

Rajya Sabha passes Bill to amend Water Act, decriminalise minor pollution-linked crimes

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The Bill was approved by the Rajya Sabha by voice vote. (PTI Photo)

The Rajya Sabha on Tuesday passed the Water (Prevention and Control of Pollution) Amendment Bill, which seeks to decriminalise minor offences related to water pollution, and exempt certain categories of industrial plants from statutory restrictions.

Union Environment Minister Bhupender Yadav said development and environment protection must go together. “There should be harmony in ease of living and ease of doing business... Its provisions will lead to greater transparency in dealing with various issues related to water pollution,” he said.

The Bill, which seeks to amend the Water (Prevention and Control of Pollution) Act, 1974, was approved by the [Rajya Sabha](#) by voice vote.

According to the statement of objects and reasons of the Bill, the amendment proposes to rationalise criminal provisions and ensure that citizens, businesses and companies operate without fear of imprisonment for minor, technical or procedural defaults. Also, the nature of penal consequence of an offence must be commensurate with the seriousness of offence, it added.

According to the Bill, the central government will be empowered to exempt certain categories of industrial plants from the application of Section 25 relating to restriction on new outlets and new discharges. “This will reduce the duplication of surveillance and unnecessary burden on regulatory agencies,” Yadav said.

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According to the proposed law, the central government will prescribe the manner of nomination of chairpersons of State Pollution Control Boards. It also empowers the central government to issue guidelines on the matters relating to the grant, refusal or cancellation of consent by any state board for establishment of any industry, operation or process, or treatment and disposal system or bringing into use of new or altered outlets.

“This amendment will provide certain mandatory qualifications, experience and procedure to ensure fair appointment of chairpersons. Amendments in the Water Act are also necessary to make in line with the Air Act, as both laws contain similar provisions,” Yadav said.

Initiating the debate on the Bill, Lakshmikant Bajpai of the [BJP](#) said this is a step towards ease of doing business. “It would free the businesses from the inspector raj and provide a better mechanism. It will allow the government to provide certain exemptions to green industries,” he said.

Jawahar Sircar of the Trinamool Congress criticised the government over the Bill, saying this is just an act to legitimise offences. “This Bill also seeks to centralise all powers and is against the principle of federalism. Without some amount of stringent fear, you cannot

tackle a subject like environment," he said.