

Broadcasting, Notification G.S.R. No. 677(E), dated the 21st September, 1984, publishing the Cine-Workers and Cinema Theatre Workers (Re-gulation of Employment) Rules, 1984, under sub-section (3) of section 23 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981. [Placed in the Library. See No. LT-66/85].

II. A copy (in English and Hindi) of the Ministry of Information and Broadcasting, Notification G.S.R. No. 722(E), dated the 12th October, 1984, publishing the Cine-Workers Welfare Fund Rules 1984, under sub-section (4) of section 11 of the Cine-Workers Welfare Fund Act, 1981. [Placed in the Library. See No. LT-67/85]

HI. A copy (in English and Hindi) of the Ministry of Information and Broadcasting Notification G.S.R. No. 814(E), dated the 13th December, 1984, publishing the Cinematograph (Certification) (Third Amendment) Rules, 1984, under sub-section (3) of section 8 of the Cinematograph Act, 1952. [Placed in the Library. See No. LT-68/85].

Resignation by Dr. Mahabir Prasad

MR. CHAIRMAN: I have to inform Members that I have received a letter from Dr. Mahabir Prasad, a Member representing the State of Bihar, resigning his seat in Rajya Sabha. I have accepted the resignation with effect from 9th January, 1985.

Leave of absence to Shri K. G. Thimme Gowda

MR. CHAIRMAN: I have to inform members that I have received a letter dated the 12th January, 1985 from Shri K. G. Thimme Gowda to

the effect that he -was admitted to hospital for a period of two months and was discharged on the 10th January, 1985. . He has stated that he has been convalescing and has requested for grant of leave of absence from all the sittings of the Rajya Sabha during its 132nd Session.

Is it the pleasure of the House that permission be granted to Shri K. G. Thimme Gowda for remaining absent from all the meetings of the House during the current Session?

(No honourable Member dissented)

MR. CHAIRMAN: Permission to remain absent is granted.

CLARIFICATIONS ON THE STATEMENT REGARDING THE TRAGIC ACCIDENT WHICH OCCURRED IN THE PESTICIDE PLANT OF THE UNION CARBIDE (INDIA) LEW-, TED AT BHOPAL,

MR. CHAIRMAN: Members may seek clarifications now. Yes. Mr. Sukomal Sen. Before we proceed, I would like to suggest one thing. Generally the practice is that the Minister answers every question. Now, we have had a long series of questions. I suggest that all the questions may be put and the Minister may reply later.

SHRI S. W. DHABE (Maharashtra): The Minister may reply at the end.

SHRI JASWANT SINGH (Rajasthan): Provided, Sir, the Minister does not leave any question out.

MR. CHAIRMAN: I will protect. Yes, Mr Sukomal Sen.

SHRI SUKOMAL SEN (West Bengal): Sir, the other day, we listened to our Minister and we have also gone through his statement. But certain questions arise in our minds which we would like to place before the Minister for clarification.

Sir, this is the worst tragedy that has taken place in our country, in Bhopal. But this is not the first time that this has happened in the world. Previously also, about four years ago, in another US multi-national company at Brazil something happened on account of which several hundreds died. Sir, this operation of multi-nationals in the third world countries raises certain questions in the minds of people because they are totally careless about the safety of human lives of the third world countries and they make all sorts of experiments with the toxic and other chemicals, which are hazardous for human life and the third world suffers because of the operations of multi-nationals. Some multi-nationals like Dew Chemicals and Union Carbide are a law unto themselves and have scant regard for human lives. The tragedy in the Union Carbide at Bhopal and the genocide in Brazil highlight the inherent criminal nature of multi-nationals and the need to end their rule. So, Sir, these basic questions are raised by Bhopal tragedy. Sir, these multi-nationals which deal with toxic and the most hazardous material find it more and more difficult to operate in the USA and in other advanced countries because the regulations regarding the hazardous chemicals and toxic materials in those countries are too strict and the public awareness of the hazards is very strong. That is why they are more and more inclined to come to the third world countries. Sir, the multi-nationals find it very easy to operate in third world countries as the laws here are very liberal. And because of also very cheap labour and cheap maintenance and cheap cost of production they are more and more inclined to shift their plants in those countries.

Sir, as I have told during the question Hour, there is a lot of difference in the designing of the plant in West

Virginia and Bhopal, and the multinational Union Carbide did it deliberately because they felt that while operating in the U.S. they will have to abide by strict regulations prevailing in the country and here they find it very easy because the laws in our country which regulate the functioning of multi-nationals, which deal with hazardous chemicals, are very liberal, and they have no regard for the safety of human lives. Sir, this raises a question whether our country will be vigilant about the operation of these multi-nationals and to see whether all our laws regarding these are sufficient to protect human life and sufficient to have safety measures in those plants.

Sir, I would like to say that the MIC gas that is produced in Bhopal and that caused the disaster is produced from a very toxic material, which was used by the Nazis in the Second World War and which is also used in gas chambers for exterminating human life. Was some such gas, toxic gas, used in the Bhopal plant? What I find is that the Government is quite negligent and indifferent about the safety measures while this plant was dealing with such toxic gas.

Sir, another question that comes to my mind is about the Research and Design Unit of the plant at Union Carbide. During the Question Hour also some Members raised this question. Sir, the total investment on R&D¹ in Bhopal is about Rs. 20 crores. It comes to my mind whether the research and designing that was being done in Bhopal was about how to kill pests and insects or about some other things. There are reports, and the Members have also mentioned during the Question Hour, that there is an apprehension that the Research and Design Wing are researching something else which is required for chemical warfare. (The results of

[Shri Sukomal Sen]

the research are being transferred to the U.S. in lieu of huge amount of money and the Military Department of the U.S. Government are trying to utilize those results of the research for their development of other chemical materials for chemical warfare. So I would like to ask the Minister whether the Government is aware of this fact that the R&D section of Bhopal are doing some such work which is connected with the plant at Bhopal.

Sir, another question that comes to my mind is, when this plant was allowed to be installed in Bhopal, was not the Government aware of the nature of operation of the multi-nationals and that they have to operate under stricter laws? Why then under these liberal laws they granted them licence to operate in Bhopal and that too to instal a plant in a populous area?

We know that in 1982 public opinion demanded in Bhopal, in Madhya Pradesh this question was raised, that this plant should be shifted to some other less populous area. Then the Labour Minister of Madhya Pradesh stated in the Assembly that it was not a stone that he could just pick it up and throw away. He said it was a very difficult task to shift the factory. At that time the Labour Minister ignored the demand for shifting the factory. One Hindi weekly specifically raised the question and said that the city of Bhopal was placed in the pit of a volcano, anytime it could erupt and cause havoc. Despite serious warnings by several sections of the people and newspapers the Government of Madhya Pradesh and the Government of India chose to ignore those warnings and went ahead with the plant at Bhopal thus endangering the lives of the people there. Why did not the Madhya Pradesh Government and the Union Government pay heed to the warnings raised by so many sections of the people and newspapers? Is the

Government aware that there is no automatic warning system in the plant, that safety measures there are very inadequate? What role has the factory inspectorate played? What role has the Madhya Pradesh Government played? What was the Government of India doing? What was being done during the inspection of the factory, a factory which was dealing with hazardous and toxic and chemical materials?

Then about the death toll, the question was raised during the Question Hour. There are reports that when gas was coming out, people ran helter-skelter seeking shelter . . .

MR, CHAIRMAN; Mr. Shukomal Sen, if you deliver a speech for half an hour, then there will be no time left for the Minister to answer. Please put your specific questions, not make a long speech.

SHRI SUKOMAL SEN: There were many trains passing through Bhopal at that time and many passengers of those trains fell sick and some of them on reaching their destination were found dead. Will the Government collect all those figures impartially and state what sort of relief is it going to be doled out to the victims? Many newspapers have flashed news items about so many types of reliefs being made to the victims, so many doctors approaching the victims. They are supposed to be experts in chemical warfare. And lawyers are fleecing the victims, forcing them to sign documents, ignorant people are made to sign papers without knowing what they are signing.

One last question; Will the Government institute an all-party committee, in addition to the inquiry that is going on, consisting of Members of both Lok Sabha and Rajya Sabha, so that they can impartially go into the whole matter and submit their report to Parliament?

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Chairman, before I refer to the Bhopal tragedy, may I have your permission to make one general remark? It has been known to us since long that there has been considerable neglect, if not total neglect, on the part of the authorities at the national level as well as at the State level in regard to— (a) import of the relevant technology to this country, (b) safety measures to be taken to combat pollution of air, water and soil, (c) safeguards to be observed while designing a factory or locating a factory or running a factory.

Only, of late, Government has woken up to the problems of environment. For the last many years there was near neglect, if not total neglect, of this important question.

Sir, the tragedy in Bhopal is unprecedented and both in our country and elsewhere never such a tragedy occurred. Tens and thousands of people have suffered on account of this tragedy. I say that the Governments both at the Centre and at the State level are genuinely worried and concerned about this tragedy. But, sir, may I draw your attention and the attention of the House to an opinion expressed by an expert from America who recently participated in the Asian Congress of Pharmacology which met at Delhi? According to him, Sir, in the month of March, 1984, the National Academy of Sciences of the USA conducted a study and according to that study there has been potential hazard in respect of 3,350 chemicals. And out of these 3,000 and odd chemicals, adequate information is available in respect of only 10 per cent of these Chemicals which are used widely all over the world. And information in respect of 52 per cent of the pesticide-ingre-

dients was incomplete in March, 1984, and in respect of 38 per cent there was no information at all. These were the Chemicals with sales of at least one million pounds a year all over the world. These very chemicals are used here in the manufacture of pesticides. Sir, as you know, some time back, DDT was dispensed with as a dangerous chemical in the western countries. But in India DDT is being used even now though it has been rejected by the West. Sir, my point is that people in the developing countries and the under-developed countries are being used as guinea-pigs by the Multinationals by the Western countries. The agencies here, both at the official and at the non-official level, are importing sub standard technology and hazardous materials, and experiments are made here on our population and no care or regard is paid to this aspect. Now we have woken up because there is a big tragedy at Bhopal. Sir, let me quote what the same person, Dr. Spencer has said because my friend, the hon. Minister was referring to the inquiry. I am sure there will be an enquiry, there will be a comprehensive enquiry. I have no doubt about that. But let me caution him about the enquiry. Let me quote what Dr. Spencer said in the conference. He has said: "The medical profession had little training in detecting the toxic effect of chemical substances usually present in products.

as wide-ranging as common' ly used drugs, food-stuffs or plastics, petrol and solvents present in the environment."

In other words, the present medical profession or the scientific esta-

[Shri M. S. Gurupadaswamy]

blishment is incompetent. They are not trainee to conduct a comprehensive enquiry.

There is inadequacy. Therefore, even if this enquiry is held, my fear is that the enquiry may not yield, or give us, adequate information, or the enquiry may not yield good results, which will provide guidelines for the future. Therefore, with this warning, may I ask the hon. Minister whether he is going to pay heed to this fact which I have made now and take all steps possible to see that the enquiry which has been decided upon does real work? Lastly, may I say that my friend should not underestimate the tragedy. He has given the figures that 1408 people have died. He has also invited others to co-operate with him in regard to finding out the exact number of deaths. Not only deaths, but I say the effect on the people is so large that I am told nearly 50,000 people in Bhopal itself have been affected. There has been brain haemorrhage, nurosis and every part and limb of the body has been affected. Many people have been debilitated and incapacitated. Their number has also to be counted and adequate relief has got to be obtained.

So far as the cases are concerned, it is for the Government to consider what effective legal remedies will bring the maximum compensation to the victims. They have to decide whether the cases have got to be taken up in the U.S.A. or in India. I am told, the Union Carbide is thinking of fighting the cases in India itself because the Indian law gives adequate scope for escape. I do not know whether it is true. I have not studied the legal aspects. But I want the hon. Minister to take all necessary steps to see that adequate legal remedy is provided.

ठाकुर जगतपाल सिंह (मध्य प्रदेश) :
माननीय सभापति जी, मैं इस मामले पर

अपने साथियों को बताना चाहता हूँ कि जब यह कांड हुआ उस वक्त मैं भोपाल में था और पूरी स्थिति का मैंने खुद अवलोकन किया। सबसे पहले मैं बघाई देना चाहता हूँ अपने प्रधान मंत्री श्री राजीव गांधी को कि वे सब कार्य छोड़कर तुरन्त भोपाल पहुंचें। उसके साथ-साथ मैं अपने एडमिनिस्ट्रेशन और मुख्य मंत्री को बघाई देना चाहता हूँ कि उन्होंने जिस तेजी से और जिस हिम्मत से और दिलेरी से इस दुर्घटना का मुकाबला किया, उसके लिये वह बघाई के पात्र हैं। मैं आप को बताऊँ कि जिस दिन रात में यह घटना घटी उस समय हजारों लाखों लोग सो रहे थे। घटना घटने के बाद जैसे ही पता चला, पूरी सरकार की मशीनरी उसी वक्त लग गयी। सब से पहले सवाल था उनके सामने कि उन्हें कैसे निकाला जाय और उन्हें वहाँ से बाहर हटाया गया। उस वक्त इम्मीडियेटली कुछ मरीजों को अस्पतालों के अन्दर ले जाया गया और वहाँ पर बाहर के डाक्टर बुलाये गये और पूरे के पूरे 700 डाक्टर वहाँ पर उस समय वर्क कर रहे थे और वहाँ पर कैप लगाये गये और लोगों को हर तरह की सुविधाएं दी गयीं। मैं इसलिये और बघाई देना चाहता हूँ कि ऐसे मौके पर जब गैस फैल रही हो, लोग मर रहे हों और हमारे एडमिनिस्ट्रेशन के और सरकार के कर्मचारी और दूसरे लोग जो वहाँ पहुंच रहे थे वे अपनी जान की बाजी लगा कर उन पीड़ितों की सेवा कर रहे थे। इसलिये वे सब बघाई के पात्र हैं। मैंने वह दृश्य देखा है कि उस समय कोई नजदीक नहीं जा सकता था। पर इससे तीन सवाल उठते हैं। पहला कि घटना कैसे हुई। यह सवाल इन्क्वायरी का मैटर है और इसके लिये इन्क्वायरी कमीशन बिठा दिया गया है। दूसरा सवाल पैदा होता है कि सरकार ने क्या रिलीफ दी। क्या समय में रिलीफ दिया या नहीं? अगर दिया तो क्या दिया? उसके मैं कुछ आंकड़े आपके सामने रखना चाहता हूँ। टोटल ट्रीटमेंट जो हुआ है वह है 1 लाख 70 हजार का अस्पतालों में। जैसे ही यह घटना हुई, मुख्य मंत्री और हमारी सरकार के सभी लोग वहाँ पर पहुंचे, अस्पतालों में पहुंचे, मैं स्वयं अस्पताल में था, उस समय सभी मरीज आ रहे थे। जो ट्रीटमेंट आउटसाइड

हैं वे हैं 2000, सीरियसली एफेक्टेड हैं 10,700, ट्रीटेड इन डिस्पेंसरीज हैं 20 हजार, टोटल डैम्स के बारे में हमारे माननीय सदस्यों ने कहा कि संख्या बहुत ज्यादा है। मैं आपको बताता हूँ चाहता हूँ कि क्योंकि कंवेन्सेशन मिलने की बात है लोग क्लेम करते हैं करता भी चाहिये, कोई भी डैम जो हुई है छिपाई नहीं जा सकती लेकिन हर जगह आदमी इसलिये क्लेम कर रहे थे कि नेचुरल डैम हुई है तो भी उसको लिखाने की कोशिश कर रहे थे हालांकि वह नहीं ऐसा कर सके। इसलिये मैं समझता हूँ कि उनको जानकारी कम होगी क्योंकि 1408 आदमी मरे हैं जिनमें 478 मेल हैं, 356 फीमेल हैं, 574 बच्चे हैं।

फाइनेंशियल असिस्टेंस का जहाँ तक सवाल है, अगले दिन ही कंप खोल दिये गये, राशन फ्री दिया गया, दूध देना शुरू कर दिया, डाक्टरों की टीम खड़ी कर दी गई जो घर-घर जाकर इलाज कर रहे थे। ट्रैजडी दुखदाई थी लेकिन जो कार्य किया गया उसको नकारा नहीं जा सकता। माननीय सदस्य मुझे क्षमा करेंगे, विरोध होना चाहिये किन्तु पाजिटिव और कंस्ट्रक्टिव होना चाहिये, इट शुड नाट बी निगेटिव एण्ड डिस्ट्रक्टिव। हमारी गलती हुई है तो आप को हक है कि पाइंट आउट करें, लेकिन जो काम किया है, उसकी तारीफ भी करनी चाहिये। मिसाल के तौर पर फाइनेंशियल असिस्टेंस के बारे में 73 लाख 58 हजार रुपए बांटे गये। जिनकी डैम हुई उनको तुरन्त 10 हजार रुपए क्लास 1 आफिसरों की प्रजैन्स में दिये गये।

श्री सहायपति : प्रश्न पृष्ठ 1।

SHRI JASWANT SINGH: Mr. Chairman, Sir, what we had expected of the debate of the gravest industrial tragedy that the world as Such

और प्रान्त की सरकार को, उनके अधि-कारियों को भी बधाई देता हूँ कि उन्होंने जो कुछ किया वह उसके लिये बधाई के पात्र हैं।

has witnesses is that we would receive the information and enlightenment from the Treasury Benches that would, reflect the change that has today taken place. What we have just listened to is quite a different thing. This is not an adversary matter at all. It is a matter which affects all of us, whether you sit on that side of the well or on this side, and one would have expected that the attitude on the gravest industrial tragedy that the world has witnessed was not going to be in this self-congratulatory partisan manner. I would also have expected the debate that we are going to have on the Bhopal tragedy was going to be more comprehensive, connected with the issues of Bhopal and connected with Bhopal tragedy. However, we are bound by the fact that at this present moment we can only seek clarifications on a statement which was given by the hon. Minister in the previous week. I am also aware of the time constraint. Therefore, I will go straightway to the specific clarifications that I seek, in the hope that the hon. Minister would attempt to reply all of them.

My first clarification is about cesu-aUv figures. I do not want to delight in this macabre business of head count and if the hon. Minister has said that a certain number of Indians have died, I am reassured and happy that the figure is not higher, and this is not a competitive business on which we attempt to score points over you by saying that the total number of deaths is higher than what you are giving. Therefore, through you, I would appeal to the Minister that by disguising the total number of people killed on the grounds, as the hon. Member of the Treasury Benches has suggested, so that more people may come forward to claim compensation. This was suggested by your own party, Mr. Minister. This reflects total heartlessness and callousness about an enquiry which certainly de-

[Shri Jaswant Singh] serves much greater attention, I have with me figures which are not of my own making. A group called the Delhi Science Forum sent an investigation team to Bhopal and these are figures given by the Delhi Science Forum on the total number of casualties. The Delhi Science Forum says, in its report on the tragedy at Bhopal; The DSF team would at this stage make a conservative estimate of nearly 5000 deaths, although the estimates quoted in Bhopal vary from 2000 (quasi-official) to 10,000. Many of the medical teams engaged in relief operations, for instance from the Gandhi Medical College, Bhopal, tend to agree with our estimate. The total number of severely affected could be put around 20,000. The total population of the area immediately affected by the gas spread is about 2.5 lakhs, of which nearly 1.5 lakhs live in areas over which the gas settled in high concentration.

Now I would be very happy, as I started by saying, if the figures of the Forum are wrong. But my own appeal through you, Sir, to the hon. Minister is not to under-estimate the casualty figures merely on account of attempting to clothe the dimension of this tragedy. I would also like to seek a clarification whether it is not correct that the Government of India's own intelligence estimates say that the total figures are not what the hon. Minister has stated but that the total casualty figures are in excess of 40,000.

Then I will go to the next aspect of the clarifications that I seek, which is about medical matter—what symptoms were actually displayed by those who were affected by the gas? The hon. Minister's statement is a sketch on the subject and unless the Minister comes up with greater details than that, we will continue to remain in the dark about the full dimensions of the tragedy. Again I have to rely on what

Delhi Science Forum says; The victims suffered from severe chest congestion, foreign body sensation in eyes, diminished and blurred vision, frothing at the mouth, headache, giddiness, soar throat, pain and burning sensation in the chest, coughing and breathlessness, vomiting, abdominal cramps, diarrhoea, swelling of legs, palpitation, vomiting of blood, weakness of tongue and limbs, paralysis stupor, chills, cold clammy skin, coma, fever etc. The post mortem results showed a finding of cerebral oedema apart from massive pulmonary oedema, massive destruction of lung tissues, damaged liver and Spleen and anagolous coagulation of blood. I will not go into all this in greater detail. The reason why I point this out is that I would have expected the Minister to come forward and say: "These are the immediate symptoms that have been witnessed; we are investigating the symptoms go as to rule out possible long-term consequences to all—these who are currently even mildly affected". I emphasise that unless the Minister clarifies that even the mildest of symptoms that have been witnessed just now are going to be examined! not that long term implications, long-term effects of these on human beings are eliminated. Things are not going to improve.

Thirdly, I would through you, Sir, request the hon. Minister to give us information as to what effects were noticed on plant and animal life water and air. Is a continuous monitoring of these being maintained—because reports have appeared that though vegetables and plants were immediately affected by the passage of this gas, subsequent growth of these vegetables has revealed that they are not entirely free and that vegetables continue to come in a slightly scorched or slightly burnt fashion? It is very important, therefore, that the Minister enlighten the House on this.

My next question is, how many accidents had taken place at the Union Carbide factory in Bhopal since its inception, what were the results of the reports on each of those accidents, what were the remedies suggested following upon each of those accidents? I have a question connected with that here. After listening to the hon. Minister's statement I am still not dear in my mind as to what actually caused the death. Was it methyl isocyanate, was it phosgene or was it some other chemical that caused the deaths? This is a very important aspect because the Government says that Dr. Varadarajan himself went there and he conducted the whole exercise. Therefore, we would like to know what chemical was it exactly—was it MIC, was it phosgene, was it flome other chemical? And unless we know that, the whole of our inquiry—I am not talking of the official inquiry—is misdirected. Is it correct, Sir, that the Central Government and the State Government had, at various times, made statements of which, of course, that infamous statement by the Minister of the State Cabinet is there which has now, perhaps, been referred to by others or may be referred to by others? Is it correct that the Central and State Governments had, at various times, made statements that (a) the location is not dangerous (b) that the chemical that is being produced in that factory is not hazardous and (C) that adequate safety measures have been taken and, finally, that the Union Carbide factory is not an object which, could be removed from the site at will? I would, therefore, like to know, Sir, what was the basic data on the basis of which these statements, were made from time to time whether by the State Government or by the Central Government officials.

My next point, Sir, is that the technical collaboration agreement with Union Carbide was renewed 1396 RS—9

sometime in 1983. I repeat that the technical collaboration agreement with Union Carbide was renewed around 1983. If it isn't the technical collaboration agreement, certain aspects of the agreement were renewed in 1983. Because this renewal is the prerogative only of the Central Government, what were the considerations which persuaded the Central Government to renew this agreement?

On the day of the accident, what was the role of All India Radio? To Our information, had the local station Of All India Radio on that day, on that fateful morning come forward with repeated announcements on the radio in Hindi that there is this occurrence that has taken place, that we would advise the population to take a, b, c, d steps so that the immediate effects of the gas are minimised, that there is no need for panic, that the wind direction is so and so, that the gas is travelling in this direction, that the Government is taking so many steps, all these would have helped. What was actually done by All India Radio? Was any such announcement made? If it was not made, why was it not made? What role could have been played by All India Radio, what role could have been given to All India Radio on that day?

MR. CHAIRMAN. Mr. Jaswant Singh, how long will you take—because I would like the Home Minister to make his statement?

SHRI JASWANT SINGH: I would be guided by you. If you want me to stop I can stop.

MR. CHAIRMAN; Not stop; you can continue afterwards.

SHRI JASWANT SINGH: May I continue? I have just two or three other questions to ask.

MR. CHAIRMAN: Honourable Home Minister.