
Water Pollution in India Issues and Challenges

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ABSTRACT

Water is one of the necessities for existence of mankind. It is also one of the most abundantly available resources. But indifference of mankind and its abuse of the plentiful resource made water scarcity a problem for many nations around the globe. Water pollution is one major problem that demands utmost attention to deal with emerging water crisis. This paper is an attempt to describe various causes of water pollution in India or issues and challenges regarding water pollution.

Keywords: Water Pollution, United Nation, Constitution of India.

INTRODUCTION

Water pollution is the contamination of water bodies (e.g. lakes, rivers, oceans, aquifers and groundwater). Water pollution occurs when pollutants are directly or indirectly discharged into water bodies without adequate treatment to remove harmful compounds. Water pollution affects plants and organisms living in these bodies of water. In almost all cases the effect is damaging not only to individual species and populations, but also to the natural biological communities. As we see around the earth, there is plenty of water. Infect 70% of earth is covered with water. But hardly 2% of it is drinkable. We all know that water is very essential for existence of human beings. With the growing population and mismanagement of water resources, scarcity of water has become a bane in India and the rest of the world. The water is

available to us from various resources. But unmindful use of these resources has led to a water crisis. Also with the growing industrialization and urbanization, pollution of water has become a major problem that needs to be tackled.

WHAT IS WATER POLLUTION?

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.

EFFECTS OF WATER POLLUTION IN INDIA

Water pollution can have some tremendously-adverse effect on the health of any and every life form living in the vicinity of the polluted water body or using water

that has been polluted to some extent. At a certain level polluted water can be detrimental to crops and reduce the fertility of soil thus harming the overall agricultural sector and the country as well. When sea water is polluted it can also impact oceanic life in a bad way. The most fundamental effect of water pollution is however on the quality of the water, consuming which can lead to several ailments. In fact as far as India is concerned polluted water is one of the major factors behind the general low levels of health in India, especially in the rural areas. Polluted water can lead to diseases such as cholera, tuberculosis, dysentery, jaundice, diarrhea, etc. In fact, around stomach ailments in India happen because of consuming polluted water.¹

MEASUREMENT OF WATER POLLUTION

Water pollution can be measured by various means viz. physical, chemical and biological. In physical testing properties such as temperature, solid concentrations and turbidity are measured. In chemical testing, water samples are analyzed using principles of analytical chemistry. Methods include pH, Biochemical oxygen demand, chemical oxygen demand measurements. Biological testing involves the use of plant, animal, and microbial indicators to monitor the health of an aquatic ecosystem. They are any biological species or group of species whose function, population, or status can reveal what degree of ecosystem or environmental integrity is present.

¹ <https://www.mapsofindia.com/my-india/education/water-pollution-in-india-causes-effects-solutions>

BACKGROUND OF WATER LEGISLATION IN INDIA

The Central Pollution Control Board (CPCB) is responsible for restoration and maintaining the wholesomeness of aquatic resources under Water (Prevention & Control of Pollution) Act 1974 passed by Indian Parliament. To ensure that the water quality is being maintained or restored at desired level it is important that it is monitored on regular basis. Water quality monitoring helps in evaluating the nature and extent of pollution control required, and effectiveness of pollution control measures already in existence. It also helps in drawing the water quality trends and prioritising pollution control efforts.²

CAUSE AND EFFECTS OF WATER POLLUTION

Pollution of water means rendering the water unfit for human consumption by bringing changes in its natural quality. Water pollution can be defined in many ways. Usually, it means one or more substances have built up in water to such an extent that they cause problems for animals or people.³ Pollutants in water include a wide spectrum of chemicals, pathogens and physical chemistry or sensory changes. Many of the chemical substances are toxic. Pathogens can produce waterborne diseases. Alteration of water's physical chemistry

² R.M.Bhardwaj, WATER QUALITY MONITORING IN INDIA- ACHIEVEMENTS AND CONSTRAINTS, IWG-Env, International Work Session on Water Statistics, Vienna, June 20-22 2005

³ <http://www.explainthatstuff.com/waterpollution.html>

includes acidity, electrical conductivity, temperature and eutrophication. Human infectious diseases are among the most serious effects of water pollution.⁴ We can divide the causes of water pollution into two parts one is direct and the second is indirect.

Direct Cause: In this category we can include those pollutants which directly enter into the water recourse and pollute it. In the industrial areas, industrial effluents are the main source of water pollution either surface water or ground water. There, industrial wastes are directly discharged into the waterways. Industries discharge a variety of pollutants in their wastewater including heavy metals, resin pellets, organic toxins, oils, nutrients, and solids. Discharges can also have thermal effects, especially those from power stations and these reduce the available oxygen.⁵ City sewage is also the main cause of water pollution. Sewage is also known as wastewater which usually contains laundry waste, dishwashing waste, urine and faces. Disposing these wastes is a big problem in the country today that is why the rivers and the lakes are the ones that suffer. Sewage water pollution can cause diarrhea and such.⁶

Indirect cause: The pollutants, when carried from a place to the water resources, can be called indirect causes. Rainfall or snowmelt picks up pollutants as it moves over land or through the ground and then

deposits them in water sources.⁷ It is common for farmers to use fertilizers and other chemicals on their crops to help them grow. However, these chemicals and nutrients added to the soil can soak into the underground water supplies. Additionally, when it rains, these chemicals join the run-off water and flow into streams, rivers and lakes, thus polluting them. Even the sediments of dirt, without any chemicals, are pollutants in fact as they cause the waterways to become cloudy and muddy.⁸ The seeping of the septic tanks in the cities as well as in the rural areas pollutes the ground water. Dumping of wastewater or waste by the industries, mining activities and leakage or spillage from other industrial processes contaminate the ground water.⁹ Seepage of oil from the pipe line and tank also pollute the water.¹⁰

RIGHT TO ACCESS TO CLEAN WATER

Clean water is the basic need of the human being. It is one of the main substances of the survival of human being. Water has multifunctional role in daily life. It is used for drinking, bathing, cleaning and irrigation etc. The main water bodies from where water can be accessed are lakes, rivers, oceans, ponds and groundwater. State also provides water to the people. Right to access

7

http://wiki.answers.com/Q/What_are_nonpoint_source_of_water_pollution#ixzz1gmeltSou

⁸ <http://projectsmileindia.wordpress.com/effects-of-water-pollution-solutions/>

⁹⁹ <http://www.supergreenme.com/go-green-environment-eco:Groundwater-Contamination>

¹⁰ Dr Mukesh Garg, International Journal of Physical and Social Science, Volume 2, Issue 6, June 2012.

4

<http://in.answers.yahoo.com/question/index?qid=20071218213531AAZGV8F>

⁵ Ibid

⁶ <http://causeofwaterpollution.com/>

clean water is the basic human right of a person. On July 28, 2010 UN General Assembly passed a resolution to make water and sanitation as right. Mr. Pablo Solon the Bolivian Representative to the UN, while tabling the Resolution said that “Drinking water and sanitation are not only elements or principal components of other rights such as “the right to an adequate standard of living. The right to drinking water and sanitation are independent rights that should be recognized as such.¹¹ In India, Government is the trustee of all natural resources which are meant for public use and enjoyment by nature and water is one of these natural resources. Constitution of India provides that water is accessible for all irrespective of cast and religion.

REMEDIES IN CASE OF WATER POLLUTION

In case of water pollution the best remedy is to approach the court. It is a nuisance to pollute a pond, well or any water resource. Nuisance may be private or public. If the use or enjoyment of person’s property or of some right over or in connection with it, is interfered by the unreasonable water pollution done by another then a suit for private nuisance can be claimed. In the public nuisance violator may be punished by a criminal sentence, a fine or both. Section 268 of the Indian Penal Code, 1860 provides that a person is guilty of a public nuisance who does any act or is guilty of an illegal omission which causes injury, danger or

annoyance to the public. Sections 133 to 144 of the Criminal Procedure Code provide the remedy in case public nuisance. Section 133 empowers the magistrate to pass an order for removal of a public nuisance within a fixed period of time. The measures to control the water pollution can be sought from the court by public interest litigation (PIL). The expression public interest litigation means a legal action initiated in a court for enforcement of public interest. A Public Interest Litigation (PIL) or social interest litigation can be filed in any High Court or in the Supreme Court under Article 226 and 32 respectively. Public interest litigation can be filed in the Supreme Court only if a question concerning the enforcement of a fundamental right is involved and in the High Court’s it can be filed whether or not a fundamental right is involved. It can be filed by any public spirit citizen for the enforcement of the constitutional and legal right of any person or group of persons who because of their socially or economically disadvantaged position are unable to approach court for relief. Article 32 of the Constitution of India is a great safeguard to provide shield to the fundamental rights provided under Part IV of the constitution. It is a weapon to protect the right to access clean water. Although right to water is not explicitly a fundamental right under the constitution of India but according to the judicial approach this right is embodied in Article 21 of the constitution of India. The Kerala High Court in *Attakoya Thangal v. Union of India*,¹² attributed right to clean water as a right to life in Article 21. In *S. K.*

¹¹ M. Abedin, “Health and Population Sector: An Overview and Vision,” in Logical Framework (Log-Frame) Workshop for the Fifth Health and Population Programme (HAPP-5), pp. 23–25, 1997.

¹² 1990 KLT 580

Garg v. State of U.P.¹³ the ambit of Article 21 was enlarged to include the “Right to Water”. Court said that in our opinion the right to get water is part of the right to life guaranteed by Article 21 of the Constitutions but a large section of citizens of Allahabad are being deprived of this right. Without water the citizens of Allahabad are going through terrible agony and distress particularly in this hot season when the temperature goes up to 46 or 47 degree Celsius.

HOW TO PROTECT CLEAN WATER

Dirty water is the world's biggest health risk, and continues to threaten both quality of life and public health in the United States. When water from rain and melting snow runs off roofs and roads into our rivers, it picks up toxic chemicals, dirt, trash and disease-carrying organisms along the way. Many of our water resources also lack basic protections, making them vulnerable to pollution from factory farms, industrial plants, and activities like fracking. This can lead to drinking water contamination, habitat degradation and beach closures. The water can be protected by enacting and enforcing strict laws. The governments over the world have made discharge of effluents in running water an offence. All industrial waste water and water from sewerage must pass through treatment plants before being allowed to be discharged in running water

Other measures include:

- Green infrastructure and low impact development approaches and techniques help manage water and

water pollutants at the source, preventing or reducing the impact of development on water and water quality. Learn about these cost-effective, sustainable, and environmentally friendly approaches to wet weather management.

- States, territories, and tribes must protect water bodies and to address water bodies that do not meet water quality standards (i.e., impaired waters). Find information on regulations, guidance, and technical resources relating to impaired waters and TMDLs.
- Source water contamination prevention by making source water contamination a cognizable offence.
- Sedimentation and other techniques can be used to control water pollution.

Also we need to avoid wastage of water. Rain water harvesting is one such measure that will go a long way in enhancing the depleting water table. Waste water treatment is another way to preserve water. Recycling the water by using water not fit for drinking for other purposes such as watering lawns etc will also help to conserve water.

CONCLUSION

The present study reveals that Water pollution is a major issue in India. The power of the Supreme Court under Article 32 is not only injunctive in ambit that is preventing the infringement of fundamental rights, but it is also remedial in scope and provides relief against a breach of the fundamental rights already committed. Awareness about the causes and effects of the water pollution should be spread all over

¹³ AIR 1999 All 41

the country. Government, NGO's and educated people should have done efforts to aware the people about the water pollution and its effects. No law or authority can get success in removing water pollution unless the determination of the people not to pollute water. Every industry, urban and rural areas should dump the toxic waste and hazardous waste at waste collection centers. The study also stresses about the strong implementation and enforcement of water quality laws, water pollution laws and to stronger the penal provisions. The study stresses to establish the separate environmental courts in each state to reduce the burden of the judiciary and to implement the recommendations of the 186th Report of Law Commission of India.