

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:7325
ANSWERED ON:21.05.2012
PROSECUTION IN REGARD TO MARITIME POLLUTION
Maadam Shri Vikrambhai Arjanbhai

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

- (a) whether the Government is prosecuting those responsible for incidents of maritime pollution;
- (b) if so, the details thereof;
- (c) whether the Public Liability Insurance Act provides reimbursement to the victims of marine pollution; and
- (d) if so, the details thereof alongwith the remedial steps taken by the Government to review the said Act?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

(a) & (b) The Merchant Shipping Act, 1958 and the Environment (Protection) Act, 1986 have provisions for taking action against those responsible for incidents of maritime pollution. This requires properly identifying persons/ships responsible for specific incidents of maritime pollution. The State Pollution Control Boards have identified polluting sources and have taken action to check marine pollution. As informed by the Central Pollution Control Board, it has not prosecuted any agency responsible for incident of maritime pollution.

(c) & (d) The Public Liability Insurance Act, 1991 provides for immediate relief to persons affected by accidents occurring while handling of hazardous chemicals notified under the Act, on a "no fault basis". It is mandatory for industries involved in operations or processes of hazardous substances in quantity notified under the Act to take Public Liability Insurance cover for immediate relief to victims or damage to property, on a scale prescribed in the schedule of the Act. Only death or injury to persons other than workmen and damage to private property are covered under the Act. The maximum relief in case of death or injury is Rs.25,000/-, which is in addition to reimbursement of medical expenses up to a maximum of Rs. 12,500. The maximum relief for damage to private property is Rs. 6,000. The Merchant Shipping Act, 1958 also has provisions for compensation to the victims who suffers damage on account of oil spillage from oil tankers in Indian waters up to the Exclusive Economic Zone of India.

The National Green Tribunal Act, 2010 has been enacted for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons, property and for restoration of the environment.