

AS INTRODUCED IN LOK SABHA

Bill No. 42 of 2019

**THE RIVER (CONSERVATION AND ELIMINATION OF
POLLUTION) BILL, 2019**

By

SHRI SUNIL KUMAR SINGH, M.P.

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BILL

*to provide for conservation and elimination of pollution of rivers of the country and for
matters connected therewith.*

BE it enacted by the Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the River (Conservation and Elimination of Pollution) Act, 2019. Short title and commencement.

5 **(2)** It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;	
	(b) "Committee" means the River Conservation Committee constituted under section 8;	5
	(c) "industry" shall have the same meaning as assigned to it under clause (j) of section 2 of the Industrial Disputes Act, 1947;	14 of 1947.
	(d) "prescribed" means prescribed by rules made under this Act;	
	(e) "river" means an inter-State river or river valley; and	
	(f) "school" means any Government school or a Government aided school or a private school which imparts education from primary to senior secondary level.	10
Formulation of a policy for mandatory cleaning of rivers.	3. The Central Government shall, by notification in the Official Gazette, formulate a policy for mandatory cleaning of all the rivers of the country.	
Inclusion of ill-effects of water pollution in school.	4. The appropriate Government shall include the ill-effects of water pollution as a subject in the curriculum of study in school education under their jurisdiction.	15
Appropriate Government to launch awareness campaign.	5. The appropriate Government shall, prior to organizing any religious festival on the banks of a river, launch awareness campaigns on ill-effects of water pollution and its impact on human health.	
Appropriate Government to the industries causing river pollution.	6. The appropriate Government shall, after detailed study, systematically shut down industries that cause or are likely to cause river pollution.	20
Vocational training.	7. The appropriate Government shall put in place vocational training for the persons rendered jobless due to closure of industries causing pollution.	
Constitution of River Conservation Committee.	8. (I) With effect from such date as the Central Government may, by notification, appoint, there shall be constituted, for the purposes of this Act, a Committee to be known as the River Conservation Committee.	25
	(2) The Committee shall consist of —	
	(a) Union Minister of Environment, Forest and Climate Change;	
	(b) Union Minister of Jal Shakti;	
	(c) an environment scientist in the field of water pollution, as member;	
	(d) a person having experience in the field of river conservation, as member;	30
	(e) Chief Ministers of all States as members; and	
	(f) an officer of Indian Administrative Service as member—Secretary, to be appointed by the Central Government in such manner as may be prescribed.	
	(3) The Union Minister, whosoever is senior, shall act as an <i>ex-officio</i> Chairperson of the Committee.	35
	(4) The Committee shall meet at least twice in a month.	

(5) The Salary and allowances payable to and other terms and conditions of service of members of the Committee other than the *ex-officio* members, shall be such as may be prescribed.

9. The Union Ministry of Environment, Forest and Climate Change shall provide secretarial and financial assistance to the Committee.

Central Government to provide secretarial assistance.

10. The Committee shall,—

- (a) ensure complete ban on pollution of river;
- (b) ensure the availability of clean and potable water;
- (c) ensure pollution free zones within two kilometre area on both sides of the rivers;
- (d) ensure that celebration of religious festivals does not cause river pollution;
- (e) organize mass campaign in order to cause awareness about the ill effects of river pollution;
- (f) ensure inclusion of ill-effect of river pollution in school curriculum;
- (g) impose ban upon releasing or dumping of waste in to the rivers by factories;
- (h) impose penalty on any industry causing river pollution;
- (i) draw public attention towards the fatal effects of river pollution upon human health; and
- (j) ensure total ban on releasing of effluents of drains into river.

20 11. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds for carrying out the purposes of this Act from time to time.

Central Government to provide funds.

25 12. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government, in consultation with the State Governments, may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of any difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

30 12. (2) Every order made under this section shall, as soon as may be after it is made, be laid before both the Houses of Parliament.

Power to remove difficulty.

13. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

35 13. (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall 40 be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Rivers are known as the lifelines of a country and act as a mirror of its culture and civilization. In the Indian culture, society, rulers and saints have given the title of mother to these life giving rivers and has also treated them with respect befitting a mother. During the past few years, due to ever increasing industrialisation and urbanisation, the level of pollution has increased massively in major rivers. Due to indiscriminate use of river water for irrigation, drinking, power generation and for other purposes, challenges have increased manifold. The Indian rivers are in extremely bad condition. The Welfare of human race lies with the cleaning of rivers. Only through mutual cooperation, we can think of clean rivers. There were times, when in India, trade was used to be carried through water ways, but today it has become a dream. Improving present conditions is necessary for a bright future. Today many rivers of India are biologically dead. Along with environment it is affecting the lives of the people also. According to a World Resources Report, seventy *per cent.* of Indians drink polluted water. Many diseases *i.e.* cholera, jaundice, typhoid, etc. are caused due to consumption of polluted water. River water is also polluted by chemical fertilizers. The quality of river water has further deteriorated due to industries.

Nearly more than one hundred and fifty rivers of India are polluted. Today rivers are used as dumping place and carriers of waste and chemical substances thrown out of the factories. Many industrial units are located along the banks of the Ganga, the Yamuna and the Brahmaputra rivers. Number of factories in such cities are on rise and the only option is to discharge their chemical affluents into the rivers. Due to legislation during the 1980-90 decade, every day millions of gallons of polluted water from factories were discharging into the rivers. By immersing puja and *havan* related items into holy rivers, people wish to gain spiritual wealth. On all positive occasions, we used to immerse idols of gods or goddesses into the rivers and dead bodies and remains are also dumped into the rivers.

The Bill, therefore, seeks to constitute a River Conservation Committee for conservation and elimination of the pollution of rivers in the country.

Hence this Bill.

NEW DELHI;
June 4, 2019.

SUNIL KUMAR SINGH

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for formulation of a policy for mandatory cleaning for all rivers of the country. Clause 5 provides for launching of awareness campaigns on ill-effects of water pollution. Clause 7 provides for vocational training for persons rendered jobless due to closure of pollution causing industries. Clause 8 provides that the Central Government shall constitute the River Conservation Committee. Clause 9 provides for secretarial and financial assistance to the River Conservation Committee. Clause 11 provides that the Central Government shall provide funds for carrying out the purposes of the Act. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees two thousand crore would involve as recurring expenditure per annum from the Consolidated Fund of India.

A non-recurring expenditure of rupees five hundred crore is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri Sunil Kumar Singh, M.P.)