

दायित्व को सम्भालते हैं उनकी सुरक्षा के लिए क्या व्यवस्था की गई है ? उनकी एक बहुत बड़ी जिम्मेदारी रहती है कि वे विदेशों में हमारे देश की सेवा करें। दफ्तर से निकलने पर, दफ्तर के आसपास भी उनकी सुरक्षा की व्यवस्था नहीं है। यह बड़ी दुःखद बात है। दूसरी बात यह है कि यह केवल एक ही घटना नहीं है। आप यह देख ही रहे हैं कि यह कई घटनाओं का क्रम है। ब्रिटेन में ऐसी घटना घटी, ऑस्ट्रेलिया में ऐसी घटना घटी, एयर इंडिया के कर्मचारी के साथ ऐसी घटना घटी। इस प्रकार यह मामला बड़ा गंभीर होता जा रहा है। इसलिये मैं आपके माध्यम से सरकार का ध्यान इस ओर आकृष्ट करना चाहता हूँ कि सरकार क्या ठोस कदम उनकी सुरक्षा के बारे में उठा रही है। इस संबंध में जब मदन मे ध्यानाकर्षण प्रस्ताव आया था तो उस समय माननीय विदेश मंत्री ने आश्वासन भी दिया था कि सरकार इस बारे में काफी सचेष्ट है और उनकी सेक्युरिटी का प्रबंध करने के लिये काफी बड़े पैमाने पर उपाय किये जा रहे हैं। यह स्वागत योग्य बात है। लेकिन हम देख रहे हैं कि इन घटनाओं में कोई कमी नहीं आ रही है। इस बार ऐसी जगह पर यह घटना हुई है, यू०एस०ए० में, जहां पहले कभी इस तरह की घटना नहीं हुई थी। इसलिये इस पर आप गौर करें। सरकार को इसकी गहराई में जाना चाहिए, इसकी डिटेल में जाना चाहिए कि कैसे यह घटना घटी है। यह एक गंभीर विषय है और सरकार को इस विषय पर काफी सख्ती बरतनी चाहिए। यदि ऐसा न किया गया तो इस तरह की घटनाएँ बढ़ेंगी और जो कर्मचारी या अधिकारी बाहर किसी भी देश में किसी एम्बेसी में हैं, वह अपना कर्तव्य का पालन नहीं कर सकेगा। इसलिये श्रीमन्, मैं आपके माध्यम से सरकार का ध्यान इस विषय की ओर आकर्षित करना चाहता हूँ कि वह इस पर अविलम्ब ध्यान दे और ठोस कदम उठाये।

विदेश मंत्रालय में राज्यमंत्री (श्री एस० कुंडु) : महोदय, जिस बारे में श्रीमाननीय सदस्य ने चर्चा की है, मैं उस बारे में थोड़ी सी सूचना देना चाहता हूँ। यह घटना 24 तारीख को करीब करीब 6 बजकर 40 मिनट पर हुई। उनको दो बार स्टैंड किया गया। वे इस समय अस्पताल में दाखिल हैं और अभी अभी खबर मिली है दो घंटे पहले टेलीफोन पर कि अब वह अच्छे हैं और होश में आ गये हैं।

जिस दूसरी बात का आपने जिक्र किया, जिसके बारे में चर्चा की है, उसके बारे में यह कहना है कि वहाँ की पुलिस मामले की जांच कर रही है और इस बारे में कोई ज्यादा खबर हमारे पास नहीं है।

#### THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS BILL, 1977

THE MINISTER OF WORKS AND  
HOUSING AND SUPPLY AND RE-  
HABILITATION (SHRI SIKANDAR  
BAKHT): Sir, I beg to move:

“That the Bill to provide for the levy and collection of a cess on water consumed by persons carrying on certain industries and by local authorities, with a view to augment the resources of the Central Board and the State Board for the prevention and control of water pollution constituted under the Water (Prevention and Control of Pollution) Act, 1974, as passed by the Lok Sabha, be taken into consideration.”

Sir, Parliament enacted the Water (Prevention and Control of Pollution) Act in 1974, under article 252 of the Constitution, to control pollution of rivers and streams. Under the above Act, a Central Board and some State Boards were formed with a view to ensuring that the domestic and industrial effluents were not allowed to be discharged in the water courses without proper treatment. As per the provisions of the Act, the

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Central Government and the State Governments have to provide funds to the Central and State Boards for implementing the provisions of the Act. However, due to pressures on the resources, the activities of controlling water pollution could not be carried out effectively. Hence the need to present this legislation to provide adequate funds to perform the function. This Bill proposes to levy cess on local authorities and some specified industries; industries which do not pollute have been excluded. The basis for levying the cess has been the purpose for which water is consumed by the industry and the local authorities because it is not possible to accurately measure the effluent discharged. The water used has been divided into four categories. For the water which is used for cooling purposes, a minimum cess of 0.75 paise per kilo litre has been proposed. For the water which is used for domestic purposes, the levy proposed is one paise per kilo litre. For the water used for industrial purposes, the rates of levy vary from 2 paise to 2.50 paise per kilo litre, depending upon the quality of the effluents. An incentive for putting up treatment plants has also been provided for by suggesting that 70 per cent rebate should be allowed to those industries and local bodies who put up treatment plants to the satisfaction of the concerned State Boards. For the present, this Bill is supposed to be covering only those States who had accepted the 1974 Act, but we are persuading the other States to accept and let that Act of 1974 be allowed to cover those States so that we are able to have a sort of coordination activity and uniformity. Based on the area and the level of industries as also on the climatic condition, the States have been divided into three categories, large, medium and small. We expect that there will be an expenditure of about Rs. 22 lakhs for the large States like Andhra Pradesh, Uttar Pradesh and Bihar, Rs. 12.5

lakhs for the medium States and Rs. 5 lakhs for the small States. The figures are for each State. The total expenditure for a year is expected to be around Rs. 3.5 crores. About the same, to the extent of Rs. 3.40 crores, is expected to be the revenue receipts. But, I would like to make it clear that it will not be obligatory for the Centre to provide any difference between the receipts and the expenditure if the expenditure is more. The Act of 1974 requires the States to find their own money, but through this Cess Bill the very problem which is attempted to be tackled is that the States have enough resources to ensure that water pollution is controlled.

One thing more. This is not merely a Bill which is meant only for the imposition or levying of cess alone. It is considered that this sort of levy will also act as a deterrent for pollution. The polluters would definitely like to reduce pollution so that the cess payable is also reduced equally.

I am sure that all of us will agree on the need for taking immediate and effective steps to control pollution, and with these few words I seek your permission to move that the Bill to provide for the levy and collection of a cess on water consumed by persons carrying on certain industries and by local authorities, with a view to augment the resources of the Central Board and the State Boards for the prevention and control of water pollution constituted under the Water (Prevention and Control of Pollution) Act, 1974, be taken into consideration and that the Bill be passed.

*The question was proposed.*

SHRI KHURSHED ALAM KHAN (Delhi): Sir, I rise to support this Bill. I would like to congratulate the hon. Minister for showing the sense of urgency in bringing this Bill, but at the same I would also like to express my disappointment about the imposition of a cess on water which will eventually go to the consumers.

For the first time we are paying a cess on water. This will open the flood-gates in the future, and I am sure that in history, the hon. Minister's name will go down as one who imposed a cess on drinking water.

Sir, it is a fact that the Central Board and the State Boards for the prevention and control of water pollution constituted under the 1974 Act have been in action and in existence for such a long time. I would however like to know from the hon. Minister whether he has reviewed their working or made an assessment of their working as to what they have been doing all this time, how many prosecutions they have launched, how many prosecutions, particularly of the factory-owners and mill-owners were launched, the number of these prosecutions and what action was taken and what punishment was given.

Sir, the plea taken by these Boards for their inaction seems to be paucity of funds. May be it is true to a certain extent, but surely they had the machinery, they had the means and they had all the apparatus to launch some prosecutions and do something in accordance with the resources available to them. Sir, it is not the real fact that the inaction is due to lack of finances. It is really due to lack of awareness; it is really due to lack of a sense of urgency. I am sure the hon Minister will now like to drive home this point that only a cess will not help unless these people are asked to work and do their job in the proper manner. I would also like to say that it is a pity that these Boards and such an important thing should suffer from lack of finances when the Central Government is spending crores of rupees on health services and on health schemes. I think this is one of the most important matters for which the necessary funds should have been provided by the Government irrespective of the fact whether some funds were deducted from other allocations because this matter, in our opinion, is more impor-

tant than certain other schemes on which we have been spending money.

No doubt, Sir, now an attempt is being made to find additional ways and means and the estimated revenue from this cess, according to the Schedule, is of the order of Rs. 3.40 crores. But I doubt very much if this amount will be enough for these Boards to function in all the States. At the moment they are in only 15 States and Union Territories. I do not think it will be correct on the part of the Central Government to say that the State Governments must find their own ways and means, and that the Central Government will not provide any assistance. It is very very necessary for the Central Government to provide the necessary assistance because without the assistance of the Central Government, it will not be possible for the State Governments to really achieve the objective for which this legislation has been brought or for which the Boards have been set up.

Sir, the estimated expenditure is indicated as Rs. 1.4 lakhs. This seems to be a very conservative estimate, as shown in the financial statement. I feel that more provision will have to be made because this is a very small sum when we take into consideration the entire country and the number of Boards that will have to function.

Another thing that I would like to suggest is that in the Bill there is a provision that factories which will install the treatment plants will be given a rebate of 70 per cent. Well, it is a nice thing to give a rebate of 70 per cent, but then let us make a rule or let us make it a condition that no licence will be given to any new factory, particularly to be located on the river banks, unless they provide the treatment plants. Even with regard to those factories which are already existing, there should be a condition that they must also provide treatment plants because the factories can afford them. They can provide

[Shri Khurshed Alam Khan]

them easily. I also do not agree with the hon. Minister when he says that we cannot make an estimate as to how much water is discharged by these factories. If the intake of water can be measured by meters, the discharge of water can also be measured by meters and such meters can be installed for this purpose. Such meters can be manufactured here. There is no difficulty in that.

Now, one thing more that I would like to say is that penal provisions should have been included. But unfortunately there are hardly any penal provisions in this Bill except that a certain percentage of interest is to be charged. Apart from the penal interest, there should be strict penal provisions because unless this is done, the factory-owners who have been in the habit of not honouring any such rules and regulations, will continue to dishonour them. Therefore, I would suggest that stricter penal provisions should be incorporated. Pollution of rivers and streams has assumed enormous proportions, and this is mostly due to industrial waste. In this connection I would particularly draw attention of the honourable Minister to the refineries which have been put up by Government. Now a new refinery is coming up near Mathura and this refinery is not only going to pollute the water of the Jamuna but it is also going to pollute the atmosphere thus causing damage to our monuments like the Taj Mahal. So something has to be done on this account also.

Apart from this there is another very important problem and that is of subsoil water pollution. I would request the honourable Minister to give some attention to this aspect also. The Punjab Pollution Prevention Board has given some figures about the extent of pollution in their survey conducted recently and a brief report has come out in the Times of India dated 24th November, 1977 where it is stated that in Punjab there are a number of places where hand-pumps

have been put up and they find that the water drawn there is polluted and unfit for human consumption. Now, what is going to be done about such places for prevention of pollution of subsoil water?

Before concluding I would like to mention the dangers and hazards of environmental pollution. As I mentioned earlier, take, for instance, Delhi and Agra. There are noxious industries. There are a lot of foundries in these cities. There are a number of foundries in Agra City and these noxious industries and these foundries are going to cause a lot of environmental pollution and this environmental pollution is as dangerous as water pollution and unless some steps are taken and taken right now, very effective steps, I do not think we would be able to get rid of these hazards. And it is very necessary to take immediate remedial measures in places like Delhi and Agra where apart from the danger to human life, monuments like the Taj Mahal are going to be badly affected; and once the Taj Mahal is destroyed, we will never be able to rebuild such a monument. I would, therefore, request the honourable Minister to keep this aspect in view and I would like an assurance from him while replying to the debate that he would give special consideration to what I have just stated. It will be necessary for him to bring as soon as possible a comprehensive Bill for the control of pollution, pollution of every kind, environmental pollution, atmospheric pollution, water pollution and pollution of every other kind.

One thing I must say that the honourable Minister has indirectly imposed a cess on the consumption of water for us. When the honourable Minister brings a comprehensive Bill for prevention of pollution of any kind, environmental pollution or atmospheric pollution, I am sure and I hope that he is at least not going to impose a cess on breathing fresh air; otherwise, his name will go down in history in two places; one, he is im-

posing a cess on drinking water; and the other, he will be imposing a cess on breathing fresh air.

With these few words, Sir, I wholeheartedly support this Bill and request the honourable Minister to bring the other comprehensive Bill as soon as possible.

DR. M. M. S. SIDDHU (Uttar Pradesh): Mr. Deputy Chairman, this Bill fulfils one thing, and that is, to raise resources and place them at the hands of the Central Board for Prevention and Control of Water Pollution at the Central or at the State level. But for a moment let us examine the working of the Central Board. Its aims and objects are wide but its working is such that the hon. Minister himself is not satisfied. If we were to see the report, one will find that more stress throughout the year was laid on attending meetings and seminars rather than doing some effective work. One of the committees which was instituted, namely, the Industries Committee, for suggesting effluents standard for various industries found itself that without proper rules and terms and reference, they would not be able to work. So, they appointed another committee called the Screening Committee. This committee met twice during 1976-77. They have furnished the terms of reference for certain industries like textiles, paper, brewery, fertilizer, petroleum, pesticides and pharmaceuticals. Unless the standard of effluent, after its treatment, is laid no prosecution can be launched. They may be asked to improve the working and to treat the pollutants and effluents. In the absence of a standard fixed by them, it will not be possible to force the industries to take those measures. The report is silent on how far they have been able to lay down the standard of the effluents after their treatment or before their treatment.

The second point is that the Central Board also works as the State Board for the territory of Delhi and the Union Territories. The report says that no prosecution was launched

under the provisions of the Act during the year, although 575 industries located in the Union Territories were served notices for non-compliance of the provisions of certain sections of the Act. A reminder to that notice was sent to 262 industries and a second reminder was served on 52 industries. Further action on serving of notices has been deferred till the Central Board has a list of relevant industries prepared from the inventory survey of polluting industries. This is the state of affairs of the Board to which Rs. 3.4 crores will be given. If you were to go into the recommendations of the Third Conference of the Chairmen and Member Secretaries of the Central and State Boards, the important one is on the cess on water. This has been incorporated in the present Bill. But some of the vital recommendations which involve amendments to the Act of 1974 have not been incorporated in the Water (Prevention and Control of Pollution) Bill. It would have been better if the honourable Minister had brought forward a comprehensive Bill after accepting some of the recommendations of this Conference which, on the face of it, looked to be reasonable. As far as the question of pollution of the river waters is concerned, mass education is needed. The banks of the rivers are used as vast latrines and faecal matter flows into the rivers. To prevent this, there must be public conveniences for the people and there should be some provision also in the law to enable the local bodies to prosecute those persons who pollute the rivers.

Regarding some of the points raised by the honourable Members, I would like to say one or two things. An honourable Member said that there is no penalty clause. I would like to refer to section 14 which says:

"Whoever, being under an obligation to furnish a return under this Act, furnishes any return knowing, or having reason to believe the same to be false shall be punishable with imprisonment which may extend to six months or with fine

[Dr. M. M. S. Siddhu]

which may extend to one thousand rupees or with both."

Therefore, Sir, for the violation of this clause, there is a penal provision which has been made. But the more important thing is to prevent pollution by those industries which are yet to come up. No industry should be licensed unless and until it fulfils the requirement of keeping the effluent within the reasonable limit for being discharged into the river. Water pollution does not come only from the factories. It does not come from the factories alone. It also comes from the domestic waste. Detergents are being used in every household these days and the detergents are poisonous. Sometimes it has been found that the oxygen dissolved in the water, which is called the BOD content, is very low wherever the discharge from the sewers goes into the river and fish do not survive there. Therefore, it is necessary to see that such type of discharge does not flow into the river water. It is also necessary that the local bodies, whenever they have a project for water supply, along with that, they should have projects for underground sewerage and the treatment of the effluents also. Local bodies are very anxious to provide water supply, but they are hesitant to undertake drainage and sewerage systems. One point I would like to make for the consideration of the honourable Minister is this: Wherever the local bodies are going to tax, they should take into consideration the water consumed by the public and the State Boards should not be taken into consideration in ascertaining the figure relating to the consumption of water. For domestic purposes, you are going to take into account the figure provided by the local bodies which impose taxes. I am sure that about fifteen or ten to fifteen per cent of the water goes to the public, for public consumption, and, therefore, this must be taken into consideration.

Secondly, the finances of the local bodies are poor, and unless and until the water supply is metered, the local

bodies will find it difficult to pass it on to the consumers.

Lastly, Sir, I would like to say that the quality of water meters is not satisfactory. I have had the experience of their working, being elected to the Corporation of Lucknow, and I can say with my experience that water meters of better standard are not available and you may find it difficult even to get water meters of the volume of discharge which is to be handled from water works. As far as industries are concerned, I do not know whether the processing of any vegetable product industries in Schedule I covers breweries and sugar industries. In the U.P., one it happened that the discharge from a sugar mill turned the water of a river blackish for two days, and that was due to the pollutant being discharged through a 'Nullah' which went into the river. Therefore, Sir, I would request that the sugar industry should be covered into it. I do not know whether that Schedule will include it. If not, there is a provision to notify any industry which the Government thinks proper to be included in the Schedule. The provision is there. If they find that this processing industry will not include sugar industry, I will request that sugar industry should be included into it. With these words, I support the Bill whole-heartedly, but would again request the hon. Minister to bring a further Bill which should be more comprehensive, on the recommendations of the Central Board. Thank you, Sir.

श्रीमती प्रतिभा सिंह (बिहार) : उप-सभापति महोदय, आवास मंत्री महोदय न यह बिल लाकर इंडस्ट्रीज द्वारा दूषित जल गिराने पर सेस लगा करके इससे 3.5 करोड़ रुपये की धनराशि जमा करने की बात सदन के सामने रखी है। इसके लिए उन्होंने कुछ निश्चित इंडस्ट्रीज का उल्लेख भी सलगन किया है। सरकार का ध्यान जब पोल्यूशन की रोकथाम की तरफ गया है तो बहुत सी और भी बातें इससे संबंधित हैं जिनकी तरफ

ध्यान देने की आवश्यकता है क्योंकि जैसी मेरी समझदारी है, केवल धनराशि जमा कर देने से और एक बोर्ड बना कर इस धनराशि को सेलेरीज पर खर्च कर देने से काम नहीं चलेगा। जब यह सवाल हमारे सामने आया है तो हमें मिर्क जल के दूषण की ही बात नहीं करनी है बल्कि एयर पोल्यूशन के मामले को भी इसमें शामिल करना है क्योंकि मानव जीवन के स्वास्थ्य के लिए पानी और हवा दोनों ही आवश्यक हैं। असलियत तो यह है कि मिर्क आदमी के लिए ही नहीं बल्कि जानवरों, चिड़ियों, मछलियों तथा वनस्पतियों, सभी पर दूषित जल और दूषित हवा का असर होता है। सारे संसार के लोग इस समस्या से चिन्तित हैं। मैं समझती हूँ कि समय-समय पर मंत्री महोदय के सामने उनके सेक्रेटरीज ने यह रिपोर्ट पेश की होगी कि इस बारे में बहुत सी कांग्रेसमें हुई हैं। उदाहरण के लिए स्टाकहोम में एक बहुत बड़ी कांग्रेस हुई थी जिसमें हमारी एक्स प्राइम मिनिस्टर श्रीमती इंदिरा गांधी भी भाग लेने के लिए गई थी और उसके बाद ही 1974 में 252 धारा के अन्तर्गत टू कंट्रोल दी पोल्यूशन आफ रिवर्स एण्ड स्ट्रीम्स के लिए एक कानून बना था। होता क्या है कि बहुत सी इंडस्ट्रीज जो दूषित जल नदी में फेंकती हैं उनमें मछलियां तो मर ही जाती हैं, इनके अलावा वही पानी पीने के काम में भी लिया जाता है जिससे जौडिम और अन्य तरह-तरह की बीमारियां पैदा होती हैं। इसलिए मैं यह कहना चाहती हूँ कि सरकार को सेंस लगाने के साथ ही इंडस्ट्रीज से बात करके जहां कहीं भी दूषित जल फेंका जाय उसकी तरफ यह ध्यान दिया जाय कि उससे आदमियों, जानवरों और मछलियों की लाइफ पर असर न हो।

खासकर यह बात विशेष ध्यान में आई जब हम लोग गये थे। तो गोवा में पेट्रो-कैमिकल्स फैक्टरी जब हम लोग देखने गये तो वहां मालूम हुआ कि वह लोग अपने एफुलियेट्स को समुद्र के किनारे पर ही फेंकते हैं जिससे वहां बहुत बड़ी सख्या में मछलियां किनारे पर

मरी पाई गई। उसके बाद वहां की जनता ने जब बहुत इस पर शोर मचाया डाला तो फिर इंडस्ट्रीज वाले तैयार हुए और उन्होंने पाइप लाइन में इसे डीप में ले जाकर फेंकना शुरू किया।

वैसे ही बिहार में बरीली में पेट्रो-कैमिकल्स के एफुलियेट्स से बहुत खराबी हुई। साथ ही पाइप लाइन के लीक करने से तेल सौ मील तक गया पर फैल जाने से आग लगकर बहुत नुकसान हुआ था। यह बात कभी देखने को नहीं मिली कि पानी में आग लग जाये, यहां वह भी देखने में आई।

**एक माननीय सदस्य :** पानी में आग, आग में पानी, खुदा की शान।

**श्रीमती प्रतिभा सिंह :** जैसा कि माननीय सदस्य कह रहे हैं कि पानी में आग, आग में पानी, खुदा की शान, सभी चीज यहां देखने को मिल रही हैं। जो नदियां पवित्र मानी जाती थीं, उनका जल दूषित हो गया है और इसके रोकने के लिये कोई कार्य नहीं हुआ।

यद्यपि बिहार, उन 15 राज्यों में से है, जिनमें, 1974 का ऐक्ट लागू हुआ था। यह ऐक्ट जब बना था तो यह 15 राज्यों में ही लागू हुआ था बाकी राज्यों में अभी मंत्री महोदय को इसे लागू कराना है। इसमें देखना है कि इसका इम्प्लीमेंटेशन ठीक तरह से होता है या नहीं होता है। आपने कहा है कि इंडस्ट्रीज को सेंस लगाकर आप एक प्रकार से इन्सेंटिव भी दे रहे हैं कि यदि वे अपने यहां कोई रिसर्च विंग खोल कर पोल्यूशन कम करेंगे, तो उन पर कम टैक्स लगेगा। लेकिन इसमें दो सवाल हैं। पहला सवाल तो यह है कि आर्गनाइजेशन क्या होगा जो असेस करेगा कि किस इंडस्ट्रीज के एफुलियेट्स में कितना पोल्यूशन हुआ या क्या कमी आई। क्योंकि पानी के अनालिसेस के बिना इसका पूरा अंदाजा लगाना कठिन है। और पानी के अनालिसेस के लिये यह जरूरी है कि इसके लिये टेक्नीकल स्टाफ हो और वहां रिसर्च

[श्रीमती प्रतिभा सिंह]

लेबोरेटरी हो। आपने कुछ विशेष इंडस्ट्रीज का नाम आने विल में संलग्न करना छोड़ दिया है जैसे डिस्टिलरीज जो अपना फ्यूम नदी में फेंकती हैं, रेयन इन्डस्ट्री जो एफुलयेन्ट डिसचार्ज कर वाटर पोल्यूशन करती है, उसका भी जिक्र नहीं किया गया है। यू० एन० ओ० की रिपोर्ट में जिक्र है कि मेटलर्जिकल इन्डस्ट्री से पानी और हवा का पोल्यूशन बहुत अधिक है। इस रिपोर्ट में टॉक्सिक एग्रेक्ट आफ कैमिकल्स, कार्बन-डाइआक्साइड, कार्बन मोनाआक्साइड, डिफरेंट टाइप्स आफ गैसेस जो फैक्टरीज छोड़ती है, उससे स्वास्थ्य दिनों दिन गिरता जा रहा है।

अनः मेरा नम्र निवेदन विशेषकर यह है कि वाटर पोल्यूशन के साथ एयर पोल्यूशन भी इन्डस्ट्रीज द्वारा जो हो रहा है, इसमें जोड़ा जाय। उदाहरण के लिये दिल्ली बिजली कम्पनी के धुएँ से और काली राख से बाराखम्भा रोड, हँसी रोड और कर्जन रोड आदि जगहों पर रहने वाले लोग बहुत परेशान हैं और सरकार का ध्यान बार-बार आकर्षित करने के बावजूद इसमें कोई तरक्की नहीं हुई है। विशेषकर आपके मंत्रालय का ध्यान भी कई बार कन्सल्टेटिव कमेटी में इस ओर दिलाया गया, लेकिन बावजूद इसके इसमें कोई प्रगति नहीं हुई यद्यपि इस काले धुएँ से बचने के उपाय हैं कि वह अपनी चिमनियों को काफी ऊँचा ले जाय।

दूसरा जब आप लाइसेंस दें तो उसमें एक क्लॉज वाटर पोल्यूशन और एयर पोल्यूशन को अनुसंधान रिसर्च द्वारा कम करने की बात भी लगा दें। क्योंकि आज संसार में विज्ञान ने तरक्की की है और एडवांस्ड टेक्नीक मौजूद है जो वेस्ट वाटर को फिर से काम लायक यानी फिट फार यूज बना दें। उदाहरण के लिये टैक्सस में सीवेज वाटर को कैमिकली डीक कर इरीगेशन के काम में ला रहे हैं।

वैश्वे हो वैश्वलम स्टील मिल्स इन यू० एस० ए० बाल्टीमोर के सीवेज एफुलियेन्ट को प्रोसेस वाटर के रूप में काम में ला रही है। और अपने देश में भी डाक्टर भास्करन ने एनलाइटेड इंडस्ट्रियलिस्ट से नम्र निवेदन किया है कि जिस प्रकार वे मन्दिर, धर्मशालाएं बनाते हैं वैसे ही water treatment plants as small temples. मन्दिर की भावना में बनावें और नये अनुसंधान करें कि किस प्रकार एफुलुएंट के विपैनेपन को कम किया जाए और काम में लाया जाए बी० एच० ई० एल० में थोड़ा यत्न हो रहा है। नागपुर में National Environmental Engineering Research Institute भी इस विषय में अच्छा काम कर रही है और उसने चैलेज किया कि किस प्रकार मस्ते ढंग से sewage waste industrial effluents के पोलूशन को घटाया जाए। क्योंकि इकोलोजिकल एक्सपर्ट्स का कहना है कि वाटर पोलूशन और एयर पोलूशन आज इस स्थिति में पहुंच गया है कि यदि इस्टिमेटेड मेजर्स नहीं किए गए तो न सिर्फ मनुष्य बल्कि जानवर, चिड़िया और मछली के पूर्ण विनाश का भय है। वर्तमान हवा और पानी के विपैनेपन से उत्पन्न बिमारियों को रोकना कठिन होगा और इसी हेतु यू० एन० के ग्रामपिसिज में स्टाकहोम में कांग्रेस में बहुत से सुझाव आए थे। मुझे आशा है कि मंत्री महोदय उस रिपोर्ट को अवश्य देखेंगे और उसकी रिकमेंडेशन को कार्यान्वित करने की चेष्टा करेंगे। भारत संसार में 9वां बड़ा मछली उत्पादन का है और 38 प्रतिशत मछली फ्रेश वाटर से आती है। समुद्री मछली खतरे में है क्योंकि समुद्र के पास के कारखाने तो अपना एफुलुएंट डालने ही हैं साथ ही शिप्स और टैंकर भी अपना कचरा आयल डिसचार्ज इत्यादि पानी में फेंक देते हैं। नदियां भी अपने पोल्यूटेड वाटर समुद्र के किनारे फेंकती हैं। इसलिए हमारी बंदरगाहों, पोर्ट्स एण्ड हार्बर्स के पास यह समस्या और भी गम्भीर है।



एक रीसेट एडीशन पोलूशन का हुआ है  
Radio active effluent from nuclear  
processing industries and power  
plants.

हमारी विशेष पोलुटिड जगह है --

Thana and Kalyan near Bombay;  
Hooghly near Calcutta; the Ganga  
near Kanpur; and Monghyr, the Mahi  
near Baroda; the Periyar river in  
Kerala; the Palar river in Tamil  
Nadu, the Chambal down stream  
near Kota, and यमुना दिल्ली में डी० डी०

टी० एफनुएंट यमुना में फैला जा रहा है । कहने  
का मतलब है कि सारे देश में यह परिस्थिति  
बहुत गम्भीर है और अमरीका जैसे आगे बढ़े  
देशों ने environmental protection agency  
द्वारा अपने देश में हानि का असैस्मैट  
and damage to health, working hours,  
crops, करने पर यह देखा कि यह करीब 16 10

बिलियन डालर प्रतिवर्ष होता है और वे  
इसे कम करने के अनुसंधान में लग गए  
किन्तु हमारे देश में तो अभी इस ओर  
जितना सरकार आर उतना में कशियतेम,  
जागृत होना चाहि; था नहीं हुआ । इसके  
लिए हमारे यहाँ कोई अरेस्मैट दहाँ है  
कि किनना नुकसान हमें इसके द्वारा हमारे  
देश को हो रहा है । अतः यह आवक है कि  
effluents from industries; effluents at  
harbours and ports from ships and  
tankers; sewage and drainage pollu-  
tion; smoke and different types of  
poisonous gas in the air के रोकथाम के

लिए स्पेशल ट्रेड अकसर और स्टाफ  
हो तथा रिसर्च सेन हो कुछ सरकार  
और कुछ इंडस्ट्रीज वालों की ओर से तभी  
हम इस बड़ी समस्या को कम कर सकते हैं ।  
हम धनराशि सैम के अलावा स्वास्थ्य विभाग  
तथा व्यापार विभाग में भी ले कर कोआर्डि-  
नेटड प्लान बनावें तभी इस समस्या के  
समाधान के आस पास जा सकेंगे । दूसरा  
जिन राज्यों में अभी कानून लागू नहीं है

वहाँ लागू करें और जहाँ है वहाँ उसे एक्ट  
वाइस करें । जैसे एक लेखक ने कहा है  
May the Goddess of Earth purify the  
Earth; Water is the cause of confer-  
ring happiness; Be like loving mother  
to give us supreme bliss. It is our  
duty to keep water that has this  
power potency free from pollution.

क्योंकि, मर, प्रीवेन्शन इज आलवेज बेटर दैन  
क्योर । कलकत्ते में गार्गवेज के वास्ट से यह  
रिपोर्ट है कि डोमेस्टिक गैस की सारी समस्या  
हल हो कती है । इसलिए बहुत से सुझाव  
हैं जो दिए जा सकते हैं, समय की कमी है  
उतने सुझाव मैं नहीं दे सकती हूँ और इसलिए  
अन्न में मैं यह कहना चाहती हूँ कि डोमेस्टिक  
कन्जम्प्शन पर सेस न लगाया जाए । विशेष-  
कर इस सेस से मिडिल क्लास फैमिलीज को  
जिनकी इन्कम फिक्स है, उनकी परेशानी  
बहुत बढ़ेगी । महंगाई तो पहले ही उनको  
मार रही है । तबाह कर रही है, अतः उनके  
कंधों पर यह बोझ और न डाला जाय । पीने  
के पानी पर सेस आज़ा है तो क्या कल सास  
लेने पर भी सेस लगेगा, हवा भी नापी जायेगी,  
उसके लिए भी मीटर लगेगा ?

श्री उपसभापति : सदन की कार्यवाही 2  
बज तक के लिये स्थगित की जाती है ।

The House then adjourned  
for lunch at one minute past  
one of the clock.

The House reassembled after lunch  
at five minutes past two of the clock,  
Mr. Deputy Chairman in the Chair.

MR. DEPUTY CHAIRMAN: I  
would request the hon. Members to  
observe some time limit. There are a  
large number of speakers, but only  
one hour remains. If the hon Mem-  
bers stick to a time limit of ten  
minutes, it will really help.

SHRI KALYAN ROY (West Ben-  
gal): Sir, the Bill which has been  
presented to us is full of ados, but  
ultimately it boils down to nothing.  
Now, why do I say it boils down to

[Shri Kalyan Roy]

nothing? It is because this Bill does not even touch the surface of the problem, the problem of pollution of air, pollution of water, pollution of crops and soil, all of them. But because it is a fact that pollution is growing, particularly in our big chemical industries, thermal power stations and mining areas, Government thought that it will have to do something because people are dying. It is a fact people are dying in large numbers and I again had the misfortune to ask this particular question on pollution in this House many times. I will refer to those questions in the course of my speech. One of the reasons, perhaps, why Government did not dare to bring forward a comprehensive Bill which would have really frightened these industrialists to do something really serious about this pollution, was once again the evil influence of the house of Tatas on the Government. I would like to draw your attention to what Mr. Naval H. Tata told a few days ago.

"Mr. Naval H. Tata, Chairman of the Tata Company, recently observed that in highlighting the hazards of pollution, the environmentalists were perhaps over-cautious."

And he suggested that ecology should not be given that much importance. This is the philosophy of the private sector. I have great doubts whether the Government is at all serious. Even if the Government would have been serious, Government would not have dared to take strong action in the kind of economy we have where the private sector is dominating. The main motive of the private sector is to make profits and reduce costs, reduction of costs in terms of retrenchment, in terms of lay-off, in terms of non-payment of provident fund, in terms of non-payment of ESI contribution and so on. Rs. 20 crores have accumulated on account of non-payment of provident fund. Does Mr. Bakht really expect them, those who

are misappropriating provident fund, to increase their cost of production by importing sophisticated equipment and taking other steps to treat the water? Is it possible in a system like this, particularly when we are giving up planning also? In a planned economy, the State has the control and it takes into consideration the interests of the entire nation. But here he cannot order a particular manufacturer to import a particular kind of machinery in order to treat the water or the foul gas which comes out. I think it is not possible. But an attempt should have been made. I am afraid no attempt has been made because the Government knows the mind of the industrialists. This Bill means nothing. There is not even a penal clause. There is no mechanism. There is no technique at all. It is full of sound and fury signifying nothing at all. But in the meantime the results are disastrous. I put two or three questions. One question was: (a) Whether Government's attention has been drawn to the survey by the National Environmental Research Institute, Nagpur, regarding air pollution in Calcutta and Howrah during the winter months; (b) if so, what are the details thereof; (c) whether the survey has pointed out that pollution is worst during the winter days and quality of air in Calcutta and Howrah is "bad and a health hazard"; and (d) whether the survey made any recommendations to minimise and eliminate the dangers to health due to pollution mainly caused by various industries. This is Starred Question No. 49. The Minister replied on 7th January, 1976, that the Government have seen the National Environmental Engineering Research Institute mid term report on Air Pollution Survey. The findings of the Air Pollution Survey show that the mean level of concentration of pollutant is quite high during the winter months and some short-term and long-term recommendations have been made to minimise air pollution levels in the city of Calcutta. That is all. I followed up by another question as I gene-

rally do, i.e., what steps have been taken after the reply given by the Minister? The reply was: in the meantime, action is being taken against the industries responsible for pollution under the existing Act of 1905. This is the reply given on 11th August, 1976. Now, may I ask Mr. Bakht—he has taken over only seven months back—whether the West Bengal Government has taken any action, whether there has been any correspondence between the West Bengal Government and the Central Government, or whether the Government of any State or the Central Government has taken any action anywhere in the country? I have been told that notices have been issued to 575 industries in Union Territories for non-compliance of the provisions of the Act. But it is also a fact that not a single prosecution has been launched. Well, Mr. Bakht hardly has any time. I do understand it. He is busy in politics, in Baghdad, in Syria, in Cairo, and in putting on fine dresses. He does not even find time to go to refugee camps. But the Government should at least do something about it. Here not a single prosecution has been launched. In the meantime, Sir, I may point out to another question of 25th August, 1976. This is regarding pollution through water particularly in the area I come from, Durgapur, Asansol, Dhanbad industrial zone. I asked whether it is a fact that workers and employees of mines and factories in this area are falling victims of hepatitis and other diseases because of industrial effluents released in the rivers around Burnpur and Durgapur industrial belt; and if so, what are the details thereof. The answer is 'yes'. The other part of my question was: Whether any action has been taken against Raniganj Paper Mills and others for polluting air and water around the factories. The answer is: Yes, information is being collected. But at that time some other Ministry was there. I cannot blame Mr. Bakht for that.

SHRI SIKANDAR BAKHT: Does not matter.

SHRI KALYAN ROY: No. I am not blaming you for that. I am more generous than you are. Now the reply has come on 23rd September, 1976 that: There had been some cases of jaundice in Raniganj and Durgapur areas during the earlier part of the year. The possible reasons were discharge of untreated sewage and trade effluents by industries. Up to the end of January, 1976, 50 attacks including some suspected cases and four deaths due to hepatitis were reported to the Asansol Mines Board of Health. Steps are being taken to prevent the outbreak of an epidemic. Now you take the Raniganj Paper Mill alone, belonging to the Bangurs, one of the big monopolists. Who can touch them? They have the biggest amount of liquid cash in hand. Can you do anything about it? Can you do anything about the Jayshree Textile millowners of Birlas or Jayshree Mill whose workers have submitted a petition to the Petitions Committee? I think the Petitions Committee's report is going to come within two or three days. Can you think of doing anything about the Birla Rayon Mill near Hoochly? Can you do anything about the Tatas? They have set up a power plant in Bombay. You cannot. You don't have the political will, that determination, that hatred which should arise in your mind, because it means death. In any other country these industrialists would be hanged. I demand there should be hanging for these people. Because pollution leads to hepatitis, it leads to jaundice, it leads to premature death of the best skilled workers of the country. The industrialist goes scotfree. Nothing happens to him. Not even the Bill says anything about penalty except some little additional fine or something, I don't remember. With this approach, the position is bound to be more and more sordid and more people are going to be killed because it is a fact of life.

Sir, I may draw your attention also to the two articles which only recently

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came in the *Times of India* under the caption 'The Blight of Bombay'. One appeared on the 30th October, 1977 and the second on the 6th November, 1977. I can read a few paragraphs from these. It is about this new plant which Government of India is going to set up near the Gateway of India. Sir, you are aware that the Union Petroleum Ministry has decided that the Rewas complex will have three ammonia plants with a capacity of 900 tonnes per day each and three urea plants of 1,500 tonnes per day each (or two of 18,000 tonnes per day). This is over three times the size of the existing fertilizers complex at Chembur. The paper writes :

"This decision seems to show little concern for social costs, environmental pollution... etc".

What does it lead to? It leads to, Sir, as has been brought out by this paper on the basis of its own investigation and the investigation of the Central Public Health Engineering Research Institute, now known as NEERI, this: "In its rejection of the Nhava Sheva site, the Union Health Ministry drew attention to a 'very important and hitherto overlooked hazard to marine life from water pollution.' One wonders if the Government intends to 'overlook' this hazard once again. Ammonia wastes in water, according to expert opinion, eliminates marine life. This emission flowing inland into the numerous creeks will gradually do away with fishing which is a major occupation along the coast. In the Zuari fertilizer plant in Goa, the effluents played havoc with the surrounding marine life. Moreover, the possible release of gases from polluted waters along the Bombay coast could have a severe effect on the city's air supply."

Sir, I have dealt with Calcutta before. I have dealt with Durgapur and Asansol before. I am dealing with Bombay now. Wherever you look, these big houses and the big industrialists have so far refused to take a

single step to protect life. It is not a question of giving jobs. It is not a question of building more quarters. It is not a question of giving more additional dearness allowance. It is just a question of protecting the lives of not only workers but millions and millions of people who are living in that area. The area has been devastated. People are being killed. I do not know why it has come under Ministry of Works and Housing. It should have been piloted by the Health Minister. I ask the Minister what steps he has taken so far in these eight months. That is No. 1. Secondly, if I, as an industrialist, continue to violate it, continue to ignore it, as I am ignoring even now because there is already a Bill, there is a statute, has any action been taken so far? No action has been taken so far. And even if you take any action, would it affect the industrialists? These are the people who make billions every day—the chemical factory owners, the Birlas, the Tatas, the Mafatlals, the Singhanias, the Bangurs, who are setting up factories in Africa, who are setting up factories in Malaysia, who are setting up factories in Indonesia. But here our people are being slaughtered. But there is no punishment for slaughtering. (*Time bell rings*).

How many minutes more Sir?

THE DEPUTY CHAIRMAN: You have already exceeded ten minutes.

SHRI KALYAN ROY: I will conclude with this unhappy note, though I support the Bill—there is no question about that—that I do not salute them. Actually you are saluting the industrialists by bringing this Bill. If you have courage please bring a comprehensive Bill. Show me whether there is any clause which you can use against the industrialists who pollute the water and who do not treat that water.

Sir, with the last remark I want to conclude. I once again ask the Minister to let him devote more attention to his own Ministry which is an important Ministry dealing with the life and death of millions of people. As

the Minister in charge of Rehabilitation he has miserably failed. He has not done anything His indifference is obvious from the way he has answered the questions today. Therefore, at least let him not deal with this pollution Bill like this any further

SHRIMATI LEELA DAMODARA MENON (Kerala): Mr. Deputy Chairman, Sir, I must confess that I am deeply disappointed. The measure is only half-measure. This is only on water consumed by certain industries and local bodies to fund the Central Board and the State Board. But what happens to other types of pollution? That point has been raised by many Members. There is the air pollution, radio-activity and subsoil water pollution. Sir, this seems to be a consequent legislation of the original Act, but it provides for only Rs. 3.4 crores. I would like to know whether this amount is adequate for setting up a Central Board or a State Board, whether it is adequate to meet full requirements.

Sir, the Statement of Objects and Reasons says that it is to prevent industrial effluents being discharged into water courses without adequate treatment. It means therefore that these Boards will also be responsible for adequate treatment. Again, what is the ratio in which this amount will be divided between the Central Board and the State Board?

Secondly, there is a genuine fear that this cess on drinking water on local bodies will be passed on to the poor consumer which will be very tragic. As it is, many of the local bodies are already taxing water. Today water pollution is a major problem. It is a world problem. Nearly 25,000 people die daily because of using infected water. A survey of developing countries shows that 90 per cent of the infant mortality is due to the use of bad water. Sir, India requires Rs 1,600 crores by 1987 just to provide ordinary drinking water to our people. And if you put a cess on drinking water what will happen? The people will take recourse to rivers

and wells and use contaminated water instead of using drinking water provided by the local bodies. And instead of this tax being able to prevent disaster of pollution it will only add to the problem of pollution

I may, therefore, be permitted to move an oral amendment to section 2 of Schedule II to remove section 2, otherwise it might even lead to water satyagrahas just like we had the Salt Satyagraha. I hope the hon'ble Minister would not want that. He would not like this Government to go down in the history as worse than the British Government.

Sir, this Bill makes inadequate provision to meet the present requirement. It is just like giving salt to a guest who is invited for a full meal. What is the provision being made for adequate research for the treatment of polluted water? One of the reasons why there is industrial pollution of water is that there is non-availability of research facilities, technological staff and well-equipped laboratories. So, if the Government considering the possibility of undertaking the responsibility of providing technological help to the industrial units, this fund would not be sufficient to meet the requirements. What we really want today is a national water policy and a national water management and development policy. The original Act, therefore, requires drastic amendment.

The other day an hon. Member in this House raised the point of inter-State water disputes. We have not been able to solve the inter-State water disputes and we have not been able to conserve the water that we have. Sir, it is said that our rivers carry 1,500 million acre-feet of water yearly and the utilisable amount of water is only 540 million acre-feet. If that is so, then this also becomes a national problem.

Regarding the danger of polluted water, I find a list of 15 industries in Schedule I. Apart from that list, not belonging to this category of industries, there are a large number of

[Shrimati Leela Damodara Menon]  
small units like distilleries, and activities like coal washing, rice hulling and sewage disposal which discharge polluted water into the smaller rivulets and tributaries. But nothing is done about those things and nothing is going to be done, according to this Bill, to solve these problems.

It has been said by an hon Member from the other side that in section 14 of the original Act there is a penal provision for imprisonment up to seven years. I would also like to refer to another portion of the same section which says that no court shall take cognizance of an offence punishable under this section save on a complaint made by or under the authority of the Central Government. It is to be inquired into whether there are instances where the authority has been moved by any such complaints. The Act, therefore, needs amendment to meet the requirements of expanding industrial belts and the consequent pollution.

Sir, we have been neglecting ecology. We have also neglected environmental pollution and we become alive to the problem only when something serious happens when the fish die, the trees are destroyed, the crops are burnt and also when human beings are affected by killer diseases like TB and complaints start coming from all parts of the country.

Sir many Members mentioned about particular problems in their areas. I want to speak of what is happening in Cochin. There, apart from the immediate disaster of pollution by the private industries even the public sector industries are guilty of the same fault and in the entire area the people suffer from strophilia and other ailments because of the discharge of polluted air and polluted water. As I have said, Sir even the public sector industries are part of it. When the Government itself is not taking necessary precautions how can you insist on the private sector people to take the necessary precautions?

Sir, it has been said that some survey has been done in some particular places but a national survey should be done covering at least all the fifteen industries mentioned in the Schedule to see as to what extent the existing industries pollute the air and water surrounding those industrial areas in order that we may take drastic steps and give them technological assistance insisting that they should accept it.

Sir, we find that many of the industries are callous to this problem. People are just happy to get a job, no matter under what circumstances. So when a big industry is put up in a particular place, people go and accept jobs and they do not mind putting up with the conditions there. It is only after some time when some serious tragedy occurs that they become alive to the situation. But what is the reaction? There are action committees around most of the big industries but they are helpless. Sir, Parliament is now being petitioned to look into this problem because they do not get any remedy anywhere—neither according to the provisions of the original Act nor according to the laws of the land in a particular State.

Sir, the hon Minister says that 15 States have approved the Central Act. Why don't the other States also do that? This is a matter which affects the lives both of human beings, mammals and fish. This is something which is urgently required to be done. Sir, the hon Minister said he will persuade the States to do that. I feel there is no question of persuasion. This is a matter where even force, if need be, has to be used. It should be insisted upon because it affects the health and the future of our generations.

Sir, sewage pollution is another health hazard. Even in Delhi the Jamuna water is so polluted that jaundice, typhoid and other diseases have become the chronic diseases affecting Delhi. We have become used to these things. That is another matter.

I would request the Minister that, while discussing this issue, he should pay attention to the wider problem of pollution. Sir, it shows that the Central Act is becoming very ineffective. I wish the hon Minister had brought an amendment to the Central Act itself, and we would all have supported it without any reservations. If there is political pollution no one can help it. We agree that some water cess should be levied, but we feel it would be absolutely inadequate. One thing I would appeal to the hon. Minister is that, if the Government is really concerned about pollution and environmental disaster that is facing us, then he has to think of the wider problem while expansion of industry. But when we plan wider expansion of industry and try to give more employment to the people, let the employment be not another death knell in some indirect way just as water tax is going to affect the people in an indirect way. We may, as I said, start a "water satyagraha" if the hon. Minister does not accept my amendment and drop section 2 of Schedule I.

**श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश)**  
श्रीमन, इस विधेयक का समर्थन करने हुए मैं निवेदन करना चाहता हूँ कि इस विधेयक में यह प्रावधान किया गया है कि जो लोग पानी का प्रयोग करेंगे, उद्योगपति और स्थानीय निकाय, उनसे एक से वसूल किया जायेगा और उस धन का इस्तेमाल पाल्यूशन को माफ करने के लिए, गंदगी को बंद करने के लिए होगा। इसमें एक बात पर गौर करें, श्रीमन कि स्थानीय निकाय, लोकल बाडोज, म्युनिसिपैलिटीज और कन्टोनमेंट बोर्ड्स, ये जो कि पानी देते हैं उनसे पानी का दाम या पानी का टैक्स, चाहे उसको वाटर टैक्स कहते हैं या वाटर प्राइस कहते हैं, उसको वसूल करते हैं। यह सच है जब वह देंगे तो उस वाटर प्राइस या वाटर टैक्स के ऊपर और बढ़ोत्तरी करेंगे, इस तौर पर पानी को गंदा करेंगे, उद्योगपति, अपने कारखाने से गंदी चीजों को छोड़कर, और मेस

वसूल होगा उन सारे लोगों से, उपभोक्ताओं से जो पानी को पीने के लिए भी प्रयोग करेंगे। यह तो जाहिरा तौर पर बहुत ही गैर इन्फार्मी की बात होगी कि जो उद्योगपति अपने कारखानों का पानी छोड़कर या गंदगी छोड़कर पानी को गंदा करें, सेस उनसे वसूल होना चाहिए न कि सारे उपभोक्ताओं से और सभी नागरिकों से। इस पर कृपया मंत्री महोदय गौर करेंगे कि यह धन उन्हीं से वसूल होना चाहिए जिनके कारण वाटर पाल्यूशन होता है। उन सारे लोगों से वसूल नहीं होना चाहिए जो कि पानी का इस्तेमाल करते हैं क्योंकि वे तो पहले से पानी का दाम या टैक्स देते हैं।

उन के ऊपर यह सेस, यह कर और लगा देना उचित नहीं होगा। उदाहरण के तौर पर किसी भी म्युनिसिपैलिटी में जितने नागरिक रहते हैं वह पानी लेते हैं। उन के मीटर लगे हुए हैं। उनका कोई हाथ पानी को गंदा करने में नहीं होता। अगर पानी गंदा होता है तो उद्योगपतियों के कारखानों के कारण गंदा होता है। उस का खर्चा उन सब लोगों से लेना किसी भी स्टैंडर्ड से, किसी भी नाप से उपयुक्त नहीं है और जैसा कि हमारे मित्र ने कहा, इस कानून के वन जाने के बावजूद अभी भी कहीं कहीं पर इतनी क्रिमिनल नेग्लिजेंस है कि कोई व्यवस्था नहीं हो पायी है जिससे वाटर पाल्यूशन को रोका जा सके। जवारी का उदाहरण दिया हमारे मित्र ने। मैंने स्वयं अपनी आंखों से देखा था कि बिरला ने एक बड़ी भारी फैक्टरी जवारी फर्टिलाइजर फैक्टरी बना दी। उस से जहरीला पानी जवारी नदी में छोड़ा गया और मैंने खुद देखा नदी के किनारे इतनी ज्यादा मछलियां मरी पड़ी थी कि उन को चिड़िया भी नहीं खा रही थी। इस तरह से गोरखपुर से सरदार मुंजीत सिंह मजिठिया हैं जो पहले अंग्रेजों के बड़े दलाल थे। 1857 में हिन्दुस्तान के साथ गद्दारी करने के इनाम में उन को बंधू सिंह की गिरासत छीन कर दे दी गयी। दुर्भाग्यवश 1947

[श्री नागेश्वर प्रसाद शाही]

की 15 अगस्त के ठीक बाद वह कांग्रेसी बने और फिर कांग्रेस के नेता भी बन गये और उन के भाई दिल्ली में मिनिस्टर भी बन गए। उनका कारखाना वहां है, सरदार नगर में चीनी का और शराब का बहुत बड़ा कारखाना है। उन के कारखाने के पास एक तुरी नाला निकलता है। उस नाले का पानी वहां के लोग जो उस के किनारे बसे हुए हैं, गरीब लोग, वह पीते थे और वहां के मवेशी भी पीते थे। मगर जब से वह कारखाना बन गया तब से पानी पीना भी दूर रहा वहां से इतनी बदबू निकलती है कि आसपास के लोगो का वहां रहना मुश्किल हो जाता है। इतना बड़ा अखण्ड आदमी, उस से हजारों बार कहा गया, लेकिन वह कोई व्यवस्था नहीं करता। उस के उपर सरकार का हाथ रहता है। वह चूक करोड़पति आदमी है इसलिए सरकार भी उस को छेड़ना नहीं चाहती। पिछली सरकार ने उस को नहीं छेड़ा। छेड़ना तो दूर रहा, उस पर अपना बरदहस्त रख दिया और वह कांग्रेस का नेता बन गया।

श्री कल्पनाथ राय (उत्तर प्रदेश) : क्या कहा ?

श्री नागेश्वर प्रसाद शाही : आप भी सरदार सिंह मजीठिया को जानते हैं।

श्री कल्पनाथ राय : आप भी कांग्रेसी थे ?

श्री नागेश्वर प्रसाद शाही : मैं 1948 के पहले कांग्रेसी था। जब मोशलिस्ट पार्टी ने कांग्रेस छोड़ी तो मैं ने भी उस के साथ कांग्रेस छोड़ दी आप के पैदा होने के पहले।

श्री कल्पनाथ राय : आदरणीय उप-सभापति महोदय, एक व्यवस्था का प्रश्न है।  
(Interruptions)

श्री नागेश्वर प्रसाद शाही : कोई व्यवस्था का प्रश्न नहीं है। आप उन को बिठाइये।

श्री कल्पनाथ राय : श्रीमन, आप मेरी बात सुनिये। मेरा व्यवस्था का प्रश्न है। मुझे आप से कुछ कहना है।

श्री नागेश्वर प्रसाद शाही : उन का कोई व्यवस्था का प्रश्न नहीं है।

श्री उपसभापति : यह तो सुनने के बाद ही मे कह सकता हू।

श्री कल्पनाथ राय : मुझे एक ही बात कहनी है कि सरदार सिंह मजीठिया के साथ ही शाही जी कांग्रेस में शामिल हुए थे इसलिये ही वह हम को बोलने नहीं दे रहे हैं और सरदार सिंह मजीठिया जो पूर्वी जिलों का उत्तर प्रदेश में सब से बड़ा पूजीपति है वह उसके बहुत बड़े मित्र हैं और उस के साथ ही वे कांग्रेस में शामिल हुए। फिर कांग्रेस छोड़ी। फिर कांग्रेस में शामिल हुए और फिर कांग्रेस छोड़ कर अब वहां बोल रहे हैं।

श्री सिकन्दर बख्त : यह व्यवस्था का प्रश्न दुरुस्त है।

श्री नागेश्वर प्रसाद शाही : यह श्रीमती इन्दिरा गांधी के सब से बड़े नम्बरदार हो गये हैं। यह जानते हैं और फिर भी झूठ बात कह रहे हैं। यह गोरखपुर में पढे हैं और जानबूझ कर असत्य बात कह रहे हैं।

श्री विशम्भर नाथ पांडे (नामनिर्देशित) : मेरा एक व्यवस्था का प्रश्न है कि सदन में 'झूठ' शब्द का प्रयोग असमदीय है।

श्री नागेश्वर प्रसाद शाही : मैं उसे बिदड़ा करता हू। वह जानबूझ कर असत्य कह रहे हैं, लेकिन वह हमारा टाइम बर्बाद कर रहे हैं। सरदार सुरेन्द्र सिंह जरूर 1947 की 16 अगस्त को कांग्रेसी बने और फिर कांग्रेस की पी०सी०सी० के मेम्बर बने, फिर कांग्रेस की ए०आई०सी०सी० के मेम्बर बने और उन के भाई को पं० जवाहर लाल नेहरू ने दिल्ली का मिनिस्टर बना दिया और वह डिफेंस के मिनिस्टर रहे। आप को जब बातें पूरी तरह में नहीं मालूम हैं तो असत्य प्रवचन मत किया करिये।



**श्री कल्पनाथ राय :** मुझे आप से ज्यादा जानकारी है ।

**श्री नागेश्वर प्रसाद शाही :** यह फिर मुझे डिस्टर्ब कर रहे हैं । श्रीमन्, मैं कह रहा था । . . . . (Interruptions)

**श्री कल्पनाथ राय :** वह क्या बोल रहे हैं ? मैंने कहा कि वे सरदार मजीठिया के दोस्त हैं । अगर वह कहें तो मैं प्रोसीडिंग्स ला कर दिखा दूंगा । वह कह दें कि वे सरदार मजीठिया के दोस्त नहीं हैं तो . . .

**श्री उपसभापति :** शाही जी, आप अब दूसरी बात कहिये ।

**श्री कल्पनाथ राय :** अगर वह सदन में कह दें कि वे सरदार मजीठिया के दोस्त नहीं हैं तो मैं बैठ जाऊंगा ।

**श्री नागेश्वर प्रसाद शाही :** मेरे लिये सरदार मजीठिया का दोस्त होने का कोई सवाल ही पैदा नहीं होता क्योंकि मैं 1938 में सोशलिस्ट पार्टी में था और वह 1947 तक अंग्रेजों के दलाल रहे । उस के बाद वह कांग्रेसी बन गये और जवाहर लाल नेहरू के साथ हो गये । वह मेरे दोस्त कैसे हो सकते हैं । मैंने उस की मिल में 6 महीने लगातार हड़ताल करायी जिस में 1200 कर्मचारी निकाल दिये गये । मैंने सरदार नगर का नाम बदल कर बंदूकसिंह नगर बनाने का आंदोलन चलवाया । उस की चले तो वह मुझे गोली मरवा दे । जिस के कारखाने में मैंने चार चार बार हड़ताल करवाई हो वह मेरा दोस्त कैसे हो सकता है । हा, हमारे दोस्त कल्पनाथ जी जरूर हमारा साथ छोड़ गये हैं । इंदिरा जी के कहने पर इस तरह की बातें कहते हैं । इसलिये मैं अब इस बात को समाप्त करता हूं और बिल पर आता हूं ।

इस बिल में आप देखेंगे कि जो जेडयूल एक है उस में शुगर और शराब इंडस्ट्री का कोई जिक्र नहीं है । जितना ज्यादा नालों और नदी के पानी का पोल्यूशन इस इंडस्ट्री से होता है उतना किसी और से नहीं होता । पर

पता नहीं जानबूझ कर या अनजाने में ही इन दोनों का जिक्र शेड्यूल एक में नहीं है ।

**श्री सिकन्दर बख्त :** है ।

**श्री नागेश्वर प्रसाद शाही :** शुगर इंडस्ट्री को तो मैं नहीं देख रहा हूँ । कमिकल में शायद हो । लेकिन इन नामों में तो नहीं है । हमारे पढ़ाये हुए हैं, हमको कह रहे हैं कि नहीं पढ़े हैं । अब इनका इखलाख कैसा होता जा रहा है ।

दूसरी बात श्रीमान, मैं यह कह रहा था कि अभी तक तो इस रिपोर्ट में जिक्र यह है कि धन की कमी के कारण यह मारी व्यवस्था नहीं हो सकी । मगर अब जब धन की व्यवस्था हो रही है तो हम आशा करते हैं कि यह विभाग सेंट्रल बोर्ड और स्टेट बोर्ड अपने काम को तेजी से करेगा । अभी तक इनकी बैठकें भी नहीं हो रही थी जिसका इस रिपोर्ट में जिक्र है । हम लोगों को आशा है कि अब यह काम ठीक से होगा और तत्परता से होगा ।

श्रीमान, एक बात और कहकर मैं समाप्त करूंगा । वह यह है कि इसमें रिकवरी की जो व्यवस्था दी हुई है, हालांकि उसमें पनिशमेंट दिया गया है, लेकिन जो रेट आफ इंटररेस्ट और जो फाइन की व्यवस्था है वह इतनी कम है कि उससे मिल मालिकों को कोई परवाह नहीं होगी । मिल मालिक गवर्नमेंट का रुपया लेकर गवर्नमेंट का टैक्स का रुपया रखकर उससे मुनाफा कर लेते हैं, जैसे बिड़ला का उदाहरण है । बिड़ला ने यू०पी० गवर्नमेंट का करीब 5 करोड़ रुपया उसके ऊपर बिजली का बाकी है, उसके विरुद्ध हाई कोर्ट में दावा करके उसको स्टे कराया हुआ है और एक साल तक अगर 5 करोड़ रुपया बिड़ला के पास रहा तो 1 करोड़ तो इंटररेस्ट कमा लिया । इस तौर पर 5 साल रोके रहेगा तो 5 करोड़ तो पांच वर्ष में कमा लेगा । गवर्नमेंट की कास्ट पर कमाता है । इसलिए ऐसी व्यवस्था इसके अन्दर होनी चाहिए कि अपील भी तभी कर

[श्री नागेश्वर प्रसाद शाही]

सकते हैं जब टोटल ऐमाउंट जमा कर दें ।  
ऐसा सेल्स-टैक्स और इनकम टैक्स में होता है ।

श्री गुणानन्द ठाकुर (विहार) : आप  
इसमें सशोधन दीजिए ।

श्री नागेश्वर प्रसाद शाही : इसमें यह  
व्यवस्था होनी चाहिए कि जो सैस पे करना  
है वह रुपया जमा करने के बाद ही अपील में  
जा सके । इन शब्दों के साथ मैं पुनः इसका  
समर्थन करते हुए आपको धन्यवाद देता हूँ  
और आपसे निवेदन कर दूँ कि माननीय  
कल्पनाथ जी को इतना अवश्य बता दे कि  
यह सदन असत्य प्रवचन के लिए नहीं है, सत्य  
वचन के लिए है, उनके ऊपर कमलापति जी  
का असर हो रहा है ।

SHRI M. KADERSHAH (Tamil  
Nadu): Mr. Deputy Chairman, Sir,  
I rise to support the intention of the  
Government in bringing this Bill be-  
fore the Parliament. However, I have  
my own observations which I place  
before this august House. I would  
request the hon. Minister to examine  
them in the large context of indus-  
trial pollution and the craze for urba-  
nisation. All our efforts to revert to  
the villages and make them viable  
and independent units of our econo-  
my have miserably failed. Anyway,  
the scope of the Bill being limited, I  
would confine my remarks to that  
extent. Section 7 of the Bill deals  
with the rebate. If any person or  
local authority liable to pay the cess  
under the Bill installs any plant for  
the treatment of sewage or industrial  
effluents, such persons or local autho-  
rities have been given a concession of  
a rebate of 70 per cent of the total  
cess. To my mind, the granting of  
70 per cent rebate has been unheard  
of. This is another way of not levy-  
ing the cess. It would certainly en-  
courage large industrial houses and  
majority of them, by any means,  
would be able to claim this re-  
bate. I do not know what were  
the reasons or criteria which the  
Government had in mind while  
incorporating this rate of rebate.

Ordinarily, the rate rebate on any pay-  
ment is restricted to not above 10  
per cent. I would request the hon.  
Minister to reconsider this aspect and  
bring forward an amendment incor-  
porating the rate of interest of any  
reasonable percentage. I expected that  
the hon. Minister would explain in  
what way the Government is going to  
assess the quantity or quality of the  
effluents. But he has not said any-  
thing about it.

My second point on the Bill relates  
to section 10. It has been laid down  
therein that any person who does not  
pay the cess within the time limit,  
would be obligatory on his part to  
pay the interest at the rate of 12 per  
cent on the total amount of the cess.  
This provision appears to me as a  
modified penal provision where also  
the industries have been given a fav-  
our of not being charged compound  
interest on the total amount. This, in  
my opinion, would deprive the Gov-  
ernment of a huge amount of money  
and when the financial institutions are  
able to pay compound interest to the  
industries on their deposits. Why the  
industries are proposed to be exem-  
pted from the payment of compound  
interest on the dues of the Govern-  
ment which are accumulated with  
them and on which the industries are  
getting compound interest. A shrewd  
businessman would not pay the cess  
within the time limit prescribed, de-  
posit the amount of the cess and  
would earn compound interest there-  
on and with that additional earning  
he would pay simple interest, there-  
by dodging the Government and  
opening for himself another avenue  
of earning—black or white. This  
would defeat the purpose of the sec-  
tion and I would ask the hon. Minis-  
ter to get this changed into compound  
interest and add the words "Compound  
interest" in the section.

Now I come to section 11 which  
deals with the penalty for non-pay-  
ment of the cess. There is a proviso  
to this section that before imposing  
any penalty the authorities who will  
impose it are to be satisfied that the  
non-payment of the cess was not due

to any good and sufficient reason. These words are very vague when amplified for implementation and many excuses could be offered by the industries and accepted by the officials under this vague terminology of the section. These should be specified and precisely codified to eliminate the scope of the allurements and corruption. Some officials would, by temperament, be willing to accept the explanation offered by the industries for non-payment under the pretext of good and sufficient reason, but the Government as a whole and public exchequer in particular would be put to a huge loss. This would be opening another vista for corrupt practices for which our industrial houses and many of the officials dealing with them are better known. The discretion left in this clause to the authorities for imposing penalty is extraordinary, wide and vague and the Janata Government should not, if it is sincere to its professions, intentionally or unintentionally provide another source of corruption in the public services. Sir, in my opinion, industrial houses should be compelled to purify the effluents on their own and if the industries are not prepared to do it, then the Government should levy more than four times or six times this amount.

The next point which I would like to mention is about the Financial Memorandum attached to the Bill. On a rough estimate a sum of Rs 1.40 lakhs has been made on account of the recurring expenditure after the enactment of the Bill. The Government should have placed before the Parliament with his anticipated expenditure a statement on the possible income likely to be derived on account of the imposition of the cess. This was not a difficult task as the Government are aware of the number of categories of industries in each State, and the likely amount of cess to be levied against them. Then the Parliament would have got a better idea about the intention of the Bill and the purpose it would serve. With

these vague provisions, as pointed out earlier by me, I am afraid it may not defeat the labour of this august House or the Lok Sabha, and the Central Pollution Boards and the State Pollution Boards may remain where they were financially. This to my mind, does not serve well and does not serve the purpose and a statement of the anticipated or the likely revenue should be appended to this Bill for reference.

Sir, finally, I would like to say a few words about the functions of the Central Board for the Prevention and Control of Water Pollution. As far as we are aware, no steps have been taken by the Central Board for collecting, compiling and publishing the technical and statistical data relating to water pollution and the measures to be taken for the effective prevention of pollution. The Central Board has also not prepared and published any manuals or codes or guidelines for the treatment of the effluents. It has also not undertaken any plan on a national scale for the prevention and control of water pollution. These were some of the objects which Parliament placed before the Board and it is regrettable that even after the lapse of three years or so, no beginning has been made in this direction. I would, in this connection, like to draw the attention of the honourable Minister and the House to the wide-spread pollution in many parts of the country where there is no effective control. Many honourable Members pointed out the danger to the national monuments like the Taj Mahal and also to human lives. Sir, I would like to cite one example from my own home State. In my State, there is the Madras Refineries and they are discharging their effluents into the Bay of Bengal and, as a result of this, a large number of fish are killed and we are in turn losing crores of rupees in foreign exchange. Sir, similarly, effluents are discharged into the river Cauvery and effluents are discharged into the river Amravathi by the paper mills and the sugar mills which endanger the human lives. As the House

[Shri M. Kadershah]

is aware a petition on the effect of pollution cause by the discharge of effluents by a factory of the Bangurs, a big factory located in the town of Ganjam in Orissa, is being considered by our Petitions Committee and if the facts as stated by the petitioners are correct, which will be known after the report of the Petitions Committee is presented to the House. I regret to say, the Central Board has not discharged its responsibilities in the matter through they may escape the law technically and throw the blame on the other agencies. Therefore, I would say that co-ordinated and integrated efforts are called for and in this, Sir, the Central Board for the Prevention and Control of Water Pollution has a definite and a decisive role to play.

With these words and observations, Sir, I conclude and I hope that the Minister will not take these comments as a mere criticism of the Bill, but would consider them and accept the suggestions that I have made in the larger interests of humanity. Thank You, Sir.

SHRI SHANKAR GHOSE (West Bengal): Sir, there is an insufficient awareness in our country of the dangers of pollution and I am glad, therefore, the Works and Housing Minister has brought forward a Bill to augment the resources of the Boards set up for the control of water pollution. But I am sorry to see that he has limited this Bill to water pollution only. Sir, he has watered down the Bill and has not brought forward a comprehensive Bill. We do not have enough technical experts in our country and unless we have a comprehensive Board, a comprehensive environmental Board, even if we have the money, which is sought to be provided for under the present Bill, we will not be able to solve this problem of pollution. Therefore, from the point of view of lack of technical expertise that we have in this country, from the point of view of lack of a co-ordinated policy, it is essential that he brings forward a comprehensive

Bill regarding atmospheric pollution, air pollution, land pollution and water pollution.

Now, Sir, so far as this Bill is concerned, it will raise only Rs. 3½ crores and I understand that the bulk of it will be for administrative expenses of these Boards and nothing will be left for the actual prevention of pollution.

[The Vice-Chairman (Shri Shyam Lal Yadav) in the Chair.]

If the whole of the money is going to be spent on administrative matters, only on staff salary and things like that then I would invite the Minister to take further measures which will really fight pollution, which will really fight the industrial pollution caused by the effluents of the industries discharged into the rivers. The estimate is that for this we need about five hundred crores. Now, Sir, if that is so, then, some measure has to be there to ensure that this amount of money is forthcoming and that some obligation is imposed on the industries to see that they do treat the effluents before they discharge them into the rivers. In many developed countries, 25 per cent of the waters that are discharged are re-cycled by the industries themselves but in our country less than one per cent is so recycled. Should we not impose this obligation on the industry? Calculations that have been made indicate that if these treatment plants are there with industries, then the cost involved will be 1 per cent, in some cases 4 per cent at the most, of the capital cost of the industry.

Enormous loss is caused to the aquatic life, to our plants, to our human beings, by reason of such pollution. Should we not provide for some measure so that this enormous loss can be obviated?

I had expected that in this Bill we would have seen some provision by which we can enforce these laws that we have and also further strengthened these laws. We understand no prosecution has been launched.

So far as these industries are concerned, in 1974 when the Bill came, the

understanding was that any future industries will not be set up along the rivers. What steps have been taken with regard to that? Now, when new industries are sanctioned, should we not have an in-built provision in our licensing policy that either they provide for treatment plants and they take that into the cost, otherwise sanction will not be given?

There is this problem of environment, the problem of pollution. The ecological problem today in the 20th century is as acute and important as medicine was in the 18th and 19th century. In the West through bitter experience they have known about environmental problem now. In India we are still at an early stage. We can make a comparison of the economic cost and social cost, revise our industrial policy, ensure that the costs that are involved in the treatment and in taking antipollution measures are included in the total cost of the industry itself. Now, if the Minister of Works and Housing brings a measure of that character, he will receive support from all sections of the House. This is not a matter where we can have this half-hearted measure, this piecemeal measure, this truncated measure. When there has to be sufficient awareness in the country of these problems, we had expected that this Ministry will give leadership with regard to this matter. But there is still vacillation on this question. This will not do.

So far as this Bill is concerned, it is even provided that if some prosecution has to be launched then it is to be on a complaint of the Central Government. Why? Why should it not be on a complaint of a State Government or even an individual? This unfortunate provision is in clause 14. When some pollution takes place in some distant town or distant place, it will take a long time to process this and the central sanction will not be given. There is no justification for this. When we are wanting that there should be greater awareness in our country about this problem, we should not limit and hedge legal processes by these kinds of restrictions.

Now, Sir, so far as this Bill is concerned, we have seen the functioning of the Pollution Control Boards. They are hardly functioning. Not only notices have not been issued, but if notices have been issued, prosecutions have not been launched. There has been no survey of the loss caused as a result of pollution. Now, if we require Rs. 500 crores for stopping this industrial pollution and if in the country there is adequate awareness of the problems and if there is a survey and an estimate of the loss, then the Minister can come and justify to the House that he needs these resources. In Great Britain they spent 300 crores of rupees for improving aquatic life in the Thames. If there is a survey and if the House is told, if the country is told, that this is the loss that the nation is suffering, then you can come with a measure for more resource mobilisation. Rupees 3.5 crores is chicken feed. It will not solve the problem. It will not scratch the surface. It is not even a dent on the problem. It is a kind of ritualistic homage that we pay to ecology or to environmental control. But now a time has come when there has to be greater vigilance or awareness in this matter. A time has come when this problem of ecology, this problem of environmental control, pollution control, should be considered or treated as a national problem. It is not a party problem.

This is a matter in which if the Minister comes with a bold measure—not this half-hearted and piecemeal measure—he will get support from all sides of the House. Before doing that, he has to collect and give these figures as other developed countries have done—figures of the enormous loss to human life, to aquatic life, to plant life caused by pollution. Only when that awareness is there, only if a consciousness is created, then alone he can take bolder measures, he can collect more resources. He should be strict with industries and polluters who are violating our rivers, whether it is the Hooghly in the Calcutta-

[Shri Shankar Ghose]

Asansol belt, or the Ganga near Kanpur, or the Mahi in the Thana creek near Bombay-Kalyan industrial belt or the Periyar river in Kerala or the Palar river in Tamil Nadu or the Chambal downstream in Kotah or the Dal Lake in Kashmir. Everywhere this problem is there. Therefore, this is a national problem and this problem cannot be solved on such piecemeal basis, and this vacillation, this halfheartedness will not help the situation. True, when Industrialisation came in the West, and when urbanisation came, the first struggle of the working class was for a greater social justice, greater equality. That was in the 18th and 19th centuries. But in the 20th century in the West another movement has grown up, a movement to preserve our environment, to conserve nature. Now, with regard to the second movement, this Bill is not a solution. But this is a matter of great urgency. The 1974 measure that was brought in after the Stockholm Conference, that was the beginning. But now the ground is ripe where you must have a comprehensive bill.

The ground is ripe where you have to take firm action against these industrialists. What happened in other countries? It is not that pollution control is something which is a loss to the industries. The effluent that one industry discharges upstream becomes the polluted raw water material that is supplied to the downstream industry. And for this reason in the developed countries the industries have understood that it is in their own interest to have these anti-pollution measures, these water treatment measures. I know so far as the Damodar river is concerned, in order to flush that river we had to release water which we thought we could preserve for agricultural and irrigation purposes. But because of the pollution caused by the industries we had to release precious irrigation water to flush the Damodar, because the industries did not comply with the

provisions of the Prevention of Water Pollution Act

Therefore, this question acquires priority and some exemplary steps have to be taken, some prosecutions have to be launched, some deterrent action has to be taken, or else the 1974 Act would become indeed a dead letter. And there has to be a comprehensive Board which can educate public opinion not on general theory but giving details and facts of the actual loss that is caused to the country by pollution. Then the Minister can come with a comprehensive proposal for adequate resource mobilisation to deal with this problem. Therefore, I support this Bill in so far as the Bill on Pollution is concerned. I oppose this Bill in so far as the Bill is limited to water pollution and, therefore, only a watered down Bill. And I hope the Minister will bring a Bill which is not a watery Bill but a comprehensive Bill.

**SHRI SUJAN SINGH (Haryana):** Sir, this Bill of great national importance introduced today was rather overdue and it should have come much earlier even during the previous regime. I do not know why it did not come up then. Sir, I am very happy today that the Members on the opposite side are also giving support to this Bill and showing enthusiasm as much as we are showing. Sir, the Janata party, our hon. Minister and the Members of the Opposition equally deserve my congratulations.

Sir, of course this Bill appears to have many shortcomings and I enumerate them for the consideration of the Government. First of all, this Bill should have been much more exhaustive. It appears to cover only factories in urban areas or suburban areas and the factories in far away rural areas in the far corners of the country appeared to be left out. So, this Bill should have been framed in such a way that not a single factory is left out of its purview. Moreover, Sir, the incentives which have been provided in this Bill are likely

to be misused by the industrialists. For example, if the plants remain most of the time as show pieces i.e. even if they set up genuine plants, but most of the time they remain idle and they do not work or they remain closed. Then what is the remedy for that? Mere installing of a plant is not sufficient. The Government should provide such measures that the water flowing from them is tested periodically and only on the basis of those tests, they should get the incentives. That is very essential. Moreover, Sir, it would be much better if a provision is there for having a standby arrangement in case this goes out of order. They should be able to switch over to the other one if one goes out of order. Thirdly, Sir, in case the industries do not pay the cess amount they will be charged at 12½ per cent rate of interest, but the money from the banks is available at a rate of interest of 14 per cent, I would therefore suggest that in case of non-payment, the rate of interest should be very heavy, say between 15 and 20 per cent. Then, Sir, if the waste water, even after cleaning, remains flowing on the streets or on the roads or in the fields, it is likely to create nuisance and hardship to the neighbours. Therefore, there should be a provision that the factory must have some arrangement to utilise the waste water which comes out even after cleaning. If there is no land around it, they should have some arrangement by which the water is drained out to a far away place from that area. The next point, or the sixth point, that I come to is regarding the storage of water. If the polluted water of a factory is being cleaned, the factory will be storing it in certain tanks before it is cleaned up. From those tanks seepage of water is possible and it is very likely that the sub-soil water around the factory will get polluted. I have got personal experience in this connection and I know that the sub-soil water around those factories, which are even cleaning the water, is polluted and becomes unfit for drinking. Therefore, some arrangements should be made

to see that sub-soil water around these factories and storage tanks is not polluted.

The expenses for providing water mains which carry the water from the factories to the pumping houses are incurred by the municipalities and they amount to lakhs of rupees. Therefore some provisions should be made whereby it can be forced that the expenses for such water mains will be borne by the factories and not by the municipalities i.e., the public money.

Sir, I agree with the hon. Members who have stated that this amount of Rs. 3½ crores, which have been provided, is much less. It should be much more if the provisions of the Bill have to be made effective and are to be enlarged. For that purpose I would request the hon. Minister to see that the money for this Board comes from the factory owners and not from the Government exchequer because it is the factory owners who are going to be benefited. They are earning crores of rupees at the cost of crores of human and cattle lives. Therefore, people who are earning these crores of rupees should pay this amount and not the Government or the municipalities.

With regard to Schedule I, I would say that it should have been more exhaustive and comprehensive, but it is not so. I do not find the cycle industry mentioned in the list. Though there is a provision that the Government can include any industry in the list at any time. I do feel that the cycle industry, which is of great nuisance in this respect, should have been included in the Bill at this stage itself.

Another important point which I want to say and which was also referred to by other hon. friends is that the Bill provides that a prosecution can be launched only by the Central Government. This single clause in the Bill can make it wholly ineffective. An ordinary citizen should also

and

[Shri Sujan Singh]

have the right to launch a prosecution against any offenders (*Time bell rings*) Just one minute, Sir, If an ordinary citizen is not given this right, then welfare societies of town or village panchayats should be allowed to prosecute the offending factory owners and this right should not be restricted only to the Central Government. If possible the prosecution should be by a summary trial and not through lengthy procedures. The Government should see how this can be done.

My main worry is that though the Bill is so nicely worded but when it reaches the stage of implementation, the inspectors and other Government staff charged with the responsibility of its implementation will create room for corruption and in this Bill there is plenty of scope for corruption and they will see that they get monthly allowances from these factory owners. That is the reason why I am very keen that even ordinary citizens should have the right to prosecute these factory owners or, at least, the village societies or panchayats should have this right.

Thank you

**SHRI NARASINGHA PRASAD NANDA (Orissa):** Mr Vice-Chairman, Sir, it has always been my fortune or misfortune, I do not know, to be the tail-ender in any debate. However, Sir, since I have given my name to make certain observations on this Bill, I will make a few observations about the magnitude of water pollution on the globe, what to speak of our country. There is absolutely no doubt about it. As a matter of fact, last year, the United Nations Environment Committee came forward with a report saying that everyday 25,000 people die as a result of water pollution. The other finding of this body is that 70 per cent of the people of this world go without safe water. I quote these two figures just to show the magnitude of this problem. And if this is the picture of the world taken as a whole, the problem in

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India is still more acute. We have to guard against the attitude of the industrialists in this country towards the problem of ecology and this environmental problem.

I would submit, Sir, that this Bill is merely ritualistic. It falls far short of our expectations. The hon Minister while moving this Bill stated that this Bill has got two objectives. One is that there should be adequate funds available to the Boards for the prevention and control of water pollution and the revenue that will be earned on the strength of this Bill is Rs 34 crores. Now, how will this money be spent? This money will be spent towards administration and not for anything else, not to prevent or control the pollution. It will be spent just to meet the administrative expenditure of the Central Board and the State Boards. So, it may be seen whether actually this Bill will be able to meet the gigantic problem created by water pollution for various reasons. I am not going into those details because they are not relevant for the purpose as the Bill is only limited to taking the sanction of the Parliament to levy a cess in order to augment the revenue on this score so that adequate funds could be provided to the Central Board and the State Boards.

The other objective stated by the learned Minister is that it may act as a deterrent. I am very sorry, Sir, that the Minister is living in a dream world. He is thinking that by imposing a levy of 75 paise on cooling and spraying industry, 2 paise per kilo litre on processing industry and 2 1/2 paise per kilo litre on processing industry whereby water gets polluted and the pollutants are not easily biodegradable and are toxic, it will act as a deterrent and the industrialists will prevent water pollution and give sufficient treatment to the water before that is discharged to the rivers.

I disagree with the hon Minister that the Bill would act as a deterrent. The industrialists will not bother



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Therefore, Sir, I do not agree with the argument of the hon. Minister that by merely levying a cess, he will be able to succeed in making it a deterrent on the industrialists. I am not able to agree with this proposition. I will make a humble suggestion that this question of pollution is of a vast magnitude. The problem of its prevention and control is also very complex. My suggestion is that there should be a separate department to deal with this question. There may not be a separate Ministry. But there should be a separate department which may be attached to the Department of Science and Technology or to the Ministry of Health. But there must be a separate department to deal with the question of water and other pollution as well as prevention and control of pollution so that they can effectively deal with this problem. What is the need of coming forward with a ritualistic Bill of this type? What is the purpose of coming forward with an incomplete Bill of this type? Why not come forward with a comprehensive Bill to deal with this question, the problem of pollution? My second suggestion is that it would be better if the hon. Minister comes forward with a comprehensive Bill. I would submit, Sir, that this amount which is sought to be given to the Boards to augment the resources of the Central and the State Boards is very meagre. I would suggest that the hon. Minister may think of coming forward with an

[Shri Narasingha Prasad Nanda]

amending Bill to increase the amount of this cess.

Lastly, before I conclude, I submit that I have some doubts about imposition of this cess on local bodies because after all we already pay some water tax and as has already been expressed by some hon. Members, ultimately the burden of this levy will be on the consumer—the small consumers of water. Therefore, the Minister should reconsider this question, increase the rate of cess on the companies. When he is giving 70 per cent rebate to provide incentive to prevent pollution, he may increase the rate of cess to be imposed on the industrial units who use water and exempt the local consumer. After all, if you impose this cess on local bodies, they will in turn impose the tax on small consumers of water. Therefore, the tax burden on the consumer will increase.

With these words, Sir, though half-heartedly, I welcome the Bill.

SHRI SIKANDAR BAKHT: I am thankful to the Members of this House for the interest they have taken in this Bill and the suggestions they have given according to the measure of their comprehension.

I find it gratifying that every Member of the House has expressed his desire to support the Bill, but they have also expressed some doubts. I shall try my best to remove their doubts. One of the doubts that has been expressed is about the Bill being comprehensive. Most of the Members have expressed this doubt. Primarily, I am happy to inform this House that a separate Bill on air pollution has already been submitted to the Cabinet. I hope it will soon be brought before Parliament. Another thing is that the Act which was enacted by Parliament in 1974 related specifically to the problem of water pollution. This Bill seeks to give some sort of impetus to the State Boards which were created on account of the provisions of that Act. I have already

accepted the fact that the Boards have not been able to function effectively. Now I have really no intentions — because of the seriousness of the matter—of entering into any political controversy or creating any political nuances though, of course, some of the hon. Members did choose to enter into such an exercise. But it is true that there has been an ineffective functioning of the Boards, which I have already accepted. I would only say that the problem is such that it ought to have received very active consideration by the Department as well as by the Government, but there is an Urdu couplet which says:

कुछ तो होते हैं मुहब्बत में जून के आसार ।  
और कुछ लोग भी दीवाना बना देते हैं ॥

The provision itself was very clear. That is true. But, unfortunately, I would not know whether on account of shortage of funds only or on account of some lethargy on the part of some functionaries this problem could not be tackled in as effective a manner as it should have been.

Then, most of the Members have also said that it was not fair to levy cess on local authorities. The fact, that right now we are considering, is that cess should be levied on polluters. How can you discriminate between polluters. Of course, we have definitely taken care of one thing, and that is, we have tried to suggest that the levy should be in accordance with the quality of effluents, and as the hon. Members must have noticed, local authorities are only being subjected to a cess of one paise per kilo litre while the industries are subjected to a cess of 2 paise per kilo litre to 2½ paise per kilo litre. So this situation has been fully appreciated that the industries are greater polluters of water and it has been suggested that in the similar proportion the levy should be imposed.

A few things have been said about the sugar industry, the distilleries and the cycle industry not being included in the Schedule. I would



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rekar]

vious colleagues have said in as brief a manner as I can do. It is a well known fact that the futurologists of the world today are predicting that the present energy crisis will be soon followed by an equally great shortage of water and we will be facing water crisis. I feel that this shortage of water that we are apprehending, this Bill has at least drawn our attention to the acute problem.

Sir, this water crisis may hit our country in the very near future like many other countries of the world. We all are extremely conscious of the fact that water is very limited and is a very valuable resource and since its development requires high investment, it is very necessary that its use must be efficient and must secure the highest level of national welfare. And for that purpose, Sir, effective legislation, pricing and other economic incentives should be used to promote the efficient and equitable use of water.

Sir, it is a recognised fact that the control measures regarding the discharge of urban, industrial and mining effluents are very inadequate in our country. Although we in Parliament started thinking to take measures somewhere in 1962, it took nearly 14 years to bring a legislation in 1974. But in spite of the Act coming in force we find that the problem has not received due emphasis it deserves. I hope the assurance given by the Minister will see to it that at least the implementation part of the Act will be taken up immediately and action taken. Today we find that apart from the urban area more and more rural areas are still suffering from the effect of industrial development creating a health hazard through the various water borne diseases. Sir, I would like, therefore, to submit to the hon'ble Minister that studies should be initiated on the present and potential use of water by specific industries including such aspects as recycling of water, substitution for water, reduction of water usage, using of low-quality water for cooling and waste management etc

Here, Sir, I would again like to draw the attention of the hon'ble Minister that while deciding on new industrial locations within the framework of land-use planning, his Ministry should see that the quality and quantity of water and industrial waste should be the important criteria before finalising the decision. The water development projects should take into account water requirements of industries and, along with that, their impact on health and environment. Even municipal and industrial water supply systems should have as an integral part waste treatment or other such measures to tackle the pollution problems.

Sir, I hope metering envisaged in clause 4 of this Bill will be effective and for that it is necessary that systematic measurements should be made concerning the use and consumption of water by various sectors.

Sir, there are many industries which do not depend on piped water supply of either municipality or Government. They lift directly from rivers or canals or even from deep tubewells on their premises or from adjoining areas. And so measuring water consumption in these places will not be that easy. Even adequate number of water meters are also not available in the market and if I can say, Sir, even in the hon'ble Minister's Delhi area, I am afraid, every consumer in the municipal area is not promptly provided with water meters. Sir, therefore, metering of water requires double checking along with the consumption of power in the pumps.

Sir, I would like to draw the attention of the hon Minister to the papers presented at the New Delhi Seminar on "Water Management in Process Industries" held very recently at which almost everybody was of the opinion that hardly five per cent of the water taken in by chemical industries is used in finished products and 95 per cent is discharged as effluent. Now this effluent discharge can be recycled to the extent of almost 100 per cent and, Sir, it is here that the hon

Minister has to confront the industries both by heavy rates for water intake and incentives on internal recycling. Sir, I think that the rates prescribed under Schedule II for process industries are very low and this will not induce the industries to go in for recycling process. And for that, Sir, the hon. Minister, besides charging this cess, should have found out from the water supply authorities the possibility of hiking up the rates for fresh water supply to all industries. Sir, the high cost of input water alone can prompt them for not resorting to discharge of large amounts of effluents into the main water bodies. I hope, Sir, the hon. Minister would consider this aspect also.

Sir, another thing is that for cooling boiler feeding, etc. low quality water should be used. I do not know what happened to the project for using sewage water in the Badarpur power station boilers. I hope the hon. Minister will throw some on it.

Sir, I would like to congratulate the Delhi Water Supply and Sewage Disposal Committee for their decision for planning to generate pipeline quality cooking gas from the Okhla sludge. Sir we need more of such community actions. I have heard that in Baroda the effluents from fertilisers, petrochemicals and chemical plants have been used beneficially to provide nutritionally rich water to irrigate farms in the neighbouring areas. This is another example of community action. We want more of such concentrated community actions to enrich our requirements.

Sir, in this country we are importing 100 per cent requirements of potassic fertilisers. But potash can be produced as a byproduct from distillery effluents. I do not know why we have not yet taken this into account. I come from the State of Maharashtra where in Walchand Nagar, some excellent R&D work has been done, and this has been acknowledged in international circles also. But unfortunately nothing has been done to

induce sugar mills and distillery associations to go in for it. I sincerely hope that the hon. Minister will take up this matter.

Sir, another aspect which I would like to mention is that the sugar industry is discharging molasses and other effluents into rivers and many rivers of U.P. and Bihar have been permanently damaged by them. I do not understand why the sugar mills and distilleries have not been specifically listed in Schedule I of the Bill. I feel that item 15 should have been detailed out and no loopholes left to the administrators' interpretation as there is a general feeling that the Government and officials always ride roughshod over the environmental experts.

Sir, we also have the experience of the Juari plant situated in Goa. I do not want to go into the details of it because others have already mentioned about it. We only feel that the Centre has to be strict in dealing with the States where we have been told that they were trying to shield the industry.

I would like to appeal that the Central Government should do something to prevent further deterioration of the quality of Bombay's coastal waters. The polluted atmosphere of Bombay's Trombay-Chembur area is well known all over the country. The refineries and the fertiliser factory are polluting not only air but water also. The Central Government has allowed massive expansion of private sector thermal power stations at Trombay. Discharge of hot water from power station will cause further thermal pollution of coastal water and will destroy marine life further. Fishermen in Bombay are now only netting fishes dead with suffocation and these pomfrets are sold in markets, including even the Delhi market. Therefore, Sir, the Centre must think twice, rather and many times before deciding the location of a new fertiliser plant in the west coast area, where there are also offshore oil explora-

[Shrimati Sushila Shankar Adiva-rekar]

tion activities which also add to pollution if proper care is not taken.

Sir, I know I am taking a lot of time of the House but there is one small point. Most of the polluting industries are DGTD registered unit except sugar mills and vanaspati units. DGTD and Central Excise Organisation are in a better position to measure water consumption by industries and collection of cess from them. And so it would be helpful if DGTD statistics collection proforma includes data about water use. This will definitely give us an idea about the relationship between production figures and usage of water.

In conclusion I would only like to bring to your notice that the amount of cess is not an important problem but it is the sincerity of the implementation of the Act in the country which is very necessary and I hope the Minister will take this into consideration.

SHRI SIKANDAR BAKHT: Sir, I am extremely thankful to the hon. Member for her interest in the subject and the suggestions that she has made. But I really do not have anything to add to what I have already said. I would only like to tell the hon. Member that I was absolutely not being discourteous to her. What I would suggest is that, if she goes through the text of my speech she will find answers to most of the points which she has made.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The question is:

"That the Bill be returned."

*The motion was adopted*

# **THE SALARIES AND ALLOWANCES OF MINISTERS (AMENDMENT) BILL, 1977**

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS  
(SHRI DHANIK LAL MANDAL): Sir,  
I beg to move:

"That the Bill further to amend the Salaries and Allowances of Ministers Act 1952, as passed by the Lok Sabha, be taken into consideration."

Sir the salaries, allowances and other privileges of Cabinet Ministers Ministers of State and Deputy Ministers are governed by the Salaries and Allowances of Ministers Act, 1952, and the rules made thereunder viz. (i) the Ministers (Allowances Medical Treatment and other Privileges) Rules, 1957; and (ii) the Ministers' Residences Rules, 1962. Sub-section (1) of section 11 of the Salaries and Allowances of Ministers Act 1952 empowers the Central Government to make rules for carrying out the purposes of the Act.

The Committee on Subordinate Legislation of the Lok Sabha, which had occasions to examine the rules made under section 11 of the said Act, stated that although it did not find any reason to comment adversely on use of these wide powers by the Government, yet in financial matters, in order to avoid uninformed or misinformed criticism and keeping in view the democratic principles and the larger public interests, it would be appropriate that such powers should be exercised by the House itself. The Committee had also observed that in cases where it was considered necessary by the House to delegate the power to make rules to a subordinate authority in order to save the time of Parliament, it should be provided that rules made by a subordinate authority should in such cases become operative only after an affirmative vote of the House was obtained. Such a procedure was considered less rigid and less cumbersome than the ordinary process of legislation. The Government have accepted the recommendations of the Committee. In the past due to administrative reasons, it became necessary to give retrospective effect to certain rules. As there is no provision in the said Act for giving retrospective effect to the rules, it is proposed to validate the