

Govt working on comprehensive law for transporting hazardous goods

Different rules and regulations of various ministries make it difficult for effective implementation of the law

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The government intends to bring a new comprehensive legislation for movement of hazardous goods.

At present, there are a number of regulations from different ministries making things difficult for effective implementation of the law. Accordingly, it has been planned to bring a single, but comprehensive regulation, for taking hazardous goods from one place to other.

“The proposed legislation will prescribe how to make the transportation of hazardous goods different from those of common goods. These will include signage, cover etc,” a senior Government official told *BusinessLine*.

Hazardous goods can be divided into two categories: hazardous materials and hazardous waste. Any material or waste conforms to certain threshold in one or more criteria such as degree of toxicity (extremely or highly), flammable (flash point of 20 degree Celsius), explosive (under the effect of flame, heat or photo-chemical conditions), acidity (with $\text{pH} \leq 5$), alkalinity

($\text{pH} \geq 9$) and carcinogenicity (causing cancer) is classified as hazardous. Material or waste contains or contaminated with certain hazardous constituents are also called hazardous materials or waste.

Among various rules and regulations, two are very important – Hazardous Substances (Classification Packaging and Labelling) Rules, 2011 and Section 13 in the Carriage by Road Act, 2007.

Various provisions

The first set of rules say that dangerous goods, in packaged form, domestically transported must be classified packaged, marked, labelled and the vehicle carrying the goods ap-

propriately marked. However, these rules exempt pharmaceutical and cosmetic-end products available in packages designated for consumer use and to dangerous goods required for the propulsion of the means of transport or the operation of its specialised equipment during transport.

Section 13 in the Carriage by Road Act, 2007 has two provisions. The first provision says that no goods of dangerous or hazardous nature to human life will be carried by a common carrier except in accordance with such procedure and after complying with such safeguards as may be prescribed. The second provision says every common carrier will scrutinise and ensure that “the consignment is covered by, one or more insurance policies under a contract of insurance in respect of such

goods providing relief in case of death or injury to a person or damage to any property or the consignment, if an accident takes place.”

Provisions under Central Motor Vehicle Rules 1989 prescribe norms for transportation of goods of dangerous or hazardous nature to human life.

For example, every such goods carriage, carrying the same type of dangerous or hazardous goods (whether in bulk or in packages), shall display a distinct mark of the class label appropriate to the type of dangerous or hazardous goods. Similarly, one year from the date of commencement of Central Motor Vehicles (Amendment) Rules 1993, every goods carriage carrying goods of dangerous or hazardous nature to human life, shall be fitted with tectio-graph (an instrument to record the lapse of running time of the motor vehicle; time speed maintained, acceleration, deceleration, etc.,) conforming to the specifications of the Bureau of Indian Standards].

The official quoted above said that the effort is also to have a single legislation for goods carried by sea, land or air. Efforts are on to introduce the Bill in the forthcoming session of Parliament.



The proposed law will prescribe how transportation of hazardous goods should be different from those of common goods GETTY IMAGES/ISTOCKPHOTO