

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

UNSTARRED QUESTION NO:3290
ANSWERED ON:13.12.2012
PUNISHMENT TO GUILTY PERSONS IN BHOPAL GAS TRAGEDY CASE
Premajibhai Dr. Solanki Kiritbhai

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

- (a) the progress made in awarding punishment to the persons found guilty in the Bhopal Gas Tragedy;
- (b) whether the State Government has right to file appeal or revision in the case;
- (c) if so, the details thereof;
- (d) whether the Court had made a request to file case under 304 part 2 of Indian penal Code instead of section 304A against the accused;
- (e) if so, the details thereof;
- (f) the progress made in the case so far;
- (g) whether the Government proposes to constitute a fast track court to deliver justice to the victims in this case;and
- (h) if so, the details thereof ?

Answer

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

(a) to (f): After the pronouncement of the judgement on 7.6.2010 in the case by Chief Judicial Magistrate (CJM), Bhopal, Central Bureau of Investigation (CBI) filed an appeal in the Court of District & Sessions Judge, Bhopal under Section 377 of Cr. PC for enhancement of sentence, which is pending. Simultaneously, to reframe the charges under Section 304 part II of Indian Penal Code, CBI also filed a Revision Petition under section 397 read with section 399 of the Cr. PC in the District and Sessions Court on 23.8.2010 against the order of CJM. The said Revision Petition was not admitted by the Court vide its order dated 28.8.2012 which is being challenged by the CBI in the High Court. State Government of Madhya Pradesh also filed both Appeal and Revision Petitions in this matter in the District and Sessions court. While the Revision petition filed by State Government has been dismissed, the Appeal is pending.

(g) & (h): In view of the matter being pursued by the Central Bureau of Investigation in the appropriate courts, there is no proposal for constituting a fast track court in this case.