DECLARATION

I, Deepak Saini, hereby declare that the research on “PREVENTION AND CONTROL OF WATER POLLUTION IN INDIA: A CRITICAL STUDY” assigned for the award of Doctorate of Philosophy degree in Law from faculty of Law, Maharshi Dayanand University, Rohtak (Haryana) is submitted by me. The information provided by me in thesis is authenticated to the best of my knowledge.

The study has not been submitted to any other institution or University for the award of any other degree.

(DEEPAK SAINI)
Research Scholar
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Place: Rohtak

(DEEPAK SAINI)

Date:
PREFACE

The topic of ‘PREVENTION AND CONTROL OF WATER POLLUTION IN INDIA: A CRITICAL STUDY’ is an important constituent of the environment in the country. Water pollution is a serious problem in India as almost 70 per cent of its surface water resources and a growing percentage of its groundwater reserves are contaminated by biological, toxic, organic, and inorganic pollutants. In many cases, these sources have been rendered unsafe for human consumption as well as for other activities, such as irrigation and industrial needs. This shows that degraded water quality can contribute to water scarcity as it limits its availability for both human use and for the ecosystem.

Today, we have to face several types of pollution – air pollution, water pollution, soil pollution, noise pollution, etc. But the pollution that affects the largest number of people is water pollution. Scientific and technological progress of the past two hundred years has made the life of the man very comfortable. The scientific revolution has generated massive employment and made millions of people happy. Due to extensive research and manufacturing of new drugs, people are enjoying a longer lifespan. Death rate has gone down significantly. Thus we find that the machine age has given us enough. But if we look around the environment, we know that this progress has also injected poison in our life. One such form of poison is the water pollution spread all around us today.

Water pollution is one of the greatest crises facing the country. The largest source of it is the sewage water without treatment, as also water coming from pesticides-ridden fields, and chemical waste producing small and big industries. Things are so serious that there is no water resources in India, which is not contaminated at all. In fact, over 80% of the country’s water resources have been polluted up to a large extent. There are polluted water bodies around which population lives in large numbers. The Ganga and Yamuna are among India’s most polluted rivers. In fact, a major chunk of the country’s waste water is produced in cities and towns nestled on the banks of rivers.
Water pollution refers to the blend of such substances in river, lakes, ponds, underground and sea water that invalidates water for the use by humans, flora and fauna. It affects the whole of the world, as water is the basis of life.

In India, the biggest cause of water pollution is urbanization taking place at a fast and unbridled pace. In the past decade, the rate of urbanization has grown so intensely that it has left an indelible impression on water resources of the country. As a result, it has given rise to environmental issues on a long-term basis. These include the lack of water supply, water pollution and problems with regard to its storage.

In fact, the disposal and treatment of polluted water is a huge issue today. There are many cities and towns near the rivers, which are facing these issues. In these areas, disposal of sewage water is a big problem. The water of rivers, ponds, canals, wells and lakes is used for domestic as well as industrial purpose. In most cases there is very little treatment of water and this way it contaminates 80 percent of fresh water flowing on the surface of the land. This polluted water passing through the surface poisons the groundwater. As per an estimate 16,662 million liters of contaminated water is produced daily in towns with a population of one million in India.

Water pollution has adverse effect on every life around the water resource, which is even somewhat polluted. At a certain level, polluted water proves harmful to crops too. This depletes the fertility of the land. Overall, it affects agriculture and the country. If sea water is polluted, it has a negative impact on marine life too. Water pollution is the biggest cause of the decline in water quality. Its intake can cause many diseases.

In fact, water pollution is a major cause of the low level of health in India, in both urban and rural areas. Diseases such as cholera, tuberculosis, jaundice, vomiting, diseases like diarrhoea may occur due to polluted water.

The best solution of water pollution is to prevent it. The most prominent solution is soil conservation. Water is polluted due to soil erosion too. So, if there is soil conservation, we can stop water pollution to some extent. The way to stop soil erosion is planting more plants or trees. We can adopt such methods of cultivation that improve the health of the soil rather than the spoil it. At the same time, adopting the correct methods of disposal of toxic waste is
also extremely important. In the beginning, we should reduce or not use such products that include harmful organic compounds. In cases where the paints, cleaning and stain removal chemicals are used, the safe disposal of water is extremely important.

It is also important to pay attention to car or oil spills from other machines. It is said that oil spill out of cars or machines is also one of the factors leading to water pollution. Because of this, it is important to take care of our cars and machines. They should be regularly checked to ensure that there is no oil leak. After the completion of the work in factories, particularly those which use oil, it is essential to exercise caution in the cleaning, safe disposal, or preservation of water for later use.

Due to above-mentioned reasons, water pollution has become a terrible problem today. The water of rivers and ponds that is used as life-giver to people is no longer drinkable. Our government should quickly take steps to address the problem of water pollution. First, monitor industries and factories to the effect that industrial waste is not shed into rivers and ponds. Domestic wastes should not be released into water sources without proper treatment. The use of chemical fertilizers should be discontinued in farming and organic farming should be promoted instead.

Water pollution has now taken the form of an emergency. So, we need to take big steps urgently. If we want that our citizens continue to get safe drinking water and water sources remain safe for a long duration, we will have to take steps for it from today itself. The delay can prove to be fatal in this case.

The man, flora and fauna cannot survive in the absence of water. We use water for drinking, bathing, irrigation and sanitation. These activities require us to use clean water. But with dirt of drains, plastic, rotten material, disinfectants finding their way into the rivers, water quality has declined to a great extent. Dirty-water contains harmful bacteria that cause damage to our health. Therefore, we should pay full attention to the cleanliness of rivers. There is also a need for social awareness campaign against water pollution. Water has been called the elixir of life. It is our duty to maintain its cleanliness.

The present study has been divided into six chapters. The first chapter is that of introduction. This chapter covers the problem of water pollution in India. In addition, the
chapter also states the objective of study, conceptual context, need for the present study, scope of the study, research questions, hypotheses, research methodology and review of literature.

In the second chapter, an attempt has been made to examine the effect of the problem of water pollution in India, definition and meaning of water pollution, nature and scope of water pollution, sources of water pollution major reasons for expansion of water pollution in India etc.


The fourth chapter of the thesis critically examines the role played by the Judiciary in combating the water pollution in India. In this chapter various judgments of the Apex court and High Courts are analyzed.

The fifth chapter throws light on International water pollution controlling measures as “Earth Summit”, “India’s Treaty Obligations”, “Rio Declaration on Environment”, “Agenda 21”, “Legislation Pursuant To Environmental Agreements”, “International Law In Indian Courts” and their strategies to combat water pollution.

In the last chapter, conclusions based on the study are drawn. Some useful suggestions are also made at the end of the chapter for prevention control and abatement of water pollution in India.

(Deepak Saini)
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