

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 270/2025

News Item titled "Containers from sunken ship likely to drift towards Alappuzha, Kollam Coasts in 48 hours: INCOIS" appearing in The Hindu dated 25.05.2025.

Date of hearing: 27.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: None appeared

ORDER

1. This original application is registered *suo-motu* on the basis of the news item titled "Containers from sunken ship likely to drift towards Alappuzha, Kollam Coasts in 48 hours: INCOIS" appearing in The Hindu dated 25.05.2025.

2. The news item relates to the Liberian – flagged container ship, MSC ELSA 3 which sank off the Kochi Coast on Sunday morning drifting towards the entire coastal stretch of Alappuzha district and parts of Kollam. The Ship was carrying 640 containers including 13 with hazardous cargo and 12 containing calcium carbide.

3. As per the news item Indian National Centre for Ocean Information Services (INCOIS) is monitoring the impacts. As per the initial study Alappad, Purakkad and Chappakkadavu in Alappuzha apart from Vellanathuruthu, Kovilthottam and Maruthadi along the Kollam coast have a 25 % chance of being affected. The ship was also carrying 84.44

MT of diesel and 367.1 MT of furnace oil, as per a communication issued by the Ministry of Defence.

4. Further the ship owner firm MSC is expected to clarify on the contents of the hazardous cargo in the 13 containers. Since the sunken ship is carrying hazardous materials like calcium carbide, oil and other undisclosed items there are chances of serious impact to the marine and coastal environment affecting the bio diversity and water quality of the area. On account of wave, wind and current actions of the waters these pollutants can travel to other coastal parts of the Country including Lakshadweep islands affecting them. The impact on the Lakshadweep Island will be severe as the Inland coastal water has high bio-diversity with corals.

5. The above matter indicates violation of the Biodiversity Act, 2002; Water (Prevention and Control of Pollution) Act, 1974 and the Environment Protection Act, 1986.

6. The news item raises substantial issues relating to compliance with the environmental norms and implementation of the provisions of scheduled enactment.

7. The power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

8. Hence, we implead the following as respondents in the matter:

- (i) Member Secretary, Kerala Pollution Control Board:
Head Office, Pattom PO,
Thiruvananthapuram, Kerala - 695004.

- (ii) Member Secretary,
Lakshadweep Pollution Control Committee:
Lakshadweep Administration,
Dept. Of Sc. and Technology & Environment
Kavaratti Island-682 555, Lakshadweep
- (iii) Member Secretary,
Central Pollution Control Board (CPCB):
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032
- (iv) Secretary, Ministry of Environment,
Forest and Climate Change (MoEF&CC),:
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi – 110 003
- (v) Secretary,
Ministry of Ports, Shipping and Waterways:
Parivahan Bhavan, 1,
Parliament Street, New Delhi.
- (vi) Director General, Indian Coast Guards:
Coast Guard Headquarters,
National Stadium Complex,
New Delhi – 110001
- (vii) Director-National Centre for Ocean
Information Services (INCOIS)
under Ministry of Earth Sciences:
"Ocean Valley", Pragathi Nagar (BO),
Nizampet (SO) Hyderabad-500090

9. Issue notice to the above respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.

10. List on 30.07.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

May 27, 2025
Original Application No. 270/2025
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