

*Settlement for Payment of
Compensation to victims
of Bhopal Gas Tragedy*

MR. DEPUTY-SPEAKER: It is not necessary to bring in his name. Why do you want to bring in his name?

SHRI SAIFUDDIN CHOWDHARY: I have not said anything about Chief Justice Pathak. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: The Government is proposing his name. He has not cast any aspersions.

MR. DEPUTY-SPEAKER: How can you connect that with this now? You can criticise the Judgement. I have no objection. But we cannot discuss his conduct.

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY: I have not criticised Chief Justice Pathak. But I have the right to ask a question. The Union Carbide took this case to the Supreme Court on the question of payment of interim relief. That is where they could adjudicate. Why did they go out of their jurisdiction? Why did the Supreme Court spare the Union Carbide of criminal liability? What amount of money can compensate this tragedy? You have to tell about this. We do not just take it like this. If you say that the judiciary has done it, then I must say that it is a judicial onslaught of justice. What has our Government submitted to Mr. Keenan?...*(Interruptions)* We submitted to the Court that we cannot just accept what they say. We said:

"A multinational Corporation has a primary, absolute and non-delegable duty to the persons and country in which it has in any manner...undertaken any ultra hazardous or inherently dangerous activity... Union Carbide failed to provide the Bhopal Plant highest standards of safety and failed to inform the Union of India and its people of the dangers therein. This failure meant the Corporation was primarily and absolutely liable for any and all damages caused by the gas..."

This is our Government's stand. What happened to this? The whole world is looking up to us as to what action we are going to take in this matter. What kind of a verdict is going to be given by our court because these multinationals are treated as enemies everywhere by the people? They harm the environment and they do not care for the lives of the people. In the United Nations, a Committee on the Transnationals are also observing this. And we have surrendered. I do not know how much money from this will reach the victims of the Bhopal Gas tragedy. I do not know. We appreciate that women in thousands came to the Boat Club and they said: "they are suffering but they do not want to be humiliated." They have self-respect. They wanted us to take it up seriously. What I demand now is that the Government should file a review petition in the Supreme Court for the reversal of this judgment.

17.59 hrs.

BUSINESS ADVISORY COMMITTEE

Sixty-fifth Report

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIMATI SHEILA DIKSHIT): I beg to present the Sixty-fifth Report of Business Advisory Committee.

MR. DEPUTY-SPEAKER: The House stands adjourned to re-assemble tomorrow at 11.00 A.M.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, February 23, 1989/Phalguna 4.1910 (Saka)