

MINUTES OF THE MEETING OF THE GROUP OF MINISTERS (GoM) TO EXAMINE ALL THE ISSUES RELATING TO BHOPAL GAS LEAK DISASTER, HELD FROM 18th to 21st JUNE, 2010 IN ROOM NO. 103, NORTH BLOCK NEW DELHI

1. The Group of Ministers (GoM) regarding Bhopal Gas Leak disaster was reconstituted vide Cabinet Secretariat memorandum no. 47/1/7/93-Cab on 26th May 2010 to examine all the Issues relating to Bhopal Gas Leak Disaster including remediation measures and to make appropriate recommendations regarding relief and rehabilitation of Bhopal Gas Victims and their families. A communication dated 14th June 2010 has been received from the PMO stating that the Prime Minister has directed that the GoM may meet immediately to take stock of the situation arising out of the recent court judgement, to assess the options and remedies available to the Government on various issues involved and to report to the Cabinet within 10 days.

2. The reconstituted GoM had its first meeting on 18th June, 2010, under the chairmanship of Shri P. Chidambaram, Minister of Home Affairs. The meeting was attended by Shri Ghulam Nabi Azad, Minister of Health and Family Welfare, Shri M. Veerappa Moily, Minister of Law and Justice, Shri S. Jaipal Reddy, Minister of Urban Development, Shri Kamal Nath, Minister of Road Transport and Highways, Kumari Selja, Minister of Housing and Urban Poverty Alleviation and Minister of Tourism, Shri M. K. Alagiri, Minister of Chemicals and Fertilizers, Shri Prithviraj Chavan, Minister of State (Independent Charge) of the Ministry of Science and Technology, Minister of State (Independent Charge) of the Ministry of Earth Sciences, Minister of State in the Prime Minister's Office, Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs and Shri Jairam Ramesh, Minister of State (Independent Charge) of the Ministry of Environment and Forests. Shri Babu Lal Gaur, Minister-in-charge of the Department of Bhopal Gas Tragedy, Relief and Rehabilitation, Government of Madhya Pradesh attended the meeting as a permanent invitee.

3. A list of officers of the Government of India and Government of Madhya Pradesh (M.P.), present in the meeting, is at **Annexure - 1**.

4. The Chairman of the GoM welcomed all the members and the officers to the meeting. He observed that the GoM has a broad mandate and solutions have to be found for issues pending for more than 25 years and sought cooperation of everybody so that the recommendations of the GoM can be finalised on 21.06.10.

5. With the consent of all the members, the following schedule of meetings was finalized:

Issue to be discussed	Date	Time
Compensation	18.06.10	2 P.M. onwards
Extradition of Mr. Warren Anderson	19.06.10	11-11:30 A.M.
Legal issues	19.06.10	11:30 A.M. to 1 P.M.
Bhopal Memorial Hospital & Research Centre/ Health Research/ Other Health related issues	19.06.10	6 P.M. onwards

Environment related issues and Plan of Action submitted by the Govt. of Madhya Pradesh + residuary issues	20.06.10	11 A.M. onwards
Final session for finalization of recommendations	21.06.10	10 A.M. onwards

6. The Minister of Chemicals and Fertilizers made a brief statement outlining the action taken by the Department on the issue of compensation and disposal of toxic waste and the other Bhopal Gas Leak Disaster related issues. He expressed happiness on the clearance by the Planning Commission of the Plan of Action with an outlay of Rs. 982.75 crore submitted by the Government of Madhya Pradesh for the relief and rehabilitation of the Gas Victims and their families and expressed that the GoM may take a view on the matter. He stated that the GoM may take into consideration the opinions and views expressed by various Central Government Departments and the State Government of Madhya Pradesh regarding the setting up of an Empowered Commission as demanded by NGOs. He requested Secretary (C&PC) to make a presentation to the GoM on Bhopal Gas Tragedy and its related issues.

7. Secretary (C&PC) made a detailed presentation on the issues of compensation disbursal, remediation actions taken till date, action taken by the Task Force constituted under the orders of the Madhya Pradesh High Court for the removal/disposal of the toxic wastes lying in and around the UCIL plant site at Bhopal and the various pending cases related to the Bhopal Gas Leak Disaster.

8. During the presentation, on the issue of providing safe drinking water to the residents living in the 14 localities in and around the former UCIL plant, Shri Jaipal Reddy, Minister of Urban Development informed that in addition to Rs. 14.18 crore provided under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) Scheme, another fund of Rs. 8.11 crore has also been approved for renewal of basic infrastructure in the scrap market in Bhopal. He further informed that two more projects worth Rs. 721 crore have been approved for water supply augmentation and distribution network improvement. This covers the entire city of Bhopal. He further informed that under the JNNURM, a total of seven projects have been approved for the city of Bhopal with a total cost of about Rs. 1031 crores. Kumari Selja, Minister of Housing and Urban Poverty Alleviation and Minister of Tourism, informed that a project with an outlay of Rs. 443 crore for the benefit of poor localities of Bhopal is being implemented and out of a total Central Assistance of Rs. 223 crores, Rs. 102 crore has already been sanctioned by the Central Government.

9. The GoM deliberated on all issues and decided to make recommendations as outlined in the following paragraphs.

COMPENSATION

10. It was noted that the matter of compensation was decided by the Supreme Court vide its orders dated 14th/15th February, 1989 and its adequacy was upheld by its orders dated 4.5.1989 and 3.10.91. GoM was informed that compensation was awarded under death category to 5295 cases as under.

Scale of Compensation (in Rs.)	No. of cases
1 lakh	3512
1 to 2 lakh	1724
2 to 3 lakh	47
3 to 4 lakh	8
4 to 5 lakh	4

11. It was informed that a total of 5,74,375 cases were awarded original compensation including the 5,295 death cases. Of these, 5,58,245 were classified as injury cases, and 10,047 cases claimed as death cases were accepted as injury cases. The total original compensation awarded in 5,74,375 cases was Rs. 1548.56 crore. Subsequently, on a 1:1 pro-rata basis, an equal amount was paid as compensation from 2004 onwards. The total amount of pro-rata compensation paid in 5,62,630 cases amounted to Rs. 1509.84 crore. Another 11,745 persons who were to receive pro-rata compensation did not come forward to claim the same.

12. The average amount paid in the death cases was Rs. 1.03 lakh approx. plus an additional pro-rata payment of Rs. 1.03 lakh, totalling Rs. 2.06 lakh per person. Of the death cases, 3,512 persons got the minimum amount of Rs. 1 lakh plus Rs. 1 lakh, totalling Rs. 2 lakh per person. At the highest end, only 4 persons got a total sum of Rs. 8-10 lakh per person.

13. In the injury cases, the average compensation was Rs. 25,145 plus Rs. 25,145, totalling Rs. 50,290.

14. The categorisation and registration of claims were laid down by the provisions of the Bhopal Gas Leak Disaster (Processing of Claims) Act of 1985 and the Scheme made thereunder. There is also a Supreme Court judgement dated 4th May, 1989 (refer paras 22 to 24) which provides some guidance on determination of compensation. Subsequently, formal guidelines regarding the compensation payable to each type of injury or loss were laid down by an order of the Department of Chemicals and Petrochemicals dated 13th April, 1992 as amended by order dated 8th September, 1992.

15. The GoM felt that the classification of claims/cases made by the Welfare Commissioner would have to be accepted. At this distance of time, it would not be possible to reopen the classification. All but two of the cases have been disposed of finally. Nevertheless, there is a case for enhancement of the amount of compensation. Hence, GoM felt that the following approach may be adopted:

Category	Compensation
Death (5295)	Rs. 10 lakh (less amount already received)
Permanent disability (3199)	Rs. 5 lakh (less amount already received)
Cancer cases (about 2000)	Rs. 2 lakh (less amount already received)

Total Renal Failure Cases (about 1000)	Rs. 2 lakh (less amount already received)
Temporary disability (33,672)	Rs. 1 lakh (less amount already received)

EXTRADITION OF WARREN ANDERSON

16. After the gas leak, the Inspector of Police, P.S. Hanumanganj, Bhopal, Madhya Pradesh filed an FIR on 3.12.1984. It mentioned Section 304A IPC and no other Section. It did not specifically mention the name of Warren Anderson, Chairman of UCC, USA. However, it did mention a few names and “other officials of Union Carbide Factory, Bhopal”. Anderson came to India on 6.12.1984 and visited Bhopal on 7.12.1984. He was arrested/ taken into custody on 7.12.1984 by the State Police. He obtained bail on furnishing a personal bond of Rs. 25,000 with one surety. Then, he returned to Delhi on the same day and, shortly thereafter, left the country. The immigration/emigration records of 1984 are not available. Contemporary media reports indicate that he visited India on an oral assurance (it is not known by whom) of safe passage and he left India presumably on the basis of that assurance. However there are no records in the Ministry of External Affairs of his visit or who he met on his visit. Contemporary media reports also indicate that the Prime Minister, Shri Rajiv Gandhi, was briefed on the matter after Anderson left the country. GoM noted that the bail was granted to him on certain conditions and, once Anderson obtained bail, there was no impediment to his leaving India. As will be apparent from the facts stated hereinafter, Anderson did not appear before the Court subsequently and it is clear that he wilfully jumped bail and violated the bail conditions.

17. It was noted that Anderson is accused No. 1 in the criminal case no. 8460/1996 in the court of CJM, Bhopal. He was charged in the charge-sheet dated 30.11.1987 with offences under Sections 304 Part II, 324, 326 and 429 IPC read with Section 35 IPC. The Court of CJM, Bhopal issued summons dated 1.12.87 against Anderson and it was served upon him. A bailable warrant dated 15.11.1988 could not be executed in the United States (US). On 1.1.1992, a Proclamation was published in a US newspaper requiring the appearance of Anderson. On his failure to appear, CJM, Bhopal issued an Order for attachment of his property. However, advice was received that there is no procedure in the US for such attachment of property. On 10.4.1992, CJM, Bhopal issued a non-bailable warrant of arrest against Anderson for enabling his extradition to India.

18. There is an extradition treaty dated 14.9.1999 between the US and India.

19. CBI initiated extradition proceedings in September 1993. The issue remained in correspondence between CBI and MEA until 2001. Meanwhile, legal advice was obtained from a US law firm and from the Attorney General of India. Notwithstanding the legal advice to the contrary, CBI maintained that a request for extradition could and should be made. Accordingly, a request for extradition was sent on 5.5.2003 requesting that Anderson be extradited to stand trial for offences under Sections 304 Part II, 324, 326 and 429 read with Section 35 IPC. US turned down the request for extradition on 7.6.2004. US has maintained that the request does not meet the requirements of Articles 2(1) and 9(3)(c) of the Extradition treaty and that there was insufficient evidence of intent on the part of Anderson which was necessary to show probable cause under the US law.

20. The request for extradition now rests with a letter from the Ambassador of India dated 8.9.2008 informing CBI that the US has maintained that since they had received no further material from the Indian side, they could not change their decision.

21. The Director, CBI stated that the evidence gathered by the CBI amply demonstrates that Anderson had full knowledge of the defective design and structure of the Bhopal plant, that Anderson exercised significant direct control over the management of the Bhopal plant, and that there was negligence in maintenance and safety measures were ignored. Two Letters Rogatory (LRs) have been sent to facilitate investigation in the US. He further stated that the LRs should be executed and the request for extradition be pressed.

22. The GoM noted the following:

- (i) The charge against Anderson is under Sections 304 Part II, 324, 326 and 429 read with Section 35 IPC. The judgement of the Supreme Court in *Keshub Mahindra's* case (dated 13.9.1996) has noted that the case against Anderson and two other accused (Accused No. 10 and Accused No. 11) had been segregated as the accused were absconding. For this reason and for the reason that Anderson was not among the petitioners in that case, the judgement in that case has no application to Anderson.
- (ii) The evidence in the criminal case against the nine accused was recorded beginning in September 1997. 178 prosecution witnesses were examined and 3009 documents were marked between September 1997 and November 2005. The accused were questioned under Section 313 Cr.P.C. between November 2005 and May 2009. Eight defence witnesses were examined between June 2009 and February 2010. It will be seen that much of the evidence came on record after the extradition request dated 5.5.2003. This evidence, to the extent that it relates to Anderson, can be submitted in support of the request for extradition.
- (iii) Although the trial against the nine accused was for an offence under Section 304 A IPC, the evidence on record unmistakably points to graver offences including an offence under Section 304 Part II IPC.

23. GoM, therefore, recommends that the CBI with the assistance of the Ministry of Law, Ministry of External Affairs and the Attorney General may be directed to put together additional material in support of the request for extradition and MEA be directed to press the request for extradition with the US Government.

LEGAL OPTIONS AVAILABLE AFTER THE JUDGEMENT OF THE TRIAL COURT DATED 7.6.2010

24. GoM acquainted itself with the various judgements of the Supreme Court in the Bhopal Gas disaster cases. GoM carefully considered the judgement of the trial court. GoM was also advised by the Ministry of Law on the legal options. Having regard to the above, GoM recommends that:

- (i) A curative petition be filed in the Supreme Court for reconsideration of the judgement dated 13.9.1996 by which the charges under the graver sections of the IPC were quashed and the trial was confined to the offence under Section 304 A;
- (ii) A Revision Application may be filed in the High Court under Section 397 of

- Cr.P.C. against the judgement of the trial court praying that the judgement be set aside and the trial court be directed to refer the case under Section 323 of Cr.P.C. to the Sessions Court to try the case for offences under Sections 304 Part II, 324, 326 and 429 read with Section 35 IPC.
- (iii) An appeal may be filed in the Sessions Court against the judgement of the trial court to correct the errors in the sentences imposed on the accused under different sections. The errors pertain to the term of imprisonment (Section 338), the amount of fine (Section 304 A), and the direction that the sentences shall run concurrently.
 - (iv) By the judgements dated 14/15.2.1989, 4.5.1989 and 3.10.1991, the Supreme Court recorded the settlement between Union of India and UCC/UCIL which stated, inter alia, that the settlement had disposed of “all past, present and future claims, causes of action and civil proceedings (of any nature whatsoever wherever pending)... and all such claims and causes of action whether within or outside India of Indian citizens, public or private entities are hereby extinguished...”. However, in paragraph 38 of the judgement dated 4.5.1989, the Supreme Court noted that there may be scope for review if there was a serious miscarriage of justice or violation of Constitutional and legal rights of the persons affected. The Supreme Court assured the parties that “Those who trust this Court will not have cause for despair”. The Attorney General may, therefore, be requested to examine whether a curative petition could be filed in the Supreme Court for reconsideration of the compensation amount earlier settled at US \$ 470 million.

LIABILITY OF DOW CHEMICALS

25. An application in W.P. 2802 of 2004 was filed by the Union of India through Secretary, Ministry of Chemicals and Fertilizers before the High Court of Madhya Pradesh, Jabalpur on 10.5.2005. The prayer in this application is that the Respondent Nos. 4, 5 and 6 should be directed to deposit an amount of Rs. 100 crore for environmental remediation. Respondent 4 is Dow Chemicals Company, USA., Respondent 5 is Union Carbide Corporation and Respondent 6 is Eveready Industries India Ltd. It may be noted that Eveready Industries India Ltd. had in the year 1994 assigned to NEERI a study to make an “Assessment of contaminated areas due to past waste disposal practices at EIL Bhopal”.

26. Separately, CJM Bhopal issued summons on 6.1.2005 to Dow Chemicals Company, US. Subsequently, the company filed an appeal in the High Court and on 17.3.2005, the High Court stayed the Order issuing summons.

27. The liability of Dow Chemicals Company is being contested in these and other proceedings by the said company. It is essential that the question of liability of Dow Chemicals Company should be first settled before any proceedings can be taken against the company.

28. Hence, GoM recommends that Ministry of Chemicals and Fertilizers and CBI may be directed to file appropriate applications motions before the Courts concerned and request the Courts, especially the High Court, to expeditiously decide the question of liability of Dow Chemicals Company and/or any other successor to UCC/UCIL. Once this question is decided, the various legal proceedings involving Dow Chemicals Company and any other person/company found liable can be taken forward.

HEALTH AND HEALTH-RELATED ISSUES

29. It was informed that pursuant to various orders issued by the Supreme Court, the Bhopal Memorial Hospital and Research Centre (BMHRC) was established in July 2000. The hospital has 8 Mini Units. Besides, there are 6 Hospitals, 9 Day Care Centres, 3 Unani, 3 Homeopathy and 3 Ayurveda Dispensaries run by the State Government for the gas-affected people.

30. There is an Advisory Committee appointed by the Supreme Court which is chaired by DG, ICMR. The Advisory Committee has not met for nearly two years. There is also a Monitoring Committee appointed by the Supreme Court. The chair of the Monitoring Committee has been vacant since 2008.

31. The GoM noted that BMHRC is run by Bhopal Memorial Hospital Trust (BMHT). There is a Board of Trustees chaired by Mr. Justice A. M. Ahmadi. There is also a Governing Body chaired by Mr. Justice Ahmadi. Both bodies meet infrequently, no more than twice a year.

32. BMHT has a corpus which has grown to Rs. 436 crore as on 31.3.2009. Nevertheless, financial projections made for five years beginning 2010-11 show that there will be a deficit every year and the deficit will rise every year. Salaries in BMTH are lower than salaries paid by Government of Madhya Pradesh in its hospitals. Many posts are vacant. Some departments are non-functional. On 26.10.2009, BMHT filed an application before the Supreme Court in Civil Appeal no. 3187-3188 of 1988, *inter alia* praying that the Central Government may be directed to take over the hospital after winding up the Trust.

33. ICMR established a research centre in Bhopal in 1984. It conducted epidemiological research and clinical studies. Some volumes of research papers were published in 1987 and 1994. ICMR stopped its research work on 31.12.1994. The research center was handed over to the Government of Madhya Pradesh and is now run as a Centre for Rehabilitation Studies (CRS). It has been carrying on some long term epidemiological studies.

34. In 2008, the GoM decided that ICMR will resume its research activities. From January 2009, ICMR has invited proposals to study genetic disorders, low birth weights, growth disorders, congenital malformations, etc. Despite poor response and after great difficulty, ICMR has identified two proposals for research and studies costing Rs. 80 lakh and Rs. 60 lakh respectively.

35. It is generally agreed that research and rehabilitation work is necessary in the following areas:

- (i) Respiratory diseases
- (ii) Eye-related diseases
- (iii) Cancer
- (iv) Total Renal Failure
- (v) Genetic disorders
- (vi) Congenital disorders
- (vii) Women-related medical issues
- (viii) Second-generation children related medical issues

36. After reviewing the state of affairs relating to health and health-related matters and

finding that the picture is very disappointing, GoM recommends the following:

- (i) The GOI may approach the Supreme Court to allow takeover of the BMHRC by the Government of India through the Department of Bio-Technology and the Department of Atomic Energy. The hospital can then be strengthened, upgraded and run as a super-speciality and research hospital. The State Government has no objection to this.
- (ii) All other hospitals may continue to be managed and run by the Government of Madhya Pradesh.
- (iii) ICMR should establish a full-fledged Research Centre in Bhopal. It will be its 31st centre. It must be on par with the existing 30 centres. The Research Centre should be set up and commissioned within 90 days of Government's decision. The staff of the existing Centre for Rehabilitation Studies, to the extent they are qualified, should be taken over by ICMR.
- (iv) An Empowered Committee under the chairmanship of Secretary, Department of Health and Family Welfare and including other officers of the Ministries/Departments concerned may be set up to approve all proposals, including purchases and appointments, relating to the proposed ICMR Research Centre to facilitate setting up of the Centre within 90 days. To the extent necessary GFRs and RRs may be suspended or relaxed as a one-time exceptional measure to enable the commissioning of ICMR Research Center. The Committee will be notified by Ministry of Health and Family Welfare.
- (v) ICMR should immediately identify suitable scientists and doctors, through fresh appointments, deputation etc., and appoint them to the new Research Centre to conduct epidemiological studies and clinical research in areas identified by ICMR including areas noted in paragraph 35 above. ICMR may also involve the World Health Organisation and other Indian/international experts, as may be advised, to collaborate in the research activities.

REMEDICATION AND ENVIRONMENT-RELATED ISSUES

37. NEERI, NGRI and IICT made presentations to the GoM.

38. It was observed that the following toxic wastes/material would have to be decontaminated and/or removed:

- (i) Stored hazardous residues including Tarry residue (350 MT approx)
- (ii) Contaminated soil (1.1 million tonnes approx)
- (iii) Mercury spillage (1 MT approx)
- (iv) Corroded Plant (1500 MT approx)
- (v) Underground dumps, quantity unknown, (150 MT approx)

NEERI and NGRI also stated that much of the hazardous residues, including the Tarry residue, and much of the contaminated soil may pre-date the gas leak on 2/3.12.1984. This raises the issue that the Bhopal plant was a polluter and cause of the environmental hazards even before the gas leak and the gas leak only added to the pollution and environmental hazards.

39. The studies suggest that the soil in the UCIL precincts is contaminated. As far as ground water quality is concerned, the existing wells in the premises have already been closed, but NEERI studied five new bore-wells inside the premises. These five wells studied on the premises did not reveal contamination of water. However, NEERI studied 29 wells in the neighbourhood of the UCIL premises and found that five wells were contaminated. It was asserted by NEERI and NGRI that there is no possibility of "leaching". The soil outside the plant site is generally clean.

40. NEERI and NGRI have applied international standards for contaminated industrial soils and water and have reported to the GoM that they will recommend the following course of action:

- (i) The stored hazardous wastes including tarry residues and the quantity in the underground dumps should be incinerated at the Pithampur (Madhya Pradesh) facility. The State Government has no objection to this proposal. The incineration of the stored hazardous waste should be completed by 31.12.2010.
- (ii) The contaminated soil (approximately 1.1 million tonnes), should be buried in a secured land fill over about 16 hectares in the UCIL premises.
- (iii) The water in the contaminated wells should be pumped/treated, and recharged, or alternatively, the contaminated wells should be sealed.

41. IICT has observed that 1500 MT of the corroded plant and structures are unsafe and contaminated. It has recommended that these must be dismantled. The uncontaminated waste metal must be sent to re-rolling mills and the other contaminated wastes must be buried in the secured land fill.

42. While IICT has submitted its report, NEERI and NGRI are expected to submit their report(s) by 30.6.2010.

43. Having considered the presentations made by NEERI, NGRI and IICT, the GoM recommends as follows:

- (i) Once the reports of NEERI, NGRI and IICT are submitted, they will be subjected to a peer review by scientists jointly appointed by the Department of Science and Technology and the Ministry of Environment & Forests, Department of Chemicals and Petrochemicals and Ministry of Environment & Forests will also share the main conclusions of the reports with selected NGOs and invite their suggestions/comments in writing within a period of 30 days.
- (ii) The course of action recommended by NEERI, NGRI and IICT with modifications, if any, made by the peer review, may be accepted by Government.
- (iii) The work on repairing/re-erecting the compound wall around the UCIL premises shall be completed expeditiously by the Government of Madhya Pradesh and the premises shall be secured to prevent entry and exit of unauthorized persons, children etc.
- (iv) The responsibility for remediation actions be entrusted to the Government of Madhya Pradesh. Government of Madhya Pradesh will suitably empower the Department of Gas Tragedy Relief & Rehabilitation, including granting enhanced financial powers so that remediation and environmental clean up is completed in a time-bound manner. Officers appointed to that Department should have a tenure at least up to 31.12.2012.

- (v) An Oversight Committee will be established at the level of the Government of India in the Ministry of Environment & Forests with representation of the Ministries/Departments concerned of the GoI and the Government of Madhya Pradesh. Minister for Environment, GoI, will be the chair and the Minister for Gas Relief, GoMP, will be the co-chair. Besides, NEERI, NGRI, IICT and CPCB will be associated in a suitable capacity. The Oversight Committee will provide oversight and support to the Government of Madhya Pradesh in taking the necessary remedial actions. Ministry of Environment and Forests will notify the Oversight Committee.
- (vi) The Government of Madhya Pradesh will invite global tenders to carry out the different remediation activities.
- (vii) Without prejudice to its legal rights to claim restitution, Government of India will bear the cost of remediation in the first instance. Government of India will also take steps to claim restitution from the persons/companies found liable for the damage on the principle of "polluter pays".
- (viii) The remediation works including disposal of the stored hazardous residues, dismantling the contaminated structure and remediation of contamination of water and soil will be taken up and completed by 31.12.2012.
- (ix) The Department of Chemicals and Petrochemicals is advised to file an application before the High Court, Jabalpur to discharge the task force appointed by the High Court in view of the recommendations of the GoM after they are approved by the Cabinet.

NEW PLAN OF ACTION SUBMITTED BY GOVERNMENT OF MADHYA PRADESH

44. After taking into account the views of the Planning Commission, GoM recommended that, in the first instance, the following components amounting to Rs. 272.75 crores be approved and funds provided to the Government of Madhya Pradesh as additional central assistance on 75:25 basis:

(i)	Medical rehabilitation (all hospitals other than BMHT)	Rs. 33.55 crore
(ii)	Economic rehabilitation	Rs. 104.00 crore
(iii)	Social rehabilitation	Rs. 85.20 crore
(iv)	Providing safe drinking water by purification of contaminated ground water and from other sources.	Rs. 50.00 crore
	TOTAL	Rs. 272.75 crore

In addition, GoM recommends that remediation cost of approximately Rs. 310 crore be borne by the Government of India. Besides, enhanced compensation amounting to approximately Rs. 650–700 crore has also been recommended by GoM.

GoM also recalls what is recorded in paragraph 8 above regarding projects worth Rs. 14.18 crore, Rs. 721 crore and Rs. 1031 crore sanctioned under JNNURM as well as projects worth Rs. 443 crore sanctioned by Ministry of Urban Poverty Alleviation.

RESIDUAL ISSUES

45. The GoM identified the following **residual issues** that need to be addressed. They will be taken up at the next meeting of the GoM after the Ministries/Departments concerned prepare notes for consideration:

- (i) Reliance - Dow collaboration for UNIPOL
- (ii) Four pesticides registered by Ministry of Agriculture
- (iii) A suitable memorial for the victims
- (iv) Avoidance of future disasters and making legal provisions therefor.
- (v) Consolidate/codify the Law of Torts.
- (vi) Legal provisions for civil liability and insurance in the case of man-made disasters; provision for class-action suits.

46. The Department of Chemicals and Petrochemicals will prepare a Note for Cabinet and circulate the same immediately to the Cabinet Secretariat.