

10/04/1998

Tougher penalties for open burning

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THOSE found guilty of open burning will now be taken to court and may face a maximum fine of up to RM100,000 or a jail term not exceeding five years, or both, it was announced yesterday.

Science, Technology and Environment Minister Datuk Law Hieng Ding said the Government will no longer reconsider any action taken against open burning offenders as it views the matter seriously.

"In fact, we seek a tougher prison sentence for the person responsible for open burning if convicted," he told reporters after opening a one-day seminar on "Environmental Management and its Compliance in the Manufacturing Sector" which was organised by the Federation of Malaysian Manufacturers in Kuala Lumpur yesterday.

"And we will collaborate with the Attorney-General Tan Sri Mohtar Abdullah in expediting the prosecution process," he said.

On Wednesday, the Cabinet had directed the ministry to initiate and identify sites in which open burning activities occur. This follows growing concern about the worsening haze situation in the country.

Law said a helicopter was sent on the exact day when the directive was issued by Prime Minister Datuk Seri Dr Mahathir Mohamad to take pictures and paint charts of areas involved in open burning activities.

He added that he had handed over the pictures to the Prime Minister yesterday which covered "not less than 20 different open burning sites in Kuala Lumpur and Selangor".

"And these are only sites covered between 6pm and 7.30pm. We will continue with this operation to include other major cities gradually," he said, adding that no time frame has been set.

As a start, Law said the ministry will utilise the helicopter services of the police and patrol cars belonging to the Department of Environment to identify sites in which open burning activities occur.

He added that the Government will foot the bill for the helicopter services.

Besides the agencies which fall under the purview of the ministry, Law said it will also seek the cooperation of the district officials, the Land Department, the Road Transport Department, the Fire and Rescue Services Department and the police to help facilitate the operation.

"Action will be taken against those who have proved uncooperative," he said.

Law said the Government will also enforce Section 47 of the Environmental Quality Act which states that the land owners or person responsible for open burning will have to bear all costs of recovery and clearing.

"The offender will have to pay the Fire and Rescue Services Department for services rendered in putting out the fire, transportation costs and rent of equipment," he said.

To ensure that the public heeds the warnings they receive from the Government, he said, the names of the offenders will be published in local papers as well.

"This is a very serious matter. We have gotten tired of all these open burning activities which are becoming rampant in the country," he said.

Earlier, in his speech, Law said recent statistics showed that a large percentage of environmental complaints have been directed at small- and medium-scale industries (SMIs).

"SMIs tend to `misuse' the environment more than larger industries due to numerous constraints faced by them, which include low capital investment, low profit margins, lack of skills, small-scale operations and inadequate management structure.

"In view of this, cleaner technology seems to be the best solution for SMIs in dealing with their waste problems," he said.

He said cleaner technology would not only bring about several benefits including reduced waste management costs, reduced cost of raw materials and energy, but also enhancement of productivity, product quality and improvement in health and quality image.

"The Government will continue to provide the necessary assistance to SMIs in adopting cleaner technology," he added.

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