

The Government in consultation with various stakeholders is examining the recommendations of the Task Force. Based on this a new Pharmaceutical Policy is likely to be announced shortly.

Case against Union Carbide Company

323. SHRIMATI BRINDA KARAT: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what steps Government have taken to bring the two foreign corporations charged with culpable homicide, namely Union Carbide Eastern, Hong Kong and Union Carbide Corporation, USA to justice;

(b) the reasons for which Government have not taken any action towards the extradition of the authorized representatives of these two corporations; and

(c) what factors are preventing Government from resuming attempts to extradite Warren Anderson, former Chairman of Union Carbide Corporation and prime accused in the criminal case and produce him in the ongoing criminal case in Bhopal?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI RAM VILAS PASWAN): (a) Union Carbide Eastern, Hong Kong and Union Carbide Corporation, USA were named as accused in the charge sheet filed by the Central Bureau of Investigation (CBI). However, during the trial these two companies did not authorize any person to appear on their behalf in the trial court and the court declared them as absconders. Consequently, the shares of M/s UCC, USA in Union Carbide India Ltd (UCIL) were attached by the court.

(b) and (c) The Government has taken action towards extradition of authorized representatives of these two Corporations. The summons issued by the trial court in favour of M/s UCE, Hong Kong was served on Mr. Peter J, Wintle, a solicitor of M/s DEACONS and the summons issued in favour of M/s UCC, USA was served on Mr. John Macdonald, Assistant Secretary of the company. Since they were not authorized by the respective companies to appear on their behalf in the trial court, further action could not be contemplated for the extradition of these two persons. Though the CBI moved the Ministry of External Affairs (MEA) to initiate extradition proceedings against Mr. Warren Anderson in the year 1993, the final

document, as advised by the MEA, was sent by the CBI to the MEA on 13.12.2002 which was finally forwarded by Embassy of India, Washington to US Department of State and US Department of Justice on 21.5.2003. The US authorities rejected the extradition request on various grounds including purported failure to meet the requirements of dual criminality, omitting to show probable cause or intent to commit the crimes with which Mr. Warren Anderson was charged, lack of knowledge of accused Mr. Warren Anderson of any deficiencies in the Bhopal Plant etc. The US Government also informed the Government of India that the request for extradition could not be executed because it did not meet the requirements of the provisions of the Extradition Treaty between India and United States. The CBI has informed that they have taken up this matter with the MEA again.

Commodities and Futures Regulator

324. SHRI RAJEEV SHUKLA: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that Government are planning a commodities and futures regulator to monitor the trade of commodities in the country;

(b) if so, the details thereof alongwith the status of the proposal;

(c) whether Government have decided to ask Securities and Exchange Board of India to regulate commodities exchanges also, and

(d) if so, the details thereof?

THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD PAWAR): (a) and (b) No. Sir. The Forward Markets Commission, which is established under the Forward Contracts (Regulation) Act, 1952 is regulating only forward markets, including futures in commodities.

(c) No. Sir

(d) Does not arise.