

MP/RSS/1N/12.00

MR. CHAIRMAN: We have a Short Notice Question today. Shri Rajiv Pratap Rudy.

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS
RAJYA SABHA

SHORT NOTICE QUESTION NO. 3

TO BE ANSWERED ON 17.08.2010

Oil Spill due to collision of ships

3: **Shri Rajiv Pratap Rudy:**

Will the Minister of ENVIRONMENT AND FORESTS be please to state:

- a) Whether collision has been reported between two merchant ships near Mumbai port;
- b) Whether oil spill has been reported due to this accident and if so, details thereof;
- c) What is the level of pollution/damage assessed by the Central and State Pollution Control Boards;
- d) Whether and steps have been taken to adequately compensate for the environmental damage; and
- e) If so, the details thereof?

ANSWERS

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE RAJYA SABHA SHORT NOTICE QUESTION NO. 3 TO BE ANSWERED ON TUESDAY, 17TH AUGUST, 2010 REGARDING "OIL SPILL DUE TO COLLISION OF SHIPS" BY SHRI RAJIV PRATAP RUDY

(a) (e) There was a collision, off Mumbai Harbour, between two merchant vessels, MSC Chitra and MV Khalijia III, on 7th August, 2010. An enquiry by the DG (Shipping) into the cause of the accident has been ordered and is underway.

MSC Chitra had 2662 tons of heavy oil in its various tanks and 245 tonnes of diesel oil. Leakage of oil from this vessel was reported. The Coast Guard is co-ordinating action to contain the oil spill. Coast Guard vessels and Jawaharlal Nehru Port Trust (JNPT) tugs have been spraying dispersant under the directions of the Coast Guard to tackle the oil spill.

The Department of Environment, Government of Maharashtra has drawn up an action plan for clean up operations with Coast Guard. Joint teams have been formed to organize clean up operations wherever oil spill is observed on the coast.

An FIR has been lodged by the MPCB in Yellow Gate Police Station on 8th August, 2010 under the Environment (Protection) Act, 1986 and relevant section IPC.

Maharashtra Pollution Control Board has requested the National Institute of Oceanography (NIO) to conduct Environment Impact Assessment to determine damage caused to the marine eco

system. Ministry of Environment and Forests has also asked the Bombay Natural History Society to suggest remedial measures.

भारत सरकार
पर्यावरण एवं वन मंत्रालय

राज्य सभा

अल्प सूचना प्रश्न संख्या 3

मंगलवार, 17 अगस्त, 2010 को उत्तर के लिए

जहाजों के टकराने के कारण तेल फैलना

3. **श्री राजीव प्रताप रूडी:**

क्या **पर्यावरण और वन** मंत्री यह बताने की कृपा करेंगे कि:

- (क) क्या मुंबई पत्तन के निकट दो व्यापारिक जहाजों के टकराने की सूचना मिली है;
- (ख) क्या इस दुर्घटना के कारण तेल फैलने की सूचना मिली है और यदि हां, तो तत्संबंधी ब्यौरा क्या है;
- (ग) केन्द्र एवं द्वारा प्रदूषण के स्तर/उससे होने वाले नुकसान के संबंध में क्या आकलन किया गया है;
- (घ) क्या पर्यावरणीय नुकसान की पर्याप्त रूप से क्षतिपूर्ति हेतु कोई कदम उठाए गए हैं; और
- (ङ) यदि हां, तो तत्संबंधी ब्यौरा क्या है?

उत्तर

पर्यावरण एवं वन राज्य मंत्री (स्वतंत्र प्रभार)

(श्री जयराम रमेश)

(क) से (ङ) विवरण सदन के पटल पर रखा गया है।

"जहाजों के टकराने के कारण तेल फैलना" के संबंध में श्री राजीव प्रताप रूडी द्वारा पूछे गए मंगलवार, 17 अगस्त, 2010 को उत्तर के लिए राज्य सभा अल्प सूचना प्रश्न सं. 3 के भाग (क) से (ड़) के उत्तर में उल्लिखित विवरण

(क) से (ड़) मुंबई पत्तन के निकट दो व्यापारिक जहाज एमएससी चित्रा और एमवी खालीजिया 7 अगस्त, 2010 को टकरा गए थे। इस दुर्घटना के कारण का पता लगाने के लिए महानिदेशक (जहाजरानी) द्वारा जांच का आदेश दिया गया है और जांच अभी चल रही है।

एमएससी चित्रा में इसके अनेक टैंकों में 2662 टन हैवी ऑयल था और 245 टन डीजल ऑयल था। इस जहाज से तेल के रिसाव की सूचना मिली थी। तटरक्षक (कोस्ट गार्ड) द्वारा तेल को फैलने से रोकने की कार्रवाई का समन्वय किया जा रहा है। तटरक्षक जहाजों और जवाहरलाल नेहरू पत्तन न्यास (जेएनपीटी) की नावों, द्वारा तेल को फैलने से रोकने के लिए कोस्ट कास्ट के निर्देशों के अंतर्गत डिस्पेंसेंट को छिड़काव किया जा रहा है।

पर्यावरण विभाग, महाराष्ट्र सरकार ने सफाई संबंधी कार्यों के लिए कोस्ट गार्ड के साथ मिलकर एक कार्य योजना तैयार की है। तट पर जहां कहीं भी तेल बिखरा देखा गया है वहां सफाई संबंधी कार्यों की व्यवस्था करने के लिए संयुक्त दल बनाए गए हैं।

एमपीसीबी द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 और भारतीय दंड संहिता की सगत धाराओं के अंतर्गत 8 अगस्त, 2010 को येलो गेट पुलिस स्टेशन में एक एफआईआर दर्ज कराई गई है।

महाराष्ट्र पर्यावरण नियंत्रण बोर्ड ने सामुद्रिक पारि-प्रणाली को हुई क्षति का पता लगाने हेतु पर्यावरणीय प्रभाव आकलन करने के लिए राष्ट्रीय समु विज्ञान संस्थान (एनआईओ) से अनुरोध किया है। पर्यावरण एवं वन मंत्रालय ने बॉम्बे नेचुरल हिस्ट्री सोसायटी से भी उपचारात्मक उपयों का सुझाव देने के लिए कहा है।

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SHRI RAJIV PRATAP RUDY: Sir, almost 10 days have passed since this accident took place, we had a spill of diesel, lubricants and pesticides, and more than 300 hectares of mangroves has been destroyed, and till 15th of August, as per the statement of the Minister, all fishermen were asked to stop their fishing activities. Sir, even a sensitive department like the BARC has been asked not to use water from the sea for their plants, and it was said that a lot of containers which had fallen in the sea, had created a lot of navigational hazard. The question here is a very specific question because possibly, for the first time, such an accident has happened, and the hon. Minister has made a long statement where he said that the DG (Coast Guards) is responsible to contain the oil spill and there is a contingency plan. We do not know what that contingency plan is. But he has talked about the contingency plan. But the most important question which I would like to ask the hon. Minister is that India is a signatory to the MARPOL Convention which is the Maritime Pollution Convention to which India was one of the foremost signatories. I am sure the Minister must have heard about this Convention or must have discussed it with the Ministry where international ships, which spill oil or cause a hazard in the sea or pollute the sea, there is a recourse with the MARPOL Convention to seek recourse from the international organization. Now, I would like to ask the Minister whether India, being a signatory to the MARPOL Convention, has sought relief or recourse from this international organization for the spillage which has taken place near Mumbai port.

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THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): Sir, this question ultimately may be directed at the Minister of Shipping. The question was on the environmental impact of the oil spill, and I can speak if Mr. Rudy stops looking up and starts looking at me and listen to me. I will answer his question. The question was on the environmental impact of the oil spill, and I am prepared to answer any question relating to the environmental impact. The hon. Member has asked a question on whether we can have recourse to an international convention for compensation. I visited the site day before yesterday; I discussed this matter with the DG Shipping, and I am given to understand that India is not a signatory to the Bunker Convention. There are two types of vessels; there is a tanker vessel and there is a dry cargo vessel that is carrying finished oil and diesel. In this incident of Mumbai, it was not a tanker vessel, but there were two dry cargo vessels which collided, for which the Bunker Convention under the International Maritime Organization is the appropriate Convention. I am given to understand that India is not yet a signatory to the Bunker Convention, and that when we become a signatory which we will expedite now, we can take recourse to compensation from this Bunker Convention. Please understand that this is not a tanker, this is a dry cargo vessel.

SHRI RAJIV PRATAP RUDY: Sir, India is a signatory to the MARPOL Convention, and maybe, the Minister is not aware or he is to check it up. We are signatory to the MARPOL Convention, and under that Convention, any collision

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which takes place in the international waters or in your own waters, you are answerable. But, maybe, the Minister is not aware. He is talking of Bunker Convention. He has not talked anything about the MARPOL Convention. We would seek a clarification on this subject, maybe, later. But I think the Minister may not have discussed this.

MR. CHAIRMAN: You have flagged a point. That is fine. Thank you.

SHRI RAJIV PRATAP RUDY: Sir, what I want to say is that recently, an incident took place in Mexico.

(contd. by 1o)

-RSS-TMV-SC/10/12.05

MR. CHAIRMAN: No. Please ask your second supplementary.

SHRI RAJIV PRATAP RUDY: Sir, this is related to the oil spill. This is a matter related to the environment. In the case of BP oil spill which took place in Mexico, the Government of the United States, where the insurance was only 460 million dollars, agreed and the BP took out a cash component for 20 billion US dollars. It comes to Rs.90,000 crores and that is the amount which was kept aside. Now, here, whatever environmental concerns are there, the whole thing boils down to the compensation to the fishermen who could not do fishing, the compensation for environmental damages... (Interruptions)...

MR. CHAIRMAN: What is the supplementary question?

SHRI RAJIV PRATAP RUDY: My question to the hon. Minister is: Have we initiated any mechanism? Is there any designated agency which is going to look

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into it and assess the environmental damage? I would like to know whether there is any statutory body which can make these claims from the International Shipping Organisation on the international ships... (Interruptions)...

MR. CHAIRMAN: Thank you.

SHRI RAJIV PRATAP RUDY: Sir, it is all about claiming compensation which you can use to take care of the environmental damages. (Interruptions)...

MR. CHAIRMAN: Thank you.

SHRI RAJIV PRATAP RUDY: Have you put in position any environmental agency which could be responsible for seeking these claims for all those affected because this is the first case of this order.

MR. CHAIRMAN: Why is the Question Hour being used for speeches? I don't understand it.

SHRI RAJIV PRATAP RUDY: Sir, it is important.

MR. CHARMAN: No. It is not. You can make speeches when it is time for speeches. Please ask questions only. Yes, Minister, go ahead.

SHRI JAIRAM RAMESH: Sir, the hon. Member has asked two questions. One was on the environmental impact assessment and the other was on the fishermen. I will answer both these questions. The Maharashtra Pollution Control Board, which is the designated agency in such matters, has asked the National Institute of Oceanography in Goa and the National Environmental Engineering Research Institute at Nagpur to carry out a comprehensive environmental impact assessment study. This study is being supported and funded by the Ministry of

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Environment and Forests. We expect to get the first results of this investigation in about four weeks' time, and the detailed study would be available in three months' time. This study will form the basis of the claims that we make for compensation.

As far as the impact on the livelihood of fishermen is concerned, the Central Institute of Marine Fisheries, which is headquartered in Cochin, which has an office in Mumbai, has been asked to carry out a quick assessment of what the impact is on the livelihood of the fishermen. It is also supported by my Ministry. This study is going to be available in about two weeks' time, and this will form the basis of compensation that will be given to the fishermen. The process of filing claims and getting compensation is necessarily a long drawn-out process. It will involve a lot of legal procedures, as the Leader of the Opposition will himself testify. But we can't wait to provide compensation to fishermen and that is why we have carried out this quick study. But I want to assure the hon. Member that the polluter must pay and the polluter will pay.

श्री प्रकाश जावडेकर : सर, मैं उसी इलाके से आता हूँ। जयराम रमेश जी ने कहा कि उन्होंने वहां विज़िट भी की। सारे fishermen आपको मिले। ठाणे से लेकर अलीबाग तक सभी लोगों को तकलीफ हुई है, उनकी दस दिन की तो रोजी आज ही समाप्त हुई है और आगे भी थोड़ा असर होगा। जो आप compensation की बात कर रहे हैं, वह लम्बा procedure है, इसको shorten करने के लिए जो कर रहे हैं, वह भी लम्बा है। आज न महाराष्ट्र सरकार उनको तुरंत राहत दे रही है और न ही आप दे रहे हैं। मैं जानना चाहता हूँ कि उनको तुरंत राहत देने के लिए आप क्या करने वाले हैं?

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SHRI JAIRAM RAMESH: Sir, this is a wrong information. We are not aware of this issue. I want to assure the hon. Member that the issue of providing immediate compensation to fishermen whose livelihood may be affected by the ban that has been imposed is being considered. I also want to correct one impression that the ban was imposed on fishing following the oil spill. No. The ban existed till 15th August because of the monsoon and because of the weather. It so happened that the spill also intervened. So, we can't say that the spill has destroyed the livelihood of the fishermen, although it was affected. We are aware of the compensation requirements and the Maharashtra Pollution Control Board is working out the precise numbers. I wish to assure the hon. Member that immediate compensation, when identified, will be provided to the fishermen.

SHRI SHANTARAM LAXMAN NAIK: Sir, I would just like to know whether any FIR has been filed under the Environment Protection Act in respect of the offence.

SHRI JAIRAM RAMESH: Sir, the Maharashtra Pollution Control Board has invoked the Environment Protection Act, 1986 to file FIRs. Three FIRs have been filed and the legal process is on.

(Contd. by 1P/VK)

VK-MCM/1P/12.10

SHRI BHARATKUMAR RAUT: Sir, I believe in the honesty of the Minister. But the point is, the whole thing is very academic. I come from Mumbai. I want to have a point-blank answer. Is it safe to eat fish in Mumbai today? If it is not safe, what is the guideline that the Ministry has issued to the fishermen or to the

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markets? Should they sell the fish or not? When I go to the market, there are rumours. What do I do? When I say, "I", it means Mumbaikers. What should they do? Should they eat fish or not?

SHRI JAIRAM RAMESH: Sir, not being a fish-eater, I would not be able to testify to the safety or the efficacy of the fish that is being caught. All I can tell you is that there has been a substantial impact on the fish population in and around the area. The fish population in many parts has been decimated; it has been damaged. The water samples have been taken and tested for contamination. Fish has now started coming into Mumbai from other parts of the country, like Andhra Pradesh. I cannot give a point-blank answer to a point-blank question that whether it is safe to eat fish. Of course, it is safe to eat fish in Mumbai as long as it is not caught from the polluted area.

(Ends)