

us Northern Railway Headquarters and the Railway Board have rushed to the site. 14.54 hrs.

According to the latest information available, 40 persons have been killed and 56 others injured, of whom 8 are reported to be grievously hurt. Nineteen injured persons, after being rendered first aid on the spot have been hospitalised in the Railway and Civil hospitals at Moradabad. The remaining 37 who had trivial injuries were discharged after first aid.

I got the information about this accident at Moradabad while travelling by Lucknow Mail and I proceeded to the site immediately to make an on-the-spot assessment and supervise rescue and relief operations. I am coming directly from the tragic site.

Compensation of Rs. 50,000 will be paid in the case of those who have died or have suffered permanent total disablement as a result of this accident. Other injured will also received compensation on the prescribed scale.

The Additional Commissioner of Railway Safety, Northern Circle, will hold a statutory inquiry into this accident.

SHRI RAMAVATAR SHASTRI (Patna) : The Railway Minister should resign immediately on this point. . . (*interruptions*).

श्री माहम्मद इस्माइल (बैरकपुर) : रेलवे मंत्री को इस पर इस्तीफा देना चाहिये ।

श्री इसहाक सम्भली (अमराहा) : डिप्टी स्पीकर साहब, यह मेरे जिले में हुआ हादसा है, मुझे चन्द अल्फाज कहने का मौका दिया जाय ।

MR. DEPUTY SPEAKER : Mr. Sambhaliji, you are now in the Panel of Chairmen. When you come here you will see the Rules that when a Minister makes a statement, no questions can be asked. You can take some other opportunity on a future occasion to discuss the statement made by the Minister. The Rules are there. (*Interruptions*) No. please.

WATER (PREVENTION AND CONTROL OF POLLUTION) BILL

THE MINISTER OF WORKS AND HOUSING (SHRI BHOLA PASWAN SHASTRI): Mr. Deputy-Speaker, Sir, the problem of pollution of rivers, streams and wells has assumed considerable importance and urgency in recent years as a result of the growth of industries in the post-Independence period and the increasing tendency towards urbanisation. The increased use of chemical fertilisers and pesticides has also added to the pollution of water courses. It has become necessary to ensure that the domestic and industrial effluents are not allowed to be discharged into the water courses without adequate treatment, as such discharges would render river water unsuitable for drinking and harmful for aquatic life. It is to be remembered that large sections of the rural community still depend on rivers for their drinking water and we owe it to them that the quality of this water is not allowed to deteriorate beyond permissible limits. Besides, even for industrial use as well as for irrigation purposes the quality of the river water has to be preserved.

A Committee was set up in 1962 to draw a draft enactment for the prevention of water pollution. The report of the Committee was circulated to the State Governments and Union Territories and was also considered by the Central Council of Local Self Governments in September, 1963. This Council resolved that a single law regarding measures to deal with water pollution control both at the Centre and at the State levels may be enacted by Parliament. A draft Bill was accordingly prepared and was considered by a joint session of the Central Council of Local Self Governments and the Fifth Conference of the State Ministers of Town and Country Planning held in 1965. As per the decision of the above joint session, the draft Bill was considered in detail by a Committee of Ministers of Local Self Government from the States of Bihar,

[Shri Bhola Paswan Shastri]

Tamil Nadu, Maharashtra, Rajasthan, Haryana and West Bengal. After considering the recommendations of the above Committees and after examining the relevant provisions under existing laws, the Government came to the conclusion that there is urgent need for introducing a comprehensive legislation which would establish authorities both at the Centre and in the States to provide for the prevention, abatement and control of pollution of rivers and wells from the existing and new discharges of domestic and industrial wastes.

As the subject matter of the Bill falls in the State List of the Constitution and the Parliament can legislate on this subject only after two or more States have passed necessary Resolution in pursuance of Clause 1 of Article 252 of the Constitution, the Central Government circulated the outlines of the Bill to the States for their comments and passing the required Resolution. The State Legislatures of Gujarat, Haryana, Jammu and Kashmir, Kerala and Karnataka had passed such Resolutions under Article 252(i) of the Constitution, when the Bill was introduced in Rajya Sabha in December, 1969. Since then the State Legislatures of Assam, Rajasthan, West Bengal, Tripura, Madhya Pradesh, Himachal Pradesh, and Bihar have also passed such Resolutions. The Act, when passed with the proposed amendments, will apply at once to all these States and Union Territories.

Efforts to persuade the remaining states to follow suit are continuing so that there may be a uniform legislation to prevent and control the pollution of water courses etc. throughout the country.

The Government introduced the Prevention of Water Pollution Bill, 1969, in the Rajya Sabha in December, 1969. The Rajya Sabha referred the Bill to a Joint Committee of both the Houses of Parliament and the Joint Committee examined the Bill thoroughly and submitted its report in December, 1977.

I take this opportunity to thank the Chairman and members of the Joint Committee for the very detailed and painstaking manner in which they have examined the whole Bill and favoured us with a Comprehensive Report. The Committee examined a large volume of oral and written evidence representing various sections of the society likely to be affected by the implementation of the Prevention of Water Pollution Bill, besides making on-the-spot visits to important industrial centres where pollution was reported to be heavy. Hence, I am sure the House will join me in extending our sincere thanks to the Joint Committee for their valuable Report.

I would like to mention some salient features of the Bill: The Bill seeks to establish a Central Prevention of Water Pollution Board with necessary technical and administrative set up. The main function of the Central Board is to promote cleanliness of streams and wells in different areas of the States. The Central Board is also to lay down stream standards. Besides advising the Central Government on matters pertaining to water pollution, the Central Board will also co-ordinate the activities of the State Boards and also provide technical assistance and guidance to them. The Central Board will also act as a State Board for Union Territories. The Central Board will consist of 16 members besides a full-time Chairman. Provision exists to represent all interests concerned with the problem like industries, agriculture, fisheries and public sector undertakings on the Board.

Similarly, State Boards will be constituted with 16 members besides a full-time Chairman. Compared to the Central Board, the duties of the State Board will be more of an executive nature. They will plan comprehensive programme for the prevention, control and abatement of pollution of streams and wells in the State and secure execution thereof. It will advise the State Government on matters of pollution. The State Board would have the duty to inspect sewage or trade effluents, works and plants for treatment of

sewage and trade effluents etc., and also evolve methods of utilisation of sewage etc. It will also advise the State Government on the location of industries which are likely to pollute streams and wells.

Some contiguous States or Union Territories may prefer to establish a Board for the Region with a view to effectively preventing and controlling water pollution in common water basins. Hence, there is provision in this Act for the establishment of Joint Boards.

I may also mention that under the provisions of the Bill not only new industries will be controlled but even existing industries which are letting out their wastes into water courses will be covered. There are provisions by which even Government Departments like Sewage Plants and Public Sector Undertakings have to ensure that their discharges are adequately treated before they are let out into the streams.

There is provision for setting up of laboratories both by the State Governments and Central Government and also by State Boards and Central Board. These laboratories will analyse the samples collected by the enforcement agency of the Boards with a view to determining whether pollution is being caused or not. On the basis of the analysis report of the laboratories, the cases will be launched in the courts for prosecution of persons who are causing pollution. Besides, the laboratories will assist in research and development programmes.

15 hrs.

While stringent measures have been provided to prevent pollution, care has also been taken not to stifle industrial growth. Time will be given to the existing industries to apply for consent after the setting up of the Boards.

The Central and State Governments have been enabled to make budgetary contributions to the Boards for meeting their

expenses. I would also like to take this opportunity to mention that the Government is proposing to bring in separate legislation in near future to enable the levy of a cess.

With these words, I move:*

"That the Bill to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith, as passed by the Rajya Sabha, be taken into consideration".

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration".

DR. SARADISH ROY (Bolpur): We support this Bill. While supporting the Bill, I would like to say: why is the Minister of Works and Housing piloting this Bill? When this Bill was first introduced and discussed in this House, at that time, the Cabinet Minister who was in charge of Works and Housing and Health and Family Planning introduced it. In the Joint Committee of both the Houses, experts from the Ministry of Health assisted in the deliberations of the committee to formulate this Bill. Even foreign technical experts were called to give their advice before the Joint Select Committee

*Moved with the recommendation of the President.

[Dr. Saradish Roy]

and, the subject being a technical one, it should have been piloted by the Minister of Health. Even at this stage, I would insist that when this Bill is enacted into law, its implementation should be entrusted to the Ministry of Health because it is a scientific and technical subject and the advice of the experts from the Ministry of Health will be very much helpful. I am told that orders were passed that this subject will be dealt with by this Ministry but I hope the orders will be modified and that this Bill when enacted will be in charge of Ministry of Health. This also shows that this Government is not so much serious about the implementation of this law because it is a technical subject and the Ministry which is provided with the technical personnel should have been in charge of this Bill.

Water pollution—not only water pollution but the pollution of the atmosphere is also very much menacing. I would, therefore, suggest that the Government should take up prevention of atmospheric pollution also. Water pollution is very much menacing with the haphazard growth of industries and the extensive use of fertilisers and pesticides. It is not only menacing for human-beings but it is also menacing to the animal life, the aquatic life and even to the soil. We have seen in Calcutta, in the river Hooghly, about 60 miles above Calcutta, about 40 years ago, plenty of 'Hilsha' fish was available. Nowadays, there are no fish because many industries have sprung up on both sides of the river and with the indiscriminate discharge of the industrial effluents into the river, the fish species have vanished.

Again we have seen in Rajasthan there is a rayon factory at Nagda. About 15 miles away from the factory the industrial effluents are drained into a canal and the people residing on both sides of the canal prevent even the cattle approach the stream, because many of the cattles have died after drinking the water from that place. That is the problem. In West Bengal there are various undertakings. For example, at Dimapur there is the fertiliser

plant, and there are chemical factories. The effluence from these plants is thrown into the fields and as a result the crops are damaged. The Ministry of Petroleum and Chemicals had to offer an amount of Rs. 5 lakhs as compensation in one year alone for the damages caused in this manner. That is the state of affairs and this shows the magnitude of the sort of pollution which is being caused, which is prevailing in all parts of the country.

It appears from the Minister's statement that the Government is very reluctant to enforce this Act. It took them 12 years to bring this Act here. Even after the submission of the Report of the Joint Committee more than one year had passed for this Bill to be brought up in this form. It shows that the Government is reluctant in this regard. We have an apprehension that this will not be properly implemented. There are various Acts which have already been passed. Take the Food Adulteration Act. Take the Drug Adulteration Act. Take various acts aimed at removing black-marketing, adulteration, corruption etc. All these Acts are there; but still they are not implemented. Even in this capital city we have seen cases of adulteration of food. Adulterated stuffs are being sold in many parts of the country and yet Government is not implementing the provisions of those Acts. Our apprehension therefore is that the present piece of legislation may also meet with the same fate. Of course this piece of legislation is a good one but it is due to Government's reluctance that many such pieces of legislation have not been implemented. We apprehend that the same fate might befall to this Bill.

We have seen many industries which have got the Affluent Treatment Plants. But they are only show-pieces. They do not operate these plants. Those will be expensive. One does it to avoid certain acts which may be enforceable against them. They construct certain such treatment plants but they do not use them at all. We have seen this when we were going on round in connection with the

Joint Committee meetings. I request the Government that they should not be idle, but that they should take vigorous and immediate steps so that these industries may be forced to treat their effluents properly.

It is heartening to note that 7 more States have agreed by Resolutions of their own for this Act. But the main thing is this. It is the implementation of the provisions of this Act. The Act is a good one and if there are certain weaknesses which are found, they should be removed. There was one amendment moved in the other House. The Bill as passed by the Joint Committee provides for an expert, as the Chairman of the Board, Central Board and State Board.

It was not an expert body but the person represented is an administrative expert. That is all. In this way, they have diluted it when the Bill is brought before the House. My apprehension is only this that this may not be properly implemented.

With this warning, I support this Bill.

SHRI B. V. NAIK (Kanara): Sir, like other progressive legislations, I welcome this Bill. This is something which should exercise the minds of all of us. Will we be in a position to put it into effect first of all to the existing industries in this country, particularly, those involved in the manufacture of chemicals, paper, fertiliser, rayon and cement? What are we going to do about the existing industries, where, particularly, the costs of industrial products go on rising. If anti-pollution measures are taken, it would only mean involving heavy costs. Will the Government, for example, think of having anti-pollution measures like the recycling anti-pollution measures to be carried out at the cost of the Government and executed by either the State Governments or by the Central Government and thereafter will they recover the costs from the concerned management of the industries? This is very necessary as far as future planning is

concerned. We have been assured, particularly, by the persons in the Planning Commission that for any project, no licensing will be given unless of course, the project report contains a provision for taking adequate anti-pollution measures. This is one of the points which I would like the hon. Minister to clarify.

Secondly, I would like to point out that over the course of years, there has been pollution and there are certain industries right now in the process of execution either along the coast or along the river banks. According to the present method of execution itself, it will destroy the aquatic lives either in the sea or in the streams. Whether it is possible at all, according to this Act which provides for the States as well as the Central Board to see to it that before production starts, it should be seen that the aquatic life is not destroyed. Take for example the caustic soda plant in North Canara District everything is going at least to a distance of 25 to 30 miles inside the sea. Will it not destroy the aquatic life? My estimate is hundreds of lives will be destroyed. Of course I am making an underestimation of this number. Thousands of lives will be destroyed here. We want an industry. At the same time we want our fishermen to survive.

In these circumstances, is it not possible during the stage of execution of a particular industry that before it goes into production, we should see to it that these anti-pollution measures are carried out so that there is no danger particularly to the fish. This is the source of livelihood of the poor people there. Similarly, I would like to point out that there would be examples galore, but they would be only to generalise all these problems. We are reminded of progressive legislations which invariably suffer in developing countries because of want of proper implementation. While I very much appreciate the concern that has been shown as evidenced by the fact that in each State, certain State boards have been constituted, I would like the hon. Minister to explain one point which he was good enough to stress, and

[Shri B. V. Naik]

I would request him to kindly elaborate it and tell us what the meaning of the cess is, from whom it is to be recovered and how it is going to be utilised, whether it is only for the purpose of meeting out the costs of the various State boards and the Central board, or whether it will be utilised also for the purpose of execution of these anti-pollution measures.

In this connection, I would like to draw your attention to one clause which relates to prohibition or regulation of bathing in any stream or well or ashing or any cleaning therein of things of any class or description or the putting of litter or other objectionable matter. In our country, traditionally people have bathed themselves either at the ghats of Banaras or the holy rivers or in water from wells. These people cannot afford their own bathing rooms and they cannot afford to have their own private hammam rooms, and it should please be ensured that they are not harassed on account of a legislation like this. Actually, it is not pollution at all; the organic matter of human beings does not pollute. It is only the chemical or inorganic matter which pollutes. Organic matter is not a pollutant, and even environmentalologists will be able to know it that decaying matter is not a pollutant as far as nature is concerned. In these circumstances, I hope we shall not throw the baby with the bathwater, but we shall see that these poor people are not put into any inconvenience because of the implementation of this particular clause dealing with prohibition of even bathing which has been a traditional system in this country. Our people have always bathed in the open; a large number of villagers always bathe in the open. So, the implication of this particular clause on the common people of this country may also be considered.

With these remarks, I support the Bill.

DR. RANEN SEN (Barasat): While I was reading this Bill, I was wondering what had happened to our Government. As

usual, our Government bring forward a good legislation very late. Secondly, when they bring forward legislation, they bring it forward in a halfhearted manner. Today, the menace of not only water pollution but also air pollution or atmospheric pollution is exercising the minds of people all over the world, and India is no exception. This Bill deals with only the question of water pollution. May I know what is going to happen to air pollution? Is it not intertwined? The hon. Minister will say that he would bring forward a Bill for this purpose later on, wherein the question of atmospheric pollution will be dealt with adequately. Till then, what would happen? Is it not intertwined? It is known to everybody, every person of science that the smoke that makes its way up from any chimney from any factory producing rayon or nylon or steel or anything else gets absorbed in water and the water is polluted. That is a known fact. That was why in 1968, in the UNO, the Swedish delegation brought up this question of pollution of air and water, and in 1969, the UNO accepted unanimously the proposal that each Government should move very carefully and thoroughly so as to eliminate this menace from their own country.

In 1968 or 1969, Dr. M. N. Rao, the then Director of the Indian Institute of Hygiene and Public Health, Calcutta, made a survey under the instruction of the Government of India about air and water pollution and his report dealt mainly with air pollution, because he was collecting samples of air from the city of Calcutta whose air is as polluted as anywhere else. In a report given out by the UNO, it was shown that the air of Bombay or Calcutta was almost as bad as that of the city of New York.

If we take this into consideration, may I know what happened to that report of Dr. M. N. Rao? I am told reliably that a Bill was circulated by the Government of India to each State in which both air and water pollution was dealt with. The Minister only said that the Bill dealing with water pollution was circulated to

States. But I was told that the Bill also dealt with air pollution. What has happened to that Bill? What is the reaction of the States?

Dr. Saradish Roy said something about the Calcutta water, river water, how the wonderful hilsa fish, the mention of which produces saliva in every Bengali's mouth, has become completely extinct.

SHRI RAMAVATAR SHASTRI (Patna): In others' mouths also

DR. RANEN SEN: Yes. Non-Bengalis have also become fish eaters; that is the worst position we are having in our State.

There is a report of the Bombay Corporation that in the rivers Ulhas and Kaly in Kopali and Kalyan—our Bombay friends will know—fish are dying. The sea-bed of Bombay has become polluted. So as I was saying, the whole thing is intertwined and unless we tackle air and water pollution together, nothing is going to come out of this Bill, because there is no watertight compartment in regard to this matter because the citizen of Bombay who takes the polluted water also inhales the air which is polluted.

In the UNO report, there is mention of a very interesting point. Referring to developing countries, it is stated in the report that the metallurgical industry developing in India is creating a menace of water and air pollution. Is it known to the Minister that almost in every public sector unit producing various types of drugs, chemicals, metallurgical products and so on, simple methods of treating effluents do not exist? I had the opportunity of visiting a paper mill, NEPA, which has an apologetics of treating effluents. As you know, paper, rayon, nylon and chemical factories produce the worst type of toxic gases and effluents. It is known that in Bihar two or three years ago, the effluents from the Barauni refinery created havoc in the Monghyr and Jamalour districts and several people died. There was a fire.

SHRI RAJA KULKARNI (Bombay—North-East): Ganga was burning.

DR. RANEN SEN: Yes. Water is used to put down fire. Now the water itself started burning very furiously.

These are public sector organisations. We know that in regard to this question of air and water pollution, there are two main things which Government should understand. Otherwise, this Bill will become ineffective. The first is the poverty existing in the rural side. What do the people do? Because of poverty and ignorance, they do not have latrines. This is a source of water pollution in almost every village. There is a report from Rajasthan that in the village Benapura seven children died because they took polluted water from a stream because of poverty and ignorance. Our people are like that. They do not have latrines properly made. So that is one danger from poverty.

Another danger is from the greed of capitalists to mint profit. In this Bill, there is a reference to punishment to be meted out to people who own factories or Industries in certain circumstances.

It is known that everywhere the employers do not try to attend to this important work of treating the polluted water. Therefore, an exemplary deterrent punishment is called for. A deterrent punishment is called for in the case of those industries and industrialists who refuse to treat the effluents properly, the effluents that emanate from their factories, mills and plants.

As I am more or less connected with these things, I was reading the report of the UNO on this subject, wherein they say that all types of toxic chemicals, oils, carbon dioxide, carbon monoxide are emanating from the cars and trucks that ply on our streets. Gases and exhaust fumes emanate from the vehicles. Sulphur dioxide, insecticides, DDT—all these things are creating a havoc and pollute our water more so in India where there is scarcity of pure drinking water in villages and towns.

[Dr. Ranen Sen]

Nearly ten years back, Dr. Sushila Nayar, when she was the Health Minister, was making a report in which she said that of all the cities and towns of India, the city of Howrah which is opposite Calcutta, is the epicentre of cholera epidemic. What is the reason? Though it is a big city, with more than five lakhs people living there, there is no arrangement for pure drinking water. Along with this Bill, would the Government think over the question of supplying pure water to the towns and villages? I have cited Howrah as an instance.

Another aspect which we have to consider is this. Night soil is causing havoc in the towns and in many cities also. The right soil is dumped in shallow trenches in many towns in India. When there is rain, there is seepage of water and rubbish and all this creates another complication. All the potable water sources are destroyed and contaminated and polluted.

Therefore, firstly, I have said that there is no watertight compartment or airtight compartment between air and water pollution. You have dealt with one and left the other, which also pollutes the water, and when you bring that Bill, sufficient damage will have been done by those industries that are growing in our country.

Secondly, Mrs. Gandhi, the Prime Minister of India, has referred to one aspect in her speech in Stockholm in that particular conference to which I referred earlier—the UN conference on anti-pollution. She made a big speech and I am quoting only one sentence which runs as follows:

“Are not poverty and need the greatest polluters?” I say she was right. Poverty is one of the greatest polluters. Therefore, both these things have to be dealt with. Unfortunately, in this Bill, the other thing has not been dealt with. The question of industries has been dealt with. Firstly, it is partial. Even then it is more partial in this regard.

61 LSS/73—9.

Then, I come to one or two clauses of this Bill. I have not been able to understand the Minister on one aspect.

SHRI B. V. NAIK : This is about pollution and not sanitation.

DR. RANEN SEN : How do you demarcate between pollution and sanitation? What a wonderful argument you are advancing, as if pollution does not affect sanitation?

We know that in this Bill it has been stated that polluted water must not be used for certain purposes and all that.

In Delhi, water is supplied to the garden round our bungalows and the bungalows of the Minister. What is that water?

That is water from the sewage. Why do you supply water like that? That is contaminated water. The Minister should look into this. I am charging the Government that polluted water is being supplied to irrigate the flower and vegetable gardens around the bungalows of Ministers and Members of Parliament.

Then I take up clause 24 of the Bill; it is on page 16. Sub-clause (1) of clause 24 seems to be all right, but sub-clause (2) seems a little contradictory. Sub-clause (2) says:

“A person shall not be guilty of an offence under sub-section (1) by reason only of having been or caused to be done in all the following Acts, mainly constructing improvement or maintaining. . . .”

The land belongs to an industrialist or a businessman. There is a stream and it carries the effluent. You do not say that the effluent has to be treated, if the industrialist wants to put up building and if the effluent is seeped inside the earth why should that not be considered an offence? The hon. Minister may kindly explain the point.

Under clause 33, the Board may make an application to a Court not inferior to that of a Presidency Magistrate or a

Magistrate of the First Class for restraining a person who is likely to cause such pollution. As soon as the Board goes to the Magistrate that person may go to the High Court. The whole thing remains in the same *status quo*. In the mean time the effluent goes on. What is the idea? Why should not the Board or the State Government be empowered to do something immediately to stop the mischief? Clause 41(1) contains some penal provisions. It says:

"a person who violates the provisions will be punished with imprisonment for a term which may extend to three months or with a fine which may extend to Rs. 5,000."

Why should the word 'or' be put? He is the worst criminal in the society and if he commits this nuisance and creates this menace to society he should be punished with both. I suggest that this should be three months imprisonment and a fine of Rs. 5,000. We know the Magistrates and their class affiliation, their outlook and their upbringing. It has been our experience in labour matters that whenever the case goes to the Magistrate and there is this provision they fine Rs. 500 or Rs. 5,000 which the employer pays merrily and goes on. If you put 'and' the employer will feel that either he or his manager will have to go to jail and suffer imprisonment.

The hon. Minister should see that all the loopholes are plugged so that there are no contradictory or irreconcilable position between any two classes. Secondly the sooner the Bill dealing with air pollution is also brought the better for us. Otherwise this is a half-hearted and haphazard way of dealing with water pollution. I have offered some criticisms of the Bill. This is a step forward. But let not the Government take one step forward and two steps backward.

SHRI M. RAM GOPAL REDDY
(Nizamabad); Mr. Deputy-Speaker, Sir,

the Minister has brought forward this Bill at the appropriate time, and I congratulate the Minister for having brought forward this Bill. He has brought this Bill for the prevention of pollution of water and he has promised to bring another piece of legislation to stop the pollution of air. But why has the Minister not mentioned anything about the pollution of politics? Now politics is being polluted by the opposition parties. Is he going to stop that pollution?

We are thinking that water and air are being polluted only by industries and not by anything else. It is not as if every factory is situated on the banks of the rivers. We have over 500 eternal rivers which flow all the 365 days, and they are being polluted by the human beings. In the olden days Ganga water was considered to be *amrit*. It was the belief that anyone who takes Ganga water will remain immortal. Now the Ganga water is so much polluted that sometimes it is not fit for human consumption even though there are no big factories on the banks of the Ganga or Yamuna.

The main reason for the pollution of water is the increase in population. During the time of Ashoka the population of India, including Pakistan and Burma, was only one crore. During the time of Akbar it rose to three crores. At the time of the British it reached 30 crores. Within a period of 25 years it has increased to 60 crores. Unless and until this increase in population is controlled, you cannot control pollution.

It is not only motor vehicles and factories that emit carbon di-oxide. Human beings also inhale oxygen and emit carbon di-oxide. The plants, on the other hand, inhale carbon di-oxide and emit oxygen. So, it is necessary to have more and more plants. Yet, we have consistently destroyed all the forests. Once more than two-thirds of our land was covered with forests. Now it is less than one-third. It is only the green leaves which can absorb carbon di-oxide and release oxygen, which

[Shri M. Ram Gopal Reddy]
is needed by human beings. Has the Minister any plans for afforestation, like the Vana Mahotsava of Munshi, which we have forgotten? Unless we plant more trees, we cannot stop air pollution on the other hand, it will increase.

In Japan during the peak hours the traffic policemen on duty carry with them oxygen so that they can breath some fresh air. Unless we take timely action, we may also have to face a similar situation before very long.

We should take stringent measures against those who pollute water and the atmosphere. But what is happening in the case of adulteration? Most of the people who indulge in it are going scotfree. At the same time, poor people are being given the heaviest punishment. Recently, a milk maid in the Nizamabad area was found selling milk which was mixed with water. The magistrate imposed a fine of one thousand rupees and imprisonment for one year, and another year in case of default in payment of fine. This is the type of punishment our courts are giving for small offences. Of course, if a dairyman mixes water with milk, we should punish him. But an illiterate woman, the milk maid, was given such a severe punishment. A fine of Rs. 25 would have been more than enough as a sort of warning to her. Here also, our Magistrates in courts are competing with the so-called radicals who are uttering day in and day out all sorts of nonsensical things. Therefore, I am afraid, when this Bill becomes an Act, these people will take undue advantage of it. The food inspectors, the excise inspectors all these fellows, have become dens of corruption. I am sure, this Department will also have a lot of corruption in it. Neither water will be purified nor pollution will be stopped. But bribery and corruption will increase 10 times. This is another Department that will be giving an opportunity to its employees and officers to make money.

The implementation side is very important. The Bill is very good. If the

Bill is very good, everything cannot be good. The implementation side of it is very important. I am sure, it will not be implemented properly. It will be misused leading to the misery of the people.

SHRI RAJA KULKARNI (Bombay—North-East): Mr. Deputy-Speaker, Sir, I welcome and support this measure. It is no doubt a progressive Bill.

For a long time, in the early days of industrialisation, it was thought that so far as the health hazards which affect the workers working in the factories are concerned, they could be met with factory legislations and the civic hazards arising out of industrialisation could be adequately handled by municipal legislations, by having proper locations of factories outside the towns and cities or by laying down certain conditions about sanitation and other things. Now, the pace of industrialisation has come to such an extent that neither the civic legislations, the civil laws about sanitation and other things, nor the factory legislations could prevent such hazards which are meant for the whole of the population. Around the chemical factories, this pollution phenomenon is of a recent origin.

I would like to inform my hon. friend, Shri Ram Gopal Reddy, who said that water was polluted by human beings, that water is not polluted by human beings. It is true that human beings take bath and even wash their dirty linen in the river waters. But it does not mean that water is polluted. The water has the characteristics of cleaning everything. The word "pollution" has a specific meaning. The water loses its characteristics and its purposes and services to humanity, because of chemical agents going into the water. Therefore, this pollution phenomenon is confined to the growth of chemical industries.

Of late, in the last 15 years, as my other colleagues have said, the United Nations has drawn the attention of the whole world and of all the Governments in the world, to prevent this phenomenon of

pollution and to take strict measures so that in the process of industrialisation, the civic hazards do not spread to the whole population. The United Nations has passed resolutions. As has been stated, it is true that our Prime Minister also attended the Stockholm Conference of the United Nations and drew the attention of the whole world to this phenomenon of pollution. But I am sorry to say that it took 12 years for this legislation to come before the House. Even then, it is better late than never. I agree with Dr. Ranen Sen that the two phenomena of pollution, the water pollution and the air pollution, should not have been separated. It is the chemical industries which are responsible for water pollution and the same industries are creating air pollution problem also. Those very industries are creating simultaneously the problems of water pollution and air pollution. So these problems cannot be dealt with in water tight compartments. We deal in this legislation only with water pollution. We are told that there would be a separate legislation or separate machinery or separate board for air pollution and others. That would not be effective. Therefore, I would like that Government should make certain amendments so that even prevention of air pollution is also brought in at the same time. That will make the measure more effective and the people staying in the surroundings of these chemical complexes, petro-chemical complexes, will not suffer from health hazards.

I am coming from Bombay where there are three big industrial belts which are all polluted. Therefore, I am very much concerned with it. The people are suffering from the effects of water and air pollution together. There is the Chembur chemical belt where the country's greatest petro-chemical complexes are established with their big factories, including the fertiliser factory. In the Chembur area private people are not building houses. Anybody who wants to stay there for a long time will not build a house. Houses

are built only by the Housing Board. Houses are coming up only for industrial workers who have to stay there and who have no option but to stay there. Only such types of houses are coming up in Chembur area. No private persons are building houses in the Chembur belt because they cannot breath fresh air, they cannot get good water. Every evening there is the bad and obnoxious smell. Therefore, they are reluctant to stay in the Chembur area.

Nothing has been said about water around the sea coast. In Chembur, about ten miles round about the sea coast, the whole water is polluted. For ages together, the industry was the fishing industry. Now the fishing industry has vanished, and all the fishermen have been crying that their ancestral industry is gone. They have not been compensated for it. The water cannot be used even by other industries also. The sea coast water cannot be used for any purpose.

When water pollution is defined as water from a well or stream, I do not know whether river water is also included; I do not know if, under the definition of stream water, river water also comes

Apart from the Chembur belt there is another industrial belt known as Bclapur patti where also we have big petro-chemical complexes—NOCIL, PIL, Hardilia, etc. As a result of the trade effluents going into the Thana Creek area, all industries there, salt-pans, are affected; the whole area is spoiled. The salt-pans are gone; the fishing industry is gone. Now the people in those areas, the villagers who have been living there for generations together have nothing to live upon. Apart from its effects on the industries, it has affected their health also. The villagers have never before suffered from those diseases from which they are suffering now. The villagers are not working inside the factories. Still they are suffering from diseases which come out of air and water

[Shri Raja Kulkarni]

pollution in that area. The third industrial belt area in my constituency which is affected, is near Kalyan to which a reference was made by Dr. Ranen Sen, where all the dye-stuff industries, and the rayon industry like National Rayon Century Rayon and the Indian Dyestuffs are all located. What is the result? The Ullhas river whose water was used for drinking for generations, whose water was used for irrigation for generations, whose water was used by other industries, has become so much polluted that its water can no longer be used either for drinking or for irrigation or even by other industries. That is the result. So, all the three industrial belts which are the petro-chemical complex belts in my constituency are to-day suffering from this pollution. Therefore, my request is that it should be made more effective and purposeful so that the people will get the benefit.

Prevention and control by appointing Boards at the Central and States level is all right for the future. But what about those industries which already exist for the last 15-20 years?

What should be done immediately in regard to them? What kind of research should be there? For the last 15 years we have raised this question here and even outside. We were told that they are doing some kind of collecting statistics and information. This stage of collecting information and facts should go and we should come to the next stage in industrial research. Research in industries has so far been confined to improvements in production and technology. Even with regard to the chemical industry, the research activity is carried only for production or technology. No research was simultaneously carried out during the last 20 years about the effect of industrial products or the industrial processes on the people outside the premises of the factory and on the population as a whole. This is a new dimension of research which has not been effectively dealt with. How to tackle this new dimension of industrial research is a matter for the Government to study.

It is true that now the Central Board would be established. Sir, we all know and we have seen the working of factory legislation for the last 80 years. The Board may come up and inspectors may be appointed under it. But I only want to say that the whole machinery should not meet the same fate as that of the factory inspectorate.

DR. RANEN SEN: Trade Union representatives should also be there.

SHRI RAJA KULKARNI: To-day if there is any improvement inside the factories, it is not due to the factory legislation, it is all due to the requirements of efficiency of production that the employer seeks. The factory legislation has not so far effectively dealt with the question of light or air or drinking water problem or any hazard to the health of the worker working inside the factory. The factory legislation has not succeeded. We would, therefore, like tightening up of the machinery under this legislation. We would like some kind of a machinery where people's representatives including those of workers should be associated in the working of this machinery.

With these words and observations, I support the Bill.

श्री धमना प्रसाद मंडल (समस्तीपुर) :
उपाध्यक्ष महोदय, मैं जल-प्रदूषण के निवारण और नियंत्रण विधेयक का समर्थन करता हूँ और तहें दिल से समर्थन करता हूँ। अभी डा. रानेन सेन ने इसके बारे में कुछ बातें रहीं। वह अनुभवी ट्रेड यूनियन लीडर भी हैं और इस विषय को जानते भी हैं। पैनाल्टीज के बारे में और उस के प्रोसीजर के बारे में डाक्टर साहब का ध्यान . . .

15.56 hrs.

[DR. HENRY AUSTIN in the Chair]

हमारे बड़े डाक्टर साहब भी अब चेयरमैन हो कर आ गए हैं।

मैं डा. रानेन सेन साहब का ध्यान डॉक्टर—
पैनाल्टीज एंड प्रोसीजर की ओर खींचूंगा जिसे

में वह पेंनाल्टी 1 हजार रुपया प्रति दिन है अगर वह यही गलती बराबर करता रहे, इस में क्या है :

In case the failure continues, with an additional fine which may be extended to Ra. 1,000 for every day during which such failure continues after the conviction for the first such failure.

पहले फेब्रुअर में भी है कि तीन महीने की सजा या पांच हजार रुपये जुर्माना। आप ने जो कहा कि इंडस्ट्रियलस्ट रुपयें वें देगा और जेल नहीं जाएगा, ऐसी बात नहीं है। न्यायाधीश उचित समझेंगा तो तीन महीने की जेल भी दे सकता है। आज की जो परिस्थिति है वह न्यायाधीश भी समझते हैं और सारे लोग समझते हैं।

यह बिल बहुत एन बक्त पर लाया गया है। अभी 28 नवम्बर को तो यह राज्य सभा में पास हुआ है और उस के बाद अभी हम मिल ही रहे हैं। यह राज्य सभा का बिल है। तो इस में कोई देरी नहीं हुई है। बहुत शीघ्रता से इसे लाया गया है। इस अवसर पर मैं प्रधान मंत्री जी को धन्यवाद दूंगा कि उन्होंने इस की अहमियत को समझा और स्टाकहोम में सारे एशिया नहीं बल्कि सारे विश्व की ओर से यह नारा बुलन्द किया कि पॉल्यूशन-एण्डर पॉल्यूशन और वाटर पॉल्यूशन, ये दोनों कितने खतरनाक हैं खास कर जो ओवर-डेवलप कंट्रीज हैं जापान या अमेरिका आदि इन देशों के लिए यह बहुत ही खतरनाक चीजें हैं। हमारे लिए भी यह बहुत खतरनाक चीजें हैं। अभी राजा कलकणी साहब ने बड़े मर्मस्पर्शी शब्दों में बताया कि किस तरह से उल्हास नदी के किनारे उल्हास नगर में कितने ज्यादा इंडस्ट्रियलस्ट्स बँठे हैं और वहाँ की उस छोटी सी धारा को आप देखेंगे जिस की कि यह शक्ति ही नहीं कि वह सारे कमिन्स को पचा सके तो फिर यह छोटा सा मानव किस तरह से उस को पचा सकता है? इसलिए यह भारत सरकार का बहुत स्तुत्य कदम है और ठीक बक्त पर उठाया गया है जायज बक्त पर उठाया गया है और बहुत जल्दी इस बिल को लाया गया है...

डा. रामेन सेन : दस साल पहले जाना चाहिए था।

श्री बभ्रुजा प्रसाद मंडल : मगर यह तो राज्य सभा से 28 नवम्बर 1973 को पास ही हुआ है और उस के बाद हम अभी मिल ही रहे हैं। स्टाकहोम का भी अभी दो वर्ष पहले हुआ है। यू एन ओ जब इतना पीछे जगी तो आप कैसे जग सकते थे दस साल पहले? यू एन ओ की स्टाक होम में जो कान्फरेंस हुई वह आप को तो मालूम है कि चार साल पहले हुई थी जहाँ हमारी प्रधान मंत्री गई थीं और सारे विश्व का ध्यान उन्होंने इस और आकृष्ट किया था।

एक चीज डाक्टर रामेन सेन साहब कहना भूल गए कि अगर इस में सहयोग ट्रेड यूनियन लीडर्स का और उन के जैसे लीडर्स का नहीं मिलेगा तो काफी हद तक इसे सफलता की ओर हम नहीं ले जा सकेंगे। ये जितने भी यूनियनलीडर्स हैं वे दूसरी ओर भी खेँटें। केवल डिस्ट्रिक्टव एंटीट्यूड और डिस्त्रिक्टव एंटीट्यूड वे लेते हैं। कान्स्ट्रिक्टव एंटीट्यूड भी उनको लेना चाहिए और इस चीज की ओर मैं उन का ध्यान खींचूंगा।

विशेषकर सेंट्रलबोर्ड के कान्स्टीट्यूशन के बारे में मैं लेबी जी का ध्यान आकृष्ट करूंगा। आप ने एक फुल टाइम चेंबरमैन रखा है, पांच आफिशियल्स रखे हैं और एक आप ने रखा है तीसरी धारा में 13वीं पीक में—

Such number of persons not exceeding five to be nominated by the Central Government from amongst Members of the State Boards.

असल में तो काम स्टेट बोर्ड को ही करना है, आप को तो सिर्फ कोऑर्डिनेट करना है, वहाँ आप बड़े बड़े वैज्ञानिकों को भी रखने की कौशिश कीजिये। इस के लिये आप संख्या 5 से घटा कर 2 कर दें और तीन एमिनेंट साइन्टिस्ट्स को लें—तो बड़ा सुन्दर होगा। 16 hrs

मुझे आशा है आप इस पर गम्भीरतापूर्वक विचार करेंगे, जिस से अभी जो बिल अया है वह परिपूर्ण समझा जावे। इन शब्दों के साथ

[श्री बमना प्रसाद मंडल]
मैं भारत सरकार के इस स्तुत्य यत्न का स्वागत करता हूँ और पूरे दिल से इस का समर्थन करता हूँ।

SHRI K. GOPAL (Karur): Mr. Chairman, Sir, before I welcome this Bill I would like to welcome you to the Chair.

I would briefly state within a few minutes with regard to penalty clause— Clause 41. Dr. Ranen Sen also pointed that out. It reads as follows:—

“41(1) whoever fails to comply with any direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction or fails to comply with any orders issued under clause (c) of sub-section (1) of section 32 shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both and in case the failure continues, with an additional fine which may extend to one thousand rupees for every day during which such failure continues after the conviction for the first such failure.”

My submission is that the penalty should be imprisonment for a period of three months and fine. Of course this takes care of the individuals contravening the provisions and it also takes care of the companies. But, with regard to offences committed by Government Departments, it has been stated as follows in clause 48:

“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 or that he exercised all due diligence to prevent the commission of such offence.”

If the Head of the Department is not held responsible and he proves that, then the responsibility should be fixed on somebody who was responsible for the offence.

Another thing is with regard to Municipal Corporation. In Municipalities, Panchayat Unions and others, whom are you going to hold responsible? We cannot ask the Chairman or Mayor to be responsible. These things should also be taken into consideration. That is my brief submission.

श्री मूलचन्व डान्ग (काली) : सभापति जी, मैं भी उस स्वर में बोलता हूँ कि आप का धन्यवाद है, लेकिन जो कानून आप बना रहे हैं कि अल्मारी में यह रखा रहेगा या इस पर काम होगा—इस का आप उत्तर दीजिये। 1962 में आप ने इस की चर्चा की थी और 11 साल के बाद आप इस कानून को लेकर आये हैं और कानून भी ऐसा लाये हैं जो लागू नहीं हो सकता। यदि लागू हो जायें तो वास्तव में आप का बड़ा सौभाग्य है, लेकिन मुझे लगता है कि यह लागू नहीं होगा।

मुझे दुःख होता है—यह क्या कानून बनाया है। मंडल जी भी बड़ा धन्यवाद दे रहे थे, उन के धन्यवाद के साथ मेरा भी धन्यवाद है। डा. रानेन सेन भी राजस्थान के बारे में कह रहे थे, लेकिन प्रश्न यह है कि कानून क्यों बनाते हैं, जिन लोगों ने हमारे खेतों को बिगाड़ दिया, हमारे पौधों को खराब कर दिया, हमारे जानवर मर गये, उन के खिलाफ क्या कार्यवाही की गई, 20 साल के बाद इस कानून को क्यों लाये, यह कानून तो बहुत पहले जाना चाहिये था। सारी पार्लियमन्टीय स्टीज, लोकल-बाडीज और कारपोरेशन का है, लेकिन इम्प्लेमेंट करने की ताकत नहीं है—

What will the Municipalities do? Are these local bodies, the so-called Corporations, Panchayat Samities, Zila Parishads, not going into these things? What are their functions? I have not understood this. I was a Chairman for over 15 years in a particular Municipality. I do not know whether your authorities have ever applied their mind to this thing or not.

कभी जाते हैं तो कहते हैं कि वाटर-पॉल्यूशन एक्ट ला रहे हैं, लेकिन 1962 के बाद आज एक्ट आया है।

इस का पहला प्रावजन दीखिये—

Let us see the definition of 'pollution' as given in the Bill. We find that :

"pollution" means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may be, or is likely to, create a nuisance. . ."

Can we not take proceedings under section 138 of the Criminal Procedure Act to prevent such nuisance? Section 133 of the Criminal Procedure Code reads thus :

"whenever a district magistrate, a sub-divisional magistrate or a magistrate of the first class considers, on receiving a police-report or other information and on taking such evidence as he thinks fit, that any unlawful obstruction or nuisance should be removed from any way, river or channel is or may be lawfully used by the public, or from any public place. . .

Such magistrate may make a conditional order. . .". Under section 133, the magistrate can take action then and there without having to go to any court. But under this Bill, the magistrates would only say 'please go to the Water Board, we are not

going to take any action'. The other day I had a talk with the hon. Minister that water pollution should be stopped. He said that a new Act was coming. It is good that this new measure has come.

But what do we find in this new measure? We have three types of boards to be constituted, a State Board, a Central Board and a Joint Board. Why is the Central Board being a constituted? What will the Central Board do? Reference has been made to my village in Rajasthan.

what will the Central Board do there? Again what is the joint board for? Who will bear the expenditure of the joint board and what will be its machinery?

As regards the constitution of the central board, I would refer you to clause 3, which says

"The Central Board shall consist of the following Members, namely.—

(1) a full-time chairman. . .".

Again, they want to have a full-time chairman That is very good, and he will be given a salary of Rs. 2000, a bungalow etc By all means, give him all this, and we approve of this. Then, we have five officials to be nominated by the Central Government to represent that Government Nothing is said about what qualifications they should possess. I have tabled an amendment that those officers should only be nominated who have special knowledge or practical experience in respect of matters relating to the use and conservation of water resources. We are tired of this bureaucracy being represented every where By all means, let there be specialists. Again, we have such number of persons not exceeding five to be nominated from amongst the members of the State Board. So, in all, these will be ten persons, and they will be having their travelling and daily allowances. Then, three persons are to be nominated to represent industry. So, some industrialists will also come in. What co-operation will they give? Then, we have

two persons to represent companies and corporations. As I have said already, what about municipalities and corporations? Why should we not have mayors and chairmen and presidents of these local bodies? After all, they have got experience of dealing with these subjects. But then the hon. Minister would say, no, elected people are not required now, because it is a progressive legislation and therefore every thing should be done only by experts who will have enough time to deal with these problems. After all, in a democratic country, do we want that it is only the officials who will do all the things? What will an official sitting at the Centre do to prevent pollution of an almost dry river in my State? Nobody applies his mind to the Bill. It takes a lot of time if one goes through the Bill. Therefore, nobody will do it. Even the Minister concerned does not do it. He does not get time. Every body says 'the Bill is all right'.

Now the State Board comes. What does it consist of? Five officials. The number is five. The hand has five fingers, not one or two but five. Their office work will not suffer. They will go there. They will have their TA and DA. Five officials to be nominated by the State Government to represent that Government.

Then five persons to be nominated by the State Government from amongst the members of the local authorities functioning within the State. Then three non-officials to be nominated by the State Government to represent the interests of industry etc. Then two persons to represent the companies or corporations.

यह दूसरा बोर्ड बन गया ।

So we have the Central Board and now the State Board. The third will be a joint board.

AN HON. MEMBER : There is no black board.

SHRI M. C. DAGA : What will they do? They will prepare schemes. Very good. We have already prepared schemes in 25 years. We know about water and air pollution.

[श्री मूल चन्द्र डागा]

हमको सारी बातें मालूम हैं कि कहां पाल्पुशन हो रहा है, कहां पानी खराब हो रहा है और कौन से क्लॉस हैं जो खराब हो रहे हैं ।

Why do you want to ask them to sit in an air-conditioned room, go on for years together and spend money like that?

क्या सरकार का पैसा बर्बाद करना चाहते हैं ? Please reconsider this.

उनके फंक्शन्स क्या हैं ? वे योजना बनायेंगे ।

Coming to implementation, how will it be implemented?

Then come to di-qualifications.

"No person shall be a member of a Board who is, or at any time, has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors".

Very good. Then:

"Is of unsound mind and stands so declared by a competent court".

All right. Then:

"is, or has been convicted of an offence which, in the opinion of the Central Government, or as the case may be, of the State Government, involves moral turpitude".

So your opinion is required here! The man has committed an offence of moral turpitude. Moral turpitude has been defined in all the Acts. But here your opinion will be considered. Based on your opinion, on the opinion of the Central Government or the State Government, you can exonerate one of this charge. What is moral turpitude? As I said, it has already been defined in so many Acts. But here the definition is 'in the opinion of the Government'. How can it be opinion? What will be the opinion? Are they experts on this to say whether this is moral turpitude or not? After all, what is that opinion? It says:

"is, or has been convicted of an offence which, in the opinion of the Central Government, or, as the case may be, of the State Government, involves moral turpitude".

So I submit one thing:

मारल टपीट्टयड हुआ या नहीं लीकन

What happens when the period passes away?

तीन चार साल के बाद तो उसका माफ करो । किसी ने बकरी चुरा ली तो उसका जुर्माना ही गया लीकन
You are debarring him from becoming a member.

आप जो भी कानून बनायें मंहरबानी करके ठीक बनायें । ऐसा नहीं कि अफसरों ने किताबें मंगाकर देखा कि इसमें अनसाउन्ड पाइन्ट लिखा हुआ है तो उसकी जगह पर कुछ और कर दिया जाये । आप इसमें ऐमा ही कर वीजिये :

"Shall cease to operate after the expiry of three years".

तीन, चार साल के बाद तो दुनिया में उसका कुछ सुधार करने वीजिये, जिन्दगी में एक बार अगर दाग लग गया तो कोई बात नहीं है । यह डिस्क्वालिफिकेशन का जो प्रश्न है इसमें एवायड कीजिये ।

What is the Board? What can the Board do? Nothing. The Board can only act according to what Shri Bhola Paswan Shastri says They have to carry out the directions of the State Governments and the Central Government. Nothing more. What is the purpose of this Board? It is only at your instance that they can do anything. The Board shall be bound by the direction that the Central Government may give. What can the Board do?

हमारा रूपया आप खर्च करा रहे हैं । स्टेट बोर्ड क्या करेगा ? फिर आपने कहा है :

"Every State Board shall be bound by the direction of the Central Government or the State Government".

उसमें दो मामक हैं ।

Two laboratories have been set up. One in the States and another at the Centre, and that report will be final. That will be the conclusive proof.

कोई तालाब, नदियाँ या कुवों का जो पानी है उसका हम जानते हैं । आपने दो लैबोरेटरीज स्थापित की हैं ।

I cannot rebut it in evidence after all, it may be *prima facie* proof; not conclusive proof. I cannot rebut it. After all, I can give any expert a sum of rupees and get a report. You know that there can be two reports You say it is conclusive proof. Make it rebuttable.

लैबोरेटरी की रिपोर्ट आयेगी वह फाइनल है ।

One can rebut it. If anybody applies his mind and gets the time to read the report, he will come to some conclusions. You say that the report of the laboratory is conclusive proof. Let it be made rebuttable.

यहां पर जो अच्छे वक्ता बोलें वे चले गए । मण्डल साहब चले गए हैं । मैं कहता हूँ आज किसी फैक्टरी का खराब पानी किसी नदी में आ रहे हैं तो उसके लिए क्या किया जायेगा ? कोई रास्ता नहीं है । जैसा मैंने कहा 133, किमिनल प्रोसीजर कोड है, म्युनिसिपल ऐक्ट है । आपकी स्टेट गवर्नमेंन्ट कहेंगी इसको मना कर दें । यह ऐक्ट बनाने का पर्यज है । बोर्ड जो है वह डायरेक्शन देगा । इक्वायरी हांगी और इक्वायरी के बाद मैजिस्ट्रेट के पास जायेंगे ।

You will go to a magistrate. The magistrate will pass an order. He may pass a stay order then and there.

मैजिस्ट्रेट माइन्ड क्या एप्लाई करेगा ।

When you go for a permanent injunction, he must issue a temporary injunction or he will apply his mind.

यह जो आप आर्डर पास करना चाहते हैं मैजिस्ट्रेट के पास जाने के लिए ।

What will he do? Simply he will apply his mind.

ऐसा नहीं है वह उस पर आर्डर पास [श्री मूल चन्द्र ढागा]
करेगा ।

According to clause (2) there is to be an appellate authority and it shall consist of three members. Who are those three persons? Tom, Dick and Harry? Is this enough? Is that also 'to be prescribed by rules'? For heaven's sake, do not disclose anything. Will any decent person be on your board? Nobody will like to come on your board. The appeal should be preferred to the authority within thirty days. What is that 'authority'?

बड़ा अच्छा जस्टिस का स्कोप आप ने दिया है । अपील दी है, फिर रिवीजन भी दिया है । मुझे लगता है कि जिस आदमी ने यह बिल डाफ्ट किया है उस को तो ता कमिशन का चयरमैन बना देना चाहिये, वह तो बड़ा हीशियार आदमी है । ए क्लोज पर मैं तब आऊंगा जब संशोधन लिये जायेंगे और बताऊंगा कि इस में कितनी खामियां हैं ।

Then there is revision power. You have given very good scope: first appeal, then revision. The man who prepared this should be offered the post of Chairman of the Law Commission. Then, how will you implement it? How do you stop dirty water flowing from a factory? How will you stop this today? Go to the Criminal Procedure Code and give power to the municipalities and corporations. What is the use of having laws and rules which cannot be enforced? Have you prepared an encyclopaedia of all the rivers and wells and ponds? Then it says you can have committees consisting of other persons also. Please invite me also for a committee sometimes.

Then there is a clause which says that in consultation with or on the recommendation of the State Government, the provisions of the Bill may not apply to the entire State or even parts of a State. The provisions will apply to Jodhpur and Bikaner and not to Jaipur: If it is a good legislation, it should be made applicable to the whole State.

Then it says that the Board may constitute as many committees as it needs. It will consist wholly of members or partly of members and partly other persons. Who are these persons—M. C. Daga, Goswamy Y. P. Mandāl and Reddy? Have your own committees. There is so much of expenditure involved. But implementation is not there. It has taken 25 years for them to come with this legislation. You will have to frame rules and you will take another 25 years for implementation. Who knows what will happen by that time? I have remained as a Chairman for a long time and I know how to implement the laws. Why do you not give powers to the municipalities, the local institutions?

कोई मुझे समझायें । सरकार का कराई ही रूपया खर्च होना चाहिये क्योंकि हमारे बड़े-बड़े अफसर साहब वाटर पॉल्यूशन की मीटिंग में जाया करंगे, और मंडल साहब ने बड़ा अच्छा भाषण दिया गंगा नदी का सारा पानी बिगड़ गया है, और बिगड़ जायेगा । जब मैं स्टेट गवर्नमेंट के पास जाता हूँ, मैं अभी अभी गया हूँ, तो मंत्री महोदय कहने लगे कि नया बिल आ रहा है । वह कॉन सा बिल है जो आप ला रहे हैं ? क्या यही बिल है । ऐसा कानून लाया जाए जिसका एनफोर्समेंट करा सके आप । और अगर एनफोर्समेंट नहीं हो सकता तो ऐसा बिल लाने से क्या फायदा हांगा ।

सभापति जी, मैं आपसे माफ़ी मांगता हूँ, आप कहेंगे कि बड़ा अच्छा कदम है, बहुत क्रांतिकारी है इससे पानी खराब होना बन्द हो जायगा आज से । मैं चाहता हूँ कि मिमनल प्रोसीजर कांड है आप थोड़ा सा डिमाग लगाइये । नहीं तो हम को कहना पड़ेगा कि यह बिल ठीक है क्योंकि हमारे संसद कार्य मंत्री बैठे हुए हैं और वह हमको कहेंगे कि इसका समर्थन करा ।

SHRI RANA BAHADUR SINGH (Sidhi) : Sir, I welcome this Bill because, for the first time after almost ten years of continuously bringing to the notice of the Government concerned the fact that

[Shri Ranabhadur Sing]

one of our major rivers, namely, Sone, has been polluted to an extent of more than 60 miles downstream by a certain factory, this Bill has come to this august House. In that respect I welcome it. But, naturally, because of this difficulty that my constituency was facing, I have studied this Bill in the context of that situation and I would like to offer some suggestions for the consideration of the hon. Minister, because we are already facing that difficulty in that region.

As Shri Daga has so well put it, I would also firstly comment on the constitution of the State Boards. I would draw attention to section 4, sub-section (2), where it is stated that five persons will be nominated by the State Government from among the members of the local authority functioning within the State. I would think that it should be a mandatory provision in this section that the Panchayats or the local authorities, which are functioning in that region where this pollution is taking place, should statutorily have a place in the State Board. If necessary, the State Boards should have regional boards which could involve the panchayat level members into that functioning. I hope this addition will be made to this law.

Then, again, I am troubled by the provision of section 16(2)(g) which lays down that the Central Board may :

“..modify or annual, in consultation with the State Government concerned, the standards for a stream or well:

Provided that different standards may be laid down for the same stream or well or for different streams or wells, having regard to the quality of water, flow characteristics of the stream or well and the nature of the use of the water in such stream or well or streams or wells ;”

I think this provision here is a backdoor entry or all sorts of short-circuiting of the intention of this law. It would

mean that the same stream which may have purified water at the top would, through the use of this section, provide for a different standard downstream. In short water pollution is something which cannot be tampered with. Pollution is something which has to be stopped. I believe, the whole exercise is towards that direction. If that is so, I fail to understand the necessity of this provision.

Again, in the same context, clause 19(1) seeks to limit the use or the application of this Bill. It says :

“if . . .the State Government, after consultation with, or on the recommendation of, the State Board, is of opinion that the provisions of this Act need not apply to the entire State, it may, by notification in the Official Gazette, restrict the application of this Act to such area or areas as may be declared therein as water pollution, prevention and control area or areas and thereupon the provisions of this Act shall apply to only to such area or areas.”

I respectfully submit that after all this waiting, when we have finally come with this Bill, if you restrict its application in the very first instance, it will be a bad step to start with. I see no difficulty in having this Bill applying uniformly to all the State territories and only such regions might to exempted where water does not exist.

As I have already submitted I have looked at this Bill purely from a view-point of the difficulties that we are facing. Here, clause 47(2) says :

“Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent

[Shri Ranabhadur Singh]

or connivance of, or is attributable manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly."

I would like to mention here that in spite of the protests of all the villagers and all the elected representatives of that region, the Company has gone on throwing in its effluence into the streams of the river . . .

DR. RANEN SEN : Which Company ?

SHRI RANABHADUR SINGH : We can leave it at that.

DR RANFN SEN : Why not name that Company ?

SHRI RANABHADUR SINGH : It is one of the big paper mills situated in Madhya Pradesh.

In spite of the protests, in spite of the fact that water 60 miles down-stream is not fit for even cattle consumption, it is continuing. I think, this would be a very wrong method by which the people responsible shall be brought into the fold of the penal provisions of this Bill. For a thing that has already been committed and is being committed for the last 10 years, there should be some cognizance taken and this provision has to be made effective immediately. There is a provision that where the people have been throwing in the effluence previously, before the application of this Act, they shall be given an option of applying for a clearance from the State Board within three months. I hope, the three months period would also imply that whatever pollution they have been causing shall have stopped by then.

Finally, I think, the punitive provisions in this Bill, when they relate to big firms,

are limited only to one year's rigorous imprisonment, are not enough . . .

DR. RANEN SEN : It is three months and/or fine.

SHRI RANABHADUR SINGH : These are too lenient punitive provisions. There must be such punitive provisions in the Bill which would by themselves act as a corrective measure.

निर्माण और आवास मंत्री (श्री भोला पस्वान शास्त्री) : सभापति महाशय, मुझे बड़ी खुशी है कि माननीय सदस्यों ने इस बिल में बड़ा इन्ट्रस्ट लिया और सरकार को कुछ सुझाव दिये। तमाम माननीय सदस्यों ने इस बिल का स्वागत किया है और कहा है कि यह एक प्रोग्रेसिव बिल है। इस बिलके एम्ब एंड आबजेंट्स से किसी को मतभेद नहीं है। हाँ, अपने भाषणों के दौरान माननीय सदस्यों ने इस बारे में अपने अपने विचार रखे हैं। अगर माननीय सदस्य इस बिल की क्लोजिंग पर अपने एमंडमेंट्स देंगे, तो सरकार उनको बिल में अपना जवाब देती। लेकिन उन्होंने तो केवल जनरल विचार व्यक्त किये हैं। सरकार ने उनका नोटिस लिया है, और जब वह बिल कानून बन जायेगा और इस को लागू किया जायेगा, तब अगर कोई कठिनाई पैदा होगी, तो इन सजेस्शन्स पर और आगे जो सजेस्शन्स दिये जायेंगे, उन पर भी—विचार किया जायेगा। इस वक्त तो सरकार का यही जवाब हो सकता है। इस समय तो इस बिल पर एमंडमेंट नहीं दिये जा सकते हैं। माननीय सदस्यों को एमंडमेंट्स देने के लिए पूरा मौका था। चूँकि उन्होंने कोई एमंडमेंट्स नहीं दिये, इस लिए हम इस वक्त उन की अमूल्य राय से फायदा नहीं उठा सकते। आगे देखा जायेगा।

श्री हागा ने बिल के बारे में बड़े जोरों से अपने विचार प्रकट किये हैं। जयंट कमिटी ने आरिजनल बिल पर करीब 126 एमंडमेंट्स दिये थे। सरकार ने उनमें से 103 एमंडमेंट्स को स्वीकार कर लिया। शेष 23 एमंडमेंट्स में माडीफिकेशन किया और उनमें

[श्री भोला पस्वान शास्त्री]

से 9 एसेम्बलमेंट्स तो रुटीन नंबर के थे और 14 में सरकार को जायंट कमेटी के चेंबरमें की राय प्राप्त हो गई थी। इस लिए इस विधेयक में पीपुल्स रिप्रिजेंटेटिव्स की राय को बिलना एकामाइंट किया जा सकता था, उसना एकामाइंट किया गया है।

श्री डागा ने यह सवाल उठाया है कि जिस आधमी को मारल टपीट्यूड के आरोप में सजा हुई है, उसको सदा के लिए डीबार कर दिया गया है। हम तो एक्सपर्ट्स की राय के अनुसार चलते हैं। एक्सपर्ट्स का कहना है कि ऐसे व्यक्ति को नियुक्त नहीं किया जा सकता है। वह कोई इलेक्ट्रिकल पोस्ट नहीं है। अगर पार्लियामेंट, या किसी अन्य इलेक्ट्रिकल, बाडी, के किसी मंत्री को मारल टपीट्यूड के आरोप में सजा होती है, तो उस के लिए तो प्राविजन किया जा सकता है कि अगर उसने एक पत्रा गलती की है, तो उसको सदा के लिए डीबार नहीं कर देना चाहिए। लेकिन ये लोग तो एपार्थीट और नामिनीटड मंत्री होंगे। अगर कोई आधमी मारल टपीट्यूड में सजा पा चुका है, तो उसका मंत्री न होना ही मुनासिब है। माननीय सदस्य इस बात पर जोर दे रहे थे कि वह सदा के लिए डीबार हो गया है। ऐसी बात नहीं है।

श्री मूलचन्ड डागा : अगर किसी आधमी को एक्सपीरियंस और नालेंज है, लेकिन उसने किसी जमाने में कोई गृनाह कर दिया, तो क्या उस के नालेंज और एक्सपीरियंस का कभी भी थूटलाइज नहीं किया जायेगा ?

श्री भोला पस्वान शास्त्री : यह तो एक हाई-पार्थीटकल बात है। अगर ऐसा कोई खास आधमी होगा, तो सांचा जायेगा। अगर उसके बिना भी काम नहीं चलेंगा, तो उसका उपाय सांचा जायेगा। अभी इसकी जरूरत नहीं है।

श्री डागा का जवाब यह है कि यह बिल बिल्कुल कानून बनाने लायक नहीं है। मुझे उनकी बात पर आश्चर्य हुआ है। वह खुद एक वकील हैं और कानून की शरतीकियों को समझ सकते हैं। मैं तो एक लैमन हूँ।

एक माननीय सदस्य : वह नहीं समझते हैं।

श्री भोला पस्वान शास्त्री : मेरा जवाब है कि वह मन ही मन सब कुछ समझ रहे हैं और खाली सुनाने के लिए कह रहे हैं।

मैं कहना चाहता हूँ कि दोनों हाउसज के मंत्री इस जायंट कमेटी में थे। वे बड़े अच्छे मंत्री थे। उन्होंने बड़ी मेहनत के साथ इस बिल को बनाया है। ज्यादा प्राविजन उन्हीं के बनाए हुए हैं। डाक्टर साहब ने क्लोजिज का अध्ययन कर के बताया है कि ऐसी व्यवस्था होनी चाहिए।

जहां सेक्शन 24 का आपने जवाब दिया था उसमें दिया हुआ है कि अगर वह पॉल्यूट नहीं करता तो बना सकता है। प्रश्न है पॉल्यूशन का 1 पॉल्यूशन होगा हम पकड़ेंगे और पॉल्यूशन नहीं करता है तो खामख्वाह नहीं पकड़ेंगे और यह भी कहा गया है कि केवल पकड़ने का या प्रासिक्यूट करने का सवाल नहीं है। हमारा यह भी उद्देश्य है कि हम उस को बतला दें कि ऐसे काम कबे जिसमें पॉल्यूशन न होने पावे। पहले तो यही होना चाहिए। खामख्वाह किसी को सताने या तंग करने का सवाल नहीं है। कोशिश यह है कि पॉल्यूशन नहीं होना चाहिए। पहले उस इंडस्ट्री को या जो भी पॉल्यूट करता है उस को कहा जायेगा।

डाक्टर साहब ने कहा कि खाली वाटर पॉल्यूशन को रोकने से काम नहीं चलेंगा, एयर पॉल्यूशन को रोकने का भी इंतजाम होना चाहिए। वह बहुत ठीक बात कहते हैं कि दोनों एक लिंक सबजेक्ट हैं। लेकिन साल्यूशन उनका एक नहीं है, जो हम को राय मिली है उसको अनुसार मैं यह कह रहा हूँ। वह डाक्टर हैं, मैं उनको बलेंज नहीं करता लेकिन हमको एक्सपर्ट राय यह मिली है कि ये सबजेक्ट लिंक सबजेक्ट्स हैं अगर साल्यूशन दोनों के अलग अलग हैं। लेकिन जहां तक एयर पॉल्यूशन का सवाल है, मैं डाक्टर साहब को बताना चाहता हूँ कि वह बिल भी प्रॉसेस में है और हम समझते हैं कि ह्यू

[श्री भोला पस्वान शास्त्री]

टाइम पर वह पार्लियामेंट के सामने पेश किया जायगा। वह मरुद-नजर है। जो डाक्टर साहब की एंजाइटी है वह हमारी भी एंजाइटी है। वह जाएगा।

एक माननीय सदस्य : पॉलीटिकल पॉल्यूशन का क्या हुआ ?

श्री भोला पस्वान शास्त्री : पॉलीटिकल पॉल्यूशन तो जब हम लोग सब ठीक हो जाएंगे तो खत्म हो जायगा। इस के पहले नहीं खत्म होगा।

एक माननीय सदस्य : पंचायतों के रीप्रजेंटेटिव के बारे में क्या कर रहे हैं ?

श्री भोला पस्वान शास्त्री : पंचायतों का तो उसमें दिया हुआ है कि जो सेंट्रल बोर्ड या स्टेट बोर्ड बनेंगे उसमें नान-आफिशियल्स का भी प्राविजन है। जहां तक लोकल बाडीज का सवाल है, उसका भी प्राविजन है। एक भाई ने म्यूनििसिपैलिटीज के बारे में कहा। म्यूनििसिपैलिटीज के चंयरमैन या कारपोरेशन के चंयरमैन को भी गवर्नमेंट नामिनेट कर सकती है। सेंट्रल बोर्ड में जो लोग आएंगे उस में स्टेट गवर्नमेंट का जो बोर्ड होगा उस में से लिए जाएंगे। उस में लोकल बाडीज के मंयर हो सकते हैं, दूसरे हो सकते हैं पार्लियामेंट के मंयर हो सकते हैं। कहीं रूकावट नहीं है।

एक माननीय सदस्य : डागा साहब का भी ले लीजिए।

श्री भोला पस्वान शास्त्री : डागा साहब इतना बोलें तो देखेंगे, विचार करेंगे।

जहां तक फाइनेशियल रस्स्पेक्ट का सवाल है इस बिल का उस में कहा गया है, जहां तक सैंस लगाने की बात है वह तो रिसर्च पर खर्च करने के लिये है। वह तो फिस्कल मंजर है, गवर्नमेंट लाएगी। रिसर्च वर्क उस के साथ होगा। लेकिन जहां तक स्टिकिंग प्लान बँटाने का सवाल है वह तो लोकल बाडीज हैं, इंजीनियरीनिस्टस हैं उन लोगों का काम होगा बँटाने

का गवर्नमेंट का इस बक्त में नहीं कि हम कहाँ तक क्या कर सकते हैं। कोई गारन्टी इस में नहीं है। सैंस लगाने का हम ने इस में दिया है, वह इसलिए है कि हम को रिसर्च वर्क करना है। इस के लिए हम उसे खर्च करेंगे। इंजीनियरी को और लोकल बाडी को इस को बँटना पड़ेगा और स्टेट गवर्नमेंट इस की एग्जीक्यूटिंग एजेंसी होगी।

जहां तक सेंट्रल बोर्ड के काम का सवाल है सेंट्रल बोर्ड का काम होगा सब स्टेट्स के काम को कोऑर्डिनेट करना, एडवाइज करना, लेबोरेटरीज को एडवाइज करना, सेंट्रल गवर्नमेंट के मातहत बहुत सी यूनिवर्सिटी टैरिटरिज हैं उन के अन्वर इसको इम्प्लीमेंट करना। किसी ने कहा कि सेंट्रल बोर्ड बनाने की क्या जरूरत है ? तो यूनिवर्सिटी टैरिटरिज को तो यहा से ही टाइ-रेक्शन जाएंगे। हम खुद वहां इम्प्लीमेंट करेंगे क्यों कि वह हमारे मातहत है। इस तरह से कोई हर एक बोर्ड की कल्पना की गई है। आप ने दो की बात कही, दो नहो चार लेबोरेटरीज बनेंगी। सेंट्रल गवर्नमेंट की लेबोरेटरी, सेंट्रल बोर्ड की लेबोरेटरी स्टेट गवर्नमेंट की लेबोरेटरी, स्टेट बोर्ड की लेबोरेटरी। क्यों कि आप तो लाइयर हैं, अगर किसी का प्रासिक्चर करना होगा तो स्टेट गवर्नमेंट की लेबोरेटरी जो ऑफिशियल वगी उस पर नहीं हो सकता क्यों कि प्रासिक्चर करने के लिए ऊपर की एथोरिटी चाहिए। उस में एनैलिस्ट होंगे। वह रिकमंड करेगे तब जा कर उस का प्रासिक्चर स्टार्ट होगा।

यं जितने भी प्राविजनस हैं सब बिल में दिए हुए हैं और बड़े डीटेल में दिए हुए हैं। अगर इन को गौर से देखा जाता और मंहनत की जाती तो इतना कन्फ्यूजन आप लोगों को नहीं होता। काफी बातें इस में दी गई हैं।

आप ने कहा कि बनारस के घाट पर लोग स्नान करते हैं तो गरीबों को संग किया जाएगा। संग करने की बात नहीं है। स्नान तो

करेंगे लेकिन जहाँ पर स्नान करने की जगह हैं वहाँ कोई मुर्दा फेंक देगा या नाइटसोयल फेंक देगा तो उस में तो उम का पकड़ना और उस पर एक्शन लेना जरूरी है . . . (अब बधाज) म्यूनििसिपीलटी के चेंबरमेंट हैं या कास्ट-पारेशन के चेंबरमेंट हैं तो चेंबरमेंट पकड़ें जाएंगे। इस बिल में इतनी सख्ती की गई है कि गवर्नमेंट के जो प्लान्ट होंगे, गवर्नमेंट की जो पब्लिक अंडरटैकिंग्स हैं वह भी ऐसा काम करेंगी तो उन को भी पकड़ा जायगा। किसी को छोड़ा नहीं जायगा। इसी से इस की सीरियसनेस का अन्दाज लगा सकते हैं कि किसनी इस में सीरियसनेस है। प्रधान मंत्री ने काफी इस में इंटरेस्ट लिया है और हास्ट टाइम ही यह बिल पास हो जाता लेकिन संशन खत्म हो गया और पास नहीं हो सका। अब यह भरोसा है और ऐसा ख्याल है कि इस को इम्प्लीमेंट किया जायगा। ऐसा नहीं है इम्प्लीमेंट नहीं होगा। एक माननीय सदस्य ने कहा कि बना हुआ पड़ा रहेगा और इम्प्लीमेंट नहीं होगा, ऐसी बात नहीं है। यह कोई मजाक की बात नहीं है कि पड़ा रहेगा कॉल्ड स्टोरेज में। यह भावना नहीं है। इस बिल का इम्प्लीमेंटेशन होगा। आज के जमाने में अगर इस तरह का बिल हम लाते तो जनहित में जो बड़े बड़े काम होते हैं, मरे ख्याल से यह वाटर पॉल्यूशन का बिल किसी काम से किसी याजना से कम महत्व का नहीं है। मैं डाक्टर रामन सैन की भावनाओं से पूरी तरह सहमत हूँ। उन की फीलिंग के साथ हम हैं। यह बड़ा इन्निसेंट बिल है, बड़ा निर्दोष बिल है। किसी को सताने का रावाल नहीं है। हमारे देश में आज भी गरीब आदमी नदियों से भरनों से पानी लाकर पीते हैं। उन के जीवन के लिए चाहते हैं कि अच्छा पानी उन को पीने को दें तो इस से अच्छा और इस से भला काम क्या हो सकता है? जहाँ तक वाटर सप्लाई का सवाल है आप को मालूम है हंगरी हर पंच वर्षीय याजना में वाटर सप्लाई के लिए काफी पैसों रखे गए हैं। मेरा ख्याल है कि हिन्दुस्तान के जितने बड़े बड़े कमिश्नरी के इंजिक्वार्टर्स हैं वहाँ पर प्रोटैक्टड वाटर सप्लाई का इंतजाम हो गया है। अब हम देहात की ओर जा रहे हैं। केवल दस पन्द्रह

वर्षों में मेरा ख्याल है कि प्रोटैक्टड वाटर सप्लाई हम हर जगह देंगे क्यों कि पंच वर्षीय याजना ने काफी इस का प्राविजन किया गया है। वह आप के सामने सदन में आएगा। उस पर विचार कीजिएगा। सब प्रसाद कर जो आप की फीलिंग्स हैं उन के साथ हम हैं। बिल में जो प्राविजन्स किए गए हैं वह बहुत अच्छे किए गए हैं। मैं ने बहुत गौर से और मेहनत कर के इस को देखा है। फिर यह आखिरी नहीं है। जब सदन इसको पास कर देगा तो हम इस की इम्प्लीमेंट करेंगे। इम्प्लीमेंट करने के प्रोसेस में काफी कीठनाइयाँ आ सकती हैं। तो फिर अमेंडमेंट का रास्ता खुला हुआ है। फिर आप के सजेशनस और अमेंडमेंट हम इन्वाइट करेंगे। आप के सामने तब फिर हम आएंगे। इसलिए इस को जाने दीजिए। जब हम इस के ऊपर काम करेंगे तब कोई डिफिकल्टी होगी तो अमेंडमेंट ला सकते हैं। दरयाजा खुला हुआ है।

इन शब्दों के साथ मैं निवृत्त करता हूँ कि सदन इस पर विचार करे।

MR. CHAIRMAN: Now the question is:

"That the Bill to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration"

The motion was adopted

MR. CHAIRMAN: We will take up Clause-by-clause discussion. We go to Clause 2.

There are no amendments. The question is:

That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR. CHAIRMAN: There are amendments Clause 3 (*Constitution of Central Board*) by Shri Daga, Shri Bhola Paswan Shastri and Shri Y. P. Mandal.

SHRI M. C. DAGA: I will move my amendments. I want to say a word.

You say five officials to be nominated by the Central Government. Now I wish to say what kind of officials they should be.....

MR. CHAIRMAN: Mr. Daga, now we are at the stage of moving amendments.

SHRI M. C. DAGA: I beg to move:

Page 4,—

for lines 9 and 10, *substitute*—

“(b) three officials to be nominated by the Central Government to represent that Government, having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution;”(1)

Page 4,—

for lines 18 to 28, *substitute*—

“(e) two persons to represent the Municipal Corporations'/Municipalities' Mysore or Presidents;”(2)

MR. CHAIRMAN: Now, the hon. Minister may kindly move amendment Number 16 which relates to Clause 3 only and nothing else.

SHRI BHOLA PASWAN SHASTRI: I beg to move:

Page 3, lines 32 and 33,—

for “Gujarat, Haryana, Jammu and Kashmir, Karnataka and Kerala”.

Substitute:—

“Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal”.(16)

61 LSS/73—10.

MR. CHAIRMAN: Now, Mr. Daga you can speak on your amendments which you have already moved.

SHRI M. C. DAGA: Sir, my amendment Nos. 2 and 3 are with regard to officials to be nominated. I want two persons to represent the Municipal Corporations'/Municipalities' Mayors or Presidents. The other amendment is with regard to officials to be nominated by the Government.

I want three officials to be nominated by the State Government to represent that Government, having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution. I do not think it is objectionable. In fact it is very useful and reasonable and I hope you will accept it.

I again repeat that my second amendment is that there should be two persons to represent the Municipal Corporations'/Municipalities' Mayors or Presidents.

श्री भोला पस्वान शास्त्री : हमें बड़ी खुशी होती यदि हम डागा साहब की अमेंडमेंट को मान लें, लेकिन यह एकदम रीजनीबल नहीं है, क्योंकि हम जो मंत्री लेना चाहते हैं वे डिफरेंट इन्टरस्ट को रिप्रेजेंट करेंगे।

श्री मूल बन्धु डागा : कौन से आफिशियल को लेंगे ?

श्री भोला पस्वान शास्त्री : इस में एग्जिक्यूटिव डिपार्टमेंट, फिशरीज, इन्डस्ट्रीज डिपार्टमेंट के रिप्रेजेंटेटिव भी होंगे।

श्री मूल बन्धु डागा : लेकिन उन्हें इस का नालिज होना चाहिये।

श्री भोला पस्वान शास्त्री : हम उस में कन्डीशन रखने की कोशिश कर सकते हैं कि जिस को नालिज होगा वही लिये जा सकेंगे। लेकिन सब एक्सपर्ट नहीं हो सकते हैं।

SHRI YAMUNA PRASAD MANDAL: I beg to move:

Page 4, line 13,—
for "Board".

Substitute—

"Boards, of whom not exceeding two shall be from those".(17)

श्री भोला पत्तान शास्त्री : इस अमेन्डमेंट का हम स्वीकार करते हैं, यह बड़ा यूजफुल अमेन्डमेंट है।

MR. CHAIRMAN : Is Shri Daga pressing his amendments?

SHRI M. C. DAGA : I beg leave of the House to withdraw my amendments Nos. 1 and 2

MR CHAIRMAN : Has Shri Daga leave of the House to withdraw his amendments?

SEVERAL HON MEMBERS : Yes.

Amendments No 1 and 2 were, by leave, withdrawn

MR CHAIRMAN The question is :

Page 3, lines 32 and 33,—
for

"Gujarat, Haryana, Jammu and Kashmir, Karnataka and Kerala".

Substitute—

"Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal". (16)

The motion was adopted.

MR. CHAIRMAN · The question is :
Page 4, line 13,—

for "Boards".

Substitute—

"Boards, of whom not exceeding two shall be from those." (17)

The motion was adopted.

MR. CHAIRMAN : The question is :

"That clause 3, as amended, stand part of the Bills.

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4—(Constitution of State Boards)

SHRI M. C. DAGA . I beg to move :

Page 5, for lines 7 and 8.—
Substitute—

"(b) three officials to be nominated by the State Government to represent that Government, having special knowledge or practical experience in respect of matters relating to the use and conservation of water resources or the prevention and control of water pollution;". (3)

श्री भोला पत्तान शास्त्री : मुझे दुःख है कि मैं उन के इस अमेन्डमेंट का भी नहीं मान रहा हूँ।

17 hrs.

MR. CHAIRMAN Is he withdrawing his amendment?

SHRI M C DAGA Yes I seek leave of the House to withdraw my amendment

Amendment No 3 was, by leave, withdrawn

MR CHAIRMAN The question is :
"that clause 4 stand part of the Bill "

The motion was adopted

Clause 4 was added to the Bill

Clause 5—Terms Conditions of service of members)

SHRI M C DAGA : I move all my amendments to all the clauses.

MR. CHAIRMAN · You know you cannot do that

SHRI M. C DAGA : I move:
Page 5,—

Omit lines 38 and 39. (4)

Page 5, line 48,—

Add at the end—"provided he incurs the disqualifications mentioned in section 6". (5)

MR. CHAIRMAN : Is he pressing these amendments?

SHRI M. C. DAGA : No. I seek leave of the House to withdraw them.

Amendments 4 and 5 were, by leave, withdrawn

MR. CHAIRMAN : The question is:

"That clause 5 stand part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6—(Disqualifications)

SHRI M. DAGA : I move :

Page 6, lines 31 to 33,—

omit, "in the opinion of the Central Government or, as the case may be, of the State Government." (18)

Page 6,—

after line 33, insert—

"Provided that the disqualification mentioned in this clause shall cease to operate after the expiry of three years from the date of the release of the disqualified person from imprisonments". (19)

A member of the board shall not be eligible for renomination for more than two terms. Why cannot he become eligible for a third term? Why should there be a bar? I have not understood the reason. For heaven's sake, please apply your mind to this. When he is an expert, why should he have this bar? Please do not have this. No reason is given here. So remove this. A member of Parliament can be a member for four terms or more. Why should there be a bar in this case?

61 LSS/73—11.

MR. CHAIRMAN : Is he pressing these amendments?

SHRI M. C. DAGA : Yes.

DR. RANEN SEN : Let the Minister accept this innocuous amendment.

SHRI BHOLA PASWAN SHASTRI : I have said I cannot accept it.

SHRI M. C. DAGA : I want the reasons.

MR. CHAIRMAN : I shall now put these amendments to vote.

Amendments Nos. 18 and 19 were put and negatived :

MR. CHAIRMAN : The question is :

"That clause 6 stand part of the Bill".

The motion was adopted.

Clause 6 was added to the Bill

Clauses 7 and 8 were added to the Bill

Clause 9—(Constitution of Committees.)

SHRI M. C. DAGA : I move :

Page 7, lines 23 and 24,—

omit "or wholly of other persons or partly of members and partly of other persons" (20).

Kindly listen. Let it be on record. The clause says that "A Board may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons, and for such purpose or purposes as it may think fit". Who will be the other persons? Other than the members? So, you would not include them in the Committee? What are the qualifications of those other persons? Why do you like to have these committees and sub-committees? For what purpose, and what is the use? After all you have the Board an advisory board, a State Board, a Joint Board and a Central Board. Why do you like to have all this again? How many members are there? How do you co-operate with them, and what are the qualifications that they should possess, and what is the necessity, and what are their functions? Nothing.

श्री भोला बस्वान शास्त्री : इस संशोधन को स्वीकार नहीं किया जा सकता है जिसका कारण यह है कि जो सत्य है कि किन मेंबर्स की कमेंटी हो वह इसमें प्रोवाइडेड ही है। इसके अलावा गवर्नमेंट को एक्सपर्ट्स की जरूरत पड़ सकती है। फिर क्लस की जो काफी बनेगी वह सदन में रखी जायेगी और उसके आप देख सकेंगे।

MR. CHAIRMAN : Are you pressing your amendment?

SHRI M. C. DAGA : I am not pressing it.

*Amendment No. 20 was, by leave,
withdrawn.*

MR. CHAIRMAN : The question is :

"That clause 9 stands part of the Bill".

The motion was adopted

Clause 9 was added to the Bill.

Clause 10—*Temporary association of persons with Board for particular purposes*)

SHRI M. C. DAGA : I move :

"Page 7,—
omit lines 35 to 38" (21)

The sub-clause reads as follows:

"A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board. . . but shall not have a right to vote. . ."

Then, what is the utility of the member?

श्री भोला बस्वान शास्त्री : जो इसमें रखा गया है वह बहुत जरूरी है।

MR. CHAIRMAN : Are you pressing your amendment?

SHRI M. C. DAGA : I am not pressing it.

*Amendment No. 21 was, by leave,
withdrawn*

MR. CHAIRMAN : The question is :

"That clause 10 stands part of the Bill".

The motion was adopted.

Clause 10 was added to the Bill.

Clauses 11 to 15 were then added to the Bill.

MR. CHAIRMAN : There is amendment No. 6 in the name of Shri Daga.

SHRI M. C. DAGA : I am not pressing it.

MR. CHAIRMAN : Are you moving it or not?

SHRI M. C. DAGA : I am not moving

MR. CHAIRMAN : The question is :

"That clause 16 stands part of the Bill".

The motion was adopted

Clause 16 was added to the Bill

Clauses 17 to 24 were added to the Bill
Clause 25—*(Restriction on new outlets and new discharges)*

SHRI M. C. DAGA : I have an amendment to clause 25, I beg to move:

Page 18, line 11,—

for "conclusive proof", substitute—

"prima facie proof". (22)

It says here : ". . . by any person interested in, or affected by, the outlet . . . condition in such register shall be conclusive proof . . ." Please do not make it conclusive proof. If a man goes and makes certain entries that does not become conclusive proof it can be *prima facie* proof. One should be allowed to give a rebuttal. Suppose the entries are false . . .

श्री भोला बस्वान शास्त्री : फाल्स होगी तो उस पर कंस चलेंगा।

SHRI M. C. DAGA : How will you launch proceedings? Even patwari's entries in revenue records could be rebutted. Some inspector will go and make entries. How can they be conclusive. One should get a chance for rebuttal. So, I request you to accept this amendment.

श्री भोला पस्वान शास्त्री : काफी सोच विचार के बाद इस को लाया गया है इसलिये माननीय सदस्य का संशोधन नहीं माना जा सकता क्योंकि इस में मानने वाली कोई बात नहीं है ।

MR. CHAIRMAN : I shall now put amendment 22 to the vote of the House.

Amendment No. 22 was put and negatived

MR. CHAIRMAN : I shall now put clause 25 to the vote of the House.

The question is :

"That clause 25 stands part of the Bill".

The motion was adopted.

*Clause 25 was added to the Bill
Clauses 26 and 27 were added to the Bill*

Clause 28—(*Appeals.*)

SHRI M. C. DAGA : I beg to move :

Page 19,—

for line 10, substitute—

"(2) An appellate authority shall be the District Judge". (23)

Clause 28 says:

"Any person aggrieved by an order made by the State Board under section 25, section 26 or section 27 may, within thirty days from the date on which the order is communicated to him, prefer an appeal. . ."

But what is the appellate court? You simply say that "an appellate authority shall consist of three persons". Who are these three persons? You can at least say "as prescribed by the rules". You can substitute it by the words "the District Judge".

SHRI BHOLA PASWAN SHASTRI : Rules will be framed accordingly.

SHRI M. C. DAGA : How and when these rules will be framed? Who will be those three persons?

श्री भोला पस्वान शास्त्री : माननीय सदस्य का कहना है कि हर जिले में डिस्ट्रिक्ट जज को बनाया जाना जब कि सरकार का विचार है कि तीन मुनिसिप आफीसियों की अपीलेंट अथॉरिटी बना कर जल्दी फैसला करा ले । इसलिये संशोधन नहीं माना जा सकता ।

MR. CHAIRMAN : In the light of the explanation given by the hon. Minister, would he still press his amendment No. 23?

SHRI M. C. DAGA : No, Sir. I would like to withdraw it.

MR. CHAIRMAN : Has the hon. Member the leave of the House to withdraw his amendment?

SOME HON. MEMBERS : Yes.

Amendment No. 23 was, by leave, withdrawn.

MR. CHAIRMAN : The question is:

"That clause 28 stand part of the Bill"

The motion was adopted.

Clause 28 was added to the Bill

Clauses 29 to 60 were added to the Bill.

MR. CHAIRMAN : To clause 61 there is an amendment by Shri M. C. Daga.

SHRI M. C. DAGA : I am not moving my amendment No. 7.

MR. CHAIRMAN : The question is:

"That clause 61 stand part of the Bill"

The motion was adopted.

Clause 61 was added to the Bill

Clause 62—(Power of Central Government to supersede the Central Board and Joint Boards.)

SHRI M. C. DAGA : I beg to move.

Page 28, line 3,—

for "is of opinion" substitute—

"is satisfied" (8)

The clause reads "if at any time the Central Government is of opinion". It should not be merely an opinion. After applying the mind to the facts and documents, it should be satisfied. That is why I have moved this amendment. Then I come to my next amendment.

Page 28, line 13,—

after "opportunity" insert—

"of two months" (9)

SHRI BHOLA PASWAN SHASTRI :
No, I am not accepting them.

MR. CHAIRMAN : I take it that the hon. Member is not pressing his amendments. Has he the leave of the House to withdraw his amendment?

SOME HON. MEMBERS : Yes.

*Amendment Nos. 8 and 9 were, by leave,
withdrawn*

MR. CHAIRMAN : The question is:

"That clause 62 stand part of the Bill".

The motion was adopted.

Clause 62 was added to the Bill.

MR. CHAIRMAN : There is Amendment No. 10 in the name of Mr. M. C. Daga. He is not here. So, that is not moved.

The question is :

"That clause 63 stand part of the Bill".

The motion was adopted.

Clause 63 was added to the Bill.

Clause 64 was added to the Bill

Clause 1—(*Short title, application and commencement.*)

Amendment Made :

Page 2, line 11,—

for "1973" substitute "1974" (13)

Page 2, line 13,—

for "Gujarat, Haryana, Jammu and Kashmir, Karnataka and Kerala".

substitute—

"Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal" (14)

Page 2, lines 17 and 18.—

for "Gujarat, Haryana, Jammu and Kashmir Karnataka and Kerala".

substitute—

"Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal" (15)

(*Shri Bhola Paswan Shastri*)

MR. CHAIRMAN : The question is.

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

The motion was adopted

*Clause 1, as amended, was added to the
Bill*

Enacting Formula

Amendment Made :

Page 2, line 6,—

for "Twenty-fourth" substitute—
"Twenty-fifth" (12)

(*Shri Bhola Paswan Shastri*)

MR. CHAIRMAN : The question is:

"That the Enacting Formula, as amended, stand part of the Bill".

The motion was adopted.

*The Enacting Formula, as amended, was
added to the Bill.*

Preamble

Amendment Made :

Page 2, lines 3 and 4—

for "Gujarat, Haryana, Jammu and Kashmir, Karnataka and Kerala".

substitute—

"Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal". (11)

(Shri Bhola Paswan Shastri)

MR. CHAIRMAN : The question is:

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

The motion was adopted.

The Preamble, as amended, was added to the Bill.

SHRI BHOLA PASWAN SHASTRI : I move:

"That the Bill, as amended, be passed"

MR. CHAIRMAN : Motion moved :

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

श्री रामाबसात शस्त्री (पटना) : सभापति महोदय, सब से पहले तो मैं आप को धन्यवाद देना चाहता हूँ और उस के बाद कुछ निवेदन करना चाहता हूँ।

भाजन, पेय जल, वस्त्र और आवास, हमारे देश के नागरिकों के लिए ये चार मौलिक आवश्यकताएँ मानी गई हैं। भाजन, कपड़े और आवास की क्या स्थिति है, इस को पूरा सदन और पूरा हिन्दुस्तान जानता है। लोग भूखों मर रहे हैं। उन के पास पहनने के लिए कपड़ा नहीं है। रहने के लिए उन के पास मकान नहीं हैं, इस की जानकारी मंत्री महोदय को बहुत ज्यादा है।

अभी इस सदन में कहा गया है कि कारखानों के द्वारा गन्दा सामान और कार्पोरेशन तथा नगरपालिकाओं के द्वारा शहरों का गन्दा पानी नदीयों में गिरा कर शुद्ध जल को अशुद्ध

बनाया जा रहा है। हम सभी जानते हैं कि शुद्ध जल का हमारे स्वास्थ्य के साथ कितना बड़ा सम्बन्ध है। इस लिए यह बिल सही दिशा में एक कदम है।

जैसा कि इस सदन में बताया गया है, बड़े बड़े कारखाने, चाहे वे सरकारी कारखाने हों और चाहे पूंजीपतियों और मूनाफाखोरों के कारखाने हों, पानी को अशुद्ध करने के पाप के भागी हैं। इसी तरह शहरों के गन्दे पानी को बहा कर भी पेय जल को अशुद्ध बनाया जाता है। इन बातों की रोक-थाम करने के लिए ही यह विधेयक लाया गया है।

इस बिल के अन्तर्गत बनाए जाने वाले बोर्डों और कमीटियों में विभिन्न प्रकार के लोगों को रखने की बात कही गई है। किसी माननीय सदस्य ने कहा है कि अगर मजदूर संगठनों के लोग भी मजदूर हों, तो ज्यादा फायदा हो सकता है। इस लिए मंत्री अग्रगण्य हैं कि मंत्री महोदय मजदूर यूनियनों के प्रतिनिधियों को भी नियंत्रण बोर्ड में शामिल करें, ताकि वे लोग अपनी राय दे सकें। मैं भी जायंट कमेटी का मंत्री था और हम लोगों को जगह जगह जाने का मौक़ा मिला था। बहुत से मजदूर प्रतिनिधियों ने बताया था कि क्यूँकि आप लोग आर्य हैं, इसलिए आज सफाई है, दुवा डाली गई है और बहुत एहीतयात बरती गई है। अगर मजदूरों के प्रतिनिधियों को बोर्ड या कमेटी में नहीं रखा गया, तो वे कैसे बता पायेंगे कि मौलिक और प्रबन्धक लोग किस तरह चार रातें बीस करते हैं। अगर मंत्री महोदय चाहते हैं कि बोर्ड को सही जानकारी उपलब्ध हो, तो उस के लिए जरूरी है कि मजदूर संगठनों के प्रतिनिधियों को भी उस में शामिल होने का मौक़ा दिया जाय और उन का सहयोग लिया जाय। मजदूर आन्दोलन में काम करने की हीसयत से हम लोग—मजदूर संगठनों के लोग—अपना सहयोग देने के लिए तैयार हैं।

अभी तीन महीने पहले आल-इंडिया ट्रेड यूनियन कांग्रेस ने दिल्ली में इस विषय पर एशिआई

देशों का एक सीमिनार आयोजित किया था कि हम कैसे जल और हवा को दूषित होने से बचा सकते हैं। इन बातों पर विचार करने के लिए एक सीमिनार आयोजित किया गया था। उस सीमिनार में सौविद्यत यूनिथन के प्रतिनिधि आए थे, मलाया के प्रतिनिधि आए थे, फिलिपीन के प्रतिनिधि आए थे और भी बहुत सारे एशियाई मुल्कों के प्रतिनिधि आए थे। वह इस पर गभीरता के साथ विचार किया गया था कि यह जो जनता के स्वास्थ्य के साथ, उस के जीवन के साथ खिलवाड़ हो रहा है बड़े बड़े उद्योग-पतियों के द्वारा या कारपोरेशन और नगरपालिकाओं की तरफ से उस की तरफ ठीक से तबज्जह न देने की वजह से जो गड़बड़ हो रही है उस को कैसे रोका जा सकता है। वहा समाजवादी देशों के प्रतिनिधियों ने बताया कि समाजवादी देशों में जल-प्रदूषण निवारण और नियंत्रण का सवाल इतना बड़ा नहीं है जितना बड़े बड़े पूंजीवादी देशों में है जिस में हिन्दुस्तान भी शामिल है। वहा कारखाने पर जनता का अधिकार है, जनता अपने स्वास्थ्य की रखवाली स्वयं करना जानती है और सरकार जनता की है, कारखाने जनता के हैं, इसलिए वहा प्रॉफिट कमाने के लिए कारखानेदार मनमानापन नहीं करते। यहा की जनता के साथ जिस तरह की बात हमारे देश में चल रही है उस तरह की बात वहा नहीं होती। यहा के लोग तो लूट करते हैं। यहा पूंजीपतियों के निजी कारखाने हैं और चाहे वह आप के कारखानेदार हैं चाहे निजी कारखानेदार हो उन का एक मतलब होता है कि ज्यादा से ज्यादा मुनाफा बनाओ, जनता का स्वास्थ्य कही भी चला जाय इस से उन्हें कोई मतलब नहीं। लोग मरें जोरों उस से उन को कोई मतलब नहीं।

तां आप को पूंजीपतियों पर लगाम लगानी होगी और कारपोरेशन या नगरपालिकाएँ जो हमारी हैं वह बहुत गरीब हैं। हमारा देश ही गरीब है। उन के पास पैसा नहीं है। अगर उन से आप कुछ काम करवाना चाहते हैं जनता के हित में, उन के स्वास्थ्य की रक्षा के संबंध में तां आप तां उन की मदद भी करनी होगी। केंद्रीय सरकार को राज्य सरकारों की

मदद करनी चाहिए। गरीब नगरपालिकाएँ हैं, मिगम हैं खिल के पास आमदनी के स्रोत कम हैं, उन की मदद आप को करनी चाहिए। अगर आप का यह उद्देश्य हो कि वह और टैक्स लगाएँ जनता पर और पैसा इकट्ठा करें तो यह उन के लिए व्यावहारिक नहीं होगा। तो मेरा एक सुझाव होगा कि सरकार को ऐसी नगरपालिकाओं और नगर-नगमों को आर्थिक सहायता देनी चाहिए और उन को प्रोत्साहित करना चाहिए। क्योंकि हम तो जानते हैं हमारे पटना नगर की क्या हालत है। आप तो बिहार के मुख्य मंत्री रहे हैं, आप को पता होगा कि कितना गन्दा शहर है, कारपोरेशन के पास पैसा नहीं है, साधन नहीं है कि वह गन्दे पानी को ठीक जगह पर ले जा कर उस का उपयोग करे। इसलिए गंगा नदी में उस को गिरा कर उस को भी गन्दा किया जाता है और हमारे पटना के दक्षिणी इलाके में गन्दे पानी को ले जाते हैं जिस से आस पास के सैंकड़ों गावों को नुकसान होता है। अभी हम कुछ दिन पहले पतरातू गए थे। वहा डीजल का कारखाना है। किसानों ने बताया कि वगल में एक नदी है, उस में पतरातू कारखाने की सारी गन्दगी बह कर आती है जिस का पानी बहा के गरीब किसान पीते हैं क्या कि उन के यहा पेय जल की समुचित व्यवस्था नहीं है। इस तरह की बातें हिन्दुस्तान के हर हिस्से में हो रही हैं। इसलिए मेरा निवेदन है कि आप कम से कम पेय जल शुद्ध देने की व्यवस्था कीजिए और इसके लिए जरूरी है कि जो लोग पानी को गन्दा करते हैं उन के ऊपर सख्ती कीजिए चाहे वह कारखानेदार हो कारपोरेशन हो, नगरपालिकाएँ हो कोई हो और जरूरत पड़ने पर उन की मदद कीजिए ताकि वह इतना तो काम कर सकें।

खीर में जो आप ने खूब कहा है, मुझे विश्वास है कि जो आप कह रहे हैं वह होगा। इस कानून को आप लागू करेंगे। लागू करेंगे तो कुछ स्थिति जरूर बेहतर होगी। मुझे विश्वास है अगर आप की कथनी और करनी एक है तो जरूर आप ऐसा करेंगे और अगर कथनी और करनी में फर्क है जैसा कि अभी उल्हा जाता है तो फिर बस बिल का कोई फायदा

[श्री रामावतार शास्त्री]

नहीं होगा। फिर भी इन तमाम आलोचनाओं के बावजूद आप ने एक अच्छा बिल पेश किया है, इस बिल का हम समर्थन करते हैं और उम्मीद करते हैं कि बिल का जो उद्देश्य है उसे हासिल करने में आप का सफलता मिलेगी और उस में आप का सब की मदद मिलेगी।

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, I rise to commend very warmly this piece of legislation brought forward by the Government.

As already mentioned by my friend Mr. Ramavatar Shastri, we in this country have a problem of acute shortage of water, but, coupled with that is the terrible problem of polluted water which people are forced to drink in large numbers all over the place. Not only is there polluted water, but there is also unfortunately a sort of a social ban on many of our own brethren who are prevented from drawing fresh water or clean water from certain sources. Therefore, they also are drawn into this.

I welcome this particular Bill. I think it is in the right direction. It is good. It is in tune with the general principles of a Welfare State. Sir, I want to say only one or two words very briefly. One is, I do hope that the constitution of these boards and the general framework that is outlined in this Bill will not make things move in such a way that there will be more bureaucratisation and less efficiency! My fear is, even with the passage of this Bill, whether we will have less of clean water and more of paperwork and more of bureaucracy and more of regulations only. Let us not have lesser consumers of clean water and more officials going about their jobs with this problem of polluted water. This is one difficulty and one possible danger to which in all humility I wish to draw the hon. Minister's attention.

May I, Mr. Chairman, Sir, congratulate you for the manner in which you have allowed Shri Daga to withdraw his amend-

ments one after another? We congratulate you, of course, on your assuming the Chair. I want to say one thing only. This bureaucratisation should not only be viewed from the angle to which I referred to, but also it has to be watched from another angle. Certain element of expertise is necessary. Experts in the line, technical people, scientifically-minded people should also be roped in a larger degree...

SHRI N. K. P. SALVE (Betul): Every IAS is a water expert!

SHRI P. G. MAVALANKAR: Mr. Salve has said what I wanted it to be merely suggested, and not said in so many words. If bureaucrats are going to act on the basis of either ignorance or of lesser knowledge or of no expert knowledge, then, I am afraid, Sir, the whole object of the Bill will be frustrated and defeated. Therefore, I hope the Minister will see to it that experts, technocrats, people with real knowledge on this matter are brought in.

I am glad that my friend Mr. Ramavatar Shastri has said about people who are concerned with it at the so-called lower levels and he wanted that they should also be roped into it so that they might feel a sense of involvement with the whole thing. I agree with these words, Sir, I wish to thank you once again for giving me this opportunity to speak. I commend this Bill and I congratulate the Minister for having brought this progressive piece of legislation to this House. Thank you.

श्री भोल्लू पास्वान शास्त्री : सभापति महोदय, माननीय सदस्यों ने जो कुछ कहा है, सरकार ने उस को बड़े ध्यान से सुना है। उन के सुझावों को बड़े अच्छे हैं। मैं निवेदन करूंगा कि बिल को पास किया जाय।

MR. CHAIRMAN: The question is:

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

The motion was adopted.