

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO.61
TO BE ANSWERED ON 20.07.2023

Responsibility of CPCB officials under Water Act, 1974

61. SHRI SANT BALBIR SINGH:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) the rules regarding determining the responsibility of the officials of the Central Pollution Control Board under the Water Act, 1974;
- (b) the action taken against the violators under this Act;
- (c) the reasons due to which all the rivers of the country are badly polluted despite the 1974 Act; and
- (d) the stand of Government to implement this law?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (d)

The main functions of the Central Pollution Control Board (CPCB) is to promote cleanliness of streams and wells in different areas of the State as given under Section 16 of Chapter-IV (Powers and Functions of Boards) of Water (Prevention and Control of Pollution) Act, 1974. The details of the functions are given as **Annexure-I**.

In the performance of its functions, Central Board under Section 18 (1) (b) of Water Act, issues such directions in writing to the State Board/ Committees.

State Board may, in exercise of its powers and performance of its functions under the Water Act, issue any direction in writing to any person, officer, authority under section 33 A (Power to give Directions) and such person, officer or authority shall be bound to comply with such directions.

Water quality assessment of rivers is carried out by CPCB in association with the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) under National Water Quality Monitoring Programme (NWMP). The present monitoring network comprises of 4484 locations in 28 States and 7 Union Territories spread over the country including 2108 locations on 642 Rivers. Major factors of pollution in rivers are discharge of untreated or partially treated sewage

from cities/towns and industrial effluents, improper solid waste management, problems in operation and maintenance of sewage/effluent treatment plants, lack of dilution and other non-point sources of pollution.

CPCB identified 351 polluted river stretches (PRS) in September 2018, on the basis of water quality monitoring of rivers carried out in the year 2016 and 2017. Indicator of organic pollution i.e. Biochemical Oxygen Demand (BOD) (3mg/L) was considered as criteria for identification of PRS and prioritize under five priority classes based on maximum BOD level observed Priority I: exceeding 30 mg/L; Priority II: between 20-30 mg/L; Priority III: between 10-20 mg/L; Priority IV: between 6-10 mg/L and Priority V: between 3-6 mg/L.

For rejuvenation of PRS, action plans were prepared for bringing all the polluted river stretches identified by CPCB fit for bathing purposes (i.e. BOD < 3 mg/L and FC < 500 MPN/100 mL). The action plans covers aspects such as Source control (Municipal sewage management, Industrial pollution control, Waste management), River catchment/Basin Management (Adoption of good irrigation practices, Utilization of treated sewage, Ground water recharge aspects), Flood Plain Zone protection and its management (Setting up of bio-diversity parks, Removal of encroachments, Rain water harvesting, Plantation on both sides of the river), Ecological/Environmental Flow (E-Flow) and Watershed management.

Progress of implementation of action plans is reviewed by the River Rejuvenation Committee (RRC) at State Level and Central Monitoring Committee (CMC) constituted under the Chairmanship of Secretary, Ministry of Jal Shakti (MoJS) at Central Level.

As per the latest assessment, CPCB identified 311 polluted river stretches on 279 rivers in 30 States/ UTs in the country by analysis of water quality data of rivers for the years 2019 and 2021.

In addition, the Central & State Pollution Control Boards are implementing the provisions of both - Water (Prevention and Control of Pollution) Act, 1974 & Environment (Protection) Act, 1986 to prevent and control pollution of aquatic resources through –

- i) Regulation of industrial Pollution is implemented through various provisions of Water (Prevention and Control of Pollution) Act, 1974 under Consent mechanism by the respective State Pollution Control Board (SPCB) and Pollution Control Committee (PCC).
- ii) Installation of Online Continuous Effluent Monitoring Systems (OCEMS) by the industrial units in the country through directives issued by CPCB for getting real time information on the effluent quality and non-complying unit were identified for follow-up inspections and actions.
- iii) Stipulation of General discharge standards and industry specific effluent discharge standards under Environment (Protection) Rules, 1986 so as to prevent pollution of the water bodies.
- iv) Enforcement of stringent norms especially Zero liquid discharge in certain feasible industrial sectors and persistent defaulters.
- v) Industrial estate and clusters numbering 100 were assessed in the country to assess comprehensive EPI in 2018. Based on CEPI score, the critically polluted areas are identified to take necessary measures through time-targeted Action Plans.

- vi) “Revised Guidelines for Idol Immersion, 2020” is being implemented with effect from 01.01.2021 throughout the country.

The Ministry of Environment Forest and Climate Change (MoEF&CC), Government of India notifies industry-specific standards for discharge and emission of environmental pollutants under Schedule-I: ‘Standards for Emission or Discharge of Environmental Pollutants from various Industries’ of Environment Protection Act, 1986. So far, industry specific environmental standards, for 78 industrial sectors have been notified. Industrial sectors, for which specific standards are not available, general standards as notified under Schedule-VI of Environment Protection Rules, 1986 are applicable.

The State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) issue consent to establish/consent to operate and authorization to the industries in the States. SPCBs/PCCs monitor the compliance of industrial emissions/effluent discharges and other activities according to the prescribed standards. In case of non-compliance, action against industry is taken under provisions environmental acts.

As per the information received from SPCBs/PCCs, there are total 2,864 Grossly Polluting Industries in the country. Out of which, 2,202 industries are operational and 662 industries are self-closed. Number of complying and non-complying industries are 2,064 and 138, respectively. Show-cause notices have been issued against 53 units and closure directions have been issued against 66 units for non-compliance.

POWERS AND FUNCTIONS OF BOARDS

16. FUNCTIONS OF CENTRAL BOARD.

(1) Subject to the provisions of this Act, the main function of the Central Board shall be to promote cleanliness of streams and wells in different areas of the States.

(2) In particular and without prejudice to the generality of the foregoing function, the Central Board may perform all or any of the following functions, namely:--

- a) advise the Central Government on any matter concerning the prevention and control of water pollution;
- b) co-ordinate the activities of the State Boards and resolve disputes among them;
- c) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;
- d) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of water pollution on such terms and conditions as the Central Board may specify;
- e) organise through mass media a comprehensive programme regarding the prevention and control of water pollution;
- (e) perform such of the functions of any State Board as may be specified in an order made under sub-section (2) of section 18];
- f) collect, compile and publish technical and statistical data relating to water pollution and the measures devised for its effective prevention and control and prepare manuals, codes or guides relating to treatment and disposal of sewage and trade effluents and disseminate information connected therewith;
- g) lay down, modify or annul, in consultation with the State Government concerned, the standards for a stream or well:
- h) 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) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water pollution;
- j) perform such other functions as may be prescribed.

(3) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.
