From

The Secretary Health
Chandigarh Administration

To

1. The Director Principal,
Govt. Medical College & Hospital,
Sector-32, Chandigarh.

2. The Director Health & Family Welfare,
U.T. Chandigarh.

No. 3694-FII (6)/2014
Dated, Chandigarh the 05.02.14

Subject: NHRC Case No.2951/30/0/2011/UC Dated:1.7.2011

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Enclosed please find herewith a copy of letter dated: 26.08.2013 received from Manohar Lal IAS (Retd.) Director General for the Asbestos Cement Products Manufacturers Association for sending the comments in the matter to this Administration.

4/2/14

Superintendent Finance-II (H)
For Secretary Health
Chandigarh Administration

The PVC in original may be forwarded to the OS, E-IV for circulation specially to the Deptt. of Chest & T.B & Radiotherapy to comment on the issue & after obtaining the same may be forwarded to the quarter concerned if so agreed Pl.

L.O.

17/2

3/3

OS, E-IV

GOVERNMENT MEDICAL COLLEGE & HOSPITAL, CHANDIGARH

(Hospital Building), Sector 32-B, Chandigarh-160030 (Ph:0172-2665253-59, Fax: 0172-2608488)

(ESTABLISHMENT BRANCH-IV)

09580-83

Endst. No. GMCH-E-IV-EA-1(24/2)-2014, Dated, Chandigarh the 7 MAR 2014

A copy alongwith its enclosure is forwarded to the followings for information & necessary action at their end:

1. The Head, Dept. of Pulmonary Medicine / Dept. of Radiotherapy, GMCH, Chandigarh. They are requested to offer their comments to this effect at the earliest, so that the same may be transmitted to the quarter concerned.
2. The Office Supdt. (HA-II), GMCH, Chandigarh.
3. The Law Officer, Legal Cell, GMCH, Chandigarh.
4. The Computer Programmer, GMCH, Chandigarh. He is requested to e-circulate the same among all the HODs/Br. Incharges of this Institute to offer their comments, if any.

6.3.14

Superintendent (Est.-IV)

THE ASBESTOS CEMENT PRODUCTS MANUFACTURERS' ASSOCIATION

(Regd. Under Indian Societies Act, 1860)

To,

Mr. K.K. Sharma IAS
Advisor
Chandigarh Administration
Chandigarh

Adviser to the Administrator,
No. 2870 PS/AA
Dated 10/9/13

26.8.2013

Reg : NHRC case no. 2951/30/0/2011/UC dated 1.7.2011
Your letter no. 2272-F 11(6) – 2011 dated 17.11.2011

No. PA/JSFI 2870
Dated 13/9/13

Sir,

Kindly refer to your above mentioned letter vide which the Chandigarh Administration had submitted the status report called by the NHRC regarding occurrence of asbestos etc., in the UT of Chandigarh. The Chandigarh Administration in their above reply has concluded,

> ***".....Hence use of white asbestos should also be completely banned in India also and the same may be replaced by some safe alternative material".***

In fact had anyone made an effort tried to go through the literature / policy of the Government of India / scientific and epidemiological studies by the National Institute of Occupation Health (NIOH) an Indian institute of international standing[2], the Chandigarh Administration would have never opined for even banning and never for completely banning the use of white asbestos.

In June, 2011 one Mr. Gopal Krishna of 'Toxics Watch Alliance (TWA) an anti-asbestos activist NGO filed a complaint with NHRC immediately prior to the meeting of the 5th Conference of Parties (COP5) under the UN's Rotterdam Conference. Jointly implemented by UNEP & FAO, the 1989 Prior Informed Consent (PIC) procedure programme has helped to ensure that governments have the information they need about hazardous chemicals for assessing risks and taking informed decision on chemical imports. Any chemical to be brought under PIC procedure has to be by way of consensus alone of all the member countries. The anti-asbestos activists have been lobbying hard and working overtime to bring the white asbestos (chrysotile) used in the manufacture of asbestos cement roofing sheets (a.c. sheets) under the PIC list. Since its inception in 2004 the Rotterdam Convention, consensus has not been achieved for almost 10 years till now the 6th conference of parties (COP6) under the Rotterdam Convention held in May, 2013 in Geneva.

Mr. Gopal Krishna of Toxics Watch in his complaint to NHRC requested in June, 2011 immediately before the 5th conference of parties (COP5) which was held in June, 2011 in Geneva as under :

> ***" in view of the above, it is your solemn duty of NHRC to protect Indian citizens from the exposure of fibres of chrysotile asbestos. In pursuance of the same as a first step there is a compelling reason for Government of India to support listing of chrysotile asbestos in the Prior Informed Consent (PIC) procedure list of hazardous materials at the 5th meeting of the Conference of Parties (COP5) to the UN's Rotterdam Convention on the Prior Informed***

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Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (20 to 24 June, 2011, Geneva)"

When Mr. Gopal Krishna mentioned above as the first step what he really meant was the beginning of the process of completely banning the white asbestos (chrysotile) used in India for manufacturing cement roofing sheets (a.c. sheets). But the facts and the evidence that white asbestos (chrysotile) is a health hazard or causes cancer of lungs is totally at variance to what Mr. Gopal Krishna has argued in his complaint. And this will be amply clear after going through the views/stand[3] of ACPMA submitted to the Ministry of Environment and Forests immediately prior to the meetings of the Conference of Parties (COP6) held under the Rotterdam Convention in April-May this year in Geneva. The stand of the delegation of the Government of India[4] led by the Additional Secretary, Ministry of Environment and Forests in this conference in May this year inter-alia was as under:

> ***"India did not support listing, citing the utility of the substance the finding of "no hazard" in domestic studies and the increased trade costs of the PIC procedure".***

We have taken this opportunity to bring in your kind notice that the Chandigarh Administration has replied to the NHRC rather without going through the facts and certainly in our view detrimental to our industry. Therefore, it is requested that all these information and factual position be kept on record and also would appreciate if the Chandigarh Administration may like to review and revise their reply to NHRC.

In any case the undersigned would be highly obliged if you kindly give an opportunity for a meeting with you to explain you the matter personally with still more literature so that the concerned department in the Chandigarh Administration has all the facts before replying such queries in future.

Thanking you.

Yours faithfully,

(Manohar Lal IAS (Retd.))
Director General
for the Asbestos Cement Products
Manufacturers' Association

Encl. as above