

LOK SABHA DEBATES

LOK SABHA

Wednesday, March 19, 1986/Phalgun 28,
1907 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

[*English*]

Inclusion of "pollution" in Union list

*346. DR. T. KALPANA DEVI : Will the PRIME MINISTER be pleased to state :

(a) whether the attention of Government has been drawn to the discontentment due to pollution from two fertiliser manufacturing units in Dharuhera near Rewari, Haryana ; and

(b) whether Government would make the subject of pollution from all sources as a Central subject in view of its impact on national life and economy ?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHIR Z. R. ANSARI) : (a) Yes, Sir.

(b) No, Sir ; However, a proposal for inclusion of 'Environmental Protection' in the Concurrent List is under consideration.

DR. T. KALPANA DEVI : Mr. Speaker Sir, pollution is the dangerous contamination of the ecological system. Air, water and sound pollution are endangering the physical and mental health of living

beings. Air is polluted by chemical dusts, gases, vapours, fumes, etc. resulting in decrease of oxygen content which is essential for human life, and increase of carbon-dioxide and poisonous gases in atmospheric air which endangers human life by suffocation or irritation when inhaled, the nightmare of which is the Bhopal gas tragedy.

Water pollution is the result of chemicals and hot water when dumped into streams and lakes by industries leading to the deterioration of water due to the destruction of biological cycle of natural water.

I know it is impossible to attain an environment absolutely free of pollution, the process of economic growth of the country with rapid industrialisation, but I feel Government must set standards which allow for tolerable amount of pollution.....
(*Interruptions*).

AN HON. MEMBER : What is the question, Sir ?

MR. SPEAKER : She is trying to come to the question.

DR. T. KALPANA DEVI ; I am coming to the question. The Multitec International Ltd. and Oriental Carbon and Chemical Ltd. are liberating untreated noxious, poisonous gases from sulphuric acid plant, ruining vegetation and the standing crops, and playing havoc to the health of human beings and animals. So, I would like to know whether before giving permission for setting up these fertilizer plants, the Pollution Board of Haryana was consulted and whether permission was obtained. If not, what are the reasons and what practical steps are being taken to ensure preventive action rather than *post mortem* steps to be taken by the Pollution Control Board in the above cases, and also how many cases have come to the notice of the Board during the last three years and the action taken on them ?

MR. SPEAKER : She has burnt midnight oil for preparation of this question, so I have allowed her.

SHRI Z. R. ANSARI : Sir, as far as these two industrial undertakings are concerned, a complaint was received by the local Magistrate, and the Sub-Divisional Magistrate took an action under section 133 of the Cr.P.C. to shut down these two industrial undertakings.

These undertakings went to the High Court. The honourable High Court vacated the order of closure and ordered for further investigation. After investigation a Group was formed and certain standards were prescribed; certain actions have been prescribed to be taken by these two industrial undertakings. Some of those actions they had taken. Where certain machinery is involved they have placed order for the machinery. This is the position with regard to these two industrial undertakings. We are very much aware about the pollution which is being created by industrial undertakings and we are taking steps to monitor these things.

DR. T. KALPANA DEVI : My second question is this. How long it will be under consideration? May I know whether any of the States were consulted? If so, what are the reactions especially of States like Haryana, Andhra Pradesh, West Bengal and Karnataka?

MR. SPEAKER : He has not said that there was anything under consideration.

DR. T. KALPANA DEVI : He said it in his answer, Sir. How long it will be under consideration? May I know whether any of the States were consulted? If so, what are the reactions of the States, especially, States of Haryana, Andhra Pradesh, West Bengal and Karnataka?

SHRI Z. R. ANSARI : I think I was not clear. I have not suggested that anything is under consideration. Certain standards which have been prescribed have been communicated. I think she is referring to part (b) of the question where I have replied that a proposal for inclusion of environmental protection in the Concurrent List is under consideration. The point is this. For some time it is being felt that this subject should be brought under the Concurrent List. A Committee was appointed under Mr. N. D. Tiwari, the then Planning Minister which recommended that environmental protection should be brought under

Concurrent list. But, apart from bringing it in Concurrent list, there are certain other provisions whereby Parliament is competent to enact legislation under Articles 248 and 253 of the Constitution. It was under these provisions of Article 253 that Air Pollution Control Act was passed by this Parliament.

SHRI RANJIT SINGH GAEKWAD : Pollution has been causing great havoc in this country. Other countries have already taken some steps to control pollution and action has been taken by them in this regard and they are very advanced also. But we are still discussing what steps we have to take about controlling pollution. I would like to know from the Honourable Minister what concrete steps are going to be taken in the near future because during the last six months three times gas leakage pollution has created havoc among the people in my constituency. The resident authorities still do not know what to do about it and how to face such a tragedy. So, what are the steps which Government propose to take if such a thing happens again? This, I would like to know from the hon. Minister.

SHRI Z. R. ANSARI : Sir, actually it is for this environmental protection that in the last Session of this Parliament I have given an assurance that we propose to bring a comprehensive Bill for environmental protection and, Sir, I assure this honourable House that in this very Session we will bring that Bill for environment protection. It will cover all the aspects of pollution and environmental protection under its umbrella apart from the Acts which are already there. We are also suggesting to bring certain amendment in the existing laws controlling air and water pollution so that the Act may become more stringent and provides the teeth to these Acts so that against those factories which are polluting the atmosphere or the water, strong action may be taken.

SHRI SURESH KURUP : I want to draw the attention of the Prime Minister to a very important matter, i.e., about the problem of pollution in the Indian Rare Earths Factory at Bloor, Cochin. According to some unofficial studies the incidence of cancer among the employees of this Indian Rare Earths is very high. Children are born deformed because of this pollution

and unfortunately this factory does not come under the purview of the Pollution Control Board. So, I want a categorical reply from the Prime Minister on what measures will be adopted to control the pollution or whether a high level inquiry committee will be constituted to inquire into this pollution incidence in the Indian Rare Earths Factory.

SHRI Z.R. ANSARI : Sir, I am afraid, for this particular question, about this particular factory I would require notice.

THE PRIME MINISTER (SHRI RAJIV GANDHI) : If the hon. Member gives us the details, we will definitely have the complaint looked into.

RAO BIRENDRA SINGH : Thank you for allowing me to put the question, Sir, because this question pertains to my constituency.

Sir, I would like to ask the hon. Minister whether it has been brought to his notice that large cropped areas have been damaged on account of pollution from these two fertilizer units from year to year during the past three or four years and whether the Government would consider in the proposed Bill provision of compensation to farmers when their crops suffer in such areas, whether any action has been taken on the representation of a large number of farmers in this regard to compensate them for the loss to their crops due to pollution from these two fertilizer units.

SHRI Z.R. ANSARI : Sir, I have already told that with regard to these two units the complaint was lodged with the Sub-Divisional Magistrate and he took action under Section 133 of the Cr.P.C.

As far as the damage to crops is concerned, the provision in the civil laws is to file a suit for the damages against those factories. (*Interruptions*). Sir, for the present we do not have enough provisions to take any action under the present pollution control laws which are there—Air Pollution and Water Pollution Control Acts.

MR. SPEAKER : Now, Question No. 347.

PROF. N.G. RANGA : Sir, it does not mean that each one of the farmers has got to go to the court in order to get compensation. Should not the Government themselves on their own take action and pay compensation on the representation that has already been made by them, Sir?

MR. SPEAKER : Question No. 347—
Shri Sriballav Panigrahi.

Iran-Iraq War

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*347. **SHRI SRIBALLAV PANIGRAHI :**
SHRI M. RAGHUMA REDDY :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the renewed escalation of the Iran-Iraq conflict has caused considerable anguish to India as both the countries are friendly to India and also fellow members of the NAM ;

(b) whether it is a fact that this conflict in in the sixth year and has cost both the countries incalculably in terms of loss of human life and resulted in destruction of property and retardation of the process of growth and development ; and

(c) if so the latest moves made by India to end this conflict ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI B.R. BHAGAT) : (a) Yes, Sir. The Government has issued a statement on 18 February, 1986 conveying India's anguish and concern for the renewed escalation of Iran-Iraq conflict.

(b) Yes, Sir.

(c) In its statement issued on February 18, 1986 the Government has called upon both the countries to cease hostilities immediately and to move away from the path of conflict and confrontation to a negotiated peaceful settlement. India has expressed its readiness to assist them in a sincere and constructive manner to bring about a just, comprehensive and honourable solution of the differences between the two parties.

SHRI SRIBALLAV PANIGRAHI : Sir, thanks to the Government of India for their sincere efforts made on more than one occasion to bring these two warring