

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

UNSTARRED QUESTION NO:3644
ANSWERED ON:05.08.2014
BHOPAI GAS TRAGEDY
Gaddigoudar Shri Parvatagouda Chandanagouda

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

(a) the status of the case involving Union Carbide-Bhopal Gas Tragedy; and

(b) the number of persons affected by the said tragedy and the details of compensation/relief package given to the victims of Bhopal Gas Tragedy so far?

Answer

MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI NIHALCHAND)

(a): The status of case involving Union Carbide -Bhopal Gas Tragedy is as under:

The Chief Judicial Magistrate (CJM), Bhopal vide his order dated 07/6/2010 on criminal case no 8460/1996 held all the accused persons guilty under section 304A, 336, 337, 338 and 35 IPC and awarded sentence of two years and fine for different amount to all accused persons, except Mr. Warren Anderson, Union Carbide Corporation (UCC), USA and UCC Hong Kong who did not appear before the trial court. Against the said order, Central Bureau of investigation (CBI) filed Criminal Appeal no. 487/2010 in the Court of District and Sessions Judge, Bhopal for enhancement of sentence, which is still pending.

CBI also filed a Revision Petition no. 632/2012 u/s 397 r/w 399 CrPC in the Court of District & Sessions Judge on 23/8/2010 against the order dated 07/06/2010 of CJM, Bhopal, praying the Appellate Court to reframe the charges under section 304 Part-II of IPC against the accused persons. However, the said Revision petition was not admitted by the District & Sessions Judge vide order dated 28/8/2012 which was challenged in the Jabalpur High Court by filing Criminal Misc. Petition MCRC/4240/2013 under section 482 of Cr.Pc, which is pending for order. The trial against Mr. Warren Anderson and two foreign based companies is pending as they did not appear before the trial court. Mr. Warren Anderson was declared proclaimed offender on 07/12/1991 and his extradition request is pending with concerned US authorities. A Curative Petition (Civil) Nos. 345-347 of 2010 filed in the Supreme Court of India against M/s Union Carbide Corporation & Others praying enhancement of the compensation amount earlier settled at US \$ 470 million is pending.

(b): Number of persons affected by Bhopal Gas tragedy and the details of compensation/ relief package given to the victims of Bhopal Gas Tragedy:

5,74,386 persons were affected by the Bhopal Gas Leak Disaster. Till June, 2014, the Office of the Welfare Commissioner, Bhopal Gas Victims, Bhopal has awarded/dispensed a sum of Rs. 1549.30 crore as original compensation to 5,74,386 claimants belonging to various categories of death, permanent disability, temporary disability, injury of utmost severity cases, minor injury, loss of property/PSU and loss of livestock. Further, in compliance of an order dated 26/10/2004 passed by the Supreme Court, pro-rata compensation to the tune of Rs. 1511.37 crore has been paid to 5,62,944 claimants till June, 2014. An ex-gratia to the tune of Rs. 737.44 crore have been dispensed to 54,888 Bhopal Gas victims falling under the category of death, permanent partial disability, injury of utmost severity, temporary partial disability, Cancer and total Renal Failure cases till 15/7/2014.