by 'the oil depots of petrol, diesel and kerosene near the area,' not by Union Carbide.<sup>4</sup> Survivors charge that NEERI's reports, and protestations by Gaur and other politicians, are part of a campaign to divert attention from the contamination issue, and to deflect corporate liability.

Says Syed M. Irfan of the Bhopal Gas Peedit Mahila Purush Sangarsh Morcha. 'Both the central and state governments hope to use the 25th

2009



anniversary to bury the disaster and pending liabilities. This is what Dow wants. Rather than clean up the site, it is trying to clean up its image through deceit and denial.'

## It's toxic, it's untoxic

In September 2008 India's flashy Environment Minister Jairam Ramesh demonstrated his flair for publicity stunts by posing in sunglasses with a python to dispel fears that snakes are dangerous. That same day, he entered the Carbide factory and handled toxic material. 'I'm alive,' he told the astonished press. 'I am not coughing.'

Irate Bhopalis burnt him in effigy, prompting an unconditional apology.

Not to be outdone, Gaur declared that he would throw open the factory gates for 15 days leading up to the 25th anniversary to let people see for themselves how safe the site was.<sup>6</sup>

Public protests kept it closed but Gaur vowed to open it anyway and keep it open forever. His boss the chief minister declared the site '100 percent safe'.

'The toxic waste is lying for years, and the toxicity, if there was any, has been washed away during the last so many years,' he told *Business Standard* and, in what must have been music to Dow's ears, added, 'We will not allow Dow to even enter the factory [to do a cleanup].'<sup>7</sup>

## Science for sale

To mark the 25th anniversary of the disaster, Bhopal survivor groups served up a feast of 'toxic delicacies' like Semi-processed pesticide on watercress; Naphthol tar fondue; Sevin tar soufflé; Reactor residue quiche; and Lime sludge mousse. All served with a complimentary bottle of B'au Pal water. 'Your appetite will contribute to a cleaner Bhopal,' the invitees were told. The chef and sous-chef were two distinguished scientists, Dr R Vijayaraghavan from the Defence Research Development

Establishment and Dr T Chakrabarti of NEERI. Places laid for the Chief Minister, senior bureaucrats and Mr. Babu Lal Gaur remained predictably vacant.

'The faux banquet is Bhopal's comical, cynical response to scientific skullduggery,' said Rachna Dhingra, one of the buffet organizers. 'This was our way of taking a dig at the scoundrels that are masquerading as scientists,' she added, referring to the support from heads of high-profile scientific institutions for the State Government's decision to throw the dangerous site open to the public.

## There will not be any death

'For a 70kg man, there will not be any death even if he takes 200gm [of toxic wastes stored inside Carbide's premises] by oral route,' wrote Dr. Vijayaraghavan of DRDE.<sup>8</sup> Plans to open the factory site for public visits, he wrote in an official opinion, would not cause 'any untoward, adverse or toxic effect to the public.'

In a November 2009 letter to the Government of Madhya Pradesh, Dr. Chakrabarti, acting director of NEERI, testified, 'I have visited the site umpteen number of times without experiencing any health problem.'

The government presented both letters *as scientific opinions* to the state High Court to seek permission to open the site. The court acquiesced.

'These two letters are completely useless,' opines Dr. P.M. Bhargava, an internationally respected chemist and molecular biologist. A former vice-chairman of the prestigious National Knowledge Commission, he is rueful about the quality of Indian scientists.

'How corrupt our institutions can be. Anybody can make any statement. Where are the data? How did they test? What did they test for? All the other studies indicate that the site is completely unsafe. I wouldn't put my foot on the ground.'

Bhargava is also a member of a

Technical subcommittee of the High Court's Task Force set up to advise on the technicalities of remediating the Union Carbide site. He was never consulted on the decision to throw the factory open.

## Watered down

In August 2005, Hazra Bee went with several women exposed to the contaminated water to Gaur's office.

In a ritual that commits brothers to protect for their sisters, she tied a *rakhi* around the minister's wrist. 'Brother, won't you give us water?' He happily posed for photographs.

Some months later Gaur's 'sisters' visited him to ask him to keep his word. He called the police who beat up the women and charged Bee and ten others with armed robbery.

A Supreme Court order of May 2004 directing the state government to provide safe water to the poisoned people still lies unimplemented.

Eight Prime Ministers, 13 hunger strikes, 1,130 demonstrations, and a 1,500 mile-long march to Delhi later, this essential item has remained as elusive as Union Carbide itself.

'For all of our struggle and all the indignities we have suffered at the hands of government and police, we have got the [Union] government to allocate (\$2.8 million for water,' says Bee. 'A third of us now get clean piped water from time to time.'

'Caste and religion play a big role in explaining why [most] Bhopalis have not yet got clean water,' says Dhingra. Some 80% of the residents of the 14 contamination-affected areas are either indigent Muslims or Dalits belonging to the lowest rungs of India's oppressive caste hierarchy.

'The state's right-wing pro-Hindu BJP is hell-bent on diverting the [Union government's] allocation to provide water [to our communities] to 22 additional areas which are of predominantly upper caste Hindus,' explains Dhingra.

# Collecting and adding to knowledge &

The Sambhavna Clinic Library and Documentation Centre holds the world's largest collection of primary source material and archives on the Union Carbide disaster in Bhopal. We add to this knowledge by conducting medical and social research studies. All are freely available to students and researchers.

The Sambhavna Clinic's Library and Documentation Centre holds the world's largest collection of archives on the Bhopal disaster.

Our documentation unit searches out, collates and distributes medical, social and legal information covering all aspects of the disaster. The source archive contains thousands of newspaper articles going back to the gas leak. There are many medical studies and references that cannot be found elsewhere, plus unique photographs, videos, DVDs, CDs, documents, campaign literature and educational material. All information is available free to survivors, researchers, the media and others. Possibly, this is the only public repository of documents of its kind. As the disaster continues, it is a work in progress.

After nearly three decades, all the interrelated issues: political, legal, technical, chemical, medical, social, environmental and managerial, are so entangled that unravelling the story virtually requires a PhD.

Much source material on the 1984 Union Carbide disaster in Bhopal and its aftermath is lost, unavailable or classified. A large part of what *is* available remains privy to a tightly-knit circle of bureaucrats, scientists, medical researchers and academics.

Union Carbide & Dow Chemical to this day withhold information on the composition of the gas cloud, hindering efforts to treat survivors. Government efforts to collect and share health data are almost non-existent and non-



government initiatives to document the continuing disaster are rare.

## A ball of entangled issues

The story of the ongoing effects of Union Carbide's disaster in Bhopal is rooted in international, national and local trade and politics; in India's need to feed its huge population and the US multinational's desire to expand its commercial empire.

The causes of the disaster can be traced back almost forty years to the decision to turn Carbide's Bhopal pesticides-formulation plant into a manufacturing facility, and to begin making lethal MIC, an ingredient in carbaryl-based pesticides, on the site.

Worries about conducting such a hazardous activity at the edge of a densely populated city created from the outset arguments about safety, risk assessment, town planning and infrastructure. Once the MIC project

was approved, other issues involving ownership structure, finance, design, engineering, technology, management and labour relations all played their parts in brewing a catastrophe.

Historians of the disaster must understand the Indian subsidiary's relations with its US parent, decision-making in the Union Carbide group, lack of maintenance, cost-cutting, and an endemic disregard for safety. (There had been several gas leaks, some fatal, prior to 1984.)

With the huge gas leak of 1984 the subject acquired a new medical and social dimension and immediately began to sprout lawsuits and legal stand-offs. Not till 1999, a year after Carbide had abandoned its factory site full of toxic waste and fled India was it clear that a second disaster was unfolding as the drinking water of some 40,000 people was poisoned by wastes left in and around the site.

2009



# sharing it freely with everyone who asks

## Research Studies 1999 - present

### 1999 - Effects of Yoga on respiratory disorders related to the 1984 Union Carbide Gas Disaster

*Population: 30 gas exposed persons with respiratory disorders*

*Parameters: Spirometry values, pulse and respiratory rates*

*Finding: Yoga can lead to a sustained improvement in lung function of persons with chronic respiratory problems*

*Outcome: Yoga instructors trained by Sambhavna Trust are now providing care in two government hospitals*

### 2001-Effect of parental exposure on children

*Population: 141 children of exposed and unexposed parents*

*Parameters: Anthropomorphic values*

*Finding: Male children of exposed parents are thinner and lighter with a smaller cranial circumference compared to male children of unexposed parents.*

*Outcome: Published in Journal of the American Medical Association*

### 2006 - Follow-up of persons exposed to toxic gas in-utero

*Population: 141 children of exposed and unexposed parents*

*Parameters: Anthropomorphic values, Tanner stage*

*Finding: Early stunting among male children of exposed parents is followed by a catch-up growth.*

*Outcome: Publication in Journal of the Federation of American Societies for Experimental Biology*

### 2007 - Study of offspring of gas exposed parents and their younger and older siblings

*Population: 262 offspring of parents exposed and unexposed to toxic gases and their siblings.*

*Parameters: Anthropomorphic values, Tanner stage, hormone assays.*

*Outcome: Publication awaited*

### 2007 - Anaemia in communities exposed and unexposed to contaminated ground water

*Population: 300 adults exposed and 303 adults unexposed to contaminated ground water*

*Parameters: Haemoglobin levels*

*Finding: Average Hb concentration of men exposed to contaminated groundwater was shown to be almost 1g/dL lower than that of men with access to clean water*

*Outcome: Publication awaited*

### 2008 - Comparative efficacy of Yoga therapy in treatment of Dysmenorrhoea of women exposed to contaminated ground water

*Population: 60 women with Dysmenorrhoea*

*Parameters: Menstrual pattern, Severity of pain*

*Findings & Outcome: Ongoing*

### 2009 to present - Survey of diagnosed cancers and birth defects in gas- and contamination-exposed

*Population: 100,000 persons exposed to gas,*

*25,000 persons exposed to contaminated water*

*Parameters: Diagnosis of cancer, birth defects*

*Findings & Outcome: Ongoing*

THE MAGNITUDE OF THE HEALTH DISASTER in Bhopal demands research into the effects of exposure, to develop appropriate ways to detect and treat illness. Twenty-two studies begun by the Indian Council of Medical Research had begun were abruptly terminated in 1994 on the grounds that the crisis was over. But as the ruinous illness of the survivors showed, it had hardly begun. Following years of pressure from survivors' groups, the studies were resumed, but in the intervening years thousands died and a unique opportunity was squandered.

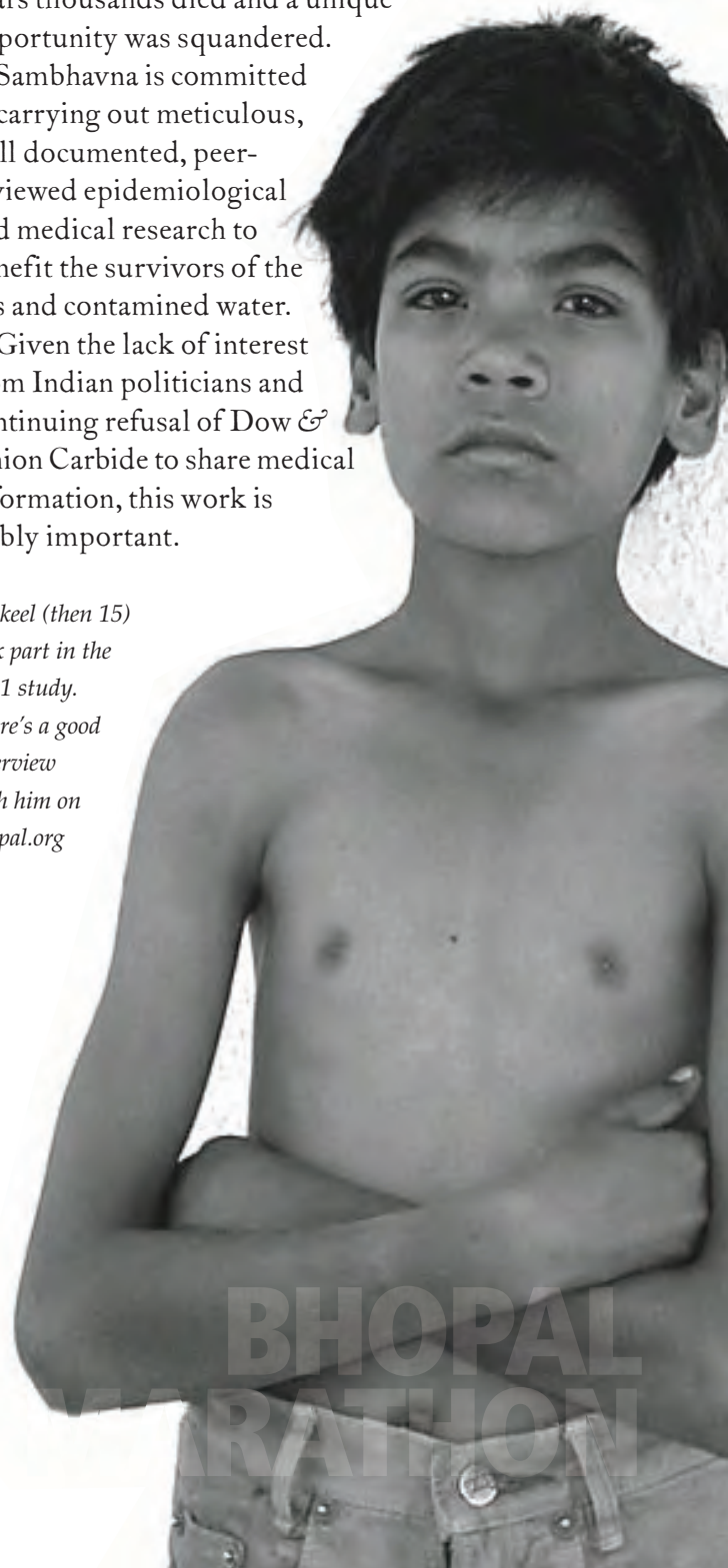
Sambhavna is committed to carrying out meticulous, well documented, peer-reviewed epidemiological and medical research to benefit the survivors of the gas and contaminated water.

Given the lack of interest from Indian politicians and continuing refusal of Dow & Union Carbide to share medical information, this work is trebly important.

Shakeel (then 15)

took part in the 2001 study.

There's a good interview with him on [bhopal.org](http://bhopal.org)



Dear Mrs Bano, in respect of your 26 years of serious illness, the loss of your eyesight and 16 members of your family, you are hereby awarded compensation of



On June 7, 2010, in the 23-year long criminal trial officials of Union Carbide India were found guilty. They were each fined Rs 1 lakh (about £1,150), sentenced to 2 years in jail, and immediately freed on bail.<sup>1</sup> If all the fines were theoretically divided among the 512,000 survivors who had received meagre compensation (*see p. 107*) it would come to Rs. 1.75 or just over 2p each. The US accused did not appear and the judge ordered proceedings against them to be continued.<sup>2</sup> Indian media and public reacted to the verdict with rage. India's Law Minister described it as 'justice buried'<sup>3</sup> and a scared government said it would file a 'curative petition' to reopen the 1989 settlement.

Journalist Rajkumar Keswani, whose articles seeking to warn the city of the impending disaster (*see pp. 32-35*) had been ignored, went to the court to hear the verdicts pronounced.

Police would not let anyone but the accused inside. Keswani watched the accused arrive – and leave again.

'They had come,' he wrote, 'with return tickets in their pockets.'

The anger and disbelief surfacing in the media was reminiscent of the furore that followed the infamous 1989 settlement. The judgement was described as 'a travesty', why had the Americans got away scot free. Who had released Anderson and allowed him to leave the country? Why had he and Union Carbide Corporation not been pursued? TV stations carried an endless stream of interviews with ex-officials eager to excuse themselves.

**2010** B.R. Lal, a former Director of the CBI (Central Bureau of

Investigation) went on TV to say that investigators had been told by the Ministry of External Affairs to go slow on Anderson's extradition.<sup>4</sup>

Nestled among the 1,500 articles universally decrying the mockery of justice were one or two curiosities.

Robert Blake, a spokesman of the Obama administration hoped 'this verdict helps to bring some closure to the victims and their families'.<sup>5</sup>

Outside the court, gas survivors had wept at what they saw as contempt for their lost loved ones. Hamida Bee said, 'Nobody knows how we suffered experiencing death so closely every day ... the rich and influential have wronged us. We lost our lives and they can't spend a day in jail?'

The media's rage swirled around ex-Supreme Court Justice Ahmadi, whose two-man bench in 1996 diluted the criminal charges against the Indian accused (the CBI's attempt to extend this dilution to the foreign accused

was defeated only after a worldwide hunger strike in 2002). It now came out that he was the same Justice who in 1994 had been talked by Sir Ian Percival (*see p. 100*) into allowing the sale of Carbide's attached shares to build a hospital. Bhopal survivors had warned this would allow Carbide to escape India. All now remembered that exactly this had been the result.

Ahmadi had been rewarded with the Chairmanship of the Carbide-funded hospital – public anger now forced him to resign.

The Prime Minister appointed a Group of Ministers (GoM) to look into filing a 'curative petition'. The GoM was headed by Home Minister Chidambaram, ex-corporate lawyer who had once represented Enron and included minister Kamal Nath, both active Dow supporters (*see p. 155*).<sup>7</sup>

Cynical Bhopal survivors said it was mere public relations, a balm for the nation's ire and wounded pride.



# 'I won't pay a penny to Bhopal victims'

Thanks to Shobhan Saxena for letting us use this piece from his column in *The Times of India*

Because the line between democracy and manipulation is very thin, at times it becomes blurred. Today, it dissolved completely as the Group of Ministers (GoM) recommended a number of steps to cool public anger over last week's ridiculous judgment in the Bhopal gas disaster case.

The reported recommendations are: Compensation of Rs 10 lakh for the families of those killed in this crime; Rs 5 lakh for those crippled for life; and Rs 3 lakh for people with partial disability. As for cleaning up tons of toxic waste buried at the Union Carbide plant in Bhopal, the GoM is believed to have recommended that the Madhya Pradesh government would do the dirty job with financial help from the Centre. On the issue of Warren Anderson, ministers will make a 'valiant attempt' to get the criminal-in-chief extradited from US to India.

If the recent Bhopal judgment was shameful these recommendations are outrageous. Now, the betrayal of Bhopal, and India, is complete.

With ministers planning to set aside Rs 1,500 crore to compensate Bhopal victims – 25,000 dead and 500,000 crippled, two generations poisoned forever – it's now clear that the money will be taken from Indian taxpayers' pockets. The money for cleaning up toxic chemicals which have been poisoning Bhopal's air, soil, water and even the city's soul, will also come from our pockets. The Home Minister P Chidambaram-led GoM has given a clean chit to Union Carbide and its new owner Dow Chemical. Now, these corporations don't have to worry about paying any money to the victims of the world's worst ever industrial accident, which happened because the Union Carbide dumped outdated technology in the

heart of Bhopal, paid no attention to its maintenance, ignored warnings about gas leakage, cut funds and staff at the cost of safety and gave itself a clean chit as bodies were piling up at the cremation grounds and graveyards of Bhopal in December 1984. So, when poor Indians die by the acts of a rich American corporation it's poor Indians who bear the burden of destruction. And the government pretends that it cares for the people.

It seems the government of this country is more loyal to American corporations than the people of this poor, wretched country. What could be the reasons? Does the government fear that prosecuting US companies will vitiate the investment climate? Or is it because Dow Chemicals is said to have paid enough money in bribes to powerful people in India to make sure that it doesn't have to pay any compensation.

The US Securities and Exchange Commission punished Dow Chemical under the Foreign Corrupt Practices Act for paying \$200,000 in bribes to Indian ministry officials to fast-track the registration of their controversial pesticide Dursban (which it sells for residential use in India though it is banned in America). Dow got out of this trouble by paying \$325,000 as a penalty to the American SEC. The government of this country is silent on this bribery issue, as on various commitments it made to courts and people of this country:

– On June 28th, 2004, the Indian government wrote to a New York court that as per the 'polluter pays' principle recognized by both the US and India 'Union Carbide should bear all of the financial burden and cost for the purpose of environmental clean-up and remediation.'

– On February 2, 2008, the Ministry of Law told the Prime Minister that irrespective of the manner in which Union Carbide (US) has merged or has been acquired by Dow Chemical, if there is any legal liability it would have to be borne by Dow Chemical.'

So why on earth should *we* pay for the crime of Union Carbide? Why should UC officials – in India and US – be allowed to go scot-free?

The Bhopal case is not just about compensation and money. It's also about justice. It's also about all the liability issues that may arise in the future. Today, Chidambaram's GoM has told foreign MNCs – come here, mint money, exploit people, kill them if you wish and we guarantee that you will have no liabilities – financial, legal and criminal.

This is a slap on the face of all those people who have been fighting for justice for Bhopal for the past 26 years. It's an insult to the memory of those who lost their lives in this crime. It's also an insult to those poor people who have knocked at the doors of the government, judiciary and big corporations in order to get justice. It's a challenge to those of us who still believe in the idea of India despite the travesty of justice in this country everyday.

The money for compensation and clean up Union Carbide's plant must come from Dow Chemical.

I don't want to pay one penny to Bhopal victims from my pocket. I am no penny-pincher, but I refuse to be part of this second gas attack on the people of Bhopal. I refuse to be part of a charade in the name of democracy, which is being reduced to manipulating people's emotions in this country.



# December 3, 2011. Stop the trains!

'Secret' minutes of the Group of Ministers meeting of 18-21 June 2010 obtained by survivors revealed that the government's 'curative petition' would massively downplay its own official death and injury figures (quoting 5295 deaths instead of 22917, 4902 permanently disabled instead of 508,432) and use the same unjust injury categories as before<sup>1</sup> (see pp. 54-57). The survivors asked the government to act honestly, present the correct figures and amend the flawed categorisation system which excluded 93% of victims, many seriously ill.<sup>2</sup> Ministers did not respond. In June 2011 one hundred Bhopali children stood with banners outside the PM's office. In July the survivors wrote him a letter. Further letters went to officials in October and November. None got a reply. On 17 October the survivors warned officials that on the 27th anniversary of the gas leak they would stage a peaceful 'rail roko'— that is, they would lie on the railway tracks to stop the trains. No response. Here are two accounts of what happened.



## MEENA, 40

At around 10:30 am about 45 women from my neighbourhood left to join the Rail Roko. We reached the tracks at 11:20 am. There were many women already lying on the railway lines and we also lay down on the tracks. I was surrounded by lots of women. All the

the women from my neighbourhood and we were also listening to slogan chanting happening on the PA system.

Then police started asking us to leave the tracks and started dragging one of the women who was wearing blue clothes. They were dragging her into the police vehicle and while she was being dragged one of the police women kicked her as well.

I saw a young girl in black clothes pulled and dragged by two female

cops and put into the police vehicle. I continued to sit and so did everyone and when police asked us to leave we told them that we wouldn't until our demands were met. Then all I could hear was sound of lathis (bamboo poles) and women around me being beaten up. I also got hit twice. A lot of women were running and I started to run with them but then I fell. There was massive stone pelting from both sides. I cannot remember much, but I do remember that two young boys took me to an emergency vehicle. Inside were 3 policemen. The nurse dressed me up and asked me to go. I could barely see. Both my eyes were swollen. I was in intense pain.

I started to walk and covered one eye with one hand as it hurt too much to keep it open. Then I saw a woman I know and called her. She hardly recognised me and she brought me back home in an auto-rickshaw.

I have been so scared of the police that I did not go to the government hospital to get any treatment. I can barely afford the private doctor but I have been paying him Rs 200 to come and visit the house every day so that he can give me injections for pain.

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men were sitting beside the track. I was sitting with





### MULLO BAI, 65, & HER MOTHER JAMVATI, 82

My mother and I went with 18 other women from our neighbourhood to take part in the rail roko. At 11:00 am we all reached Barkhedi crossing. We sat on the tracks for almost an hour and there were thousands of people all around us. We were all shouting slogans. There were lots of police and then a few female police started dragging women towards the blue police truck.

When police started dragging the women two men pleaded with them not to drag women like that. The cops did not listen to anyone and must have dragged 3-4 women into the police vehicle. Then I saw total chaos break loose. There must have been 100 cops with lathis who just started to beat up women. They did not bother to look at who they were hitting they continued with lathis and whoever came in their way got hurt.

During all of this one of the police lathis hit me in my right eye and then came the second lathi which hit me in the back of my head. I saw blood coming out I realised that I had to leave and also had to get my mother

out as she is very old and it would be hard for her to run.

I grabbed my mother's hand and then my mother was hit by a police lathi on her head. She fell down and she was bleeding profusely. Her sari was covered with blood. There was so much blood and it seemed like someone had slaughtered a goat.

Then three men came and they picked up my mother, gave her some water and put us in an auto. I took her to the nearest private hospital (Mansi Hospital) and she got eight stitches. The hospital asked me for Rs 200 and I told them I had no money to pay them. I was so afraid that if my mother's injuries were not attended to she just might die from excessive bleeding.

This hospital is situated on the main road and when we got out I saw many policemen running on the streets chasing men, even women, with sticks. I pleaded with them to stop their violence. I asked them if they would kill us today by beating us. Then two policemen who were blocking our way let both of us leave.

After walking 20 steps we were stopped by more policemen and they asked what had happened to us. I told them it was due to their lathis

that my mother's head was bleeding and I had a black eye and swelling on my face. Then the police sent me to the emergency vehicle for dressing of my wounds. I received two stitches on my head and I was asked to go home.

We must have reached home by 3:30 pm and for next two days we did not go to the government hospital. We have been scared that police are going to come pick us up and will take us to jail. We have been reading in the newspapers that police have filed charges against 1,500 people and they have been picking up men from their houses at night.

We didn't do anything to deserve such treatment. We had just gone to ask for our rights and we sat on the tracks peacefully. I did not even think that police would beat us so brutally.

### FALSE CHARGES

The police charged 35 named and 2,000 unnamed gas survivors with a list of crimes including attempted murder. Several old ladies aged over 80 and suffering from severe health problems were accused of violently rioting using swords and country-made guns.

The rail-roko, in which 20,000 people took place at six locations in Bhopal, went off peacefully except at the Barkhedi crossing, where police launched their lathi-attack on the old ladies and men tried to protect them.

The Chief Minister of Madhya Pradesh is now supporting the gas victim's demand for correct figures to be used in the 'curative petition'.



# ‘Justice in a world of demon rulers’

Salim’s tea shop in a backstreet of the Old City, is a favourite place for discussions of all kinds over a glass of Bhopal’s famous chai (sweet with a pinch of salt). Salim takes a dig at a rival as he explains to his friends the secret of acquiring a kampani’s assets without its liabilities.

‘Let me put it this way,’ says Salim, pouring four glasses of “cutting tea” from his old blackened kettle. ‘If I serve you this chai knowing that rat poison has leaked into it, then am I or am I not responsible for your deaths?’

‘You would be,’ says Shekhar. ‘Let us hope it is a theoretical example.’

‘And if my pohā and jalebis are also contaminated, but I send them to a wedding feast, will it be my fault if all the guests are taken ill?’

‘Of course. It is your duty to make sure that you serve only clean food.’

‘So then,’ says Salim, ‘let’s say a crowd gathers calling for my head. What refuge do I have?’

‘You rascal,’ says Zubair. ‘We will find you wherever you hide.’

‘Brother, you’re wrong. I’ll easily escape. I’ll go next door to Malik and say to him, “Malik, do you have some cash lying spare?” “Why?” he will ask. Then I will say, “Everyone knows my chai is better than yours. I am off to my ancestral place and thought that maybe you’d like to buy me out.”’

‘Wait, wait!’ says Shekhar. ‘Does he know of your troubles?’

‘Really, Shekhar babu. Don’t be silly. Is anything secret in this town?’

‘So then he will not buy.’

‘On the contrary, he is keen.’

‘He must be a fool,’ says Gangu.

‘Not at all, he’s smarter than you. He plans to close my shop and take all assets, utensils, plus this excellent samādan as his own.’

‘Salim, says Shekhar, ‘my bus leaves in five minutes. if you have any kind of point to make, I request you make it snappy. And oblige.’

‘Listen and you may learn. Malik is not an idiot. He knows that I am personally responsible for allowing poisoned food to be sold. But I will be far away. He also knows that when people can’t find me they will come after him, so he has a special plan. Its name’ – he pauses for full dramatic effect – ‘is *reverse-triangle-merger*...’

‘You see,’ says Salim, having got the reaction he wanted, ‘Malik dares not simply *buy* my business because then its difficulties will become his. But with *reverse-triangle-merger* all such problems vanish.’

‘What? Are we talking of magic?’

‘We are talking of total brilliance. Malik does not buy my business. He starts a new one called Faltu Services.’

‘Why Faltu?’

‘Name doesn’t matter. Faltu owns nothing and makes nothing. In fact it does nothing, it’s just a name.’

‘A good name for such a business.’

‘Malik is 100% owner of Malik Tea Shop which owns Faltu 100%. Faltu merges with Salim Best Chai getting 100% ownership, in return I get a small share of Malik Tea Shop.’

‘So now you and Malik are one.’

‘In *your* eyes. But technically no. Because here is the best and cleverest bit. Faltu Services dissolves. It no longer exists and this leaves Salim Best Chai fully owned by Malik.’

‘You are *personally* responsible!’

‘Catch first then prosecute. I am long gone and *Dilli dūr ast*.’

‘What’s so clever?’ asks Shekhar. ‘If Salim Best Chai is fully owned by Malik, surely Malik must compensate us whom Salim Best Chai poisoned and pay our medical bills.’

‘No! Because Malik Tea Shop and Salim Best Chai are totally separate concerns. Lacking nexus totally, I am telling. Ask Malik and he will say, “this is not a matter for Malik Tea Shop. It is for Salim Best Chai to respond. Kindly ask *them*.”’

‘Malik can say what he likes, but there is no *them*, only *him*. Explain – there is another bus I can catch.’

‘The secret’ says Salim, ‘is to use the bit of paper called *reverse triangle merger*. It says you can own a business without taking its liabilities. Any other paper would be useless.’

‘How should it be possible,’ asks Gangu, ‘that a kampani hurts people, kills their families and poisons their grandchildren, but can escape justice by selling itself to another kampani and signing a paper? Who cares what the paper says, by what right does it wipe away our tears and blood?’

‘It’s an *Amrikan* paper. It must be powerful because if you ask Prime Minister Manmohan and President Obama and Premier David Cameron and Mr Lord Coe not to let Malik sell his chai at the Olympic Games, they will all express sorrow for your terrible *trazdi*, tell you they remember where they were when they heard the news, and their grannies are Indian, but mainly that Malik Tea Shop is a reputable company, nothing at all to do with Salim Best Chai.’

‘Who will help us? How can we defeat such injustice?’ we ask.

‘My friends, the rich rule and the poor drink their chai Bhopali-style – salted with tears – and this is justice in a world of demon rulers.’

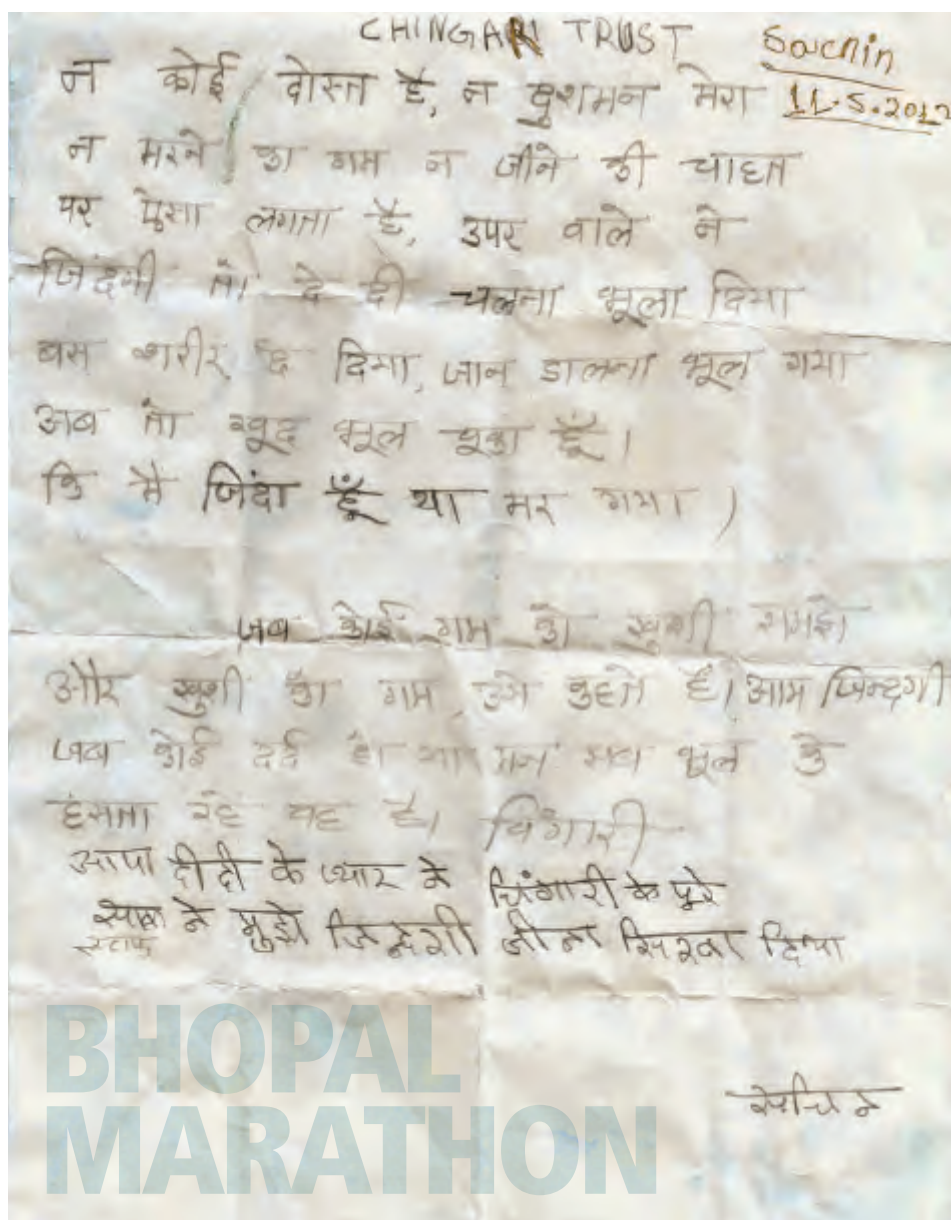






December 3, 2007, Bhopal survivors burn an effigy representing the lords of misrule





## Sachin's poem

*neither friend nor enemy I have,  
nor fear of dying, nor wish to live*

*seems that while god gave me life  
he made me forget how to walk*

*sure, he gave me a body,  
but forgot to fill it up with life*

*I myself have now forgotten  
whether I'm alive or if I have died*

*when misery is taken to be  
happiness and happiness sorrow,  
this we call everyday life*

*when pain dissolves in laughter,  
this is called Chingari*

*the love shown by Apa and Didi  
and all the folk at Chingari  
has taught me to love my life*

Sachin

As Dow Chemical profits from its Olympic association with health, strength, fitness and games, we think of Bhopal's damaged children, those who can't play games, whose childhoods have been stolen from them. The pictures and stories that flow from Chingari inspire us all. Sachin's poem tells of how bitter life can seem to a child born damaged and how joyful it can become.

Sitting in Sussex, thinking of Sachin, I see him always with a grin stretched right across his face. This is the way he is these days in the photos that come to us from Chingari.

Usually he is carrying a bat, but he always did. I've known him for years and think of him as a friend, without once having met him as I have not been to Bhopal for a while. If you

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look at pictures of Sachin when he was

little – when he first came to Chingari – you see a solemn little lad, not very sure of himself. These were the first pictures I ever saw: our cover shot by French photographer Micha Patault, and a picture of him batting taken by Maude Dorr.

As Sachin grew, so did his smile. Look at the picture by Nino Ellison on the facing page. He's now 16, and a happier lad it hardly seems possible to find. So it was startling to read the

first lines of this poem, sent to me by Chingari's tireless Tabish. But in the last lines perhaps lay the clue to the change in those photographs.

Something amazing is going on at Chingari, as it has also at Sambhavna (see the article on pp. 74-75).

When Sachin wrote of the love shown by Apa (Rashida Bee) and Didi (Champadevi Shukla) and, as he says, *all the folk* at Chingari, I knew he meant it, because I have felt it too.



# A child grows to love his life: the secret of Chingari

I talk to Tabish most days, I suppose, and he is always full of stories of this or that child, and what they've been up to: 'Shyam Babu saw me and said, Tabish, you look *stupid* in glasses. Don't wear them.'

The patience of the staff during the recent sports day was evident in the hundreds of pictures that came in. Although some of the children had struggled, all wanted to take part and did, and every single one won a prize, and this wasn't an empty symbolic gesture since every one of them had done their best and deserved a prize.

Play and games are an essential part of childhood, vital to children's physical, intellectual and emotional development, but for many Bhopali kids, playing games is something they can only dream of.

Abdullah's father came to thank Chingari and told Didi how pleased he was that the boy had started to

talk. He could say 'pa pa pa'. Didi said Abdullah had eaten *four* bowls of rice pudding at Chingari that day.

For parents who often have had to watch their children go hungry as there is no food and no money to buy any, Chingari's nutrition programme is a godsend. Every day they get a different meal. So far rice pudding and fruit seems to be the favourite.

What is most striking about the tales one hears from people who have worked in Chingari, from volunteers and photographers like Alex Masi (*see pp 172-3*) is how much the kids *like* going there.

Damaged children, especially ones with speech problems or difficulty moving, frequently find themselves in a lonely world where they have no friends and are painfully aware that they are in some way a problem, or even a shame. Some families, naming no names, keep disabled children out

of sight. Often the only love a child has known will be the arms of its mum, and she has other children and a house, and all the other problems that make a woman's life in Bhopal so particularly hard.

Chingari's reputation is spreading, we have more than once instance now of a Bhopali child being taken to a physiotherapy centre in Mumbai or Delhi to be told, 'you know the best place for your child is the Chingari clinic in Bhopal.'

I decided to ask Apa and Didi what in their view makes Chingari special. Didi said, 'My eldest boy was constantly in distress because his lungs had been badly affected...' She stopped and said, 'but it isn't that.'

Apa said, 'It's when a child comes, like Ayaan, who couldn't speak or walk and he comes smiling to greet you and your heart just lights up.'

'Yes,' said Didi. 'That's it. What can you call it? Well, I suppose... I suppose the word is *mohobbat*.'

'*Prem*,' Apa agreed. 'Yes that's it.'

Two words, both meaning exactly the same thing – which is love.



# When Sachin goes in to bat

Nowhere, not at Lords nor any Indian ground, is there a better game of cricket to be seen than those played in the green and pleasant corridors of the Chingari Trust, where children who cannot stand bat and bowl with elan and scrupulous fairness.

SACHIN, HE-OF-THE-BAT, IS 16. When he grows up he wants to be a professional cricketer.

Zaid – here bowling – is 10. He plans to study to be an ear-specialist. He will have a house, one with a big garage so he can keep a car and give his granny and granddad rides.

Sachin's mother was exposed to Carbide's gases. He and Zaid both come from areas where the water is contaminated and many children are born physically or mentally damaged.

Both lads come daily to the Chingari Trust Rehabilitation Centre where, between physiotherapy and lessons, they engage in spirited games of cricket.

## A tale of two Sachins

Every Indian lad dreams of being cheered to the wicket, taking his stumps, turning to frown at the

bowler, tapping the heel of his bat, lifting it ready to strike. That's how Sachin *Tendulkar* does it. For Sachin *Yadav* it's not so easy.

'Sachin! Sachin!' his friends do indeed shout as he hobbles out to the crease leaning on his bat, but if he lifted the bat he'd fall.

Our Sachin can't stand unaided. His legs don't work So he settles on the ground and takes his line from a notional leg stump. All too easy for a fellow who can't move his legs to be out lbw.

## Sachin's bespoke bat

Sachin loves to quote a line he heard once on the radio, 'The Indian team without Sachin is like a kiss without a squeeze.'

As befits a serious batsman – and the namesake of the world's top scorer – his bat was specially made



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for him, carved by his grandfather from a piece of pine. It is slim, light enough to be wielded with one hand. Its blade is extra long so Sachin can reach balls tipping outside the off-stump and bouncers flying over his head. In particular it enables him to take a line well outside the leg-stump and so avoid any possibility of being out leg before.

### Bowling a wrong 'un

Zaid, gallantly bowling because it is Sachin's turn to bat, has issues of his own.

Zaid has scoliosis of the spine. We met him two years ago, after a badly botched operation on his spine had left him unable to stand.

Now he crouches on the floor planning his attack.

Fast bowling is not an option when you're effectively 18 inches high, and leg-spinning is impossible when your wrists, like all your other joints, are painfully swollen.

### Just wouldn't be cricket

Zaid bowls again. Sachin strokes it powerfully to the leg boundary, which for the nonce is Physiotherapy Room Two.

'Shot sir!' cries Zaid sportingly.

The boys pick up these English phrases from the TV and the green corridor echoes to cries of 'Cow shot!' and 'Sixer!'

Balls ricochet wildly round the corridor, thumping on doors behind which Mahima and Ayaan, 7 and 8, both born with cerebral palsy, are learning to recognise and say letters.

'Well bowled!' cries Sachin.

This last when Zaid delivers a ball that catches the great batsman on the knee. 'Owzee?! Out! Out!'

Given that Sachin is unable to stand at the wicket someone suggests that he be exempted from the lbw rule. Sachin looks appalled. 'If I am playing cricket I want to keep all the rules.'



'Well, I don't,' says Zaid. 'I like to bat, bat, bat. I don't want to be out.'

Zaid's hero is West Indies & Royal Challenger Bangalore batting ace Chris Gayle, and wielding the willow is his deepest love.

This small person is the most determined batsman we have ever known. In vain does his great pal Sachin chuck down yorkers, off-breaks and doosras. Be he caught, lbw, clean bowled, or (notionally) stumped, *Zaid is never out*.

'I never get out,' says Zaid.

'He doesn't,' says his mother, 'because if he gets out he cries.'

### Zaid's operation

Zaid has not taken the field for a while as in April he had corrective surgery on his back (we footed the bill) and is recuperating at home.

We go round to see him every few days. Last time we found him able to sit upright and swing his legs. He can stand with help. His legs are wobbly, he has a way to go, but the outlook is hopeful.

Zaid was cheerful, excited about his new baby sister. He had watched every match of the Indian Premier League cricket championship and gave as his opinion that, despite a few stumbles, Bangalore would triumph.

### The spirit of fair play

Sachin and Zaid have no illusions about the difficulties of their lives (*see Sachin's poem on p. 166*) and are determined not to be defeated.

'People ask if I'll play in cricket matches for Special children,' says Sachin. 'Yes, but what I really want is to play normal cricket and to earn fame like Sachin.' He pauses. 'Or maybe being myself Sachin, I should say Dhoni.' These boys would laugh if you said that they are – in their own way – superstars. But they are and thanks to the work *you* make possible, they will keep on performing feats of sport and sportsmanship.



# How a damaged child turned into a little fizzing ball of mischief

Back in 2009 Minakshi couldn't stand. Now she's always whizzing about. She couldn't speak. Now she sings, shouts, she screams with laughter. At her early age to be joyous is important.

How old do you think Minakshi is? She may look about four but in fact is nearly ten. Like many children in Bhopal whose growth is stunted, she was born in a poor neighbourhood where the water is contaminated by by Union Carbide's chemical wastes.

In such areas children are born damaged at a rate many times higher than the national average.

Minakshi's father is a temple drummer who earns hardly enough to feed his family. She came to our Chingari clinic undernourished, too weak to stand unaided.

Physiotherapy strengthened her limbs. Now she plays basketball and shoots baskets in style, probably the shortest athlete ever to do so.

Minakshi's mind is a little slow. But like our other children she has learned to read words and numbers in Hindi and English. Tiny she may be, but is a huge character, zooming around keeping everyone cheerful. During our assemblies she sings in

an unfeasibly loud voice, which also protests mightily whenever she has

to have a blood test. (She really hates injections – after the last one she sulked a full hour.) Minakshi used to have a miserable existence, now she has found health, freedom, skills and

friends. This is important work. Our Chingari and Sambhavna clinics are *the only places in Bhopal* where children sick from the poisoned water can get free and loving health care.



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# Supreme Court's August 5 deadline passes

The Supreme Court had given the Madhya Pradesh government until August 5 2012 to provide clean water to people living in settlements around the Union Carbide Factory who for three decades have been forced to drink contaminated water.

'The entire exercise should be completed within three months from the communication of this order and both the State government and the Bhopal Municipal Corporation shall ensure that the work does not suffer or is not obstructed on account of inadequate or insufficient funds.'

An affidavit was filed by the M.P. government stating that they had plans to supply drinking water via over-ground pipelines and provide each household with a tap but that it would take 'some' time to complete.

## Double whammy of illness

The court, however, relied on the submission of the survivors' lawyer Karuna Nundy that the chemicals in the groundwater were known to cause cancer, birth-defects and other chronic diseases. People had been drinking this water for about 27 years and had been subjected to a 'double whammy of diseases', first because of the gas leak and then from contamination of their water by the same factory, which had never been cleaned up.

*As of August 5 2012 the work specified by the Supreme Court had not been done.*

## A gold medal for Ishrat

ISHRAT IS 13. For most of her life no one expected much of her. She did not speak until she was 9 years old, and her mother had to clean and dress her as she couldn't manage by herself.

Nobody really knew what was the matter with the quiet child, but children of gas victims were often in some way damaged.

When Ishrat was 10, her mother brought her to Chingari. She told us that she and her husband, an onion-seller who was frequently ill, had not taken their daughter to any hospital because they could not afford to pay for medicines and examinations. All their time and energy went on trying to provide food for the family. So poor were they that their relatives did not visit, to spare them the small cost of offering tea and a samosa.

At Chingari, Ishrat came to life. She learned to read and write and enjoyed her lessons. Her enthusiasm led us to enroll her in Year 3 of a local Government School. We paid for her books and uniforms. Ishrat passed her exams and today is in Year 4.

Last year Ishrat travelled with a group of children from Chingari to

the Special Olympics at Anantpur in the southern state of Andhra.

Over the next nine days, Ishrat played games and took part in many events, proving herself to be a good athlete. She won a Silver medal for 'Throw Ball' and a Gold medal for coming a clear first in the 50 metres sprint. When she returned to Bhopal she was so happy she could not stop chattering about these achievements.

In fact we were later to learn that had Ishrat run just .037 of a second faster she would have qualified for the Indian national team and might have been attending the Paralympics in London in the summer.



# ‘When I look through my camera in Bhopal, always I see the children’

The brilliance of Alex’s portrait of the factory can hardly be overstated: it captures both Bhopal’s disasters, the escaping gas and the dark toxic threat that still hangs over the city. *Bhopal’s Second Disaster* by Alex Masi is due out from FotoEvidence. Please pre-order (see donation form) for a decent discount and to help raise funds for the Bhopal Medical Appeal.

Alex Masi came to India to do stories about children’s rights. It was some months before he visited Bhopal. He had heard of the 1984 gas disaster but did not know about the poisoning of the water, nor about the toxic waste.

What he saw horrified him, and brought him back eight times to make a body of work that won him a series of awards, culminating in the 2012 FotoEvidence Prize, a major part of which is the publication of his first book, *Bhopal’s Second Disaster*.

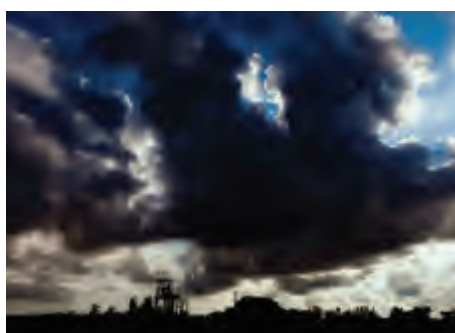
Alex describes himself not just as a journalist and photographer but nowadays also a participant.

‘Bhopal is a story’, he says, ‘where it’s impossible to be impartial. The facts are stark, the toxic waste is not something that can be disputed, nor that Union Carbide didn’t care about the people living near the factory.’

‘Normally I work on a story for a month, but in Bhopal once I began visiting disabled children, to see the way they and their families lived, it led to looking at how others were coping. I also wanted to show that there is life beyond disaster – so for example I was glad to get the shot of the girl with the shiny red ball at the Dussehra festival – to photograph people and their children having fun. I love going into the Chingari Centre probably because the kids love being there so much. I’ve seen them make

fantastic progress.

Minakshi in 2009 couldn’t walk but



now she runs (*see previous pages*). She couldn’t speak but now she sings, she shouts, she screams. At that early age to be joyous is important.

‘I don’t go into someone’s home to get the shot I want, but to work with what’s actually happening there. I had a very good translator whom the children liked and knew as a friend. So I could just get on with what I do. I look, and photograph. I don’t ask people to do anything they wouldn’t normally do. You can always see that sort of fakery in the pictures.’

‘I want to make images that will touch the emotions of people who see them. To do this I have to allow my own emotions to be touched.’

‘When I have my camera to my eye I think only of the picture I’m taking – what does it represent, what is it going to mean to people who see it later – I have to be quick and act from a purely artistic point of view – but technique is useless if I do not feel what these children and families are experiencing. I cannot describe a feeling, just feel it and try to find a visual style that will evoke the same feeling when people see my pictures.’

We complimented Alex on his shot of the factory (*left and see the full-size image on pp. 60-61*). How was it done?

‘It took me around three days to get that picture. It was monsoon, with dark clouds hanging over the factory. I had an idea for the picture but had never been in the right place at the right time. The only place to put the camera was a small railway cabin near one of the affected areas. I went each morning and afternoon for about three days. The clouds would melt away, we’d leave, then I’d see the clouds thickening again, so I’d run back, and we did this over the course of three days. I took probably more than 400 pictures of the factory under clouds, using different zooms, changing angles. I knew this would be one of my leading pictures, *if* I could get it right. I decided on a wide lens 24mm-35mm to give distance and then just waited and hoped.’

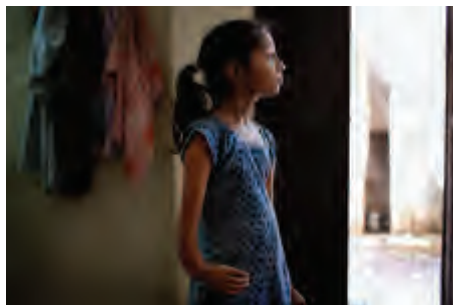
‘At some point everything came together, the clouds were in the best position they could be – luck comes when all the elements are already in place and you’re waiting prepared.’

‘There’s also a silver light behind the clouds, as if to suggest there is hope that they will lift.’

‘The Bhopalis say they have given up hope, as it only leads to despair. Bitter as this sounds, they usually laugh as they say it. I think they have discovered something stronger and finer than hope and I aim to share that powerful feeling with the world.’

2012







# Dear Mr. Lord Sebastian Coe, here's why we burned your effigy



Bhopal survivors upset by Dow's sponsorship of the London Olympics had long wanted to meet Lord Coe, Chair of LOCOG, but had not been able to do so. Was it fate that brought survivor Sanjay 'Kunkun' Verma, who lost seven of his family of nine in the terror of *that* night, face to face with Lord Coe in a Hoxton cafe<sup>1</sup>, at a moment when neither of them expected

I am the Indian guy who came in when you were sitting in the Pitfield Cafe. It was on May 2nd. You were having a meeting I think because you had files and papers spread out. I took the chair opposite you and asked, 'Are you Mr Lord Sebastian Coe?' You said, 'Yes, I am', so I introduced myself. 'My name is Sanjay and I am one of the thousands of survivors of the Bhopal gas tragedy. Most of my family died in the gas. I have come all the

way from India to London to meet you. I am here to ask why do you keep defending Dow Chemicals? (*For Lord Coe's defence of Dow, see p. 5*) We believe Dow has responsibility to clean the contamination that is causing so many to be born with birth defects in Bhopal, and here is Dow becoming a sponsor of the London Olympics. Why are you defending it?' You said, 'It is not true. I wonder how much do you even know about Dow Chemicals?'

I said, 'I know that Dow took on Union Carbide's responsibilities in the States, how come they are not taking them in Bhopal?'

Again you said, 'It's not true.'

My friend Colin said, 'It is true.'

Your PA asked Colin, 'Who are you?' So he replied that his name was Colin Toogood and he was from the Bhopal Medical Appeal.

I informed you that Dow had to pay nearly a billion dollars to cover Carbide's asbestos liabilities. It would



"We celebrate the Olympics, their ancient sanctity and nobility of spirit. We salute the Games that unite us all in delight at the health, strength, beauty and grace of the young athletes from around the world. All these things we believe the association with Dow debases and disgraces."

not cost so much to clean the factory. Your aides started packing up papers but you did not move.

I asked, 'Do you know that people are still dying in Bhopal? How come you repeat things that Dow tells you without even meeting the victims of Bhopal?'

You said, 'Last week I met with Amnesty International.'

'Are you aware that Dow took over UCC in full knowledge that it had criminal charges pending for culpable homicide?'

You said, 'that's not true. It was all cleared up. There was a settlement in 1989.'

'Criminal charges are still alive against Carbide and it is officially a fugitive from justice in India. How come you don't know this?'

Colin said, 'If you had spoken to us at the beginning you might have saved a whole lot of trouble.'

'That wasn't necessary.'

Colin said, 'Oughtn't you to have spoken to us, as we are considered authorities on the subject?'

Your PA interjected, 'Lord Coe knows more about the Bhopal gas disaster than you do.'

I said, 'Mr Coe if you ever get a chance to come to India, come to Bhopal, maybe it will change your mind.'

As you got up, you turned to us, gave a long look and said, 'You know, my grandmother was Indian.'

I was much struck by that remark and as we went away I thought a lot about it. While one cynical part of me was wondering whether you choose to live your life through meaningless soundbytes, another was thinking that your granny's memory is surely something you cherish.

I wonder if you understand how we feel. I honestly think that if you knew more about Bhopal and the pain of the victims and how they have had to struggle for the simplest and most basic of human rights you might not be so supportive of Dow.

Do you not worry as I do, that pronouncing to the world that Dow is right and the survivors are wrong in legal matters might make things harder for them?

We learn that Dow is sponsoring the British Paralympic team while at this very moment in 2012 the toxic chemicals left by its subsidiary are creating disabled children in Bhopal?

I hope you see the irony of this. We would like you to know that we feel insulted and angered by your support for Dow and the fact that your granny was Indian is of no comfort to us.

I hope you will read the stories in this book because then you will learn more about the suffering of the Bhopalis...how my family died, how in despair my brother took his life. About old women in bad health who three times went 500 miles on foot to ask for justice and each time it was denied to them.

You should read what it says right at the beginning, that if you had kept running in 1984 after your superb 1500 metres gold medal win and never stopped but kept running for more than a marathon of years, you would by now have know what it feels like to be a Bhopali.

Mr Lord Coe, in our view your support of Dow is shameful, this is why we Bhopalis burned you in effigy and why the old ladies called you bad names – maybe it was to cleanse the thought of you from our minds. Or

maybe it's just a way for angry, helpless people to send their own pain and anger up in flames.

When I told people in Bhopal that I would write to you, an old lady called me over and said, 'Son, are you writing to Mr Lord Coe? Then tell him this, that when he sits down in the great stadium, we would like him to remember the dead of Bhopal and to imagine them in the stadium sitting there silent among the living, thousands upon thousands of them, as they were when Union Carbide's gases took their lives on that night. From their mouths will come that foam we saw, red with blood, they will sit silent among the crowds and their silence will be louder than the cheers. And when the runners come dashing into the great stadium then among them, greater in number by one thousand times, I would like him to remember the horde of wretched people running, in nightclothes, rags, or in nothing at all, and the families choking and falling down dead. If he had seen them stumble and fall and drag themselves he would never in his life be able to forget this sight, it would be with him, as it will be with us, until all of us are gone.'

I said to her, 'Granny, these are the words of your sorrow and bitterness. Please give another message.'

Then I told her about your Indian granny, and she thought for a time, and said, 'So then please tell him that in the hereafter when our families who died meet his granny, they will comfort her. And tell him this also, that when my own time comes I will seek her out in the fields of flowers, greet her like a sister and wipe away her tears.'

SANJAY VERMA





# Here are the *other* Paralympics, the ones *not* being sponsored by Dow.

Dow Chemical, the "Official Chemical Company" of the Olympics, is "really despised among large swaths of the community in the UK, because of Bhopal," says sportswriter Dave Zirin, quoted in PRWatch<sup>1</sup>, which says that "Dow reportedly paid \$100 million to sponsor the games". Why not spend the money cleaning up Union Carbide's mess? Why not help these children?

On July 25, 2012, there was a Special Olympics held in Bhopal, where the young athletes were children born to parents affected by Union Carbide's gases, or born in areas where the water is contaminated by chemical wastes dumped by the same company, which is now wholly-owned by Dow Chemical, proud sponsor not only of

the Olympic Games, but also of the the Paralympics. It is not clear how Dow hoped this savage irony would go unnoticed, but Dow says that it is 'beyond belief' that anyone should protest. What really is beyond belief is that Dow can't see that cleaning up Bhopal is probably the fastest and least expensive way to mend its image. The

children taking part in the special Bhopal games loved every moment of fun. Many of them will need care all their lives. Their marathon is just begun. *You, our donors and supporters, are the only people who have ever helped them.* We will continue working with them to show that humanity, decency and justice can't be bought.

1. <http://www.prwatch.org/news/2012/08/11691/corporate-sin-washing-embracing-olympic-brand-pays-sponsors>, retrieved August 13, 2012.



# BHOPAL MARATHON



Ward Morehouse, founder of the International Campaign for Justice in Bhopal, died while swimming in a pond near his home in New York State. He was a modest lovely man, a loyal friend and doughty warrior



# A message of thanks to our friends

On December 3, 1994, the 10th anniversary of the disaster in Bhopal, confronted with an evil that had already lasted too long, taken too many lives and caused too much suffering, the Bhopal Medical Appeal came into being as a genuine, good-hearted collaboration of ordinary people to help in whatever way they could. You are one of those people and these words of thanks are an attempt to say something meaningful about what your help has meant.

We started with nothing at all, not one solitary penny.

There was in those days no Sambhavna Clinic with its beautiful gardens, nowhere that gas survivors were welcomed, where they were received with dignity and accorded the respect to which each of us is surely entitled.

In the city there was a spate of horrific births, but no Chingari Trust where damaged children could have life improved by physiotherapy and speech training, where their families could find support and comradeship in their misfortune.

By 1994 the factory had already been poisoning the groundwater for many years but this was the exact middle of Union Carbide's ten year silence and there would be five more years of anguished birthdays before Greenpeace's report established the danger. With no Sambhavna and no Chingari community workers, there was no one to warn people in districts where the water was contaminated, no programme of self-help, and the long struggle for clean water still lay in the future.

In Bhopal there came a time when all hope seemed extinguished. It was five years since the shameful settlement between Union Carbide and the Government of India, a plan made and agreed without consulting the survivors.

Everything about the settlement was wrong, from the grossly underplayed figures of dead and injured to

the meagre amounts deemed to be adequate as compensation. Even in Bhopal where life in every sense was cheap, no one could live on 10p a day.

But no one was listening.

Worst of all, there was no proper medical treatment for the survivors who continued to suffer and die as politicians looked the other way.

Hope, often dashed, frequently betrayed, was no longer a sustaining force, but had begun to have quite the opposite effect. The suffering people became despairing and the survivors of Bhopal learned the hard way that despair is an excess of hope.

Then people in Bhopal had the idea of sending out a mission to the rest of the world, which seemed to have forgotten Bhopal. Visitors to the city had expressed amazement to find that the people's situation was so bad – time after time they heard, 'But we imagined it must all have been sorted out long ago.'

The Bhopalis had realised by this point that there was never going to be any help from Union Carbide, nor from the political leaders either in New Delhi or in Bhopal. They were on their own and since no one else was going to help them, they would have to help themselves.

People asked themselves, what do we need here? How can we ease people's pain? How shall we lead lives in which there is some dignity?

There was a clear need for medical treatment, but people whose bodies are damaged by toxins need gentler care. So the plan was to use ayurveda, the ancient Indian system of medicine, not instead of but in conjunction with modern medicine.

How could this be achieved?

The survivors sent messengers and said, tell people you meet what is happening here and what we plan to do. They will surely help us as we would help them – an expression not of hope but of trust in people's innate goodness.

You answered, and so began all the work that we do together.

Everything we do today, everything we have ever achieved owes its life to your having answered that desperate cry for help.

So we would like to thank you for something much greater than your unfailingly generous financial support. For all those things that can't be added up on a calculator or even easily put into words.

Apa said, 'It's when a child comes, like Ayaan, who couldn't speak or walk and he comes smiling to greet you and your heart just lights up.'

'Yes,' said Didi. 'That's it. What can you call it? Well, I suppose... I suppose the word is *mohabbat*.'

'Prem,' Apa agreed. 'Yes that's it.'

Two words, both meaning exactly the same thing – which is love.

## The survivors' struggle for health, justice and a life of dignity goes on

## 1 & 5 THE BHOPAL MARATHON

1. Indian Ministry of Law note to Prime Minister's Office, Feb 2, 2008
2. Lord Coe appearance before House of Commons Culture Media & Sport Committee, Nov 15 2011
3. Supreme Court of India, *Union Carbide Corporation and others vs Union of India and others*, Oct 3, 1991
4. Andrew Liveris interview with Bloomberg, Feb 28, 2012

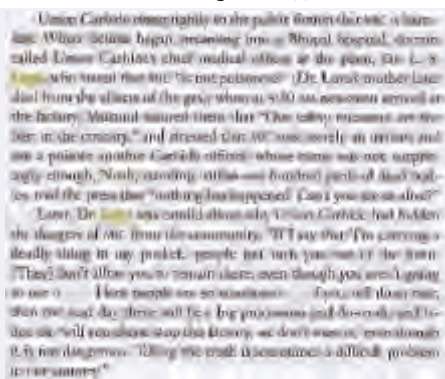
All newspaper cuttings and original photographs from Sambhavna Document Library Collection  
 p 14 '*True Death Toll* Testimony of municipal worker Mohammed Karim as given to BMA Trustee Tim Edwards, April 2001  
 p 16 '*Justice in Alligator Boots*, by Trevor Fishlock, first published in The Times, London, Dec 11, 1984

1. Warren's Anderson's possible escape by rowing boat from the account of journalist Anjali Deshpande, also quoted in her 2012 novel *Impeachment*, p.97. 'They had waited and waited, typewriters perched on the low boundary wall of the building, notebooks in hand... trying unsuccessfully to hound the cars that brought in US embassy officials, till agencies flashed the news that he had left Bhopal. Even the fact that he had been smuggled out of the unused rusty back gate, taken off its hinges after the padlock hung on the thick iron chain refused to cooperate with officials desperate to let the man in their custody escape, rowed across the lake in a boat and taken to the airport to be flown to Delhi...'

All news cuttings and contemporary photographs  
from Sambhavna Trust Document Library

1. *Phosgene Unit & Methyl Isocyanate Unit Safety Considerations Report* UCIL W.O. 930-4533/4534, Engineering Dept, Chemicals & Plastics, Union Carbide Corporation Technical Center, South Charleston, West Virginia, USA, UCC E.O. 938-6795, by J. F. Dodd, G.E. Rutson et al, Dec 16, 1974
2. Jackson Browning, quoted in *Clouds of Injustice: Bhopal Disaster 20 Years On*, p.50, Amnesty International, AI INDEX- ASA 20/015/2004
3. Telex of UCC Medical Director Dr Bipin Avashia, cited by N.R. Bhandari, Medical Superintendent, Hamidia Hospital, Bhopal, in 'The Cloud Over Bhopal', Anil Agarwal, New Scientist, Nov 28 1985
4. Statements of Dr. Hans Weill and Dr. G. Peter Halberg, *Encouraging Prognosis Is Seen For Gas Victims*, William K. Stevens, New York Times, Dec 15 1984
5. Bhopal Collector Moti Singh's visit to the UCIL plant described by Additional District Magistrate H.L. Prajapati in *The Gas Tragedy: An Eye Witness*, pp25-27 and p. 31, Mittal Publications, New Delhi, 2003
6. UCIL Chief Medical Officer Dr L.S. Loya quoted in '*Paying For Bhopal*', Russell Mokhiber, Multinational Monitor, Vol VI, No 10, July 31 1985
7. International Confederation of Free Trade Unions, *The Report of the ICFTU-ICEF Mission to Study the Causes and Effects of the Methyl Isocyanate Gas Leak at Union Carbide Pesticide Plant in Bhopal, India on*

8. 'Do to do and La dee da', Dr L.S.Loya quoted in *The Culture of Make Believe*, p. 286, Derrick Jensen, Chelsea Green Publishing, Jan 1, 1990



9. The State Health Director finally received solid information on the chemical (MIC) from the World Health Organisation several days after the accident', Report of the ICFTU, p.11, May 1985
10. Bhopal Chief Pathologist Dr Heeresh Chandra, Financial Times, Dec 8 1984
11. Dr Ingrid Eckerman, *The Bhopal Saga* p.53-55, Universities Press (India) Pvt Ltd/Orient Longman, Hyderabad, India, Dec 2004
12. Dr John Bucher, US National Institute of Environmental Health Science, quoted in Health & Safety at Work, p.7, Aug 1986
13. Dr N.R. Bhandari, *25 Years of Bhopal Gas Tragedy: Inside Story and Untold Truths*, Lalwani Publications, Bhopal, 2010
14. Quoted in Tara Jones, *Corporate Killing*, p.26, Free Association Books, London, 1998
15. Chemical and Engineering News, Feb 11, 1985, p. 37
16. 'Minutes of the Chemical Manufacturers' Assoc. Executive Committee Meeting,' January 28, 1985
17. *Health Effects of the Toxic Gas Leak from Union Carbide Methyl Isocyanate Plant in Bhopal: Technical Report on Pathology and Toxicology 1984-1992*, Bhopal Gas Disaster Research Centre, Medico Legal Institute, Mahatma Gandhi Medical College, Bhopal & Institute of Pathology (Indian Council of Medical Research) New Delhi, 2010
18. Telex from Union Carbide USA, Dec 5, 1984, reproduced in *The Bhopal Tragedy, One Year After, an Appen Report*, Shabat Alam, Malaysia, 1985 p.110
19. *Environmental Pollution and Bhopal Killings* by Bhojendra Nath Banerjee, p. 121, South Asia Books, 1987
20. *Minutes of a Meeting Between Medical College Doctors and Dr Max Daunerer on 8 December 1984* reproduced in Appen p.iii
21. 'The toxicological studies carried out so far... have clearly shown that, at least in the survivors, there is evidence of chronic cyanide poisoning operating as a result of either inhalation of hydrocyanic acid or more probably subsequent generation of cyanide radical from the cyanogen pool in gas-affected victims. The changes in urinary thiocyanate and in blood gas before and after thiosulphate treatment substantiated the above findings.' Observations of the ICMR, February 1985, quoted in Tara Jones, *Corporate Killing*, p.114
22. *The Cloud Over Bhopal*, Anil Agarwal, New

23, 24. Agarwal, Anil, and Sunita Narain. *The State of India's Environment 1984-85: The Second Citizens' Report*. New Delhi: Centre for Science and Environment, 1985, p.219.

'Union Carbide's own pronouncements from the US added to the chaos. Carbide's medical director in the US, Bipin Avashia, cabled the authorities in Bhopal to administer sodium thiosulphate to the victims "if cyanide poisoning is suspected". But at his press conference in Bhopal 10 days after the disaster, Avashia got into a slanging match with Bhopal's doctors crying out: "It is not phosgene, it is not phosgene, it is not phosgene". He argued that there could be no cyanide poisoning and sodium thiosulphate was no antidote to MIC poisoning. Union Carbide even issued a statement: "MIC is not a cyanide. In no way should it be confused as such. MIC naturally degrades in the environment by reacting readily with water to become harmless substances while cyanides do not react with water." But when quizzed how he could have suggested administration of sodium thiosulphate in his first cable, he simply said that he could not be expected to know what sort of gas the Bhopal plant stocked. However, the telexed prescription had clearly referred to 'treatment of MIC pulmonary complications.'

25. Asbestos Information Association, minutes of meeting held on Dec 9 1976 at the Mayflower Hotel, Washington DC

26. Statements of Dr. Hans Weill and Dr. G. Peter Halberg, *Encouraging Prognosis Is Seen For Gas Victims*, William K. Stevens, New York Times, Dec 15 1984

27. Quoted in *Asbestos: Medical and Legal Aspects*, Barry I. Castleman, p.570, Aspen Publishers, 2005

28. New Yorker June 10, 1985, *Annals of Law: The Asbestos Industry on Trial* pp49-101, especially p.89

29. Agarwal, Anil, and Sunita Narain. *The State of India's Environment 1984-85: The Second Citizens' Report*. New Delhi: Centre for Science and Environment, 1985.

'Pointing out that if UCC had been honest about cyanide poisoning, hundreds of lives may have been saved, an angry article in *Business India* concluded:

'The impression is inescapable that there were concerted efforts by the senior-most members of Bhopal's medical establishment to suppress information on the nature of this mass poisoning.'

Said Tania Midha in another report in The Telegraph, 'Interestingly, most documents produced by Dr Mishra in refuting the validity of Dr Heeresh

Chandra's claims, are studies by Bryan Ballantyne, the expert sponsored by Union Carbide to visit Bhopal.'

30. *Bhopal: Disaster Seeking An Antidote*, Ian Jack, Sunday Times, Dec 1, 1985

31. *Unfolding the Betrayal of Bhopal Gas Tragedy*, pp.216-220 Moti Singh, B.R. Publishing Corporation, 2008

32. Copy of confidential letter by B.B.L. Mathur, Dean of Gandhi Medical College, Bhopal, reproduced in Appen, p.121.

33. ICMR interim results May 1985: 'ICMR instructed the state government to use sodium thio-sulphate because patients given the injection reported remarkable improvement, and tests showed 8-10 times increased quantities of thiocyanate in the urine, which



indicated that the body was getting rid of the poison. In early May, ICMR announced that biochemical tests had confirmed that MIC had affected the haemoglobin in the blood through a 'carbamylation' process, reducing its ability to carry carbon dioxide away from the tissues. Thus, even though the blood was rich in oxygen, tissues were starving for it.'

34. Agarwal, Anil, and Sunita Narain. *The State of India's Environment 1984-85: The Second Citizens' Report*. New Delhi: Centre for Science and Environment, 1985. p.220  
'Heeresh Chandra argued that death was due to or similar to cyanide poisoning and pushed for the immediate use of sodium thiosulphate — the known antidote — as patients were still dying. A large number of deaths occurred within the first 48-72 hours. But for inexplicable reasons, he only met with ridicule from his own colleagues who demanded more evidence. Said N P Mishra: "You are a doctor of the dead, so do not interfere with the living."

### 28-31 HELL'S ANGELS

All newspaper cuttings from Sambhavna Document Library Collection

Photo pp. 28-9 by Micha Patault, of Bhopal coroner Dr Satpathy with aborted fetuses at Hamidia Hospital, Bhopal

1. Dr Ingrid Eckerman, quoted in *Graveyard Bullies*, Outlook India, Oct 19, 2009
2. Article based on *The Babies of Bhopal* by Ritu Sarin, Sunday Magazine, July 1985.
3. Dr Daya Varma's Sept 1985 study published as *Epidemiological & Experimental Studies on the Effects of Methyl Isocyanate on the Course of Pregnancy*, Environmental Health Perspectives, Vol LXXII, pp153-157, September 1985
4. *Pregnancy Outcome in Women Exposed to Toxic Gas at Bhopal*, Dr N.R. Bhandari et al, Indian Journal of Medical Research, Section B, 1990, Vol XCII, No 2, pp.28-33
5. Article by researcher N. Ganesh in The Lancet Volume CCCLX, Number 933614, Sept 2002. See also *Frequency of Acrocentric Associations in Bhopal Gas Tragedy Survivors*, International Journal of Cell and Molecular Biology, I (2010) pp.26-30
6. *Health Effects of the Toxic Gas Leak from Union Carbide Methyl Isocyanate Plant in Bhopal: Technical Report on Pathology and Toxicology 1984-1992*, Bhopal Gas Disaster Research Centre, Medico Legal Institute, Mahatma Gandhi Medical College, Bhopal & Institute of Pathology (Indian Council of Medical Research) New Delhi, 2010

### 32-35 ON THE EDGE OF THE VOLCANO

Newspaper cutting from Sambhavna Document Library Collection, *Judge Rejects Sabotage Theory*, Jan 4 1986 (the judge referred to is Keenan in New York) p32 - Union Carbide ad widely published in National Geographic and other US magazines c.1962

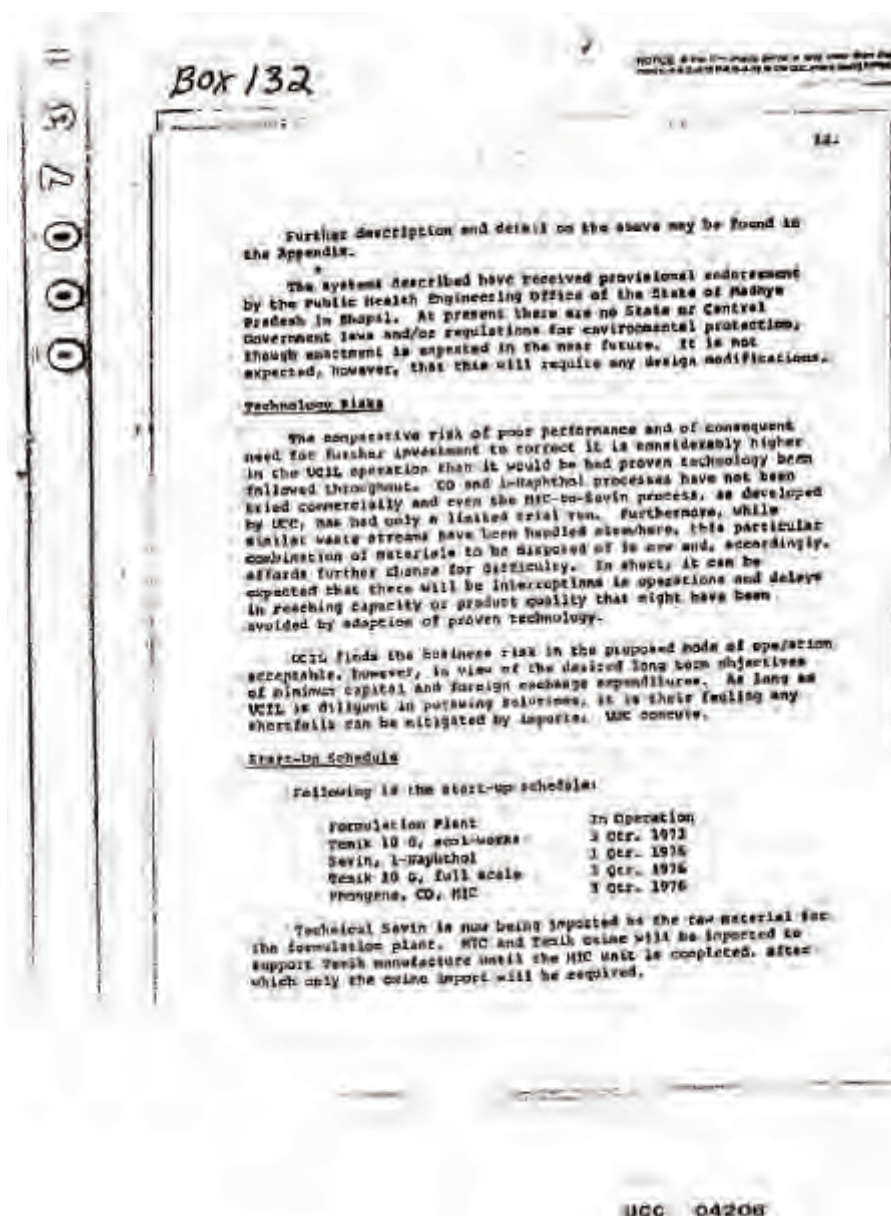
1. *Wake Up People of Bhopal, You Are On The Edge of a Volcano*, Rajkumar Keswani, Jansatta, Sept 1982
2. Based on occupational health and safety exposure threshold limits
3. International Confederation of Free Trade Unions, *The Report of the ICFTU-ICEF Mission to Study the Causes and Effects of the Methyl Isocyanate Gas Leak at the Union Carbide Pesticide Plant in Bhopal, India on December 2-3, 1984*. May 1985. The report, based on interviews with UCIL workers, says 82 tons were stored in tanks E-610 and E-611, but 'some of the MIC in the second storage tank, 611, was converted to carbaryl after November 24th.'
4. Affidavit of Eduard Muñoz in *Union Carbide Corp Gas Plant Disaster at Bhopal, India in Dec 1984*, Judicial Panel on Multi-District Litigation, docket no. 626, Jan 28, 1985
5. Council for Scientific & Industrial Research, *Report on Scientific Studies on the Factors Related to Bhopal*

*Toxic Gas Leakage*, Dr S. Varadarajan et al, Dec 1985

6. Union Carbide India Limited Methyl-Isocyanate Based Agricultural Chemicals Project, Review of Capital Budget Proposal: 1973-8, Feb 1977
7. Union Carbide India Limited Methyl-Isocyanate Based Agricultural Chemical Project, Capital Budget Proposal, Dec 2, 1973
8. Confidential memo of Union Carbide Eastern Ltd (Hong Kong) dated Feb 24, 1984
9. Business confidential *Operational Safety Survey CO/MIC/Sevin Units, Union Carbide India Limited Bhopal Plant*, C.S. Tyson et al, conducted May 3, 1982, circulated July 23, 1982
- 10, 11, 12. Multiple sources including *Bhopal: The Inside Story - Carbide Workers Speak Out on the World's Worst Industrial Disaster*, T.R. Chouhan, Apex Press May 1995; International Confederation of Free Trade Unions, *The Report of the ICFTU-ICEF Mission to Study the Causes and Effects of the Methyl Isocyanate Gas Leak at the Union Carbide Pesticide Plant in Bhopal, India on December 2-3, 1984*. May 1985, articles by Rajkumar Keswani in Jansatta, Indian Express; *Clouds of Injustice: Bhopal Disaster 20 Years On*, p.50, Amnesty International, AI INDEX- ASA 20/015/2004
13. Confidential memos and telexes of the Worldwide Agricultural Products Team, comprising executives

from Union Carbide Eastern, Union Carbide Agricultural Products and Union Carbide India Limited - documents obtained via discovery in 1985-6 and 2010-11

14. Confidential memo from R. Natarajan, Vice President Union Carbide Eastern, UCE Hong Kong to J.B. Law, Chairman, UCE Danbury, Connecticut, *Subject: A Review of UC India Ltd's Ag Products Business*, Feb 24, 1984
15. Sept 11, 1984, *Union Carbide Had Been Told of Leak Danger*, Philip Shabecoff, New York Times, Jan 24, 1985.
16. p.37, *State of Madhya Pradesh vs Warren Anderson and others*, criminal case no. 8460/1996, decided June 7, 2010 by Judge Mohan P. Tiwari
17. *Memorandum of Law in Support of Union Carbide Corporation's Motion to Dismiss These Actions on Grounds of Forum Non Conveniens*, 31 July, 1985, in *In Re Union Carbide Corporation Gas Plant Disaster at Bhopal, India* in December, 1984, 634 F Supp 842 (SNDY 1986)
18. *Union Carbide: Disaster at Bhopal*, Jackson B. Browning, Vice President, Health Safety and Environmental Programs, Union Carbide Corporation
19. Jan 7, 1987, Government of India response to Union Carbide Corporation sabotage claim.



Union Carbide memo recording that in order to achieve financial objectives UCC and UCIL agreed to use unproven technology in the Bhopal plant.

## p36-39 VOICES FROM THE ABYSS

Testimonies from *We Will Never Forget 1986-1987*, Bhopal Group for Information & Action, Dec 1987

## 40-45 BHOPAL VICTIMS BETRAYED

1. Warren Anderson, *Letter to Union Carbide stockholders*, Feb 27, 1985
2. Melvin Belli, quoted in *Enter justice, in alligator boots and a polka-dot tie*, The Times, December 11, 1984
3. Minutes of meeting between Carbide executive Rolf H. Towe and Union Carbide India Managing Director Gokhale, at Ministry of Chemicals & Fertilisers, New Delhi, Feb 28, 1985, obtained via a RTI (Right to Information) request
- 4,5. March 4, 1985. Carbide draft proposal to the Government of India for settling the Bhopal case.
6. The Bhopal Gas Disaster (Processing of Claims) Act, 1985. 29 March 1985. 'An Act to confer certain powers on the Central Government to secure that claims arising out of, or connected with, the Bhopal gas leak disaster are dealt with speedily, effectively, equitably and to the best advantage of the claimants and for matters incidental thereto.'
7. *Attorney: Conflict Issue is Tactic to Delay Bhopal Litigation*, Karren Mills, Associated Press, Apr 11 1985
8. Bud Holman, UCC's legal counsel with the firm Kelly, Drye and Warren, transcript of January 3, 1986 hearing before Judge Keenan, p. 22; & *Carbide Plays Hardball in Court*, Steven Adler, American Lawyer, Nov 1985, p.62
9. Amnesty International, *Clouds of Injustice*, p.61
10. Russell Mokhiber, *Paying for Bhopal*, Multinational Monitor, July 31, 1985 - Volume 6 - Number 10
11. John D. Rose, *Rescuing Capitalism From Corporatism: Greed And The American Corporate Culture*, p.40.
12. 50,000 rupees spread over more than 27 years
13. *In Re Union Carbide Corporation Gas Plant Disaster at Bhopal, India in December, 1984*, 634 F Supp 842 (SNDY 1986)
14. 'Union Carbide will not appear because, as a United States corporation, it is not subject to India's jurisdiction', said Robert Berzok, Carbide's director of communications' from *India Acts in Carbide Case* Reuters, May 17, 1988
- 14b. *Poison Gas, Up Two Bucks*, Editorial, The Nation, March 6, 1989
15. A full discussion of the compensation process in Amnesty International, *Clouds of Injustice*, pp. 63-71
16. Union Carbide Corporation v. Union of India (1991) 4 SCC 584.

## 47 A MAN DESTINED TO BURN

Radha Kumar. Adapted from article of the same name first published in the Hindu, Mar 26 1990

## 48 A LETTER TO UNION CARBIDE

Letter dictated by Sajida Bano to Suketu Mehta, published in *Bhopal Lives*, The Village Voice, 1991

## 49 NEGATIVE POSITIVE

Based on interview with Harishankar Magician by Suketu Mehta, published in *Bhopal Lives*, The Village Voice, 1991

## 50-53 LONG WALK OF THE WOMEN

Story compiled from interviews with Rashida Bee and other women, by several interviewers

## 54-57 THE COMPENSATION NIGHTMARE

Article sourced from *Compensation Disbursement: Problems and Possibilities*, a report of a survey conducted in three gas affected bastis in Bhopal - Bhopal Group for Information & Action, Jan 1992

## 58 SATHYU AND SUNIL GO TO PRISON

Personal account by Satinath Sarangi of a 1989 visit to the US with survivor Sunil Kumar and a 1991

visit with former UCIL plant operator T.R. Chouhan

## 60-67 UNION CARBIDE'S SECRET DISASTER

1. *Bhopal: 25 years of poison*, Indra Sinha, The Guardian, Dec 3, 2009
2. 'Medicine for the fields'
3. Testimony of Bhavesh, given at Sambhavna Clinic, Bhopal
4. Confidential Union Carbide India memo, obtained via discovery in US court proceedings, exact date not known but after mid-May 1990.
5. *Assessment of pollution damage due to Solar Evaporation Ponds at UCIL*, September 1989, cited in letter, David Langseth, Arthur D Little, to Norman Gaines, UCC, November 10, 1989, UCC 01823
6. National Toxics Campaign Fund, 1990. *Union Carbide in Bhopal, India: the lingering legacy*. Boston: Citizen's Environmental Laboratory
7. Subimal Bose letter to Babu Lal Gaur, Minister for Gas Relief and Rehabilitation, Madhya Pradesh, Untitled, May 16th, 1990.
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9. Chouhan, T.R. (2000) Affidavit of Tota Ram Chouhan, Index no. 99 Civ. 11329 (JFK), United States District Court Southern District of New York, 3rd July 2000, 6pp
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11. Letter, Subimal Bose, Director UCIL, *Internal investigation at Bhopal Plant site*, to Norm Gaines, UCC, March 30, 1992. UCC 03550
12. Talk with Rehana's parents, Chingari Trust 2006
13. US Engineers at South Charleston, West Virginia misgivings about Solar Evaporation Ponds. Record Memorandum, GR Hattiangadi, *Sevin Project, UCIL, Disposal of By-product HCl*, May 7, 1972. UCC 04516
14. ibid.
15. T.S. Shah, Humphreys and Glasgow Consultants Private Limited, Bombay, *Minutes of meeting No. 172 held between UCIL, M/s. K Datye and H&G GC on 19-1-77 in H & G GC Offices*. 20th January 1977. UCC 04922-24
16. Telex 1. William Correa, Bombay, to H. Ayers, UCE Hong Kong, 03/25/82. UCC 01737
- Telex 2. William Correa, Bombay, to H. Ayers, UCE Hong Kong, 04/10/82. UCC 01736

## 68-9 HEALTH DISASTER ROARED ON

1. *Thousands of our children weren't so lucky. They survived*. Fundraising appeal in The Guardian Dec 3, 1994. Placed by International Medical Appeal for Bhopal, later the Bhopal Medical Appeal
2. *Findings and Judgement of the Permanent People's Tribunal on Bhopal*, Oct1992
3. *Statement of the International Medical Commission for Bhopal*, Jan 24, 1994
4. *Final Report of the International Medical Commission for Bhopal*, March 11, 1996

## 70-71 THOUSANDS OF OUR CHILDREN

Facsimile of *Thousands of our children weren't so lucky. They survived*. Fundraising appeal in The Guardian Dec 3, 1994. Placed by International Medical Appeal for Bhopal, later the Bhopal Medical Appeal

## 72-73 GOOD PEOPLE WILL HEAR

1. *Second report of the Monitoring Committee On Medical Rehabilitation of Bhopal Gas Victims*, June 8th, 2005

## 74-75 3,000 YEAR OLD SCIENCE

1. *Observations of the ICMR*, Indian Council of Medical Research, February 1985
2. Citizens' Committee for Relief & Rehabilitation in

Bhopal, 1985

3. Medico Friends Study on women pregnant at the time of the gas disaster, Feb 1985
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5. Daya Varma. *Epidemiological & Experimental Studies on the Effects of Methyl Isocyanate on the Course of Pregnancy*, Environmental Health Perspectives, Vol LXXII, pp153-157, September 1985
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## 78-79 TAMING WAYWARD MOONS

*Comparative efficacy of Yoga therapy in treatment of dysmenorrhoea of women exposed to contaminated ground water*. Sambhavna Trust, 2008

## 80-81 FIRST DO NO HARM: AYURVEDA

1. *When money is not enough - inadequate health care in Bhopal*, Maya Shaw, accessed at [bhopal.net/oldsite/maya.html](http://bhopal.net/oldsite/maya.html)
2. 1996 Sambhavna study into mis-prescribing of drugs in government hospitals

## pp86-87 COCK UP TO COVER UP

Numbers here identify Union Carbide and Arthur D Little documents obtained via discovery in a US court. Full versions of all documents are available on [bbopalmarathon.org](http://bbopalmarathon.org)

1. UCC 02271
2. *Assessment of pollution damage due to Solar Evaporation Ponds at Union Carbide factory, Bhopal*, NEERI Report, 1990. The NEERI report shows that it left as many as nine peaks unidentified in a [chromatography] of soil and water samples, NEERI 1990, pp.73-4.
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5. Norm Gaines, UCC 02050
6. UCC 02400 and 02401. (Full Carbide discussion: UCC 02398 / 02399 / 02400 / 02401 and 02402.)
7. Madhya Pradesh Public Health Engineering Department's State Research Laboratory tested water from 11 community tubewells, finding large amounts of chemicals dissolved in the water. 'It is established that this pollution is due to chemicals used in the Union Carbide factory that have proven to be extremely harmful for health. Therefore the use of this water for drinking must be stopped immediately.' *Confidential report of the Chief Chemist, State Research Laboratory, Madhya Pradesh Public Health Engineering Department*, Nov 26, 1996
8. UCC 01099
9. *Assessment of Contaminated Areas Due to Past Waste Disposal Practices at EIL, NEERI Report 1997*
10. UCC 01100 / 01101
11. Arthur D. Little critique of NEERI draft report, UCC 03043, p.13
12. ibid
13. UCC 03042- 03043
14. NEERI report 1997 op. cit.
15. Krohley Declaration, Para 6, Ex. A

## 88-89 THE GREENPEACE REPORT

Facts and figures drawn from *The Bhopal Legacy*, Greenpeace, Nov 1999. Analysis of chemicals by Greenpeace Laboratory 1999 & 2009  
See also related Greenpeace reports available from: [http://www.greenpeace.org/international/en/campaigns/toxics/toxic-botsps/CchemicalStockpilesatUnionCarbideinBhopal.ExecutiveSummary.TechnicalguidelinesforcleanupattheUnionCarbideIndiaLtd\(UCIL\)siteinBhopal,MadyaPradesh,India,2002](http://www.greenpeace.org/international/en/campaigns/toxics/toxic-botsps/CchemicalStockpilesatUnionCarbideinBhopal.ExecutiveSummary.TechnicalguidelinesforcleanupattheUnionCarbideIndiaLtd(UCIL)siteinBhopal,MadyaPradesh,India,2002)



*Corporate Crimes: The need for an international instrument on corporate accountability and liability* (2002 Greenpeace report)

1. Greenpeace declares Bhopal site a 'global toxic hotspot' Dec 2, 1999  
2. Confidential report of the Chief Chemist, State Research Laboratory, Madhya Pradesh Public Health Engineering Department, November 1996  
3 & 5. 'A report issued by the India's National Environmental Engineering Research Institute (NEERI) in 1997 found ... no evidence of ground-water contamination outside the plant and concluded that local water-wells were not affected by plant disposal activities. <http://www.bhopal.com/faq/faq15>  
4 & 5. 'In a report to the State of Madhya Pradesh dated June 2010, India's National Environmental Engineering Research Institute concluded that the 'groundwater in general is not contaminated due to seepage of contaminants from the UCIL' plant site. This conclusion is consistent with NEERI's earlier findings that all groundwater samples tested were within drinking water standards.'

Dow Chemical Company, *Q & A with respect to the Government of India's request for a Curative Petition related to the 1989 Bhopal Settlement*, Feb 28, 2011, accessed at [http://www.dow.com/sustainability/debates/pdfs/QA\\_Issuance\\_Notice\\_with\\_respect\\_Curative.pdf](http://www.dow.com/sustainability/debates/pdfs/QA_Issuance_Notice_with_respect_Curative.pdf)

#### 90-91 A-Z OF DISEASES & CHEMICALS

Sources:

Bhopal Group for Information & Action

Children seen by Sambhavna and Chingari clinics

#### 92-93 SAMBHAVNA WATER CAMPAIGN

1. Letter of Subimal Bose to Norm Gaines March 30, 1992 revealing that people of Atal Ayub Nagar, whom he described as 'squatters', were drinking from wells contaminated by factory chemicals
2. *The Bhopal Legacy*, Greenpeace, 1999
3. Factfinding Mission on Bhopal, 2002

#### 94-95 A FRIGHTENED MAN

Account of meeting and interview with N. Ganesh by Tim Edwards

1. Indian Council of Medical Research study 1980s
2. *Bhopal's health disaster continues to unfold*, Dinesh C. Sharma, *The Lancet*, Vol. CCCLX No. 9336 p. 859, Sept 14, 2002

#### 96-99 THE VANISHINGS & REAPPEARANCES OF UNION CARBIDE CORPORATION

1. *Chemical & Engineering News*, Vol 79, No 25, pp. 21-25, June 18, 2001
2. UNION CARBIDE CORPORATION, FORM 8-K, SEC filing, August 3, 1999
3. *London 2012: Dow Chemical deal is fine by me, says David Cameron*, Owen Gibson, *The Guardian*, March 12, 2012.
- 3a. The FIR (First Information Report) was filed at the city's Hanumanganj police station on the evening of Dec 3 1984 by Inspector Surinder Singh Thakur. The names of Warren Anderson, Keshub Mahindra, Chairman of Union Carbide India Limited, and Vijay Gokhale, Managing Director (the latter two convicted by Mohan P Tiwari, Chief Judicial Magistrate, Bhopal, on 7 June 2010) do not figure in the FIR. The CBI took over the case on Dec 6 1984, the eve of Warren Anderson's arrival in Bhopal. Thakur wrote out a charge sheet under section 304A of the Indian Penal Code, naming eleven accused including Warren Anderson, UCC and UCE as accused nos. 1, 10 & 11 respectively. (See note 9 and above: charge sheet, as produced at commencement of proceedings in Nov 1987)
4. *Unfolding the Betrayal of Bhopal Gas Tragedy*, Moti Singh, B.R. Publishing Corporation, 2008
5. Rob Hager, lawyer for the Christic Institute, characterised the GAF takeover attempt as 'a sweetheart operation and intentional smokescreen

CHARGE SHEET		Charge Sheet No. 2	Date: 30th November 1987
Name and address of accused persons up to this		Charge sheet number	Date filed in court
1. Mr. Warren Anderson, Former Chairman, Union Carbide Corporation, 39, Old Ridgeway Road, Danbury, Connecticut, U.S.A. 06817	2. Shri Keshub Mahindra, former Chairman, UCCIL, 15 Mathew Road, Bombay-400 004 residing at Flat No. 9 & 10, St. Helen's Court, G. Deshmukh Marg, Bombay-400 026.	3. Shri Vijay Gokhale, former Managing Director and presently Managing Director UCCIL, 15, Mathew Road, Bombay-400 004.	4. Shri Kishore Kamdar, former Vice-President Incharge, UCCIL, 15, Mathew Road, Bombay-400 004 residing at Flat No. 190, Floor, Flat No. 191.
5. Shri J. Mukund, former Works Manager, A.P. Division, UCCIL, Bernala Road, Bhopal, residing at 60 Land road Dargah Road, Bhopal-466 006.	6. Dr. B.D. Roy Choudhary, former Asst. Works Manager, A.P. Division, UCCIL, Bernala Road, Bhopal, residing at Satya Flat No. 10, 15th Road, Bauda (W) Road, Guwahati, Pune-410 037.	7. Shri S.P. Chaudhary, former Production Manager, A.P. Division, UCCIL, Bernala Road, Bhopal, residing at 12, Akar Park, behind Akar Society, Shankar Sagar Road, Guwahati, Pune-410 037.	8. Shri K.V. Shetty, Plant Superintendent, A.P. Division, UCCIL, Bernala Road, Bhopal.
9. Shri S.L. Qureshi, Production Assistant, A.P. Division, UCCIL, Bernala Road, Bhopal.	10. Union Carbide Corporation, 39, Old Ridgeway Road, Danbury, Connecticut U.S.A. 06817.	11. Union Carbide (Eastern) Inc. 16th Floor, New World Office Building (East Wing), 24 Salisbury Road, Tsimshai Tsui, Kowloon, Hong Kong.	12. Union Carbide India Ltd, 7, Ashokanagar, Calcutta-75.
Further 1st, if any will be submitted on completion of remaining investigation.			
Disputed at 4:45 p.m.			
Signature of Investigation Officer			
on 30th November, 1987			

### Charge Sheet in the criminal proceedings against Warren Anderson, Union Carbide Corporation, Union Carbide Eastern et al. November 30, 1987

for fraudulent transfers to UCC shareholders of assets that might otherwise have been subject to a potential Bhopal legal judgement...' Letter, Rob Hager, *Multinational Monitor* Vol 12, No 9, Sept 1991  
6. In Re Union Carbide Corporation Gas Plant Disaster at Bhopal, India in December, 1984, 634 F Supp 842 (SNDY 1986).  
7. UCC tendered acceptance to the court on June 12, 1986. *Inconvenient Forum and Convenient Catastrophe*, Upendra Baxi, the Indian Law Institute, 1986 p. 326  
8. 'Towe letter' (reproduced on p.41) by Dr V. Krishna, Adv (C), Secretary, Ministry of Chemicals & Fertilizers, circulated to Mrs Sarla Grewal, Secretary, Ministry of Health & Family Welfare, and Dr. S. Varendra, Secretary & Director General, Council of Scientific & Industrial Research. File: 21(13)/85-chI  
9. Charge Sheet in respect of Crime No. 1104/84, registered on 6th December 1984 at Hanumanganj police station, Bhopal, under Section 304A of Indian Penal Code by Inspector Surinder Singh Thakur 'who observed people dying around the factory of Union Carbide (India) Limited, due to escape of some gas from the factory.' (Above: Charge sheet as produced at commencement of criminal proceedings in Nov 1987)  
10. Meeting with MegaVisa Marketing & Solutions Ltd on Tuesday 13 Feb 2001. Ravi Muthukrishnan, Dow Chemical Country Manager, India, attachment to email RE: UCC Agent/Distributor - India/MEGAVISIA dated February 13th, 2001. Doc. no. D14000903 in Civil No. 3:02 CV 1107 (AVC), *MM Global Services Inc et al v. the Dow Chemical Company & Union Carbide Corpora-*

tion et al, United States District Court for the District of Connecticut

11. *Letter of Agreement*, R Natarajan, Vice President, Union Carbide Eastern, to Visa Petrochemicals PVT Ltd, November 14, 1987. Document no. Doo619 in Civil No. 3:02 CV 1107 (AVC)
12. *India Acts in Carbide Case*, Reuters, May 17, 1988
13. The Chief Judicial Magistrate's Court, Bhopal, issued summons to Peter J Whitley, named representative of Union Carbide Eastern, on Sept 24, 1988. The Division of Corporations, State of Delaware, records Entity file no. 2174914, Union Carbide Asia Pacific, Inc., registered Oct 11, 1988
14. 'In 1983, I joined Union Carbide Eastern Inc., and worked for that company in Hong Kong. In 1988, Union Carbide Eastern, Inc. was wound up. I then joined UCAP in January 1989 and moved from Hong Kong to Singapore.' AFFIDAVIT OF LAWRENCE CHEUNG, Sales Director of polyolefins and elastomers for Dow Chemical Pacific (Singapore) Pte. Ltd, in Civil No. 3:02 CV 1107 (AVC). In addition, Letters of agreement between Visa Petrochemicals and Union Carbide Eastern were subsequently managed by R. Natarajan in his new capacity as President of Union Carbide Asia Pacific (Document Doo618)
15. \$1000 bailable arrest warrants against UCC Chief, Others, Times of India, Nov 16, 1988
16. Settlement, 14 Feb 1989. 'To enable the effectuation of the settlement, all civil proceedings related to and arising out of the Bhopal gas disaster shall hereby stand transferred to this Court and shall stand concluded in



Culture Exchange Inc. 202-529-1470.  
**TRASH REMOVAL**—Cleaning out  
 basins, & garages. Hauling. Reas-  
 rates. Call 301-507-0349.

**NOTICES**  
**800-899**

**819 Legal Notices**

**COURT OF SHRI GULAB  
 DHARMA, CHIEF JUDICIAL MAG-  
 STRATE, BHOPAL,  
 MADHYA PRADESH, INDIA**

**DOCKET N.T. NO. 272 OF 1992  
 (ARISING OUT OF CASE : NC  
 3/34-ACU/0 CBI SPE NEW DELHI  
 STATE THROUGH**

**(CENTRAL BUREAU OF INVES-  
 TIGATION, NEW DELHI, INDIA)**  
**VS**  
**MR. WARREN ANDERSON,  
 FORMER CHAIRMAN,  
 UNION CARBIDE CORPORATION,  
 U.S.A., AND 11 OTHERS -  
 ACCUSED**

**PROCLAMATION REQUIRING  
 THE APPEARANCE  
 OF A PERSON ACCUSED  
 (SECTION 82 OF THE CODE OF  
 CRIMINAL PROCEDURE 1973)  
 (ACT II OF 1974 OF INDIA)**

Whereas complaint has been made  
 before me that Mr. Warren Ander-  
 son, S/O late J.M. Anderson, For-  
 mer Chairman, Union Carbide Cor-  
 poration, U.S.A., 8/O 54, Greenwich  
 Hill Drive, Greenwich CT-06831 U-  
 S.A. has committed the offence of  
 culpable homicide not amounting to  
 murder, voluntarily causing griev-  
 ous hurt by dangerous weapons or  
 means, mischief by killing of animals  
 and the commission of such offences  
 with criminal intention of knowledge  
 etc., punishable under Sections, 304,  
 324, 376, 429 and 35 of Indian Penal  
 Code 1860, and it has been returned  
 to a warrant of arrest thereupon  
 issued that the said Mr. Warren  
 Anderson cannot be found, and  
 whereas it has been shown to my  
 satisfaction that the said Mr. War-  
 ren Anderson has absconded or is  
 concealing himself to avoid the ser-  
 vice of the said warrant;  
 Proclamation is hereby made that  
 the said Mr. Warren Anderson of 54,  
 Greenwich Hill Drive, Greenwich -  
 CT-06831 U.S.A. is required to ap-  
 pear at Bhopal, Madhya Pradesh,  
 India before this Court to answer the  
 said complaint on the 1st Day of  
 February, 1992.  
 Dated, this 7th Day of December,  
 1991.

(Gulab Sharma)  
 Chief Judicial Magistrate,  
 Bhopal,  
 Madhya Pradesh, India

**825 Bids & Proposals**

**REQUEST FOR QUALIFICATIONS**

Proclamation of Bhopal court in  
 Washington Post requiring  
 attendance of Warren Anderson

terms of the settlement, and all criminal proceedings related to and arising out of the disaster shall stand quashed wherever these may be pending.' Union Carbide Corporation v. Union of India (1989) 3 SCC 17. Attorney General Soli Sorabjee alleged that the inspection was due to be conducted during the middle of February, 1989 and that the settlement 'was intended to circumvent that inspection...' UNION CARBIDE CORPORATION VS RESPONDENT: UNION OF INDIA, 03/10/1991

18. This old story finds its latest airing in journalist Anjali Deshpande's 2012 novel *Impeachment*, about the aftermath of the 1989 Union Carbide settlement

19. Oct 3, 1991, Indian Supreme Court modifies 1989 Settlement, revives criminal charges against UCC, UCE & Warren Anderson and offers UCC its money back: Union Carbide Corporation v. Union of India (1991) 4 SCC 584

20. *ibid*.

21. Court threatens attachment, Order of Feb 1, 1992, CJM, Bhopal in M.J.C. No.91/1992

22. The proclamation (*left*) appears in the Washington Post Classifieds under an ad offering 'Trash Removal'

23. 'At the next hearing on March 27, 1992, the prosecution (CBI) moved an application for attachment of the property of the absconding foreign accused but at the request of the counsel for the Indian co-accused the case was adjourned to April 30, 1992.' S. Muralidhar, *Unsettling Truths, Untold Tales* International Environmental Law Research Centre Working Paper, 2004/5, 3.2.1, <http://www.ielrc.org/content/00405.pdf>

24. 'The request for issue of non-bailable arrest warrants against Warren Anderson for the purposes of extradition was to be considered on May 22, 1992. In this interregnum, UCC managed to create the Bhopal Hospital Trust and endow its entire shareholding in UCIL to the BHT.' *ibid*.

25. '...the accused wants to evade prosecution by any means. Then there is no option but to attach its properties situated in India.' Order April 30, 1992 passed by the CJM, Bhopal in M.J.C. No.91 of 1992.

26. Order, dated December 10, 1993, Supreme Court in I.A.Nos.24-25 in C.A.Nos.3187-88 of 1988

27. *ibid*.

28. *ibid*. p.7

29. Ahmadi bench overrules Bhopal court: Order dated February 14, 1994 of the Supreme Court in C.A.Nos.3187-88 of 1988

30. 'The victim groups on getting to know of this order, filed review petitions on April 13, 1994 for recall of the order dated February 14, 1994. These applications were adjourned on five occasions and were ultimately heard on October 20, 1994 by which time, the sale of the shares had already taken place.' S. Muralidhar, *Unsettling Truths, Untold Tales*, p.33

31. *ibid*

32. See the orders dated October 20, 1994 passed by the Supreme Court reported in Union Carbide Corporation v. Union of India (1994)

33. I.A.Nos.30-31 of 1995 in C.A.Nos.3187-88 of 1988, prayer (a).

34. Union Carbide Corporation v. Union of India (1996) 3 SCALE (SP) 64

35. *Preparing for Growth*, ICIS News, June 19th, 1995, accessed at <http://www.icis.com/Articles/1995/06/19/2380/preparing-for-growth.html>

36. UCC MEGAVISA RELATIONSHIP IN INDIA, Ravi Muthukrishnan, Document no. D14000904 in Civil No. 3:02 CV 1107 (AVC)

37. *Defendants' Brief in support of their motion for summary judgment*, Dow Chemical et al, January 23rd, 2006, p. 1. In Civil No. 3:02 CV 1107 (AVC)

38. 'In a well orchestrated move, UCIL on August 24, 1995 withdrew its revision petitions in the Madhya Pradesh High Court challenging the attachment order passed by the CJM, Bhopal on April 30, 1992. Thus, the attachment order attained finality and so did the

finding of the CJM, Bhopal in that order that the creation of the Trust was malafide and with a view to defeat the attachment order.' S. Muralidhar, *Unsettling Truths, Untold Tales*, p.33

39. UNION CARBIDE CORPORATION, FORM 8-K, filed with the SECURITIES AND EXCHANGE COMMISSION, August 3, 1999

40. Martin F Statfeld on behalf of himself and all others similarly situated, v. Frank Popoff et al, ooCIV. 3364 filed May 3rd, 2000 in United States District Court, Southern District of New York

41. *Shadow of Bhopal heading for Dow*, Beth Medley Beller, Midland Daily News, May 12, 2000

42. *Dow completes Carbide deal*, Chemical & Engineering News, Feb 12, 2001, Vol 79, No 7, p.7

43. Michael McCoy, Chemical & Engineering News, Vol 79, No 25, pp. 21-25, June 18, 2001

44. Email, *Re. Reference to Dow/Union Carbide*, Catherine Maxey, Business Public Affairs Director, Performance Chemicals, Dow Chemical Company, March 14, 2001.

45. 'Dow conducts its worldwide operations through global businesses, and the Corporation's business activities comprise components of Dow's global businesses rather than stand-alone operations. Because there are no separable reportable business segments for UCC and no detailed business information is provided to a chief operating decision maker regarding the Corporation's stand-alone operations, the Corporation's results are reported as a single operating segment. In addition, in order to simplify the customer interface process, the Corporation sells substantially all its products to Dow.' Union Carbide Corporation, ANNUAL REPORT ON FORM 10-K/A Year Ended Dec 31, 2011, Part 1.

46. *Dow Chemical defends Olympic Stadium sponsorship deal*, Owen Gibson in The Guardian, March 8, 2012

100-101 A DANCE OF SEVERAL VEILS

1. Michael McCoy, *Chemical & Engineering News*, Vol 79, No 25, pp. 21-25, June 18, 2001

2. *Survivors organisations oppose the proposed merger of Dow and UCC* Aug 8, 1999, Press Statement by Abdul Jabbar, Convenor, Bhopal Gas Peedit Mahila Udyog Sangathan; Balkrishna Namdeo, Convenor, Bhopal Gas Peedit Nirashrit Pension Bhogi Sangharsh Morcha; Rashida Bee, President, Bhopal Gas Peedit Mahila Stationery Karmachari Sangh; and Satinath Sarangi of the Bhopal Group for Information & Action: <http://legacy.bhopal.net/oldsite/oldwebsite/press8899.html> See also: *Killer Carbide is now Dow Chemical*, <http://legacy.bhopal.net/oldsite/oldwebsite/mergerinfo.html> both retrieved Aug 12, 2012

3. Reverse triangular merger: UNION CARBIDE CORPORATION, FORM 8-K, filed with SECURITIES & EXCHANGE COMMISSION, Aug 3, 1999 - results in separate businesses: 'The Dow Chemical Company's response to the curative petition filed by the Union of India', November 18, 2011, accessed at <http://www.dow.com/sustainability/debates/pdfs/TDCC-Response-CP-111811.pdf>

4. *Letter of Agreement*, R Natarajan, Vice President, Union Carbide Eastern, to Visa Petrochemicals PVT Ltd, November 14, 1987.

5. *ibid*.

6. *\$1000 bailable arrest warrants against UCC Chief, Others*, *Times of India*, November 16, 1988

7. The Division of Corporations, State of Delaware, records Entity file no. 2174914, Union Carbide Asia Pacific, Inc., registered October 11th, 1988

8. Letter of 90 day notice to terminate former agreement, R Natarajan, to Visa Petrochemicals PVT, April 5th 1993. Document no. Doo618 in Civil No. 3:02 CV 1107 (AVC)

9. Private remark of CBI official to Satinath Sarangi of the BGIA, 1992

10. Order dated April 30, 1992 passed by the CJM, Bhopal in M.J.C. No.91 of 1992.

11. 'In a bid to further insulate UCC from liabilities



in India resulting from the repercussions of the Bhopal tragedy, UCC issued in 1993 a corporate legal directive that no UCC employee would be allowed to travel to India and that UCC could not ship its Products directly to India.' Affidavit of Sanjiv Pranal Sanghvi, Director, Megavisa Solutions (Singapore) PTE LTD, in SUIT NO. 1035/2002/C in the High Court of the Republic of Singapore, September 23, 2002 See also next item:

12. *The Change in the India Channel of Marketing/Distribution*, Document no. M588, in Civil No. 3:02 CV 1107 (AVC)
13. Affidavit of Sanjiv Pranal Sanghvi, op. cit.
14. MEETING WITH MEGAVISA MARKETING & SOLUTIONS LTD on Tues, Feb 13, 2001, Ravi Muthukrishnan, Dow Chemical Country Manager, India, attachment to email *RE:UCC Agent/Distributor India/megavisa* dated February 13th, 2001. Document no. D14000903 in Civil No. 3:02 CV 1107 (AVC)
15. 'Q. How long have you been retired? A. June 1, 2001... Q. Now, you say you left everything in your office in Singapore. What do you mean by that, Sir? A. I turned it over to the Union Car--I mean, the Dow Asia Pacific people who were responsible for the region, who assumed my responsibilities after the merger.' Deposition of Ron Neri, former President of Union Carbide Asia Pacific, on August 23, 2005 in Civil No. 3:02 CV 1107 (AVC)
16. Various emails between managers of Dow India, Dow Europe, Dow Asia Pacific and Dow Singapore and manager of Megavisa India, discovered in Civil No. 3:02 CV 1107 (AVC)
17. Emails between Ako Serizawa, Dow Asia Pacific Customer Interface, and Edward RJ. Neunuebel, Dow Pacific Legal - Hong Kong, on July 6, 2001. Doc. no. M5313 in Civil No. 3:02 CV 1107 (AVC)
18. *ibid*.
19. *Olympic sponsorship row fuelled by Bhopal revelations*, Nina Lakhani, The Independent, February 13, 2012
20. *The humble application on behalf of Dow Chemical International Pvt Ltd Before the C of the Hon'ble Chief Judicial Magistrate, Bhopal*, In the matter of Criminal Complaint MJC 91/92, Order Dated 15/16th June, 2004. Argued September 3rd, 2004

#### 104 '\$500 IS PLENTY GOOD FOR AN INDIAN'

1. Dow Seadrift Public Affairs Manager Kathy Hunt to Diane Wilson, reported by Wilson
2. Dow CEO Michael Parker to Bhopal survivors at Dow 2002 AGM, May 9, 2002
3. Dan Feldman of the CalTech Environmental Task Force interview with Dow board member Prof. Jacquie Barton. Full transcript on *bbopalmarathon.org*
4. *ibid*
5. *Technical guidelines for cleanup at the Union Carbide India Ltd (UCIL) site in Bhopal, Madhya Pradesh, India*, Greenpeace, 2002
6. Dow CEO Andrew Liveris, March 3, 2007

#### 105 ONE OF THESE A DAY

50,000 rupees spread over more than 27 years.

#### 106 CARBIDE SITE 18-20 YEARS AFTER

1. T.R. Chouhan, former UCIL plant engineer, author of *Bhopal: The Inside Story - Carbide Workers Speak Out on the World's Worst Industrial Disaster*, Apex Press May 1995.
2. Carbaryl, chemical name of Sevin insecticide, made from reacting methyl-isocyanate with phosgene
3. Lindane, Sevin, Union Carbide brand names for tri-methylbenzene and carbaryl insecticides
4. The 70 antiquated gauges in the control room were monitored by one operator after the cost cutting, the pressure valve for fatal tank E-610 was pointed out to visitors, still jammed on overload

#### 108 TAKE THE BROOM TO DOW

*'Jhadoo Maro Dow Ko!': 'Hit Dow with a broom'.*

#### 110 WE'LL DO IT OURSELVES

Frames from videotaken on Nov 25, 2002 at the Union Carbide factory. The violent police officer is Reserve Inspector Chouhan. Video at *bbopalmarathon.org*.

#### 114 'THE DAY THEY GOT SADDAM'

Comment on a news piece *Drill at Dow plant prepares for terrorism* that appeared in the New Jersey Star-Ledger on Monday Dec 13, 2003. The article as shown here is not the original, which we were unable to obtain, but a reconstruction. It is accompanied by an excerpt from *Animal's People* by Indra Sinha, Simon & Schuster 2007, shortlisted for the 2007 Man Booker Prize for Fiction and Winner, Commonwealth Prize for Europe & South Asia, 2008

#### 116-117 THE BUNGLED RESURRECTION

1. *Bhopal gas victims stage rally in Bombay*, Times of India News Service, March 2, 2001
2. *Gas victims launch campaign for justice*, Hindustan Times, March 13, 2001
3. William Stavropoulos at 2003 Dow AGM
4. Quoted in *Bhopal Survivors Confront Dow: They Say Dow Execs Lied to Shareholders*, Helene Vosters, Special to Corpwatch, May 15, 2003
5. Criminal case charge sheet
6. Bhopal Court summons Dow in place of UCC

#### 118-125 PORTRAITS IN PAIN

p.121 Part III 'A day with Sunil'

1. *Bhopal Gas Tragedy (1984)*, National Institute of Mental Health & Neurosciences, 1985
2. Factfinding Mission on Bhopal, 2000
3. *Bhopal Express*, written by Piyush and Prasoon Pandey, directed by Mahesh Matthai, starring K.K., Nethra Raghuraman, Naseeruddin Shah and Zeenat Aman, Highlight Films, 1999

#### 126-133 WE ARE FLAMES NOT FLOWERS

1. Goldman Prize 1994, awarded jointly to Rashida Bee and Champadevi Shukla. The citation reads:

#### 134-135 RASHIDA & CHAMPADEVI

1. *An Ongoing Disaster*, V. Venkatesan, Frontline, Vol. 21, Issue 15, July 17-30, 2004
2. Supreme Court of India order of May 7, 2004

#### 136-137 OUR FIGHT FOR CLEAN WATER

1. *ibid*
2. *Bhopal: 25 years of poison*, Indra Sinha, The Guardian, Dec 3, 2009
3. *Beauty lies in the eyes of chief minister*, Santosh Singh, The Statesman, June 16, 2005
4. Andrew Liveris speech at the UN, 25 July 2006
5. Andrew Liveris in answer to University of Michigan and Michigan State University student protesters at Dow AGM, May 11, 2006

#### 138-139 LIFE & DEATH OF A MAD CHILD

Several people have contributed their memories and words to this remembrance of Sunil

#### 156-157 WHY DO THESE PEOPLE?

1. *Bhopal: 25 years of poison*, Indra Sinha, The Guardian, Dec 3, 2009
2. *Bhopal Gas Tragedy Lives On 20 Years Later*, Scott Baldauf, Christian Science Monitor, May 4, 2004
3. Source: Bhopal Group for Information & Action (BGIA)
4. *The toxic truth about a terrible tragedy*, Subodh Varma, Times of India, Dec 4, 2009
5. *Bhopal gas victims burn Jairam's effigy*, Suchandana Gupta, Times of India, Sept 15, 2009
6. *25 yrs on, a walk through the Carbide plant*, Akshai Jain, Wall St Journal, Nov 21, 2009
7. Chief Minister Shivraj Singh Chauhan in interview with BBC's Allan Little, broadcast Dec 2009
8. *India's most secret incinerator is here*, Nityanand

Jayaraman, Tehelka, July 18, 2011

9. Letter of NEEERI Director Chakrabarti to Madhya Pradesh government, dated Nov 4, 2009  
'I concur with the decision that the Union Carbide factory will be opened for general public for a period of 15 days in connection with the 25th anniversary of the Bhopal gas tragedy. The reason for concurring with the above mentioned idea lies in the fact that I, along with several government officials, have visited the site umpteen number of times without experiencing any health problem. The experts from the Supreme Court Monitoring Committee, Central Pollution Control Board officials, officials from the Ministry of Petroleum and Natural Gas and officials from the MP Pollution Control Board, who were with me on different occasions, did not experience any health problem as I still continue with them even today. Therefore, I am concurring with the idea of BGTR&R decision of allowing general public to visit the plant site from the distance of twenty feet as proposed in your (government's) letter.'

#### 160-161 DEAR MRS. BANO

1. Judgement of Mohan P. Tiwari, Chief Judicial Magistrate, Bhopal, June 7, 2010 given against eight Indian officials of Union Carbide India Ltd (UCIL).
2. 'Mr Warren Anderson, UCC USA and UCC Kowloon Hongkong are still absconding and therefore, every part of this case (Criminal File) is kept intact along with the exhibited and unexhibited documents and the property related to this case, in safe custody, till their appearance.' Paragraph 266, Judgement of Mohan P. Tiwari, Chief Judicial Magistrate, Bhopal, June 7, 2010
3. *Bhopal verdict an example of 'justice buried': Law Minister*, Hindustan Times, June 7, 2010
4. *MEA got Anderson off the book*, India Today, June 8, 2010
5. *U.S. won't reopen Bhopal gas leak probe, says Robert Blake*, The Hindu, June 9, 2010
6. The reconstituted GoM had its first meeting on 18th June, 2010, under the chairmanship of Shri P. Chidambaram, Minister of Home Affairs. The meeting was attended by Shri Ghulam Nabi Azad, Minister of Health and Family Welfare, Shri M. Veerappa Moily, Minister of Law and Justice, Shri S. Jaipal Reddy, Minister of Urban Development, Shri Kamal Nath, Minister of Road Transport and Highways, Kumari Selja, Minister of Housing and Urban Poverty Alleviation and Minister of Tourism, Shri M. K. Alagiri, Minister of Chemicals and Fertilizers, Shri Prithviraj Chavan, Minister of State (Independent Charge) of the Ministry of Science and Technology, Minister of State (Independent Charge) of the Ministry of Earth Sciences, Minister of State in the Prime Minister's Office, Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs and Shri Jairam Ramesh, Minister of State (Independent Charge) of the Ministry of Environment and Forests. Shri Babu Lal Gaur, Minister-in-charge of the Department of Bhopal Gas Tragedy, Relief and Rehabilitation, Government of Madhya Pradesh attended the meeting as a permanent invitee.

#### 162-163 STOP THE TRAINS

1. Minutes of the meeting of the Group of Ministers (GOM) on Bhopal gas disaster, held from 18th to 21st June, 2010 in Room No. 103, North Block, New Delhi
2. Letters of survivors' organisations to GoM

#### 174-175 DEAR MR LORD COE

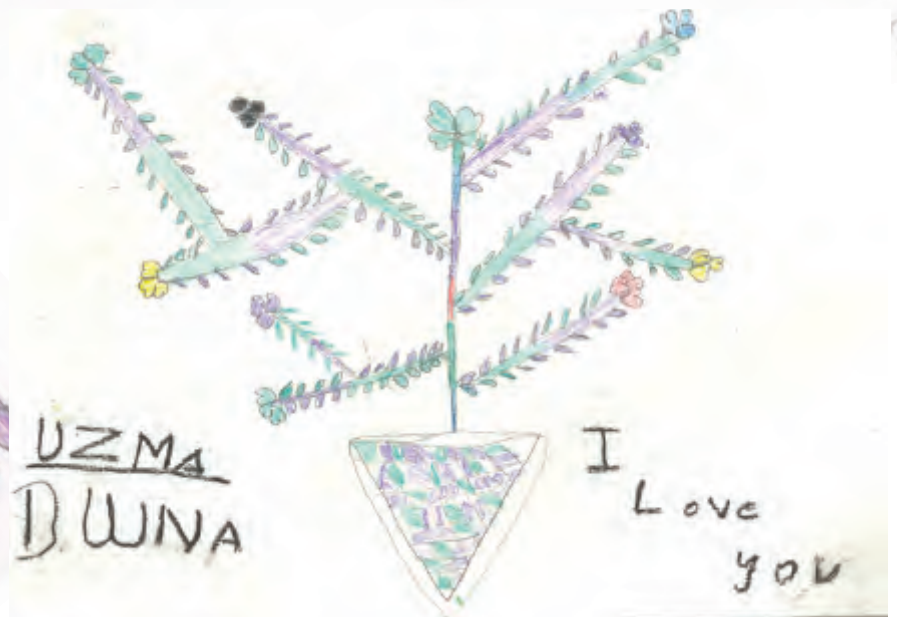
1. The unplanned meeting of Lord Coe and Sanjay 'Kunkun' Verma took place in the Pitfield Cafe, Hoxton on May 2, 2012. Sanjay was in the company of Colin Toogood of the Bhopal Medical Appeal. The conversation is given as they recall it.







Thank you  
from the  
children



# A rabid optimist

Yes I'm a rabid optimist  
 For me every tree that continues to stand  
 Every stream that continues to flow  
 Every child that runs away from home  
 Is an indication that the battle is not only on  
 It is being won  
 You may tell me about the nuclear arms race  
 And all I can tell you is that an unknown child  
 held my hand with love  
 You will try to draw me  
 Into the plato of practical life  
 Tell me that not only god  
 But all the religious and irreligious  
 leaders are dead  
 And I will tell you that across the forest lives  
 a young man who calls the earth his mother  
 You will give me the boring details  
 Of the rise of state power after every revolution  
 And I all I can tell you is that  
 In our tribe we still share our bread.  
 You will reason with me and I will talk  
 nonsense like this  
 And because the difference between breathing  
 and living life  
 Is the difference between reason and poetry  
 I'll recite poems to you  
 Poems full of dreams  
 Poems full of optimism  
 And maybe a poem better than this

SATHYU SARANGI

*With your help the Bhopal survivors have achieved miracles.  
Please continue to help, because many more miracles are needed.*





**BHOPAL  
MARATHON**

Celebrating Holi,  
the festival of colours,  
on the second [2006]  
padyatra to Delhi





*A cry for Bhopal*

We will never  
give up