

MR. DEPUTY-SPEAKER : Order, order please.

MR. DEPUTY-SPEAKER : The question is :

“This House approves of the Draft National Policy on Education—1986, laid on the Table of the House on 2nd May, 1986.”

The Motion was adopted.

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MR. DEPUTY-SPEAKER : Now we will go to the next item, Item No. 6 ; Rather, Item Nos. 6, 7 and 8. We have now to fix the time.

THE MINISTER OF PARLIAMEN- TARY AFFAIRS AND TOURISM (SHRI H. K. L. BHAGAT) : Item Nos. 6 and 7 can be discussed together but voted separately. I think one hour is enough because the whole business must be finished today.

MR. DEPUTY-SPEAKER : Yes, one hour is enough.

(Interruptions)

MR. DEPUTY-SPEAKER : They are making some objections.

(Interruptions)

MR. DEPUTY-SPEAKER : Hon. Members may go to their seats and resume their seats.

(Interruptions)

MR. DEPUTY-SPEAKER : Then, we will allot half-an-hour, half-an-hour, each.

SHRI NARAYAN CHAUBEY (Midnapore) : Why, even half-an-hour ? You can pass everything, as you have passed the others. *(Interruptions)* What is the use ? What is the use of bringing such bills up here ?

SHRI PIYUS TIRAKY (Alipurduara) : There are forty-two members here.

MR. DEPUTY-SPEAKER : One minute. The hon. Minister is on his legs.

SHRI H. K. L. BHAGAT : I say, that if you want to discuss these things separately that is different.

These are so controversial matters. We want to finish the business in time. That is why.....

(Interruptions)

AN HON. MEMBER : One hour each should be given.

SHRI H. K. L. BHAGAT : Then you should be prepared to sit extra time today after 6 P.M.

SHRI PIYUS TIRAKY : All right ; we will sit.

SHRI C. MADHAV REDDY (Adilabad) : We have now three Bills before us, and we have two hours at our disposal. First one is an important Bill and the other two are amending Bills. So, one hour may be allotted to the first Bill and other two Bills may be given half-an-hour each. In this way, by six we will close.

MR. DEPUTY-SPEAKER : Agreed. But this includes Ministers' reply also.

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15.50 hrs.

ENVIRONMENT (PROTECTION) BILL

[English]

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI Z. R. ANSARI) : I beg to move :

“That the Bill to provide for the protection and improvement of environment and for matters connected therewith be taken into consideration.”

I need hardly emphasise the importance of this Bill for Protection of Environment. We face serious environmental problems and the health and integrity of our natural resources are in danger. Environmental pollution caused by unplanned discharge of wastes and residues and improper handling of toxic chemicals or other hazardous substances has serious implications for the health and well being of our population. The Bhopal gas tragedy has poignantly brought home the dangers to human society, health and environment, which can arise from industrial accidents. There have been other gas leakages, on a smaller scale, before and after the Bhopal gas tragedy.

Hon'ble Members have been continuously expressing concern over these episodes and emphasising the need for taking adequate safeguards for prevention and containment of such accidents. The need for effectively controlling environmental pollution has also been emphasised time and again in the House. Government fully shares the concern of the hon. Members and has been examining how best to strengthen the legal framework and the regulatory agencies for this purpose. Efforts are also underway to promote safety at all stages, levels and operations, especially in hazardous industries where accidents can endanger not only the workers within factory premises but also the surrounding inhabitants and environment. Besides, it is also necessary to keep in view the more long term ecological and environmental imperatives. The hon. Members will recall that I had made a statement on 3 December, 1985 in Parliament that legislative measures for environmental protection would be strengthened. The present proposal is an important step in that direction.

I would like to highlight briefly the main aspects of the proposed Bill. The proposed Bill seeks to legislate in an area which involves complex scientific, technical and organisational issues. The Bill is general in scope and contains enabling provisions for taking measures for protection of environment. This is an area which has emerged in the recent past and where the state of the art is undergoing rapid change. For implementing the law it will be necessary to lay down guidelines, standards, criteria,

procedures, etc. in the relevant areas in consultation with technical experts. The necessary action for such rule making will be taken once the Bill is enacted.

The proposed Bill will enable Central Government directly to take a wide range of measures for environmental protection. The need for such powers has of late become especially evident. Under the provisions of the Bill, standards for emissions or discharge of environmental pollutants can be specified. Premises, plant, equipment, machinery, manufacturing processes, material or substances can be inspected and suitable directions given for prevention, control or abatement of pollution. Any person causing pollution can be ordered to take corrective measures or such action can be carried out at his expense. Procedures and standards can be laid down for handling hazardous substances. Procedures and standards can also be laid down for prevention of accidents which may cause environmental pollution and for taking remedial measures if such accidents occur.

The Bill contains provisions to enable quick and effective emergency responses. A provision has been made for intimation by concerned persons of apprehended or actual discharge of pollutants due to accidents or other unforeseen acts or events to designated authorities to facilitate speedy remedial action. Besides giving directions to concerned regulatory agencies and occupiers, it would be possible to enforce closure of operations and withdraw supplies and services (such as power or water). The Bill provides that specified classes of industries or operations or processes can be prohibited in certain areas or permitted only subject to safeguards. The provisions will help in ensuring that hazardous industries, operations or processes are not located in densely populated or ecologically sensitive areas; and that such existing activities can, in unavoidable cases, be relocated.

15.56 hrs

[SHRI SOMNATH RATH *in the Chair*]

The Bill will enable the Central Government to coordinate activities of Central and State Government officers, or other autho-

[Shri Somnath Rath]

rities for environmental protection. There are, at present, laws which deal directly or indirectly, with environmental matters. There are also regulatory agencies/inspecto- rates set up under such laws which function both at Central and State levels. The existing laws generally focus on specific hazardous or dangerous substances or types of pollution. They do not cover all the areas which need to be controlled for environment protection. The existing regulatory agencies lack jurisdiction in some areas. There are inadequate linkages in handling matters of industrial and environmental safety. Since the existing laws focus on specific aspects of environment, the regulatory agencies function within their limited fields. However, in environmental matters, it is necessary to have a long-term and global view. It is also necessary to harmonise and update the rules, practices or procedures of different regulatory agencies. At present, there is no clear focus of authority or responsibility for preventing or coping with damages to environment originating in industrial or related activity. There are areas which are either not covered or fall between the jurisdictions of existing regulatory agencies. An authority is, therefore, necessary for coordinating the activities of existing regulatory agencies bearing on the environment and for devising systems for long term environmental protection and speedy and adequate response to emergency situations threatening environment. The Bill, therefore, provides for an authority or authorities for exercising the proposed powers and functions.

To the extent possible, the new law will be implemented using the provisions of the existing Acts and the proposed authority will be able to give directions to other regulatory agencies. The authority, however, is not intended to replace any existing regulatory agencies under different laws.

16.00 hrs.

The proposed legislation provides for stiff penalties. Penalty for contravention of provisions of the Act and the rules, orders or directions thereunder will be imprisonment for a term which may extend to five years—

this is the teeth which we are going to provide — or fine, which may extent to rupees one lakh or both; and with an additional fine of rupees 5000 every day if violation continues after conviction. If the offence continues beyond a period of one year after the date of conviction, it will be punishable with imprisonment upto seven years. Private complaints will be cognisable after 60 days notice is given to designated authorities. The jurisdiction of civil courts is barred in matters falling within the purview of the proposed legislation.

Sir, Laws can only provide the framework for protection of the environment and it is necessary that official and voluntary agencies should work together to create the needed awareness. Indeed, environment is all-pervasive and the success of our efforts in this area ultimately call for the involvement of the entire population at all levels.

Sir, I am sure that with the provisions proposed in the draft Bill some of which I have briefly mentioned in my speech, Government would be able to protect the environment more effectively.

Sir, I move.

MR. CHAIRMAN : Motion moved :

“That the Bill to provide for the protection and improvement of environment and for matters connected therewith, be taken into consideration.”

SHRI G.L. DOGRA (Udhampur) : Sir, I rise on a point of order. My point of order is this. If you see Clause 1, sub-clause (2) you will see that it says ‘It extends to the whole of India.’ It includes the Jammu and Kashmir State. Now, in my opinion it is coming under the Seventh schedule, First Part, Entry 97.

MR. CHAIRMAN : You please let me know what is the point of order? Which rule is infringed? What is the point of order?

SHRI G.L. DOGRA : I am explaining that.

SHRI ABDUL RASHID KABULI (Srinagar) : He says, it cannot be extended to Jammu and Kashmir State.

MR. CHAIRMAN : Let him say. You are not to say.

SHRI G. L. DOGRA : If you read it, it says that it will extend to the whole of India.

MR. CHAIRMAN : I want to know which rule has been infringed.

SHRI G. L. DOGRA : Constitution is there. Entry 97 as is applicable to Jammu and Kashmir will not be able to cover this. That is what I am raising.

MR. CHAIRMAN : That point can be decided by courts. One can go to court. Not here. Over-ruled.

SHRI P. NAMGYAL (Ladakh) : I am not opposing the introduction of the Bill. My point of order is only this. It is a technical thing. My point is under rule 376. Under the Constitution of India, Article 370 says that any Act applicable to the whole of India cannot be applied to the State of Jammu and Kashmir unless the concurrence of the State Government is taken. What Mr. Dogra means is that perhaps the Minister must have obtained the concurrence of the Governor of Jammu and Kashmir State.

MR. CHAIRMAN : Rule 376 merely says, point of order can be raised. Nothing else.

SHRI P. NAMGYAL : Article 370 of the Constitution is there.

MR. CHAIRMAN : I only want to know which rule is infringed.

SHRI P. NAMGYAL : Article 370 of the Constitution of India.

MR. CHAIRMAN : How it is infringed? You please tell me.

SHRI P. NAMGYAL : I told you, Sir. Any Act made by the Parliament (which is applicable to the whole of India) cannot be automatically applied to the State of Jammu and Kashmir.

MR. CHAIRMAN : Kindly hear me. This is again a point to be decided by the courts.

(Interruptions)

MR. CHAIRMAN : In the garb of point of order no statement will be made. If you feel that any rule of the House is infringed upon, then only please raise the point of order.

SHRI P. NAMGYAL : That is what I am raising for, Sir.

MR. CHAIRMAN : If any other thing is to be decided by the court of law, it is for the court to decide. So, it is overruled. I gave my ruling.

SHRI P. NAMGYAL : We are not against this Act. We welcome this Act, we do not oppose it, but . . .

(Interruptions)

MR. CHAIRMAN : Now, Shri Madhav Reddi. Are you moving your amendment ?

SHRI C. MADHAV REDDI (Adilabad) : Sir, I move :

“That the Bill to provide for the protection and improvement of environment and for matters connected therewith, be referred to a Joint Committee of the House consisting of 30 members, 20 from this House, namely :—

- (1) Shrimati Akbar Jahan Abdullah
- (2) Shri Basudeb Acharia
- (3) Shri Z.R. Ansari
- (4) Shri Bhattam Sri Rama Murty
- (5) Shri Somnath Chatterjee
- (6) Smt. Usha Choudhary

[Shri C. Madhav Reddi]

- (7) Shri Saifuddin Chowdhary
- (8) Shri Mool Chand Daga
- (9) Prof. Madhu Dandavate
- (10) Shri Indrajit Gupta
- (11) Shri Abdul Rashid Kabuli
- (12) Dr (Mrs) T. Kalpana Devi
- (13) Shri P. Kolandaivelu
- (14) Shri Hannan Mollah.
- (15) Shri D. N. Reddy
- (16) Shri K. Ramachandra Reddy
- (17) Shri V. Tulsiram
- (18) Shri K. P. Unnikrishnan
- (19) Shri Girdhari Lal Vyas
- (20) Shri C. Madhav Reddy

and 10 from Rajya Sabha ;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total numbers of the Joint Committee ;

that the Committee shall make a report to this House by the last day of the next session ;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committee shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee".

Sir, I rise to welcome this measure which is to be supported by all sections of the House because, as you all know, our eco system is very much disturbed and we are all very much concerned about it. But what I point out at this stage is that this Bill has been hastily drafted. It has got a number of mistakes and a list of nine mistakes in it have been circulated.

(*Interruption.*)

It was introduced with the permission of the Speaker yesterday and today it is brought for consideration. Sir, had it been

an ordinary Bill amending a clause or two, it would have been easier for the Members to study, to understand and to speak. But this is a very important measure. This is the Act which is coming before us after waiting for 10 years or even more because this is based on the recommendations of the UN Conference at Stockholm which was held in 1972. Sir, I was going through the Report of the Stockholm Conference which contains 109 recommendations. These are the recommendations made to all the participating countries including our own country. We all support it, we are very vociferous that this should be brought about, but we waited for 12 years, but now when we are bringing this Bill, it is only a comprehensive Bill. The Minister was just now telling and he was right that Government is taking the powers to make rules, which means all the important points that you want to have or all the important measures that you want to take, you want to include in the rules. Am I correct ?

SHRI Z. R. ANSARI : Yes, you are right.

SHRI C. MADHAV REDDI : As far as the rule-making power of the Government is concerned, it only concerns with the administrative and other implementation part of it, not with regard to several other measures which we have to take. In that case, the rule book will be about 500 pages, if you are going to incorporate all the 109 recommendations of the Stockholm Conference. I would suggest that it would have been better had the Government waited for some time and called a Conference on the lines of the Stockholm Conference, invited all the State Governments, all the agencies which are concerned because just now the Minister was telling that it is one thing to pass a legislation, but unless the people are committed, unless the legislation is implemented the ecology cannot be saved. How are you going to educate people ? How are you going to involve the people ? As you all know, there are several laws already existing, but they have got their own limitations because they are not comprehensive legislations, they are laws concerning various specific hazards and these laws are actually in operation, but you will be surprised to know that many of the

State Governments are not concerned with the problem at all. You are just going on sending circulars, but they will never listen. It is because, they are not involved; they are not committed. They do not know the importance of protecting the ecology of the country. How are you going to get them involved? I am reminded to think of the several countries before the Stockholm Conference. Before this conference, no country was serious about this problem. It is only after 1972, when all the countries joined together, when they deliberated on it for several days and when they concluded these deliberations, the realisation has come about. How are you going to bring about this realisation in this country? Unless you call a conference of that magnitude involving all the agencies, I am afraid, it is not possible and it will remain only on the statute book and no implementation will take place. Many of the measures have to be taken by the State Government. After all they are the implementing agencies. There are certain voluntary agencies which you have mentioned just now. But by and large, it is the Departments of the State Governments who have to take action. How are you going to involve those departments? Have you called all of them and consulted them before drafting this Bill? No, it has not been done. This is a programme in which the people have to be involved. Several agencies have to be involved. If today in Garhwal district, the felling of trees has been stopped, it is only because of the Chipco movement started by Mr. Sunderlal Bhuguna. It is only because of his mass movement that this could be stopped. On the same lines, whether it is a question of industrial effluents or any other hazardous thing, they are to be educated. The people should know; administration should be involved. The State Government Ministers, political machinery, non-political administrative machinery have to be involved. That has not been done. That is my grouse. That is the reason. Even though I support the Bill I feel that it is too premature and some preparatory work has to be done before a comprehensive Bill is brought before this House. I have no time at my disposal and I do not want to take much time of the House. I feel that the amendment which I have moved that it should be referred to the select Committee

be the Select Committee be accepted so that the Select Committee may reach each and every State headquarters, talk to them and find out what is to be done, what is the intention of the Government and these things have to be told. And then a comprehensive Bill should be prepared and brought before this House.

SHRI DIGVIJAY SINH (Surendranagar): Mr. Chairman, Sir, today's discussion on the Environment Bill reminds me of two very eventful debates on environment which took place here in 1980 on the rape of mother and in 1982 on the dying ocean, and the whole House joined the debate.

For the first time, we have been discussing the environment over two Bills and I would at the outset compliment the Government, the hon. Prime Minister who is incharge of Environment and the Minister of State for Environment for a few good things that have been initiated lately.

First and foremost is something which has happened today. While discussing the national educational policy, it is heartening to note that there is a specific chapter included in the policy namely a chapter on environmental education. It is very encouraging. I also hope that the Forest Conservation Act which is being amended will also be brought before the House, by the Monsoon session to strengthen the laws of forest protection. I am also impressed upon with the two new agencies which the Government has set up, namely the Central Ganga Authority and the National Wasteland Development Board. I do know that the good effects of these programmes may be received by the next generation. But it has to be done and I am sure we are all in full consonance with these programmes.

I would also like to tell you and I would like the hon. Members of the Opposition to know that we in the Congress Party have even started a cell, a Party cell on Environment and I wish that all the political parties in the Opposition also do the same. Today at 5 O'clock in the Annexe the hon. Prime Minister is inaugurating the first meeting of our Party Cell on Environment.

[Shri Digvijay Sinh]

I would also like to draw the attention of the hon. Minister to a few of what I feel, glaring anomalies which, I think, should have been considered. First of all, while discussing the Environment Protection Bill I would like to submit that the Government knows that there is a forum of Parliamentarians on Environment consisting of more than 100 members of Parliament which we call the Parliamentary Environment Forum of all Parties and before this Bill was brought before this House, at least this Parliamentary Environment Forum should have been consulted because many new ideas, many basic ideas would have been thrown up. Nevertheless, now that it is before us, my preliminary remarks are that on the whole it is a good Bill. It acts an umbrella legislation which knits the various enactments on environmental protection under one umbrella. It also gives a little greater responsibility to the citizen to raise issues where the Government or any implementing body has failed in implementing the environmental laws. But a couple of things are glaring which I think should have been included. One is a better appoit should have been established with those countries, specially, the United States and some other advanced countries where the art of standing to sue has been there for the last whole generation, maybe for 50 years—where the art of standing to sue, an individual who stands to sue against the non-performance of the Government. That should have been included.

I do not know whether the Department on Environment has a legal cell. But even if it does not have, it should have a good cell which can advise the Government on all these things.

Second thing I have been hammering and I have been talking about since the last so many years is on the need to have Mofussil Courts or Tribunals which can be even peripatetic and which can go round where a person can go and lodge a complaint against the non-performance of the Government. All these provisions could be made available more easily to the petitioner...

MR. CHAIRMAN : You mean Mobile Courts ?

SHRI DIGVIJAY SINGH : Yes mobile courts or Tribunals like the Tribunals which you have for other areas. With the greater awareness of the environment round the country and implementation of various laws for the protection of nature, whether it is wild life or pollution whichever it is, why cannot we have mobile courts which can dispense the law at the rural level ?

I would like to draw the attention of the House because I did not have a chance to raise discussion under Rule 193 on various questions that I had asked in Parliament and got negative replies. I will take only 3 to 4 minutes of this august House to talk about them. One of them is the saw mills. There is no policy with regard to the saw mills and the saw mills are the greatest damaging agencies of the forests. There should be national policy on saw mills. I asked a question and got a negative answer. Secondly, I asked a question on a provision in the Seventh Five Year Plan to set up District Environment Committees by the State Government and should be funded by the State and the Centre equally. The provision is there. But, in a sense, no financial allocation has been made. So, without that, how do you create an awareness at the grass-root level ? I want this to be done immediately this year. There should not be any delay. I asked the question. But the answer was negative. I had asked the question. But the answer was wrongly replied. The question was whether there has been a protocol between India and France. The reply is 'No, Sir ; it does not arise, since the Central Ganga Authority is functioning in coordination and protocol with France.

Tax benefits have been given for any industry which wants to shift out of the congested areas. The question asked was : how many industries have taken advantage of this tax benefit to shift out of a congested area ; the money accrued from the sale of land and property and the machinery which would attract no capital gains provided it is ploughed back in five years. The answer is none. I wish that there is a healthy debate on this.

SHRI SHANTARAM NAIK (Panaji) : Sir, this legislation is initially welcome. We required a general legislation on this side and you have got this one. One honourable Member has also described this Bill as an ideal and good Bill. I will not say so. Because, if you see the major part of the law, it is not a comprehensive one. What measures you are going to take in future on environment are not contained in the Bill. It is only a 20 per cent legislation. 'Major part of the law will come in the (a) directions (b) measures and (c) rules which have been provided for in the Act. This is a sort of skeleton law. For instance, if you go through Clause 3, sub-Clause 2, it provides for so many measures to be taken. Now, you will take measures in future when the Bill will be passed. What measures these are, we do not know. Only subjects have been given. Similarly, you have provided for directions under Clause 5. Notwithstanding anything contained in any other law but subject to the provisions of the Act, the Central Government, in exercise of the powers and performance of its functions, may issue direction in writing etc. etc. These directions include the closure, prohibition or regulation of any industry in operation. Now, when this direction should be issued, when the industry should be closed under this Clause, is not stated. Such a vast source of delegation of powers is not a true legislation to that extent. The delegation of powers must be to the lesser extent. But major part of it must come in the Bill. For instance, about 60 to 70 per cent must be laid down in the Bill and the 30 per cent should be left to the rule-making power, direction-making power and measures-taking power. Unfortunately, it is not so here. Ultimately, today we are taking up this subject seriously. What is the punishment provided for? The punishment may extend upto 5 years or with a fine which may extend to Rs. 1 lakh. So, the first option is fine and all industrialists who are violating and the other persons who are violating it, will go scot-free with fine. Unless you make it compulsory imprisonment for violation of environmental law, nothing will be done.

SHRI R. P. DAS (Krishnagar) : Sir, this Bill has come in the context of the Bhopal gas tragedy. We are glad that this

Bill has been brought before the House at last. Its main purpose is to cover the aspects of industrial safety and management of hazardous substances. It is a very good piece of legislation and if it can be implemented, it will have its relevance. Otherwise, a very good Bill like this may lose its relevance. I would like to support this Bill. I would also like to point out two things.

I would like the Minister to say whether enough funds could be provided for implementation of the provisions of this Bill. As far as we know, during the Kumbh Mela, nearly crores of rupees were spent for clearance of drainage and for other municipal services in Haridwar. That was done in a very good manner, no doubt, but that was done at the instance of the higher authorities, that was done under certain pressure and the employees were made to work. As a matter of fact, there is no urge on the part of the Municipalities themselves to have the municipal services done properly in their areas. For instance, there are hundreds of Municipalities on both sides of the Ganges which are responsible for the pollution of the Ganga, because they discharge their entire polluted water into the river; in this way the river water is polluted to such an extent that the water cannot be used for drinking purposes or for any other purpose. It is no longer the holy water that it used to be. There is a Ganga Action Plan for clearance of the entire stretch of the river, and that Action Plan is supposed to be implemented.

As far as I know, there are eight schemes in West Bengal for several towns and about Rs. 68 crores were sanctioned under the Ganga Action Plan, but only Rs. 1 crore could be released so far for implementation of the schemes. Therefore, it is abundantly clear that the Authority, the Government, could not fund these schemes. It will be very much relevant if the Authority could arrange for funds for implementation of the schemes.

The second point is, that the people have to be involved in the protection and preservation of the environment. According to the Chairman of U.P. Jal Nigham, the

[Shri R.P. Das]

general public are responsible for pollution of water only to the extent of 5 per cent, but the Municipalities are responsible for pollution of water to the extent of 60 to 80 per cent. Industries and public sector undertakings are also responsible for pollution. Therefore, the Municipalities and all other people should be motivated, should be taught, in such a manner that they take care of this aspect and do not pollute the water.

16.20 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

[*Translation*]

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, this Bill tells us about an objective but it is silent about how this objective is to be fulfilled and what measures would be adopted for this purpose. I want to request Shri Ansari that merely making law is not sufficient, you should have a proper machinery to enforce and implement it. The present machinery is not even properly manned. It needs to be strengthened. There are Pollution Control Boards and Water Pollution Control Boards in the States but you know better about their actual performance. I would like to submit in this regard that at present besides making legislation for the protection of environment, the need of the hour is to generate an awareness among people regarding observing these laws.

There is an apprehension among the people in some areas that the laws framed for the protection of environment are not meant to protect their interests but these will be used against the interests of the local people. As my colleague Shri Digvijay Singh has just now pointed out that the Forest Conservation Act 1980, does not fulfil the aim for which it was made. There are many adivasi areas which have dense forests. The people there feel that the Forest Conservation Act does not protect their interests. These laws are not the public but public is meant for them. This type of feeling is being generated. I would

like to make a request in this regard that whenever there is discussion on this subject at least the opinion of the people from the areas which abound in forests, should be sought. A feeling should be generated among the people there that laws are being made to control something.

So far as the question of giving information to the people is concerned, you had mentioned about a scheme of forming a committee at district level by the State Governments. In this context, I would like to request you that there is a need to bring this scheme to hill areas at university and degree level. There is a need of making a central body to coordinate it.

With these words, I conclude.

[*English*]

SHRI SOMNATH RATH (Aska): I only invite the attention of the Hon. Minister to one point; that is the Effect of other laws as stated in Section 24 (1) and (2) of the Bill. It says:

'Save as otherwise provided by or under the Atomic Energy Act, 1962 in relation to radio-active air pollution and subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.'

Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act."

So, for example, as for the environment, cutting of the forest should be stopped. There is an Indian Forest Act and also State Forest Act. There, the punishment is only simple; only fine or a few months' imprisonment. But here the punishment is five years imprisonment for the first

offence and seven years imprisonment for the second offence, besides fine. So, what will be the fate of this Act when it is said that this is a comprehensive Bill? Environment means stopping the cutting of forest which is very very important. Under those circumstances what will happen is that the persons will cut the forest; but they cannot be punished under this Act.

Secondly, about the water pollution, the States have got their laws, the Centre also has got the law. With regard to air pollution also the Centre has got another law. Then, what is the effect of this law? If there is pollution—either air pollution or water pollution—and cutting of forest the accused will be punished under those Acts and not as envisaged in this Bill when it is made into an Act. So, I do not think that anybody will be afraid of the higher punishment stated in this Bill. It will have no effect and teeth. Practically it will not punish those persons who are violating the law and polluting water and the atmosphere. I think, the Hon. Minister will consider this.

If you call this a comprehensive Act, the provisions of this Act should prevail over other Acts in existence. So, practically punishment as laid down in this Bill will be ineffective and redundant.

In this Bill under Section 19 there is a provision giving scope to an individual to complain. I think, in Food Adulteration Act there was such a provision. I would like to ask the Hon. Minister as to how many persons have taken advantage of this right and filed in courts complaints against those who have committed offence. If a person has to complain, who will bear the expenses of that complaint? That may be made clear in the rules; or else individuals may not come forward to complain against the offenders.

I welcome this Bill and I request that these two aspects may please be considered by the Hon. Minister while he replies.

SHRI P. KOLANDAIVELU (Gobichettipalayam): Mr. Deputy Speaker Sir: I welcome the Bill out of public interest. This

Bill ought to have been brought before this August House about 10-12 years back. But after the Stockholm Conference so many recommendations have been made—about 109 recommendations have been made. By those recommendations you are bringing a Bill, that too after the Bhopal gas problem and so many other gas problems.

I want to draw the attention of the Hon. Minister with regard to Clause 17 and 23 of the Bill.

The clause reads:

“Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.”

Supposing he is able to say that without his knowledge it has taken place and he is not guilty of the offence. Now under this guise anybody can escape from the clutches of law. So, this clause should be made more stricter so as to include Government officers also.

Clause 23 is about ‘power of delegation.’ You are delegating power only to an officer or the State Government. But I want to say that you are making an inroad and encroachment upon the powers of the State. Full powers have to be given to the State in order to implement the various provisions and then only the Act will be of public interest nature, and even the State Governments will be having their powers to take action against those who are found guilty.

In the Statement of objects and Reasons you have said because of the environment pollution and other things ecology is not being kept fully well and, as such, this Bill has been brought. I request the hon. Minister to educate people on this aspect. We have to educate people then only this Bill can be of some use to the people. Thank you.

PROF. NARAIN CHAND PARASHAR (Hamirpur): Sir, I welcome this Bill and congratulate the hon. Prime Minister and the Minister of State for Environment for bringing this Bill. The concern for environmental quality has been reflected in the Bill and it has been observed as to what is the duty of the Government, other companies and even individuals to keep the environment clean.

I would like to invite your attention to Clause 17 :

“Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.”

This refers to only commitment of an offence whereas earlier the point has been highlighted that non-performance of duty and omission should also be included in the list of Criminal activities. The municipal committees and DDA are responsible for creating so much dirt which is polluting the atmosphere in Delhi. They have open sewage and even sewerage tanks with the result that it becomes difficult for the people to live near the tank. They do not bother about it. Though the plans were different yet on the last pretext of finding no solution they have these tanks. Such kind of activities, namely, failure to cover the sewerage or septic tanks or allowing the sewage water to flow in the open are the omissions. They are not included under the act of commitment. The civic activities should also be included in the purview of this.

Sir, civil courts have been kept out of this. They have been debarred from entertaining any suits into their purview. This is a welcome step otherwise a lot of litigation will be involved but I would request the Minister to ensure that not only these rules are made accordingly but also such loopholes are plugged. Now, sir, every Head of Department will try to prove that the offence was committed by his juniors and without his knowledge. The intention of the Bill is not to punish the

Junior Engineer or an employee of the company but the Head of the Department. So, the loop should be plugged. When a Minister has to resign for mistakes committed by a Government servant why should not the head of the Company or the head of the Department be made responsible for this Commission or omission. Sir, with these observations, I welcome the Bill and it is good for the environment in this country.

[*Translation*]

SHRI C. JANGA REDDY (Hanamkonda): Mr. Deputy Speaker, Sir, I welcome this Bill. Wherever factories are set up in India, trees should be planted in the maximum possible area. Factory premises should have enough unbuilt space so that trees could be planted there. It should be made mandatory for the factory owners to observe this rule so that the air pollution is removed.

We should also take steps to clean the river Godavari. Sufficient arrangements should be made to remove the air pollution and water pollution in the country. If we bring green revolution in the country, we can purify the air. The people who cause pollution or do not observe the Pollution Act, should be awarded condign punishment. If this work is left to the officers of the State Government, then they might show leniency. I want that there should be an independent body to take action in this regard. If there is no independent body for this purpose and Inspectors also are the employees of factory-owners, then this Act cannot be implemented. Therefore, be it Central Government or State Government, an independent body should be formed for this purpose. The Inspectors who are the employees of the factory-owners cannot set the things right. I want that this task should be dealt with independently.

While issuing a license for a factory, you should lay down this condition that the factory should be at a distance of 5 to 10 kms. from a village and there should be 2 to 3 acres of land around the factory in which trees are planted. Then only you can check the pollution caused by the factory.

With these words. I support the Bill.

SHRI RAM PYARE PANIKA (Robertsganj): Mr. Deputy Speaker, Sir, I welcome this Bill whole-heartedly. It was being felt for quite some time that such a Bill should be introduced. As Prof. Parashar has expressed his doubt in this matter, I also think that the authorities are showing slackness in the discharge of their duties. There must be some improvement in this. I want that the Head of the Department should be entrusted with the responsibilities in a definite manner. Otherwise, what may happen is that if a complaint is filed against a certain collector, the village record-keeper may wrongly be accused of the same guilt by the time the enquiry comes to an end. In other words, it may happen that an employee of a company is accused of an error which the company itself has committed.

We are all aware of the extent of pollution in our country. I shall tell you about my constituency. Life has become very difficult there due to the emission of smoke from the various factories. The environment in the forest areas is also getting more and more polluted. The concerned officials do not like to visit those areas. Those who are posted there want to get themselves transferred to some other area. I would like that a special survey of the Mirzapur Constituency should be conducted and seen how life has been made miserable there.

I welcome the Bill that has been introduced which would benefit the whole country. The shortcomings in this Bill should be removed. Trees are being felled rapidly and forests are vanishing. By our "Conservation of Forests" Act, very wrong notions are spreading among the people. The Conservator, by using his authority, is filling law-suits against the people. Thousands of legal cases have already been filed. Thus, he is misusing his authority and each conservator earns upto Rs. 1 lakh in this way. Therefore, you must frame strict rules and laws and get those enforced so that the common people do not have to face any hardship.

With these words, I conclude my speech.

[English]

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram): Sir, I rise to welcome this Bill as a positive step towards protecting the environments. Several provisions have been made to control various types of pollution. As the time is limited, it is not possible to cover all the points. I would, therefore, take this opportunity to put forward only a few things before the hon. Minister.

Apart from controlling pollution, one has also to protect the environments that exist around us. Several Members have said and all of us know that one of the reasons for polluting the environments is denudation of forests. In this respect, I would like to bring to the notice of the hon. Minister that one of the main hazards to the forests today is not just felling the trees for timber. I represent an area which is covered by a lot of this kind of area. I find that one of the greatest hazards to the forest is the felling and cutting of the trees for making charcoal. They get a permit for making a certain quantity of charcoal and with that permit they go on cutting the trees. There is a lot of corruption and it is difficult to control it. I would like to take this opportunity to appeal to the hon. Minister and request him to come forward with a Central legislation to prevent the felling and cutting of trees for charcoal. Permits for making charcoal should not be given to anybody anywhere in all the States. I think it will go a long way in the controlling of denudation of forests.

The second point that I would like to bring to the notice of the hon. Minister is about the new eucalyptus culture. There are several conflicting reports about it and many feel that eucalyptus trees in these areas can be bad for the environment in the sense that it also affects the soil; nothing grows after that. They say that it is not useful for anything; it is useful for fuel only. Besides that it also affects the ground water sources. There are several other factors which are not conducive to this kind of growth. I would like the hon. Minister to take certain steps from the Centre to educate the State Governments about this and prevent indiscriminate

[Shri V. Kishore Chandra S. Deo]

planting of eucalyptus on the hilly slopes or forest land which has been denuded.

I hope he will also take positive action to see that the making of charcoal is prevented.

These are the only two points that I wanted to make. I would also like to thank you for the opportunity given to me to make these points.

[*Translation*]

SHRI AZIZ QURESHI (Satna) : Mr. Deputy Speaker, Sir, First I would like to congratulate the hon. Prime Minister and the hon. Minister of State in the Ministry of Environment and Forests for introducing this Bill. Then, Sir, I would like to request that if the scope of this Bill is limited to certain large cities, then perhaps, we would not be doing justice to our task. I would like that your monitoring and your implementation should cross the boundaries of the cities and reach those backward rural areas, the Adivasi areas and "No-industry districts", where the big industrialists like the Tatas and the Birlas have encroached upon the rural land, set up industries there and thus destroyed the entire environment. To illustrate my point, I would like to refer to my own constituency, Satna. In this constituency of Madhya Pradesh, there are three cement factories located in the areas of Satna, Camore and Maihar. It seems as if the people working in those factories as also those who are living nearby are not considered as human being at all. Since the time I have been elected from this place, i.e., for the last one year, I have been raising my voice against the big industrialists in the Lok Sabha, through the medium of Questions and Debates, but the reply has been the same every time, the actual question has been evaded and full protection has been granted to those erring industrialists. They have such powerful connections that the officials sitting in your Ministries and Secretariats protect them and so long as they provide protection in this manner, we can take no action against them. I would request the hon. Minister to go along with me to

Satna, Camore and Maihar, where the cement factories are located. At least upto a distance of 20 miles around those places it cannot be said that the people are hail and hearty and are breathing fresh air in an open atmosphere. In those areas, the crops are destroyed, the cattle die and the health of the human beings is adversely affected. Those who work in those factories are not regarded as human beings at all.

I would like that where you have provided so much in the Bill, you should also keep a provision by which compensation could be paid to those whose crops or cattle are destroyed, or if an individual's health or the health of the members of his family is affected in any way. Attention must be paid to this.

I would like to point out one more thing. There are several Government Undertakings and there is a place named Jeertalaj in my constituency where the lime-stone mines of Bokaro Steel Plant are situated. You must go there and observe the situation for yourself. I have raised questions in the House in this regard, but it is regretful that the concerned officials have not divulged the facts to the Government. The living condition of the workers in that undertaking is a matter of shame and sorrow for us. Therefore, you must pay attention towards this also. The treatment being meted out to the workers by the officials of the said undertaking is most deplorable.

With these words, I support this Bill.

SHRI ABDUL RASHID KABULI (Sriragar) : Mr. Deputy Speaker, Sir, so far as this Bill is concerned, the first thing I want to urge is that you should see if this Bill can be extended to Jammu and Kashmir or not. On principle, I support this will. I do not oppose it. I think that this Bill is practical and beneficial especially to Jammu and Kashmir. The ecology and environment of that areas have been jeopardized in many ways. To solve the problem this type of law was very essential. I submit that this bill attracts the provisions of Article 370 of the Constitution. It falls under VII Schedule, List I, entry 97 covering Residuary Powers. So it cannot be extended

to Jammu and Kashmir ordinarily. This Bill cannot be applicable to that State until the State Legislature does not adopt and implement it. This Bill cannot be directly applied to Jammu and Kashmir from here. So I would like to appeal through Mr. Deputy Speaker to note this lapse because somewhere, some wrong might be done. Day before yesterday, Muslim Women Protection Bill was passed and it was clearly mentioned in the Bill—"The Bill does not apply to Jammu and Kashmir."

So, I would like to say that the Parliament which guides the destiny of whole country should not do this. The second thing I would like to say is that Taj Mahal is endangered. Such type of monuments are to be protected. An oil refinery has been set up in Mathura. I do not know what solution or way-out you have chosen but something should be done in this regard. Yesterday only, Dal lake was shown on television. It has been heavily polluted. Dal lake is an example of beauty of not only Kashmir but of the whole of India. But that Dal lake is being polluted and is shrinking. Jammu and Kashmir has made a project for its development and it should be financially assisted. Such type of Lakes should be protected. Such industries should be established there as do not cause pollution. I want to tell that all told I welcome this Bill. We want that Jammu Kashmir legislature should adopt and recommend it. But you cannot directly apply it to Jammu and Kashmir unless you make a provision therefor in the Bill itself.

[*English*]

DR. PRABHAT KUMAR MISHRA (Janjgir): I rise to support the Bill on Environment Protection and I congratulate the Government for taking firm decisions regarding environment comprising constant supervision and punishment if found wrong or if found acting against the interest of the living creatures, plants and also the soil.

But Sir, I regret to state that though there have been rules and regulations in the past, to my astonishment, the minimum required goal could not be achieved. The Government is very liberal in giving licences

to industries and this resulted in unplanned industrialisation in the country, especially in the tribal sector. Once the land is acquired for the plant or factory, it not only affects the land itself in which it is installed, but also the surrounding areas upto a radius of 25 KM, and pollutes the whole area.

Pollution is all the more, so far as cement plants are concerned. For example in Akaltara of Bilaspur District, there are two cement factories within a radius of 10 KM. But these affect the ecology of the area and fertility of the soil upto a radius of 50 KM. Sir, environment is totally connected with forests. But out of the 300.5 million hectares of geographical land of our country, there should have been 100 million hectares of land as forest land, but only 70 million hectares of land is forest land, and out of which 50 per cent is only the so-called forest and 25 per cent is only the deep forest. So, there should be re-forestation. The Government should look after deforestation more to meet out the equilibrium, of this environment.

Sir, I would like to draw the attention of the Government to the Korba, the biggest industrial town in India. There is not only a problem of suspended particulate material, but also the increase of Carbon Monoxide and Sulphur dioxide and decrease of Oxygen in the atmosphere. But the disequilibrium of the air in the atmosphere is the main cause which is creating trouble not only to the humanbeings but to the plants also. Sir, it is the main source of income. It is also affecting the plants. For your information the Sal trees are dying which is an economic loss also. In the last, I would like to draw the attention of the hon. Minister that he should keep a close monitoring of the public sector and the private sector, and I particularly stress more on private sector as in the District of Bilaspur, where there are two paper mills—Brook Bond Paper Mills and Madhya Bharat Paper Mills—which are polluting the water of Aropa and Hasdeo rivers. The humanbeing and the animals which are using the water of those rivers are badly affected. They are causing bloody diarrhoea to children and so many other diseases as it contains large amount of chlorine and Caustic Soda. So, I would request the Government to monitor the things

[Dr. Prabhat Kumar Mishra]

and frame rules and regulations. And those Rules should be followed both by the Private Sector and the Public Sector. And the Private Sector and the Public Sector should be asked to regulate their plants so that it does not cause any air or water pollution.

SHRI D.B. PATIL (Kolaba) Sir, not that there are no Acts, as regards air pollution. The Acts are there. But the main question is about its implementation. Even if it is enacted and if it is not implemented properly, there is no use of this Act. So, far as air pollution and water pollution is concerned, it is not only the responsibility of the private industries but it is also the responsibility of the public undertakings of the Central Government and the State Governments. Because of the polluted drinking water, not only people are affected, but also the cattles. So it is a question of implementation. I would cite an example in my own constituency, the Hindustan Organic Chemicals in Raygarh district are being prosecuted for air pollution and water pollution. In spite of warnings given to them, many times by the district authorities, they did not take proper steps to prevent air pollution and water pollution. It is said that "Charity begins at home." So, to begin with the Central Government should direct its own undertakings to take care of this. It does not mean that private industry should not be dealt with firmly and deterrently.

Lastly, I would say that all the problems should be dealt with very detterrently.

SHRI Z.R. ANSARI : Sir, let me first of all thank all the hon. Members of this august House for the support they have rendered to this Bill. As a matter of fact, this was the desire of this House and for quite a long time, the hon. Members were waiting for such a measure to be taken. We should take care of the environmental problems. This is an umbrella enactment—a general enactment. The other Acts which take care of the pollution in different areas are water Act, Air Act and we have provisions for controlling pollution in the industrial undertakings also. We have Motor Vehicles Act. There are many Acts

which take care of the pollution in the specific areas. But, the Government thought it proper that we should have a general legislation which should take care of all those areas and also strengthen those Acts which are already there. The process of strengthening those Acts is also under way ; and we propose to, and we are considering as to how to strengthen, how to provide more teeth to those Acts which are already there, and under which pollution is being controlled and environment is being improved.

17 hrs.

This is an area which is highly technical. The one objection which has been taken by some hon. Members is that this is a legislation which is less than half, and that more than half has been left for rules, directions and other things. It is true, because this is an area which is highly technical; and in such a technical area, unless we just consult those technicians and those technical people, we cannot bring an all-pervasive legislation. So, I would request the hon. Members just to go through the third paragraph of the Memorandum Regarding Delegated Legislation given in the Bill— which says :

"The matters with respect to which the rules may be made under clauses 6, 7 and 8 are matters of highly technical and specialised nature. In most of such matters, it would be possible to frame rules only after detailed study, research and investigation."

So, this is the thing which has to be processed in consultation...

SHRI C. MADHAV REDDI (Adilabad) : A lot of countries have already made this law. They are therefor your guidance.

SHRI Z. R. ANSARI : I am sorry to inform the hon. Member—I do not know ; I may be lacking in that knowledge. But as far as I know, this country is proud of bringing in such a legislation ; and in no other country of this word such a legislation is there. This is my information, as far as I know. I am subject to correction

of course. I do not know if it is there in any other country. But this sort of a legislation which is all-pervasive, which takes care of every sources of pollution, and of every area which is important from the environment point of view—I don't think there is such an umbrella legislation in any country, as far as my knowledge goes. I will stand corrected, if the hon. Member provides any information to the contrary. This is the reason why we thought that already much time had elapsed. Actually, this legislation must have just after the great tragedy of Bhopal. We took a lot of time to finalize this legislation, and we do not want, and we do not wish to delay this matter any more. That is why we brought in this legislation, and left the technicalities to be taken care of by technical people; and in consultation with the technical people, we will certainly come forward before this august House, with the rules which will be framed under this Act. This is the reply to this question.

There is one question which has been raised, about the States being taken into confidence, and that a Stockholm type of convention could have been called here. Everybody knows how these things move. We have brought in this Central legislation under the Stockholm Convention, under Article 253 read with Entry 17; and in that Article, it is unnecessary to consult the State legislatures. It is not necessary, Of course, we shall utilize all those agencies, all that machinery which is available with the State Government or with the Central Government or under different laws, but if need be, we shall certainly evolve some such machinery, which should take care of those aspects together and a sort of coordinated effort has to be made. I am sorry, it is not entry 17; it is entry 13, article 253 of the Union List.

Two things have been said by hon. member. We have given this right to the private person under clause 90 so that those persons who are hit by the pollution created by certain industrial undertakings or by municipal authority or anybody or even by public undertakings, they should not depend on State agencies to take action against this, but anybody, any citizen of this country is entitled to make an application for that

purpose to the court; and we have given this complaint the status of the cognizable offence provided before lodging a complaint, he must inform the authority or authorities, whatever it may be, and after 60 days of the notice, he can go and suit the public undertaking or the private undertaking or any industrial undertaking. This is the first time that we have given this responsibility.

SHRI SOMNATH RATH: The cost of the court must be borne by the government.

SHRI Z.R. ANSARI: This is a matter of detail.

SHRI SOMNATH RATH: You kindly consider this point while framing the rules.

SHRI Z. R. ANSARI: That is matter to be taken care of in the rule under which these clauses are framed. Of course, when it is a cognisable offence, certainly you have a point that some assistance has to be given by the government if it is found that the complaint is genuine.

Some Point has been made by one hon. member about a public servant. In this connection, clause 17 (1) reads as follows:

“Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge of that he exercised all due diligence to prevent the commission of such offence.”

The norms of natural justice are that before punishing a person we give him an opportunity to prove that he is not guilty. He has to prove that he is not guilty. And it is the normal thing, which is provided here. The burden of proof is on the officer or on the Head of the Department

[Shri Z.R. Ansari]

to prove that it was done without his knowledge or without his consent and he has to prove that it was committed without his knowledge or that he took due care, exercise due diligence to prevent the commission of an offence, then he will not be guilty. So, the burden of proof is there. Otherwise, the Head of the Department will be liable for the offences committed by him.

I do not want to take much of the time of the House, there are many things which have been said regarding.....

SHRI SHANTARAM NAIK (Panaji : What about punishment ?

SHRI Z. R. ANSARI : I think that the punishment of five years, and seven years, and rupees one lakh is, in comparison to the normal punishments which we are having in the other Acts also—like the Water Pollution Act, Air Pollution Act, Soil Conservation Act, Forest Conservation Act—in comparison to those Acts, this punishment seems to be quite sufficient. Let us see. If it does not work, we will come up before this august House for another amendment. But let us not start with a cannon when we can kill mice by a sword. The cannon should be kept for a future date to be used when we are not able to kill the mice by our danda. So, I quite agree that there may be cases where some sort of things may be done, but let us apply these provisions and then we shall come here if necessary, on a future date. (*Interruptions*) I do not want to enter into that now.

Sir, many things have been said which are not relevant for the purposes of this Bill which we are discussing, such as the Ganga Action Plan, the Forest Conservation Act and so on. Those are areas which are different.

We are also considering to make certain amendments in the Forest Conservation Act and we will come before this House and that will be the proper time to discuss these things.

As far as the Ganga Action Plan is concerned, (*Interruptions*) one hon. Member has said that enough funds have not been given. I do not want to say anything but at least in one State, I can say that one crore of rupees which has been given has not been utilised as yet.

SHRI NARAYAN CHAUBEY : There is no water in the Ganga.

SHRI SAIFUDDIN CHOWDHARY : Listen to what he is saying.

SHRI R. P. DAS (Krishnagar) : That has been utilised. Out of Rs. 68 crores sanctioned only one crore of rupees has been released.

SHRI Z. R. ANSARI : It is not to be provided, all for one time. The money has to be released in instalments and as soon as we get the report about its utilisation we release some more money. If you just keep that money without utilising.. ... (*Interruptions*)

SHRI NARAYAN CHAUBEY : There is no water in the Ganga.

SHRI Z. R. ANSARI : Sir, these are the few points and I think that this Bill is actually according to the wishes of this august House, and most of the hon. Members or all the hon. Members of this august House have welcomed this Bill and I hope that this Bill will be a landmark in the history of this august House for the protection and preservation of our environment.

MR. DEPUTY-SPEAKER : Mr, Madhav Reddi, are you withdrawing your amendment ?

SHRI C. MADHAV REDDI : No.

MR. DEPUTY-SPEAKER : I shall now put Amendment No. 1 moved by Shri C. Madhav Reddi to the vote of the House.

Amendment No. 1 was put and negatived

SHRI Z.R. ANSARI : Sir, my amendment is there.

MR. DEPUTY-SPEAKER : We will take it up.

MR. DEPUTY-SPEAKER : The question is :

“That the Bill to provide for the protection and improvement of environment and for matters connected therewith be taken into consideration.”

The motion was adopted

MR. DEPUTY-SPEAKER : Now, we take up clause by clause consideration. The question is :

“That clause 2 stand part of the Bill”

The motion was adopted
Clause 2 was added to the Bill

Clause 3—(Power of Central Government to take measures to protect and Improve Environment

Amendment made

Page 3, lines 2 and 3,—

Omit “not being a ship or an aircraft”

(SHRI Z. R. ANSARI) (2)

MR. DEPUTY-SPEAKER : The question is :

“That clause 3, as amended, stand part of the Bill”

The motion was adopted
Clause 3, as amended was added to the Bill
Clauses 4 to 18 were added to the Bill
Clause 19—(Cognizance of offences)

Amendment made

Page 9,—

Omit lines 22 to 27 (3)

(SHRI Z. R. ANSARI)

MR. DEPUTY-SPEAKER: The question is :

“That clause 19, as amended, stand part of the Bill”

The motion was adopted
Clause 19, as amended, was added to the Bill
Clauses 20 to 23 were added to the Bill

Clause 24—(Effect of other laws)

Amendment made

Page 10, lines 5 and 6,—

OMIT “Save as otherwise provided by or under the Atomic Energy Act, 1962 in relation to radio-active air pollution and”

(SHRI Z. R. ANSARI)

MR. DEPUTY-SPEAKER: The question is :

“That clause 24, as amended, stand part of the Bill”.

The motion was adopted
Clause 24, as amended, was added to the Bill
Clause 25 and 26 were added to the Bill
Clause 1, the Enacting Formula, the Preamble and the Title were 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

17.20 hrs.

WILD LIFE (PROTECTION) AMENDMENT BILL

[English]

MR. DEPUTY-SPEAKER : Now we shall take up item No. 7 regarding Wild Life (Protection) Amendment Bill. Half an hour is allotted for this. I would like everybody to be brief when they are speaking.