

**Mr. R.P. Aggarwal**  
Joint Director  
Anti Corruption Headquarters  
Central Bureau of Investigation  
10<sup>th</sup> floor, CBI headquarters  
CGO Complex, Lodhi Road,  
New Delhi -110003

July1, 2016

**Sub: Seeking harsher punishment against The Dow Chemical Company (TDCC) if it refuses to shown up in Bhopal Court on July 13, 2016**

Dear Sir,

I am writing to you on behalf of Bhopal Group for Information & Action (BGIA) which has been working on the issues related to the December 84 Union Carbide disaster since 1986. On 24 December 1996, the Bhopal Chief Judicial Magistrate allowed BGIA to assist the CBI (prosecution) in the criminal matter related to Bhopal Gas disaster under Section 301 (2) of CrPc. In 2004 BGIA moved an application in the court of Chief Judicial Magistrate (CJM) to issue a notice to The Dow Chemical Company (TDCC), USA on why it has not made its 100 % subsidiary Union Carbide Corporation appear in the ongoing criminal case on the Bhopal disaster. On 6<sup>th</sup> January 2005, the CJM court issued a notice to TDCC to be present in the court. The India subsidiary of TDCC obtained a stay from the MP High Court, which was vacated in 2012. The matter was sent back to the Bhopal District court. Under the Mutual Legal Assistance Treaty (MLAT) between India & USA four notices issued by the Bhopal court have been sent by the Ministry of Home Affairs, Govt of India to the Department of Justice, US government asking them to make TDCC appear in the ongoing criminal litigation. Till now the Department of Justice has not served any notice to TDCC and the next hearing for TDCC to appear is 13 July 2016.

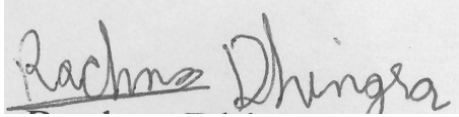
In this regard we wish to share with you the good news that due to the initiative of the survivors and support from the international community it has been possible for us to collect within 30 days, 100,000 signatures on a petition to the US President demanding that the US Department of Justice (DoJ) serve the pal District Court's notice upon TDCC so that it appears on the next date of hearing on July 13, 2016. By the terms of the "We the People" Petitions, the US government is now obliged to respond, within the next 30 days, to charges of violations of the Mutual Legal Assistance Treaty (MLAT) between USA and India by the DoJ. We are indeed hopeful that in the process of responding to the petition, the US DoJ will be encouraged to follow the terms of the US-India MLAT and serve the notice on TDCC well in time for it to appear on the appointed date.

This is the fourth notice issued by the Bhopal court, which the TDCC has chosen to ignore and there has been no meaningful response from DoJ on this issue. Through this letter we request you to seek harsher measures from the Bhopal court, such as issuing non-bailable warrant against TDCC in the event it chooses not to appear before the court on July 13.

It is in this regard that we would like to meet with you in your office on 8 July, 2016. If you have any further questions or concerns pls let me know.

We have also written to the Prime Minister seeking his intervention on this issue and a copy of the letter is attached.

Sincerely

A handwritten signature in black ink on a light-colored background. The signature reads "Rachna Dhingra" in a cursive style. The first name "Rachna" is written with a horizontal line underneath it.

Rachna Dhingra  
Bhopal Group for Information & Action  
44 Sant Kanwar Ram Nagar  
Berasia Road, Bhopal, MP 462001  
9826167369  
Email: [rachnya@gmail.com](mailto:rachnya@gmail.com)

To,  
Honourable Prime Minister  
152, South Block, Raisina Hill, New Delhi-110011

14 June 2016

**Sub: Instruct CBI to take harsher measures against The Dow Chemical Company (TDCC) in the ongoing criminal matter (MJC 91/92) on Bhopal disaster**

Dear Mr. Prime Minister,

On behalf of the survivors of the 1984 Union Carbide gas disaster in Bhopal we wish to share with you the good news that due to the initiative of the survivors and support from the international community it has been possible for us to collect within 30 days, 100, 000 signatures on a petition to the US President demanding that the US Department of Justice serve the Bhopal District Court's notice upon The Dow Chemical Company (TDCC), USA so that it appears in the ongoing criminal case on the disaster on July 13, 2016. As per the order of the Bhopal court, TDCC is expected to explain to the court why it has not made its 100 % subsidiary Union Carbide Corporation appear in the ongoing criminal case on the Bhopal disaster.

By the terms of the "We the People" Petitions, the US government is now obliged to respond, within the next 30 days, to charges of violations of the Mutual Legal Assistance Treaty (MLAT) between USA and India by the DoJ. We are indeed hopeful that in the process of responding to the petition, the US DoJ will be encouraged to follow the terms of the US-India MLAT and serve the notice on TDCC well in time for it to appear on the appointed date.

Through this letter we request you to issue necessary directions so that the officials in the MHA register their protest regarding the unlawful response of the US DoJ on three previous occasions and demand that it acts in accordance with US - India MLAT this fourth time. We regret to inform you that the prosecution in the criminal case, the CBI, has done precious little in the last two decades to ensure appearance of UCC that is absconding since 1992.

We request you to issue necessary instructions to CBI to seek harsher measures from the court, such as non-bailable warrant, against TDCC in the event it chooses not to appear before the court on July 13.

We hope this historic initiative by the Bhopalis and their international supporters will encourage the Government of India to strive to correct some of the historic wrongs to obtain justice for the victims of the world's worst industrial disaster.

Thanking you.

Yours sincerely,

**Rashida Bi,**

Bhopal Gas Peedit  
Mahila Stationery  
Karmchari Sangh  
94256 88215

**Nawab Khan,**

Bhopal Gas Peedit  
Mahila Purush  
Sangharsh Morcha  
8718035409

**Balkrishna Namdeo,**

Bhopal Gas Peedit Nirashrit  
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9826345423

**Satinath Sarangi,**

**Rachna Dhingra,**  
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9826167369

**Safreen Khan,**

Children Against  
Dow Carbide