

This project was to be cleared by August, 1988. However, on behalf of the people of West Bengal, I would request the Government that it should take all necessary steps immediately to clear this Bakreswar Thermal Power Project.

(xi) Need to set up a high power T.V. Transmitter at Gwalior

SHRI KRISHNA SINGH (Bhind): Sir, I would take the opportunity to bring to the notice of the Minister of Information and Broadcasting regarding the inadequacy of TV services in the backward areas of Datia, Bhind, Morena and Shiv Puri etc. TV is still beyond the reach of the common man especially the weaker sections of the society in these backward districts.

It was earlier proposed to set up small low-power transmitters at Datia, Bhind, Morena and Shiv Puri. But except at Shiv Puri, the scheme has inordinately been delayed and possibly shelved.

There was also an alternative proposal to augment the existing transmission system by setting up a high-power transmitter at Gwalior, which also could solve the problem of these backward areas. Presently, the whole area is covered by the low-power Transmitter at Gwalior which is highly inadequate for the purpose and the reception in the area is very poor even with the installation of the booster system with very high antennas.

I would, therefore, urge upon the Government to look into the matter and ensure that either the scheme for setting up of a low-power transmitter in each of these places be implemented forthwith or the existing transmissions system at Gwalior be suitably augmented by setting up a high-power TV transmitter to cater to these areas adequately.

12.29 hrs.

**WATER (PREVENTION AND CONTROL OF POLLUTION) AMENDMENT BILL—
CONTD.**

[English]

MR. DEPUTY-SPEAKER: The House will now take up further consideration of the following motion moved by Shri Z.R. Ansari, on the 1st September, 1988, namely:—

"That the Bill further to amend the Water (Prevention and Control of Pollution) Act, 1974, be taken into consideration."

The minister was already on his legs. He can continue his reply now.

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI Z.R. ANSARI): Mr. Deputy-Speaker, Sir, as I have already mentioned, the Pollution Control efforts have to be multi-pronged. Legislation is only one of those steps which just helps in pollution control. Setting up of proper organisations, strengthening of the existing agencies, giving them infrastructure such as technical manpower and laboratories are essential to the effective implementation of this law.

Apart from these infrastructural facilities, creation of environmental awareness amongst the people, amongst all sections of population and also the public participation in the process of pollution control are necessary to make the law more effective. (*Interruptions*)

[Translation]

SHRI AZIZ QURESHI (Satna): Hon. Deputy Speaker, Sir, I would like to submit one thing. The hon. Minister has mentioned about public participation, but I want to tell the House to what extent the situation has deteriorated. Last time, I talked to the Hon. Minister about the N.D.M.C. What they have done is that water supply to my house has been stopped.

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, very shabby treatment is being given to us. Grass is not being trimmed in entire North Avenue area nor are drains being cleaned. You can get it ascertained from any Member. When this situation prevails where M.P.'s live, one can imagine what will be the situation at other places. It is a very important point. Your Bungalow is also situated in that area and, I am afraid, you are also likely to get the same treatment and suffer on that account. (*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER: Minister can continue.

SHRI Z.R. ANSARI: My submission is that this is a matter which pertains to the Ministry of Urban Development and, I think, the Minister of Urban Development is here. (*Interruptions*)

[*Translation*]

SHRI AZIZ QURESHI: Hon Minister of that department is also present here. (*Interruptions*)

[*English*]

SHRI HARISH RAWAT (Almora): They are spoiling the environment of a very important area. (*Interruptions*)

SHRI Z.R. ANSARI: May I continue? The Minister of Urban Development is here and whatever has been said with regard to the inefficiency... (*Interruptions*)

[*Translation*]

SHRI AZIZ QURESHI: I am saying that because I spoke against the N.D.M.C., water connection of my house was cut. It is really a serious matter if water supply to the house of a Member of Parliament is stopped. My house No. is 31, Canning lane. There is no water even in the over-head tank. Are there no rules for them?

SHRI HARISH RAWAT: When an hon. Member raised a matter against the N.D.M.C., his water connection was cut. How can we function if N.D.M.C. behaves like this. Is there no rule for them?

[*English*]

MR. DEPUTY-SPEAKER: Minister will speak when the next Bill is taken up. You can raise this point at that time.

(*Interruptions*)

[*Translation*]

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): Has the water supply been restored now or not?

SHRI AZIZ QURESHI: No.

SHRIMATI MOHSINA KIDWAI: You did not tell me about it. There must be some fault.

SHRI AZIZ QURESHI: How can there be a fault only in my house? You must take some action against them. (*Interruptions*)

[*English*]

SHRI Z.R. ANSARI: I do not want to make a long speech. I just want to react to some of the valuable suggestions given by the Hon. Members. Shri Digvijay Singh had made some very valuable suggestions. He has referred to the recommendations made by a Committee headed by the Chairman, Maharashtra Pollution Control Board for strengthening the infrastructure of the State Boards. In this connection, I wish to inform this House that an assistance of Rs. 2.6 crores during the last two years for laboratory equipment and technical staff in the State Boards has been given. And also, in this Act, we have provided how to raise the necessary funds for improving the working of the State Pollution Control Boards and the Central Pollution Control Board. From that point of view, this enactment will certainly

help in strengthening the State Pollution Control Boards and the Central Pollution Control Board and its laboratories and other things. Hon. Member Shri Digvijay Singh has said that better coordination is necessary among various government agencies if pollution is to be effectively controlled. I perfectly agree with the suggestion of Mr. Digvijay Singh. We are taking all steps to create a better coordination among the various government agencies.

70% of the water pollution is because of the municipal waste. Therefore, we have to coordinate among the Urban Development Ministry, Municipal Corporations and Municipal Boards for taking care of the water pollution.

A suggestion has been made that adequate financial arrangement should be made to enable the local bodies to treat effectively the sewage generated. As you are aware, the Central Government has taken up one very good programme under Central Ganga Authority, the Ganga Action Plan. In that plan about Rs. 294 crores have been earmarked for treating the water of Ganga at various stretches, mostly the municipal waste, the sewage treatment plants and also for improving the water quality of the river Ganga.

As far as other rivers are concerned, the Government has made studies of 14 rivers. Ganga Action Plan is only a beginning of the whole programme. As we will get more and more funds and gain experience from the implementation of the Ganga Action Plan, we are sure that we will take one after the other, other rivers also. In the mean time we have asked the State Governments to come forward with specific plans for the treatment of the rivers in their areas at different stretches where the water quality of the rivers has gone down very much.

A point has been made regarding river Yamuna. I think the Yamuna is also one of those rivers where pollution control measures have to be taken. As soon as we get more financial resources, we shall certainly

take care of Yamuna river also. In the mean time we have taken up the issue with the State Government of UP, with the State Government of Haryana and with the Union Territory of Delhi that some pollution control measures should be taken up. The Union Territory of Delhi and the UP Government have made certain plans for the sewage treatment and to improve the water quality of Yamuna river.

Shri Aziz Qureshi was very much critical about the working of NDMC. Naturally he must be. But as I have said, this is a matter which is directly concerned with the Ministry of Urban Development and Housing. I shall also take up the matter with that Ministry and see that this sort of irresponsible behaviour should not occur. Fortunately, the Hon. Minister for Urban Development is here, she has also heard the reaction and she will certainly take the most effective step to deal with the NDMC problem.

[Translation]

SHRIMATI MOHSINA KIDWAI: Action can be taken only when something is brought to my notice.

[English]

SHRI Z.R. ANSARI: I do remember on an earlier occasion when the Air Pollution and Control of Pollution Bill was under consideration Shri Aziz Qureshi had raised some points regarding the pollution created by some cement factories in his constituency—Satna. He has again raised the same point. I wish to assure on the Floor of the House that I have given instructions only the other day that effective steps should be taken against the polluter. We do not wish to distinguish between polluter and polluter. For me a polluter is a polluter whether he is big industrialist or a small industrialist, a public sector undertaking or a private sector undertaking. I have already given specific instructions to visit that are...

AN HON. MEMBER: Who will visit?

SHRI Z.R. ANSARI: After all, the machinery is the pollution control board. They will go and visit.

SHRI SRIBALLAV PANIGRAHI: We think they are callous. Why don't you send experts from here?

SHRI Z.R. ANSARI: I have asked the Central Pollution Control Board because in this Bill we are bringing this provision. We have been receiving complaints after complaints for sometimes that in certain specific areas the State Pollution Control Boards do not act efficiently. Therefore, through this amending Bill we want to give that power to the Central Pollution Control Board that in those areas where the State Pollution Control Boards do not act swiftly because of any reason the Central Pollution control Board may acquire the powers of the State Pollution Control Boards and take specific steps in those specific areas for a limited period of time. So we have provided in this Bill that those powers be given to the Central Pollution Control Board.

I have taken steps to ask the Central Pollution Control Board to look into this specific problem and if the pollution control measures are not working there to instal the pollution control measures in a time-bound programme and see that area is free from pollution.

SHRI SRIBALLAV PANIGRAHI: While participating in the debate we had brought to the notice of the hon. Minister specific cases where things have gone beyond their control and the concerned State Pollution Control Boards do not bother. Will the hon. Minister take out from the proceedings all those cases and send experts from here to those places?

SHRI Z.R. ANSARI: I have said of one specific case but to all those cases which have been mentioned by the hon. Members here on the Floor of the House we give the highest priority. As representatives of the people they know what sort of things are going on. I wish to assure the hon. Members

that whatever points have been raised on the Floor of the House we shall certainly get those things inquired into by the Central Pollution Control Board and take whatever steps possible for creating a good environment.

I just wish to give some facts about the steps which have been taken so far. Last year, 1,005 cases were launched against the polluters under the Water (Prevention and Control of Pollution) Act and 218 cases under the Air (Prevention and Control of Pollution) Act which are more than the prosecutions launched till the beginning of the last year from the inception of these two enactments. The Central Government has taken extreme steps under the Environment Protection Act and 15 units have been directed to close down their units because they are not taking environment protection measures.

SHRI SHANKARLAL (Pali): Whether these have been closed?

SHRI Z.R. ANSARI: We have issued notices. Notices for closure are issued. But let us be practical. If the units come to terms and give a time-bound programme that within such-and-such time, they will instal pollution control measures, let us be fair. We must give them a reasonable time to instal the pollution control measures.

SHRI SHANKARLAL: I think, not a single unit has been closed anywhere in India. Can you quote a single instance?

SHRI Z.R. ANSARI: I think, the hon. Member is grossly wrong. There are units which have been closed down. There are units which come to us asking for some time to instal the pollution control measures. The Central Government has looked into the time-frame. In certain cases, they have allowed some time for the installation of the pollution control measures. It is wrong to say that no unit has been closed down. I think, the units have been closed down. If the hon. Member is interested, I may provide him the names of those units which have been

closed down. (*Interruptions*)

I just want to react to the points made by one of the senior most Members of this House, Prof. N.G. Ranga. He is not here. His criticism or whatever points he had made were a bit different from those of other Members. While other Members had laid more stress on the pollution control measures, Prof. Ranga's was really a case that in the name of pollution control, let us not hold up the developmental projects. I do agree with that. We never meant to stop the development. We never meant to stop industrialisation. What we mean is, to carry on these developmental works along with the ecological concerns so that the ecology and the development could go together. And there should be a sustained development. At some point of time, it should not come to a halt because of the ecological imbalance or because of the total destruction of the environments. So, I am one with him that the projects should be processed quickly. I just want to bring it to the notice that in this Act, we have put a limit of four months. If any application has been made to the Pollution Control Board for clearance, for giving a no-objection certificate, we have given four months. Within the four months, the Pollution Control Board should take a decision either to clear it or to reject it.

If the Pollution Control Board does not take any decision either to clear it or to reject it, then as in the case of municipal laws, if anybody presents an application for the construction of his house or a plan and if it is not cleared within a certain time, then he is entitled to go ahead with his plans, in the same manner, we have provided that if within those four months either the case has not been rejected or cleared, then the industry shall be entitled to go ahead with its own plans.

As far as the clearance from the forest angle and environmental angle is concerned, all these projects were divided into three categories, that is, the status of these projects. Either they were cleared or rejected or pending or treated as closed.

Closed cases were sometimes taken as cases pending. Now I have just changed the whole procedure. There will be only three categories, i.e. cases cleared, cases rejected either on merit or for not giving the proper information. What we have now decided is that if the project comes to us for forest clearance, then within one month it should be cleared, if the application is complete in all respects and if all the information has been given. If they have not given the full information, then we will give one month's time, send them a reply that information on particular points are needed and we will wait for one or one and a half month for the information. If it is complete in all respects, then within six weeks time, cases will be cleared under forest clearance and three months for environmental clearance. If the information is incomplete, we will give one month's time in cases of forest clearance and three months in cases of environmental clearance to the proposer for giving the required information, if there is any lacuna and to make good that lacuna. Even after a lapse of one or three months for forest and environmental clearance respectively if the information is not received, then we will neither keep the cases pending nor treat them as closed. We shall treat them as cases rejected for not giving the information to the Central Government. We are not going to burden the Central Government or the Ministry of Environment and Forests for the lapses of those proposals or projects and share the criticisms of the hon. Members that the cases are pending for a long time with us. We will not keep any case pending for more than three months and for one month. This decision has been taken. Either cases will be sanctioned or rejected and there will no pending cases for more than three months. This is the position. I hope that this arrangement will improve the situation.

Some hon. Members of Himachal Pradesh have brought a very important problem of soil erosion and siltation of rivers and natural springs. I hope that the hon. Members are fully aware that the solid and water conservation measures are the real answer to this problem. The Ministry of

[Sh. Z.R. Ansari]

Agriculture is supporting certain schemes in a large measure, particularly in the Himalayas. Hon. Members are also aware that the Wasteland Development Board has taken some projects for the afforestation of those critical areas where the siltation problem is there. It will, however, take some time to get the results out of the efforts which are being made.

Some hon. Members mentioned about the Delhi Municipal Corporation. I have already replied to them. I have also mentioned about the other rivers.

SHRI JAI PRAKASH AGARWAL : What about Yamuna?

SHRI Z.R. ANSARI: The Union Territory of Delhi and the U.P. Government have drawn up certain schemes for cleaning stretches of Yamuna river in their respective territories. Haryana has not reacted so far.

As far as we are concerned, the portion of river Yamuna which is nearer Allahabad and those places where directly discharges are made in the Ganga, that is covered under the Central Ganga Action Plan, but for the stretches of Yamuna from here to Allahabad, the State Government concerned and the Union Territory of Delhi will have to take care of the respective stretches, or as soon as we get more resources. It is a question of resources. We will also gain some experience because of the implementation of the Ganga Action Plan. When the resources become available, we shall be able to take up some new areas and Yamuna river will also be one of those rivers which will be under our consideration for this purpose along with other rivers.

As regards awareness programme, the Government has given nearly Rs. one crore to 207 organizations for creating public awareness and for the participation of the people, specially the youths and the women-folk and other sections. Also, there are different agencies, mass media and newspapers that are engaged in creating awareness.

Shri Shantaram Naik raised the question that the industrialists should be made to pay for the effluents discharged by them in the rivers. Yes, how can anybody else be held responsible for the crimes of others? The nation should not be made to pay for such people. It is the duty of the polluter to see that he stops the pollution and he does not create pollution either in the air or in the water. The cost of pollution has to be borne by the polluters and not by others.

13.00 hrs.

Some Members of Orissa have made a case for the Mahanadi. It is one of the important mighty rivers of our country. This river also will be taken up along with other rivers when more and more resources will be available with us.

Sir, It is difficult to cover all the points. I have tried to cover the important points. I once again thank the Hon. Members for their valuable suggestions. I hope the Members of this House are much more aware of the problem of the pollution and so they will give their fullest support to this Water (Prevention and Control of Pollution) Bill.

Thank you, Sir.

MR. DEPUTY SPEAKER: The question is:

"That the Bill further to amend the Water (Prevention and Control of Pollution) Act, 1974 be taken into consideration."

The motion was adopted

Now, we will take up Clause-by-clause consideration of the Bill.

Since there are no amendments to Clauses 2 to 8, So, I will put all the them together to the vote of the House.

The question is:

"That clause 2 to 8 stand part of the Bill.

The motion was adopted

Clauses 2 to 8 were added to the Bill

Clause-9 (*Amendment of Section 18*)

MR. DEPUTY SPEAKER: Since Shri D.B.Patil is absent and there is no amendment to clause 10, I shall put clauses 9 and 10 together to the vote of the House.

The question is:

"The clauses 9 and 10 stand part of the Bill.

The motion was adopted

Clauses 9 and 10 were added to the Bill.

MR. DEPUTY SPEAKER: The question is

"That clauses 11 to 17 stand part of the Bill"

The motion was adopted

Clauses 11 to 17 were added to the Bill

MR. DEPUTY SPEAKER. Since there is no amendment to Clause 18 to 20, I shall put clause 18 to 20 together to the vote of the House.

The question is:

"That clauses 18 to 20 stand part of the Bill".

The motion was adopted

Clauses 18 to 20 were added to the Bill

MR. DEPUTY SPEAKER: The Question is:

"That Clauses 21 to 28 stand part of the Bill"

The motion was adopted

Clauses 21 to 28 were added to the Bill

Clause 1

Amendment made

1. Page 1, line 6

Omit " Manipur"

2. Page 2, lines 1 and 2, —

omit "Manipur." (2)

(Shri Z.R. Ansari)

MR. DEPUTY SPEAKER : The question is:

"That Clauses 1, as amended, stand part of the Bill.

The motion was adopted

Clause 1, as amended was added to the Bill

MR. DEPUTY SPEAKER : The question is:

"That the Enacting Formula stand part of the Bill"

The motion was adopted

Preamble

Amendment made:

Page 1, para 3,

omit " Manipur" (1)

(Shri Z.R. Ansari)

MR. DEPUTY SPEAKER. The question is:

"That Preamble, as amended, stand part of the Bill."

The motion was adopted

The Preamble, as amended, was added to the Bill

Title was added to the Bill.

SHRI Z.R. ANSARI: I beg to move.

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted

13.10 hrs

DELHI RENT CONTROL (AMENDMENT) BILL

[English]

MR. DEPUTY SPEAKER: Now the Minister, Shrimati Mohsina Kidwai.

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): I beg to move:

"That the Bill further to amend the Delhi Rent Control Act, 1956, as passed by Rajya Sabha, be taken into consideration.

Sir: You and the hon Members are aware that there have been demands from different quarters for amending the Delhi Rent Control Act. The proposals received have, however, been often one-sided—i.e. only in favour of the landlords or only to espouse the cause of tenants. The Government has, however, to take a balanced view which while being essentially supportive of the interests of the weaker sections of the society, does not inhibit development of housing for rental purposes and does not cause undue and extreme hardship.

With these particular considerations in

view, the Government has formulated the present Delhi Rent Control (Amendment) Bill, 1988, which was introduced by me in the last Session of the Rajya Sabha on the 13th of May, 1988. The Bill was considered and passed in the Rajya Sabha on the 30th August, 1988 with amendments since incorporated in the Bill now placed before this House.

The principal objectives and reasons for the amendment of the Delhi Rent Control Act, 1958, have been set out in the Statement of Objects and Reasons appended to the Bill; and therefore, they do not bear any repetition. However, to put these briefly, I may say that this Amendment Bill has three principal objectives.

The first objective is to rationalise the provisions of the existing Rent Control Law by bringing about a balance between the interests of landlords and tenants. With this end in view, and having regard to the general rise in the level of interest rates, the standard rent which was fixed at 7.5% to 8.25% of the cost of construction of the premises and the market price of land comprised in the premises on the date of commencement of the construction, is now proposed to be calculated on the basis of 10% of such cost of construction and the price of land. For offsetting the effect of inflation and rise in the cost of repairs and maintenance, provision has been made for the revision of standard rent to the extent of 10% every three years.

On their retirement, death etc. the members of Armed Forces, para-military forces, and the Delhi Police would be able to get one house belonging to them vacated from their tenants for self-occupation. Similar dispensation is also provided for widows.

Premises which have been let out for residential as well as non-residential purposes at a monthly rent exceeding Rs. 3,500 are being exempted from the purview of the Rent Control law; and consequently, the relatively affluent tenants of such premises will not be entitled to protection and benefits extended under the said law. On the other