

International Conference on Innovations in Wastewater Systems

Role of Rule of Law in Promoting Innovations in Sustainable Water and
Wastewater Systems

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Water Distribution- Global Scenario

97% in ocean

- 3% fresh (69% in glaciers,30% ground water and less than 1% in lakes,rivers ,swamps)
- 1% of water on earth surface is usable by humans ,99% is underground
- 71% earth covered by water

National Scenario

- 97 million people lack access to safe drinking water
- Predicted demand of water exceeds available supply(50% gap between demand and supply by 2030)
- Annually more people migrate to cities putting pressure on scarce resource (600 million by 2030) making India more peri-urban than rural
- 80% of untreated wastewater ends up in rivers
- 1/3 rd of 600 distt.not fit for drinking ground water (F,As,Fe,salinity)
- India ranks 120 th among 122 nations

Water content in human body

- 60% water in human body
- 94% fetus level
- 75% infant
- 60% adults
- 50% elderly
- Humans can't survive more than 3-4 days without water

Environmental laws

- EPA, 1986
- Water Act, 1974
- CPCB and SPCBs
- Water pollution aggravated due to indiscriminate setting of industries, unplanned rapid industrialization, increase in population etc.
- 80-85% pollution load due to sewage
- 15-20% industrial pollution load

Judicial Intervention

- Bichheri case in Rajasthan
- Tanneries of TN (Vallore Citizens)
- Oleum gas leak in Delhi
- Ganga pollution case
- Shifting of hazardous units from Delhi
- Ban on Lime stone mining in U.K.

Supreme Court

- Article 21 Indian Constitution—Right to live includes enjoyment of pollution free water and air
- If any thing endangers or impairs in derogation of laws, citizen has right to recourse to Article 32 of the Constitution of India for removing the pollution of water or air which may be detrimental to the quality of life
- Precautionary principle, polluter pays principle, principle of sustainable development, intergenerational equity, Doctrine of Public Trust etc.

Rule of Environmental Law

- UNEP Forum on rule of Environmental Law established for sustainable development
- Chief justices, Attorney Generals, Prosecutors, Parliamentarians, civil society organizations, intergovernmental organizations participate in meetings
- Focus on thematic and procedural elements of environmental rule of law, access to justice in env. matters, conflict prevention over natural resources, building and strengthening strategic partnerships, data exchange among legal and auditing communities, strengthen the capacity in countries to develop and implement env. rule of law to enhance expertise in env. rule of law among judges, prosecutors and law enforcement officials.
- India hosted UNEP meeting on Rule of Env. Law in March, 2016 in New Delhi.
- Rule of law is a dynamic concept and ensures that no body is deprived of his rights and duties by an administrative action.

NGT on Environmental Rule of Law

- Passed various orders for protection and conservation of environment
- Ganga Pollution : show cause notices issued to defaulting units located from Haridwar to Kanpur as to why such units be not shut down for polluting Ganga and make clear their stand on zero discharge, installation of online monitoring systems etc.
- Yamuna Pollution In Delhi : Ordered DPCC to close 1200 units releasing toxic wastes in river
- 28 industrial clusters: CETPs in 13 clusters only and not functioning properly.
- 23 STPs in Delhi treating 40% of 3800 mld. Need to have 32 more STPs.

Speaking Orders by Various Courts

- Setting of new and up grading of existing CETPs and STPs would need innovative technologies.
- Zero discharge system would need investment and deployment of state of art technologies.
- Penalties imposed and funds blocked.
- Hopefully strong judiciary will lead to sustainable development.

UNEP Agenda 2030

- 193 nations adopted In 2015
- 17 global goals evolved for sustainable development of world
- Synergies between Principle 10 of Rio Declaration 1992 (access to inf.public participation,access to justice on env.matters) and Agenda 2030
- Rio+20 in 2012: conference on sustainable development in 2012 (evolved three dimensions of SD: env,social and economic)
- SDGs are taking over from MDGs (millennium development goals evolved in a MD summit in 2000) as MDGs lacks in env.component and were criticized .
- SDGS process are moving full stream ahead
- SDG 6 deals with water management (drinking water,sanitation, water quality and waste water ,water cycle,protection and restorations)

THANKS

