

Secretary
Chemicals & Petrochemicals
Shastri Bhawan, New Delhi

22 August 2016

Sub: Misuse of funds meant to provide social rehabilitation to people poisoned by Union Carbide under the guise of building houses

Dear Sir,

My name is Rachna Dhingra and I work with the survivors of the December 84 Union Carbide Disaster. I am also a member of Bhopal Group for Information & Action (BGIA), a group that has been supporting the struggle of survivors for justice and life of dignity since 1986. I would like to bring to your notice a serious issue of misuse of funds meant to provide rehabilitation to people poisoned by Union Carbide. In addition to this misuse the current scheme of providing housing to gas victims is in direct contradiction to the proposal sanctioned by your department in 2010.

MP Action Plan approved by Dept of Chemicals & Petrochemicals. As you are well aware that in 2008 an action plan of Rs 272 crore was submitted by the Bhopal Gas Tragedy Relief & Rehabilitation to your department. In 2010 your department did approve this action plan. One of the action items in this plan was to carry out construction of houses and an estimated 40 crore was set aside for this purpose.

Proposed & Approved MP govt plan for Social Rehabilitation reads as follows:

"3. Construction of houses for dependents: The State Government has been constructing houses for low socio economic groups. Since gas relief department has been established to take care of all rehabilitation programme for gas victims. Therefore, the department had an idea to provide houses in all poor gas victims. But because of unavailability of sufficient funds could not be materialised. At present there is a plan to construct multi storied complexes for 2500 families. There are 2500 families has been residing around Union Carbide plant and in the vicinity of Solar evaporation pond. There is a lot of hue and cry regarding availability of pure drinking water. There is possibility of contamination in ground water because of contamination by toxic chemicals from Union Carbide factory. The entire localities will be shifted to a safe place an for habitants staying in the localities will be provided houses. The total estimated expenditure will be about Rs 40 crores. An amount of Rs 4.03 crores which is remaining unspent from sanctioned amount of Rs 49.72 cores in the first action plan, this amount will be adjusted under the scheme. The localities which are to be vacated will be marked as protected are where development of parks and plantation will be done. The detail of this has been shown under Environmental Rehabilitation"

Current MP govt proposal in complete contradiction of approved plan of action : an ad appeared in the newspaper on 13 August 2016 (attached) which asks all gas victims who are without houses, are married and have a compensation card to apply for these houses. These houses are going to built

under the Prime Minister Housing Scheme. This housing proposal is in direct contradiction of what was agreed upon by the Ministry of Chemicals when it approved the funds in 2010.

Original Plan: The houses were to be built for those families who live in water contaminated area where ground water and the soil has been contaminated due to reckless dumping of Union Carbide toxic waste. **Current Plan :** This proposal finds no mention of housing for people who live in these 22 communities and were forced to drink contaminated water and still live on contaminated land. Supreme Court of India has identified these 22 communities as affected by Union Carbide contamination. A copy of the Supreme Court is attached

Original plan: The houses were being built so that people living in water contaminated areas could be moved to a safe place.

Current Plan: No mention of housing for people who are currently living in contaminated areas.

Original Plan: Housing for people living near Solar Evaporation Ponds (where toxic waste was dumped) and it was estimated to be 2500 families

Current Plan: Housing for all 5 lakh gas victims (at least 1 lakh houses) who are married and without housing.

Original Plan: *The vacated areas to be marked as protected areas where development of parks and plantation will be done. The current area would be cleaned up and part of the money would come from environmental rehabilitation*

Current Plan: *No mention of any of this in the current Plan*

As you can clearly see from above points that there is drastic difference in the plan that was approved by your department and what is currently being envisioned.

In addition there are several other problems with the current plan.

Funding: Currently Rs 40 crore has been sanctioned by your department to build 2500 housing. As you maybe aware that due to miscalculation of (BGTRR) only 879 houses can now be built with this amount. Whereas the current population of the area where the soil and ground water is contaminated is 50,000 and at least 10,000 houses will have to be built. How then do you propose to build houses of for all gas victims (5,74,376) ?

Flawed criteria for housing: The advertisement says any gas victim who does not have a house can qualify for this. What is the method that both MP govt and GOI will employ to ascertain who has a house and who doesn't ? There is no documentation being called to ascertain this fact. How do you plan to deal with a situation where a family of 5 gas victims currently live under one roof (1 house) but maintain different households. At the time of the disaster it was 3 kids living with their parent. Now 32 years later all the 3 kids are married and have kids of their own and are living with their gas exposed parents who are the house owners. Keeping the current criteria in mind all 3

of them are qualified to get free housing as they are living with their parents, none of them is a house owner and are married. So does that mean that this one family who was living under one roof is now entitled to 3 separate houses. To add another variable to this what if all 3 also married other gas victims. So now all 6 are entitled to free housing under your criteria. All these people will fill out forms because they are entitled under the specified criteria and the department will have lakhs and lakhs of application to sift through. All of this will give rise to touts who will promise to get the work done early.

Current scheme giving rise to touts: Since the ad has been published it is almost a riot like situation at the Directorate office. Several old, sick and disabled people are being asked for a fee from Rs 200-500 to get a copy of the prescribed format by local touts.

Need assessment for housing: Some sound planning and thinking must have happened for your department to make such a drastic change in the original plan. Generally a needs assessment survey is carried out in a situation where thousands of crores will be spent from the public exchequer. It would be great if you could please share the figures or any other data that your department has gathered on the needs of the gas victims vis a vis housing.

Sir, With all due respect this proposal of housing is nothing but a waste of funds meant to provide rehabilitation to the gas victims. Gas victims are in dire need of gainful employment, better medical facilities & doctors, clean up of toxic waste, pension for widows, treatment to children suffering from deformities but housing to all gas victims is not one of them. Also how can your department go against its original plan of providing housing to people living in contaminated area when the contamination still exists. I agree that these funds have been sitting with the BGTRR for last 6 years and they have not been able to make any headway on this because this cannot be the reason to change the plan in its entirety. I also urge you to take a look at the pitiful condition of some 1800 houses that were built for widows and orphans as a result of the disaster. People who could afford to live in other part of the city just left or sold these houses to others because these houses are falling apart. 30% of widows still live there as they have no other option.

I am hopeful that you will review the housing decision and have a meaningful discussion with all survivor organisations before moving forward on this proposal. If you have any questions pls feel to email or call me.

I will greatly appreciate if you can acknowledge this email.

Looking forward to your prompt response

Sincerely

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