

Pressemeddelelse fra det indiske miljøministerium, 15. september 2005

15.09.05

This refers to the news item appearing in some of the news papers of 14th September, 2005 in connection with the orders of the Hon. Supreme Court with respect to a petition filed concerning a ship named "Ricky" which arrived at the Alang ship breaking yard in Gujarat some times back for ship breaking. In this connection, the facts of the matter are summarized below for information.

Ship breaking is an activity being undertaken mainly at the Alang ship breaking yard in Gujarat. This ship breaking yard is one of the largest ship breaking yards in the region. Presently, there are 3 International Conventions which have guidelines on various aspects of ship breaking, namely, International Maritime Organisation, Basel Convention and International Labour Organisation. The guidelines formulated by these International Organizations in many respects are overlapping and also there is lack of consensus in these guidelines on the various aspects concerning this activity. Under the IMO guidelines, a ship which can propel itself cannot be termed as waste, whereas there is a view of some European countries and NGOs like Basel Action Network and Green Peace, which advocates that prior informed consent procedure followed under the Basel Convention for trans-boundary movement of hazardous wastes must be applied to ships destined for breaking. The present position in this respect is that a Joint Working Group of the 3 International organizations is working on developing guidelines which could be applicable to the ship breaking industry. In India the Hon. Supreme Court has given detailed guidelines for regulating ship breaking in the country. These guidelines include procedures to be followed before a ship can be taken up for breaking. The Gujarat Maritime Board in this context has also given detailed instructions for regulating ship breaking at Alang ship breaking yard. As regards the ship named "Ricky" which has arrived at Alang ship breaking yard, the Danish Minister had written to the Hon. Minister for Environment & Forests for sending back the ship as it carried hazardous wastes. To ascertain the position, the ship was jointly inspected by a Team comprising Gujarat Maritime Board, Central Pollution Control Board and Gujarat Pollution Control Board (GPCB) officials. As per the Report of the Team, the ship did not carry any hazardous wastes as cargo. The stand of the country on this issue alongwith the facts of the matter were therefore intimated to the Danish Minister for Environment stating that ship cannot be classified as wastes within the scope of the Basel Convention and that strict compliance of the Supreme Court directions is being monitored in the country. Further, that the Team of officials have inspected the vessel and found no objectionable hazardous materials on the ship. And that as per Indian laws and our position under the Basel Convention and the IMO, the ship had the requisite permission for beaching. **No further reference from the Danish Minister for Environment in this connection has been received in the Ministry thereafter.** It is to also mention in this context that the above ship also had the cargo free certificate issued by the Customs Department, as the vessel arrived at Alang in ballast (empty).

This matter was also deliberated in the 10th meeting of the Supreme Court Monitoring Committee (SCMC) held during June 1-3, 2005 at Shillong, when the SCMC after considering all the aspects of the matter observed inter-alia that all the conditions laid down by the Supreme Court for ship breaking activities are required to be scrupulously followed. Therefore, it was decided that both Central Pollution Control Board and GPCB should depute their officers to be present on the spot while breaking of the ship initially for the first week, and thereafter, once in a week.

In the petition which was considered by the Hon. Supreme Court on 13th September, 2005, the Hon. Supreme Court has directed the "SCMC and the Joint Commissioner of Customs, Ahmedabad to look into it and file their response thereto within 2 weeks". It may also be mentioned in this context that the Hon'ble Supreme Court has not made any specific observations / directions in respect of the Hon'ble Minister for Environment & Forests, Shri A. Raja. The petition inter-alia seeks directions in respect of the ship named "Ricky" that it may be sent back to Denmark as it contains hazardous wastes. As mentioned earlier, there is still no consensus under the International Conventions on the guidelines governing the ship breaking. As regards India, the said activity is being regulated strictly in consonance with the instructions of the Hon. Supreme Court. Therefore, whatever has appeared in the news papers in this context regarding alleged role of the Minister of Environment & Forests is false, misleading and motivated. The facts in the matter are placed together to clarify the position on this aspect.

Ministry of Environment & Forests, Government of India New Delhi, Bhadrapada 24, 1927; September 15,

