

ข่าวดีสำหรับใยหิน

ดิศกุล สว่างตระกูล

กระแสเรื่องพิษภัยใยหิน และความสมควรใช้หรือไม่ในประเทศไทย ดูว่าจะไม่ยุติง่ายๆ ทั้งๆ ที่ข้อมูลเหตุผลก็มีอยู่มากมาย วันนี้ไปพบข่าวใหม่ ซึ่งอาจเป็นข้อมูลประกอบอีกชั้นหนึ่ง จึงขอนำมาเสนอไว้

<http://www.indiatalkies.com/2011/01/supreme-court-refuses-ban-asbestos.html>

Supreme Court refuses to ban asbestos

New Delhi, Jan 21: The Supreme Court on Friday refusing to ban asbestos considered a health hazard directed the Union and State Governments to put in place a body to regulate its use and manufacturing.

Dismissing a public interest lawsuit filed by NGO Kalyaneshwari, a bench of Chief Justice S H Kapadia also asked the various state governments to follow a 1995 ruling of the Supreme Court, spelling out the guidelines and frameworks for the use of the building material, generally used for erecting temporary shades and walls.

The NGO had moved the apex court in 2004 seeking the ban on grounds that it creates serious health problems for the people living under roofs made up of asbestos.

[http://www.indlaw.com/search/news/default.aspx? 8538D22A-C9D3-4B9F-B59E-EAADC9B7BD54](http://www.indlaw.com/search/news/default.aspx?8538D22A-C9D3-4B9F-B59E-EAADC9B7BD54)

Strike balance between livelihood and health hazards: SC

24.1.2011 (UNI) The Supreme Court has laid emphasis on striking a balance between the source of livelihood of the people and the activities which are health hazards and detrimental to the Environment.

A Bench comprising Chief Justice S H Kapadia, Justices K S Panicker Radhakrishnan and Swatantra Kumar has also directed the Centre and the State Governments to review safeguards in relation to primary as well as secondary exposure to asbestos keeping in mind the information supplied by the respective states in furtherance to the earlier judgment as well as the fresh resolution asked by the International Labour Organisation (ILO).

Upon such review further directions consistent with law shall be issued within the period of six months.

Justice Kumar, writing 37-page judgement for the bench, further directed the Centre and all the states to constitute a regulatory body to exercise proper control and supervision over manufacturing of asbestos activities while ensuring due regard to the aspect of healthcare of the workmen involved in such activities in the states where there are large number of asbestos industries.

The government may even constitute a committee of experts to effectively prevent and control its hazardous effects on the health of the workmen and the authorities concerned must ensure that appropriate and protective steps under the provisions of Environment (Protection) Act, 1986 to meet the specified standards are taken by the industry before or at the time of issuance of environmental clearance.

The apex court, however, took serious note of the abuse of the concept of PIL and issued show cause notices to the petitioner, NGO Kalyaneshwari and one Mr B K Sharma asking them to explain why contempt of court proceedings should not be initiated against them and/or in addition/alternative why exemplary cost be not imposed upon them.

The apex court further directed the petitioner, NGO why the registrar, Government of NCT Delhi be not directed to take action against them in accordance to law.

The SC noted 'PIL should be bonafide for public good and not merely a cloak for attaining private ends. It appears to have been moved again at the behest of the same company and in any case, to ultimately cause material and business gains to that or such other companies.

Thus the present petition lacks bonafide, is an abuse of the process of the court and has been filed as a proxy litigation for the purpose of achieving private interest.

This court cannot permit such practice to prevail and it needs to be deterred at the very threshold.' The apex court refused to impose a ban on mining and manufacturing activities in asbestos or its allied products.