

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

UNSTARRED QUESTION NO:332
ANSWERED ON:09.08.2012
LIABILITY OF UNION CARBIDE
Panda Shri Prabodh

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

(a) whether Government's attention has been drawn to the ruling given by a US Court that neither Union Carbide nor its former Chairman Mr. Warren Anderson is liable for environmental remediation or pollution-related claims at the firm's former chemical plant in Bhopal; and

(b) if so, the details thereof and Government's reaction thereto?

Answer

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND MINISTER OF THE STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT KUMAR JENA)

(a) and (b): Department of Chemicals and Petrochemicals has not received any communication regarding the ruling given by a US Court that neither Union Carbide nor its former Chairman Mr. Warren Anderson is liable for environmental remediation or pollution-related claims at the firm's former chemical plant in Bhopal. However, this matter was reported in the media. As per information available in the department, a case (Sajida Bano vs UCC) regarding environmental remediation was filed by Bhopal Gas Victims and several activist organizations in a US Court in 1999. Union of India was not a party in the case. Union of India and Government of Madhya Pradesh had filed No Objection Certificate in the US Court. The case was finally dismissed in October, 2005. Subsequently, in January, 2010, Shri H. Rajan Sharma, lead counsel for the victims in a class action litigation against UCC titled Sahu et al vs UCC et al requested to consider intervention by Union of India and join as a party in the case. The matter was examined in consultation with Ministry of Law and Justice and it was decided that the Union of India should not intervene as a party in the US Court proceedings as the issue of Bhopal Gas Leak and its various ramifications is already being agitated by Union of India in various Courts including the Supreme Court of India and Union of India has nothing to gain by making an application for intervention in the US Courts.