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Title: Need for Presidential assent to the Plachimada Coca-Cola Victims Relief and Compensation Claim Tribunal Bill, 2011 as passed by Kerala Legislative Assembly.

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you very much, Madam Speaker. My submission is in respect of the legislative supremacy of the law-making bodies. The Kerala State Legislative Assembly has passed a Bill, the Plachimada Coca-Cola Victims Relief and Compensation Claims Tribunal Bill. That was passed on 24-02-2011 to provide for the establishment of a Special Tribunal for the expeditious adjudication of dispute and recovery of compensation for the victims from the Hindustan Coca-Cola Beverages Private Limited and matters connected thereto. The Government of Kerala has also conducted a study in respect of the compensation, and it is being determined that a sum of Rs.216 crore is required for paying compensation.

Madam, subsequently, on 29-03-2011 the Government had sent the Bill to the Government of India for getting the assent of the President. This is a very serious and an important issue as far as the legislative supremacy of the Legislature is concerned. I can understand that if the Bill is sent back to the State by the hon. President. But what happened is that the Home Ministry officials, without sending the Bill to His Excellency's Office, sent back the Bill to the Government of Kerala saying: "You should withdraw the Bill. You should drop the Bill."

Madam, my specific question is, who gives the legislative competence and authority to the Home Ministry officials to say that the Bill is valid or invalid. The President's Office has not seen the Bill also. This Bill has been dealt with in a very irregular manner by the Government of India.

So, I would like to seek a statement from the Home Ministry as to what is the legislative capacity of the Home Ministry officials. It is unjust, unfair, illegal and against all the principles of the legislative process in our country.

Madam, please give a direction to the Home Minister to make a statement before the House as far as this Bill is concerned.