

**GOVERNMENT OF INDIA  
CHEMICALS AND FERTILIZERS  
LOK SABHA**

STARRED QUESTION NO:70

ANSWERED ON:29.07.2010

BHOPAL GAS TRAGEDY

Aaron Rashid Shri J.M.; Tarai Shri Bibhu Prasad

**Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:**

- (a) the number of claimants of the Bhopal gas disaster who have been partly/fully compensated alongwith the number of claimants who are yet to receive the compensation as on date;
- (b) the reasons for the inordinate delay in releasing the payments to these claimants;
- (c) whether the Group of Ministers formed to examine all the issues relating to the Bhopal gas tragedy has submitted its recommendations to the Government;
- (d) if so, the details thereof; and
- (e) the action taken by the Government thereon?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS ( SHRI SRIKANT KUMAR JENA )

(a) to (e) : A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 70 TO BE ANSWERED ON 29.7.2010.

(a) A total number of 5,74,376 claimants have originally been awarded compensation amounting to Rs.1548.55 crore ( till 30th June, 2010 ) after adjudication of their claims under the various categories. The Supreme Court further directed in 2004 that additional pro-rata compensation in the ratio of 1:1 may be given to these claimants. Till 30.6.2010, a total of 5,62,648 claimants have received pro-rata compensation amounting to Rs. 1509.89 Crore while remaining 11,728 are yet to come up to receive it.

(b) The Supreme Court of India had settled the litigation on compensation amount payable to Bhopal Gas Victims through its orders dated 14-15 February, 1989. The review petition filed against the settlement amount was disposed off by the Supreme Court vide its Orders dated 4th May,1989 and 3rd October,1991. Vide order dated 16thOctober,1992, the Supreme Court directed that this amount shall be utilized only for the satisfaction of the claims of the victims towards the compensation determined according to Law. The Welfare Commissioner, set up under the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 commenced adjudication of the claim cases in 1992. The Supreme Court transferred the compensation amount to the office of the Welfare Commissioner in 1992, the disbursement of which commenced from 1992 onwards, after adjudication of claims observing all the judicial procedures. A total of 10,29,517 claim cases were filed and the Office of the Welfare Commissioner, after adjudication, awarded compensation in 5,74,376 cases.

In 2004, the Supreme Court directed disbursement of pro-rata compensation on 1:1 basis, which was disbursed from 2004 onwards. The pro-rata compensation has been disbursed amongst 5,62,648 claimants till June, 2010. There are a total of 11,728 cases of claimants who have not appeared before the Office of Welfare Commissioner for receiving the pro-rata amount despite notices sent at indicated addresses, circulation in media and adequate time afforded. The Office of the Welfare Commissioner had submitted an application in the Supreme Court in the year 2006 seeking permission to close the process of disbursement of pro-rata compensation in the pending cases. The decision of the Supreme Court is awaited in the matter.

(c) & (d):- Yes, Sir. The recommendations of the Group of Ministers (GoM) reconstituted to examine all the issues relating to Bhopal Gas Leak Disaster are enclosed at Annexure.

(e) The Cabinet approved all the recommendations of the GoM with the modification that 'enhanced compensation' recommended by the GoM will be paid as 'ex-gratia'.

The follow up action on the various decisions of the Cabinet has been initiated by the concerned Departments of the Central Government as well as the State Government of M.P. in a time bound manner as approved by the Government.