

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:1705

ANSWERED ON:22.07.2014

BILL FROM KERALA

Premachandran Shri N.K.;Rajesh Shri M. B.

**Will the Minister of HOME AFFAIRS be pleased to state:**

(a) whether the Union Government has received a Bill from the State Government of Kerala titled 'The Plachimada Coca Cola Victims Relief and Compensation Claims Special Tribunal Bill, 2011'; and

(b) if so, the details thereof and the time by which the said Bill is likely to be approved along with the reasons for the delay in this regard?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a): Yes Madam.

(b): 'The Plachimada Coca Cola Victims Relief and Compensation Claims Special Tribunal Bill, 2011' as passed by the State Legislature of Kerala and reserved by the Governor of Kerala under article 200 read with article 254(2) of the Constitution of India for consideration and assent of the President of India under Article 201 of the Constitution of India has been received in Ministry of Home Affairs on 06/4/2011. The Bill has been examined in consultation with the Union Ministries of Agriculture (Department of Agriculture and Cooperation); Environment and Forests; Law and Justice (Legislative Department; Department of Justice); Rural Development (Department of Land Resources) and Water Resources. After obtaining the comments/observations from the above mentioned Ministries/ Departments, the file was referred to Department of Legal Affairs for advice, who has asked this Ministry to get a copy of the legal opinion from Ministry of Environment and Forests which was obtained by Ministry of Environment and Forests directly from Department of Legal Affairs on this issue. The same has been requisitioned from M/o Environment and Forests vide this Office OM No. 17/12/2011-Judl. & PP dated 06/5/2014 followed by reminders.

The State Legislations are examined in consultation with the Central Ministries/ Departments concerned from three angles viz;

- (i) Repugnancy with Central laws;
- (ii) Deviation from National or Central Policy; and
- (iii) Legal and Constitutional validity.

Whenever necessary, the State Governments are advised to modify/ amend provisions of such legislations/ Bills keeping the above in view. Sometimes, discussions are also held with the State Governments and Ministries/ Departments of the Government of India with a view to arrive at the final decision. Even though this Ministry is making all out efforts for early processing of this Legislation it is difficult to fix a time frame for its approval.