

so far as the import of technology is concerned, that it is selective. So, while importing technology, I want to make it clear that we want to import technology which is considered to be the best in the world. There is no question of supporting or giving preference to anybody. If we want to import technology, it should be in the interest of the country. Therefore, we want to import the best technology that is available.

SHRI S. JAIPAL REDDY : May I know whether it is a fact that an Indian company has been allowed to enter into collaboration with a U. S. firm for the manufacture of Pepsi Cola, a soft drink ? Do the Government of India consider it to be an essential field for importing technology ?

SHRI VEERENDRA PATIL : The hon. Member has put a very specific question. I require notice.

SHRI S. JAIPAL REDDY : What is specific about it ? (*Interruptions*)

MR. SPEAKER : He cannot say off-hand. If he says something wrong, then you will catch him.

SHRI S. JAIPAL REDDY : You kindly advise the Minister to reply to my question.

MR. SPEAKER : You can put a specific question, give notice and he will reply. There is no problem.

PROF. MADHU DANDAVATE : Drink to his health and ask the question.

SHRI S. JAIPAL REDDY : I want to know whether the Government considers a soft drink to be a high priority area. If he cannot answer me on Pepsi Cola, let him answer on soft drink area.

MR. SPEAKER : Please take your seat. Next Question.

Compensation to Victims of Bhopal Gas Tragedy

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*349. **SHRI SURESH KURUP :**

SHRI EDUARDO FALEIRO :

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

(a) the amount of interim compensation paid to the **Bhopal Gas** victims ;

(b) the criteria for this payment ; and

(c) the number of persons given this compensation ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c) : The State Government reported that they have incurred an expenditure of over Rs. 10 crores in providing relief to the affected persons both in cash and kind. This includes amounts disbursed in cash, in the form of ex-gratia relief, to the injured persons or the kin of the dead persons.

Incidentally the Government of India have given ways and means support to the extent of Rs. 5 crores to the State Government.

SHRI SURESH KURUP : Parts (b) and (c) of my question have not been answered. You should direct the hon. Minister to answer those parts of my question.

My first supplementary is that there are many people around in Bhopal in the gas affected area who have not approached any Government Officers or any Government machinery. I do not know if any such machinery is set up and they have approached people living in low-lying areas and slums.

Will the Government set up a Committee to make a survey of the affected areas, make a first-hand survey of the slum areas, of the whole affected area, take first-hand information and prepare a list of those dead and affected—there are ever so many people affected who have not approached anybody—and make a list of them and help them in getting compensation and other things.

SHRI VEERENDRA PATIL : The hon. Member is under the impression that whatever the State Government is providing is considered as compensation. It is not compensation. It is only a relief. For compensation you know, we have already taken action and the cases are being filed.

So far as relief is concerned, relief has been provided and it is still being continued.

The hon. Member wanted to know whether any survey is being conducted about the damages caused to the people and injuries and all that. Madhya Pradesh State Government has appointed certain voluntary agencies who are surveying and collecting the information. The analysis of the data is still continuing and whoever approached the Madhya Pradesh Government for relief, relief has been provided to them in kind and also in cash. That is why I said that so far Madhya Pradesh Government has spent more than Rs. 10 crores by providing relief to the affected people.

SHRI SURESH KURUP : I again specifically say that parts (b) and (c) of my question have not been answered at all. You should direct the hon. Minister to state the amount of help given as compensation.

MR. SPEAKER : The hon. Minister already said that no compensation has so far been given.

SHRI SURESH KURUP : I mean relief and in the reply it is mentioned as relief.

What is the number of persons given this interim relief and what is the criteria for giving this relief ?

SHRI VEERENDRA PATIL : The relief that has been given, as I have already stated, is in kind and in cash. The scale of the cash relief so far given is Rs. 10,000 per deceased person, upto Rs. 2,000 for seriously affected individuals and upto Rs. 1,000 for those sustaining minor injuries. The distribution started from 4th December. As per available information, Rs. 37.44 lakhs have been distributed to 5,791 persons and also an amount of Rs. 5.65 lakhs has been for given the purpose of distribution, to Collectors of neighbouring districts and Rs. 30.50 lakhs is given to the railway authorities for distributing to 8,436 affected persons. 267 families of the dead have been given Rs. 26.70 lakhs.

So far as providing relief in kind is concerned, Madhya Pradesh Government has distributed wheat 1,36,750 quintals ; rice 44,243 quintals ; sugar 4,485 quintals ; edible oil 3,78,500 litres ; milk 17,83,000 litres and the relief in kind is still being continued.

SHRI EDUARDO FALEIRO : We understand that there is a team of United

States lawyers in India at the moment trying to find an out-of-court settlement. I would like to know from the hon. Minister what exactly is the position, whether they are filing the case in the American court and/or Law Secretary has gone there for this purpose or whether they are trying to get an out-of-court settlement.

The second part, which is very important to my mind, is this. The Bhopal tragedy should not be allowed to happen again. Now the position is this. Multi-national corporations come to developing countries and they consider the people of developing countries as commodities, as expendable commodities ; they have a tremendous economic power and they get their way through all bureaucracy and other levels. Because there is no awareness of all this and because of their tremendous power, the multinationals are able to do a tremendous amount of mischief. The Bhopal tragedy is only an extreme case. There are so many other cases which have happened in my own constituency. My question is this. Rather than leaving this to the common law liability, will the Government bring forward a legislation to impose punitive damages and strict liability in such cases against the multinationals and others who are involved in this dangerous exercise and cause death of people ?

SHRI VEERENDRA PATIL : The Government of India has appointed a law firm. Recently the attorneys from that law firm had come here to discuss with the Government and they had been to Bhopal also to familiarise themselves with the accident that had happened, to see the plant, its location and all that. The hon. Members must have read in the press that the Government of India have already filed a plaint in a court in the U.S.A.

So far as the proposal for compromise is concerned, from Union Carbide the Government of India had received a certain proposal, but that proposal is so ridiculous that I do not think it is worth considering. Therefore, the Government is not in a position to accept that proposal. If a reasonable proposal comes with regard to compensation, Government is prepared to consider it.

About the amendment that the hon.

Member has suggested, it is a suggestion for action ; we will take note of it.

PROF. MADHU DANDAVATE : While asking my question, I would like to start from the reply that you gave in this House last time. You had said that, in settling the issue of compensation, three possible alternatives were open : one, to settle the matter in the court of law in the United States ; the second, in India ; and the third, out-of-court. Your reply last time was that you would weigh the relative advantages and disadvantages of all the three alternatives and accordingly you would take a decision. Since some time has already lapsed, I am sure you must have applied your mind. And your mind was open at that time. An open mind works well like an open parachute. I would like to know this. Have you taken note of the fact that, in the United States court when some victims and their relations had approached the court, very heavy compensations were given not only to the relatives of those who died but even to those who were injured ? Have you also taken cognizance of the fact that a number of public minded Indians in the United States have offered that, without charging the Government, they are prepared to undertake the defence work that they are prepared to go to the court and defend the cases of the workers and those who have been affected? And if they have offered that cooperation, will you accept that so that we will be able to give heavy compensation to those victims on the basis of the compensation given to those injured in the past ? You go through that. That runs into millions of dollars.

SHRI VEERENDRA PATIL : It is true that I had said that three options were open to the Government. Now we have come to a decision. We have already filed the case in the New York Court. That means, Government has already taken a decision to approach the court in the U.S.A. So cases have been filed and now the question is whether we are prepared to take the services of those people who are prepared to volunteer their services. As I have already said, we have appointed a law firm. This law firm has been appointed in consultation with the Law Ministry and in consultation with those who are concerned in our Embassy in Washington. So,

having appointed a law firm, I do not know whether it is appropriate for me to change the law firm or change the attorney and have somebody else. After all we are interested in seeing that whatever is due from Union Carbide firm and whatever is in the best interests of the victims, that course should be adopted.

PROF. MADHU DANDAVATE : Do we take it that even after the case has been filed, an out of court settlement will not be ruled out at any stage of the compensation case ?

SHRI VEERENDRA PATIL : I made it clear that so far whatever offer we have received from the Union Carbide is a ridiculously low offer. That we cannot consider and I have made it clear that if there is a reasonable offer forthcoming in future, we are prepared to consider and we will consider the offer only if it is in the best interests of the victims.

[*Translation*]

SHRI K. N. PRADHAN : Mr. Speaker, Sir, the tragedy at Bhopal is the worst of its kind in the world which has claimed over 2500 lives and affected about 20 to 25 lakh people economically. There are about 50,000 families who are faced with the problem of food. Government have provided them with free ration upto now which will be continued for this month. Now, they are faced with the problem of employment and when the rainy season will start after two months, the existing employment avenues are likely to shrink further.

I would like to know from the hon. Minister whether the Government of Madhya Pradesh have sought any assistance from the Centre for helping these people and, so, the quantum of assistance sought and whether you have rejected it outright ? Do you feel that the Central Government have fulfilled their responsibility by providing an assistance of Rs. 5 crores for ways and means in such a big accident ?

SHRI VEERENDRA PATIL : Sir, I have just said that the relief work is still going on and the Government of Madhya Pradesh are incurring expenditure

and providing relief. Till today the Central Government have provided assistance to the tune of Rs 5 crores. As regards the question asked by the hon. Member, I have no information as to how much assistance the State Government have sought. I shall collect this information and pass it on to the hon. Member.

SHRI DILEEP SINGH BHURIA. Mr. Speaker, Sir, the hon. Minister has informed us that the Central Government spent Rs 5 crores, although it was the worst disaster. The State Government of Madhya Pradesh spent Rs. 10 crores whereas the Central Government provided only Rs. 5 crores. The State Government spent the money from their own resources by withholding all developmental works. I want to know whether the request of the State Government seeking another sum of Rs. 5 crores will be met to complete the relief works which are still going on ?

SHRI VEERENDRA PATIL : Sir it is very difficult to say anything at this stage, as I do not have the required information. A decision on the amount of assistance required to be given will be taken in consultation with the Ministry of Finance and other concerned Ministries. Therefore, it is very difficult for me to say at this stage how much amount the Central Government can give.

SHRI BANWARI LAL PUROHIT : Mr. Speaker, Sir, the hon. Minister has just now said that the suits for compensation have been filed in American courts. I would like to ask whether we have to knock at the door of American courts for securing compensation for the poor people of the country who died in this accident. Do we not have any provision to set up a special court in India itself to get justice or compensation for the poor people ? The Union Carbide has 2 or 3 companies at the place where the accident occurred. That property can be seized and compensation given to the victims and if the judiciary given any judgement in this regard, recovery thereof can be made. I would like to know from the hon. Minister how much money is likely to be spent on filing a case in America in pursuance of this decision ?

SHRI VEERENDRA PATIL : Sir, due consideration was given to the question of filing compensation suit whether at home or in America and it was decided that the suit be filed in a U.S. court, because it was in the interest of those who were killed or were affected in the Bhopal tragedy that the cases be filed there. Consultations were held with the legal advisers in this connection and only after that the Government of India had taken a decision in this regard because the Head office of the company is in U.S.A. and the company which had about 50.9 per cent shares in it is based there. If we file suits here and get a decree, we shall have to go to American courts to get the decree executed, keeping all these aspects in view, the Government decided to file a case in a U. S. Court.

[English]

Factory Manufacturing L.P.G. Cylinders

*350. **SHRI VIJAY N. PATIL :** Will the Minister of PETROLEUM be pleased to state :

(a) whether the factories manufacturing LPG cylinders are not running to their full capacity ;

(b) the reasons for under-production ;

(c) whether the low intake by oil companies is one of the reasons; and

(d) if so, whether Government propose to stop issuing fresh licences ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM : (SHRI NAWAL KISHORE SHARMA) :

(a) Yes, Sir.

(b) and (c) The major reasons for under utilisation of manufacturing capacity have been problems of industrial relations and in power supplies ; besides insufficient orders. The present annual production is more than adequate for the requirements of the oil companies.

(d) An industrial unit for manufacture of LPG cylinders does not require a licence under the Industries (Development and Regulation) Act, 1951.