



**ORIGINAL RESEARCH PAPER**

**Law**

**WATER POLLUTION & LAW AS A PART OF ENVIRONMENT PROBLEMS**

**KEY WORDS:**

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**ABSTRACT**

In other words, an environment can be called as nature. All the elements of nature are alive and interlinked with each other like a hook of chain. If a single hook is weak, it cannot be ignored. The causes for adverse effect to environment, which are dangerous reasons, which are affecting the balance of environment, by which the whole nature is polluted by one or other manner and in routine course, it can be considered as pollution. As per Section-2 (B) of Environment Protection Act, 1986: Environment pollution means "which is harmful to the environment or the presence of solid, gaseous or liquid elements/mixtures, by which it becomes directly harmful to the elements of the nature.

Polluted water means to mix the adverse elements in the water, i.e. industrial water, waste of drainage, chemicals, waste bio-logical elements, gas, colours etc., by which it results in, physical, chemical or bio-logical properties. Otherwise, the water is colour-less, smell-less and transparent. The polluted water loses its quality and it becomes harmful to animals, trees, land, human or the life of ocean animals.

As per Sec. 2(G) of the Water Pollution (Control & Redressal) Act, 1974, sewer means any open or pack sewer, which includes pipes, through which waste or industrial waste passes with liquid, which are directly responsible for the same.

As per the provisions between the Sections-41 to 50 of Water Pollution Act, 1974, there are clarifications regarding the punishment for spreading pollution, publication of name of the accused, offences by the Company, Offences by the Govt. Departments, entries regarding offences etc.

In the case of D.K. Joshi V/s. Chief Secretary, State of U.P., 1999, it is held by the Honble Supreme Court that Govt. is liable to restrain the pollution of environment. It is the responsibility of Govt. to provide clean and drinkable water without pollution and it is the right of public. The administration to pass the dirty water and waste and it includes the drainage administration, which is also the responsibility of the Govt., for which the Govt. has to establish the Monitoring Committee, which is held in the said judgment.

**WATER POLLUTION AND JETPUR SARI INDUSTRIES:-**

During the production of Saries by the industrialist from the famous Sari Industries of Jetpur, the waste created during process, especially coloured/dirty water having colour-chemical, causes water pollution, which also pollutes drinking water for Jetpur and nearby villages of it and it is also dangerous to the health of public. Therefore, one Shamjibhai Jadavbhai of village Dhoraji & 14 others have filed Writ Petition bearing No.1515/83 before the Honble Gujarat High Court against the Govt. of Gujarat, Jetpur Nagarpalika, Gujarat Water Pollution Board, Jetpur Dying & Printing Association and Collector of the Rajkot, for the in-abilities and careless for liabilities by the responsible officers.

The Honble Gujarat High Court has considered whole situation and suggested effective suggestions/solutions and passed the order that if the said suggestions are not followed strictly, then taken all steps up to the closure of factories.

**GANGA RIVER WATER POLLUTION:-**

In the case of M.C. Menta V/s. Union of India, AIR, 1988 SC, 1115, the Honble Supreme Court has given important guidelines. The facts of the said case are as under:

When the question of water of river Ganga reached to serious position and if any steps are taken by the Board framed under Water Pollution Act, immediately u/S.482 of Criminal Procedure Code, 1973, injunction is obtained by filing application before the Honble High Court and steps taken by the Board becomes useless. The Honble Supreme Court has held in this case that in normal circumstances in such type of cases, the Honable High Court has not grant injunction and if in special cases, if the order granting injunction is passed, then within short period means within two months, such cases should be disposed off. Moreover, guidelines regarding water pollution and control for water of river Ganga, guidelines are provided to Kanpur Nagar Palika and concerned Officers and mainly held that:

- 1) Kanpur Nagar Palika should produce the report regarding the steps taken for restraining pollution within six months from 12<sup>th</sup> January, 1988.
- 2) There are so many dairies in Kanpur, for which approximately 8000 animals are there. Kanpur Nagar Palika has taken steps to restrain the waste created from this Dairy which pollutes the water of Ganga including to shift the Dairy outside the city, from where the waste should not mix with the water of Ganga and for the disposal of waste at a long distance, arrangement of vehicles is made.
- 3) In Labour Society, the drainage should be developed, by which the dirty water can be easily passed, where there is no arrangement of drainage, new drainage be constructed.
- 4) For weaker sections, the public should be restrained to use place for latrine and sufficient latrine should be constructed. The matters should be lapsed for Charges of the use the same, otherwise, with a reason not to pay money, they use the open place. For the maintenance of latrines, expenses should be borne by Nagar Palika.
- 5) The ceremony/custom to throw the Burned and half-burned dead-body in the River Ganga should be stopped immediately, fro which the co-operation can be taken from the Police and public.
- 6) In future, when the question of permission for establishing new industries is arise, no such permission be given up to the arrangement of disposal of waste from the said industries is made and immediately steps be taken against the factory, by which the water of Ganga is polluted.
- 7) Aforesaid guidelines are applicable to all the Nagar Palikas and Authorities of bank of river Ganga and taking such steps, restrained the pollution of river Ganga.

**CONCLUSION**

As per the opinion of Central Pollution Control Board, 90% industrial waste reaches to the sea by way of river, drainage or stream etc. Beginning from Dal Lake on North side to river Periyar and Cheliyar on Sothern side and beginning

from Damodar and Hugli on East up to Thane on West side, everywhere the picture of water pollution is very dangerous.

The quantity of drinking water and usable water is approximately only 3% of total quantity of water, which can be said insufficient to human and to fulfill the requirement of the human.

**REFERENCES**

Water Pollution Control Act  
Environmental Laws