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PART V

Bills introduced in the Gujarat Legislative Assembly

The Following Bill Which Was introduced on the 3rd March, 2023 by Shri Amit Shah, M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

GUJARAT BILL NO. 9 OF 2023.

THE GUJARAT WATER POLLUTION (PREVENTION AND PURIFICATION OF RIVERS) BILL, 2023.

A BILL

to provide for the control, regulation, maintenance and restoration and Wholesomeness of river water with a view to purification of rivers in the State of Gujarat and matters connected therewith.

Whereas, the level and intensity of Water Pollution in the rivers has reached at a level which is hazardous to Human consumption looking to the health and safety of the people.

And whereas, the river water is contaminated with microbes and laced with all sorts of chemicals.

And whereas, ecologists are of the view that the ill effects of the Water pollution in the rivers is at the alarming level and unless checked may lead to irreparable loss to human life.

And whereas, it is considered at most important to start purification of rivers and focus on water conservation and prevent polluting out water resources by throwing untreated waste and harmful chemicals from factories into rivers.

And whereas, it is considered necessary to take appropriate measures for the same.

It is hereby enacted in the Seventy fourth Year of Republic of India as follows:

1. (1) This Act may be called the Gujarat Prevention of Water Pollution and Purification of Rivers Act, 2023.

Short title,
extent and
commencement.

- (2) It shall extend to the whole of the State of Gujarat.
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- Definitions.** 2. (a) "Authority" means State Mission for Clean Rivers Authority appointed under Section 3.
- (b) "Polluted Water" mean water not useful for the purpose of human consumption in context of the required purity by Physical, Chemical or Biological properties of water or having discharge of any sewage or trade effluent or gaseous or solid substance into water injurious to public health.

- Establishment of Authority.** 3. (1) The State Government shall establish an Authority namely, State Mission for Clean Rivers Authority.
- (2) The Authority shall consist of the following members.
- (a) Minister for water resources – Chairman;
 - (b) Adviser to State Government on water management – Member;
 - (c) Secretary, Water resources department – Member;
 - (d) Member Secretary, Gujarat Water Pollution Control Board – Ex. Officio Member;

- Authority to regulate purity of river water.** 4. (1) The Authority shall prescribe standards for regulations regarding permissible level of Purity of water for human consumption and carry out all activities necessary for protection of rivers in the State with a aim of ensuring water quality and environmentally sustainable development.
- (2) In case, where the Authority is of the opinion that with respect to any river water resources the permissible level of purity is decreased it shall issue directions to concerned person to comply with such measures required to restore permissible level.
- (3) The Authority shall direct the local Authority such as Panchayats, Municipalities or Corporations to see that all necessary steps are taken to maintain purity of river water and for water conservation and also to prevent polluting river water sources by throwing untreated waste and harmful chemicals from the factories into rivers.
- (4) The Authority shall take measures to educate and aware people on the importance of purification of rivers.
- (5) The Local authority shall be bound by the direction issued by the Authority under sub-section (3) above.
- (6) The Authority shall prescribe standard of purity of water by framing regulations in that regard.

- Cognizance of offence.** 5. Every offence under this Act shall be cognizable and bailable for a minimum sum of rupees twenty thousand. All prosecutions under this Act shall be triable by the Metropolitan Magistrate Court.

- Penalties.** 6. Any person who is guilty of violating any of the provision of the Act or regulations made thereunder shall be punished with fine of not less than rupees twenty thousand but not exceeding rupees thirty thousand or be sentenced to imprisonment not exceeding three months or both.

- Power to make regulations.** 7. The Authority with previous approval of the State Government may make regulations, consistent with this Act, for carrying out all or any of the provisions under this Act.

STATEMENT OF OBJECTS AND REASONS

Availability of purified drinking water is right of every citizen and for that purpose it is necessary to regulate the river waters from purification of river point of view.

The magnitude of unwanted elements in the river water increases day by day which leads to pollution in water and hence such water is hazardous to the health of people. Sources of pollution in the river water includes industrial waste and contemplated water by chemical industries. Throwing of polluted water in the river also alters the chemical properties of water.

Every drop of water is source of life. It is high time we realize that water resources are not permanent. Soon, we as a family, society and Nation will be struggling to get clean potable water. We have to focus on water conservation and stop polluting our rivers.

At present, there is no adequate power to regulate the purification of rivers. It is also equally necessary to educate people and bring awareness on this issue by organizing programs through mass media.

For the purpose of river purification, the State Government has initiated programs for cleanliness of rivers and have also made all efforts to implement the instructions of National Green Tribunal.

However, with a view to provide comprehensive law on the purification of rivers it is proposed to enact this Act.

Hence this Bill.

**Gandhinagar,
Dated the 7th February, 2023.**

**AMIT SHAH,
M. L. A.**

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves the delegation of legislative power in the following respect: -

Clause 3 of the Bill empowers the authority to frame regulations for maintenance of standard of purity of water.

Clause 7 of the Bill empowers the authority to frame regulations for carrying out the purposes of the Act.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

**Gandhinagar,
Dated the 7th February, 2023**

**AMIT SHAH,
M. L. A.**

**Dated the 3rd March, 2023
Gandhinagar.**

**D. M. PATEL,
Secretary,
Gujarat Legislative Assembly.**

