

**GOVERNMENT OF INDIA
SHIPPING
LOK SABHA**

UNSTARRED QUESTION NO:1931
ANSWERED ON:22.11.2010
ACCIDENTS AND ENVIRONMENTAL SECURITY
Yadav Shri Ranjan Prasad

Will the Minister of SHIPPING be pleased to state:

- (a) whether the incidents of collision of ships near the Indian Ports have increased recently;
- (b) if so, the details thereof alongwith the loss of lives and property occurred during the last three years and the current year;
- (c) the preventive steps taken to stop such eventualities in future;
- (d) whether there is a proposal to bring forward a national shipping policy to ensure environmental security of Indian waters;
- (e) if so, the details thereof; and
- (f) if not, the reasons therefor?

Answer

MINISTER OF SHIPPING (SHRI G.K. VASAN)

(a) & (b): No Madam. There has been no substantial increase in incidence of collision of ships near the Indian Ports recently. There has been no loss of life in such incidents of collisions during the last three years and the current year. There has been no loss to the property except minor damage to the ships involved in collisions during the last three years from 2007 to 2009. However, in 2010 two incidents of collision have led to major damage to the ships and oil pollution.

(c): Some of the major initiatives taken to stop such eventualities are as follows:

1. Establishment of Long Range & Identification System (LRIT) on the Indian Coast .
2. Restrictions on old vessels in Indian territorial waters and exclusive economic zone, through executive orders issued by the Directorate.
3. Stringent Port State and Flag State implementation and inspections of older vessels in Indian ports
4. Establishment of safety fairways, Traffic Separation Schemes, Recommended routes in coastal waters on the west coast of India
5. Issuance of Merchant Shipping notices with regard to ship reporting, navigational warning system, towing and voyage permission guidelines and mandatory inspection by Mercantile Marine Department of ships loading Iron Ore fines in monsoon months

(d) to (f): The information is enclosed at Annexure A.

ANNEXURE-A

ENVIRONMENTAL SECURITY OF INDIAN WATERS – FRAMING OF NATIONAL SHIPPING POLICY, IF REQUIRED

The Government has ratified International Conventions to prevent pollution from ships and the relevant provisions have been enacted in the Merchant Shipping Act (M.S. Act 1958). Additionally, following are the International conventions that are under consideration: -

1. The Bunker Convention 2001 that deals with mandatory insurance to deal with compensation from pollution from bunker oil from ships is under consideration for ratification by the Government of India.
2. Limitation of Liability for Maritime Claims (LLMC) Protocol 1996, that deals with enhancing the existing limit of claims from ships prescribed in the LLMC 1976 convention is under the consideration for ratification by the Government of India and
3. The Wreck Removal Convention 2007 that mandates the owners to have a mandatory insurance cover for wreck removal when such vessels becomes the wreck anywhere in the coast of India including territorial waters and EEZ, is under consideration for ratification by the Government of India.
4. Further, following are various existing national legislations to secure the environment in or around the coast of India under Part XI of M. S. Act 1958.
 - (a) Sec. 356 (C) deals with provisions for issuance of Pollution Prevention Certificate to (IOPP) Indian ship.
 - (b) Sec. 356 (E) deals with requirements for construction and equipment in ship to prevent pollution.
 - (c) Sec 356 (F) deals with requirement to maintain record book on ship.
 - (d) Sec 356 (G) deals with Inspection & Control of Oil tanker and other ships for prevention of Oil Pollution,
 - (e) Sec 356 (H) deals with Obligation to inform contravention of provision of MARPOL 73 / 78.
 - (f) Sec 356 (I) deals with Obligation of the ports and places to have reception facilities for oily residues in accordance with

requirements of MARPOL convention

(g) Sec 356 (J) deals with Powers of Central Government to give a notice to owner, etc., of polluting ship

(h) Sec 356 (K) deals with Powers of Central Government to take measures for preventing or containing pollution in case owner fails to fulfill his obligations prescribed under 356 (J).

(i) Sec 356 (L) deals with Power of Central Government to give directions to certain ships to render certain services and for the purposes of containing pollution.

(j) Sec 356 (M) deals with Collection of Oil Pollution Cess from ships discharging oil in Indian ports for contingency oil pollution response measures

(k) National Oil Spill Disaster & Contingency Plan (NOS-DCP) under the Indian Coast Guard deals with marine environmental preservation, protection, and prevention and control of pollution in the maritime zones of India.

(l) India is a party to 1992 CLC convention which requires ships carrying oil in bulk as cargo with quantity above 2000 tons to maintain insurance cover to deal with compensation matter in the event of oil pollution.

(m) India is a voluntary member of International Oil Pollution Compensation Fund 1992 which deals with compensation and payment for mitigating measures when CLC 1992 provisions are not adequate. These provisions have enacted in M. S. Act 1958.

(n) In view of above existing legislation under the statute and proposed provisions, a need for a policy is not felt. Moreover, shipping being an international industry it is therefore governed by International conventions and hence focus is on early ratification of conventions and better compliance.