

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:3463
ANSWERED ON:11.12.2000
POWERS TO POLLUTION CONTROL BOARDS
MUDRAGADA PADMANABHAM;VINAY KUMAR SORAKE

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether Planning Commission has recommended quasi-judicial powers for State Pollution control Boards to Central Pollution in the country;
- (b) if so, the details thereof;
- (c) whether according to Planning Commission study nearly 60% of the large scale industrial units are evading `green` norms;
- (d) if so, the details thereof; and
- (e) the steps the Government propose to take to streamline and strengthen the Pollution Control Boards?

Answer

MINISTER OF ENVIRONMENT AND FORESTS(SHRI T.R. BAALU)

- (a) & (b): The Programme Evaluation Organisation (PEO) in the Planning Commission, in a report has recommended quasi-judicial powers for State Pollution Control Boards (SPCBs). The PEO has circulated this report to the concerned organisations for comments and observations. The report has recommended that the process should be backed up to provide quasi-judicial powers to enforcement officers of SPCBs. Such powers include
- (i) to levy spot fine in case of violations, which should be 5-10 times operational cost of running the Effluent Treatment Plant for the period before the last visit and the earlier one;
 - (ii) to provide for arrest/detention of persons responsible for toxic waste pollution;
 - (iii) to call for documents which might throw light on the above issue; and
 - (iv) to record statements. This process is to be backed up by an Appellate Authority, which can provide remedy for industries in case of departmental abuses/excesses.
- (c) & (d): According to the report of PEO, in the Planning Commission, about 38% of polluting units are complying with the standards; many units may not operate ETPs if running cost is high/lax supervision/collusion; those units neither have the treatment facility nor have made any attempt to treat them through CETP, have been polluting till such time judicial process set them right.
- (e): The State Pollution Control Boards are under the administrative control of the respective State Governments. However, the steps taken by the Central Government to strengthen the SPCBs include the following:
- financial assistance to SPCBs for specific projects/schemes including laboratory instruments/equipment
 - organising training programmes by the Central Pollution Control Board and other organisations for the officials of SPCBs
 - proposal has also been formulated to augment the resources of SPCBs through enhancement of water charges under the Water (Prevention & Control of Pollution) Cess Act, 1977
 - Under the World Bank Project, a number of laboratory instruments and monitoring equipment were provided to some SPCBs
 - Large scale highly polluting industries in 17 categories have been identified in consultation with State Pollution Control Boards and most of them are complying with the environmental norms and remaining industries are in the process of installing adequate pollution control facilities for meeting the standards. These units are being vigorously monitored by the Ministry of Environment and Forests, Central Pollution Control Board and SPCBs.