



Kanpur municipality case and control of river water pollution

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Abstract

River water pollution, in India, is a serious problem and affects human health. Under the Water (Prevention and Control of Pollution) Act, 1974 the state governments have the power of controlling water pollution. Most of the River water pollution happens when the unplanned cities and towns are established at the bank of Rivers. Kanpur is a city in the state of Uttar Pradesh, which is established at the bank of River Ganga. Kanpur tanneries are the best example of causing enormous River water pollution. However, the municipal authorities of the Kanpur city also did not pay maximum attention to ensure that River Ganga should be pollution free. The present article endeavours to examine the judgement delivered by the honourable Supreme Court not only to raise the scope of local authorities that how their activity should be environment friendly, but also the environmental legislation to control the River water pollution.

Keywords: river pollution, municipality, urbanisation, water pollution control

1. Introduction

The municipality is to ensure that the area which is falling within its jurisdiction should not only address the problems connected with urbanisation, but also take appropriate measures to ensure that the area is also pollution free. Urbanisation is a process which causes environmental pollution, as it is not possible to develop while having some adverse impact to the environment. Therefore, how the adverse impact to the environment could be minimised, remains to be a fruitful task for municipalities within its area subjected for urban development. The role of the municipality is enhanced multifold way, particularly, when within its area number of water bodies are available and those water bodies should be protected against any kind of pollution. To control the River water pollution, remains a challenge for those municipalities from which it passes through, because river water is not stable, therefore, polluting the River water will not only pollute a portion of water of the river, but will carry forward the pollution to down the line all the towns and cities. Kanpur is a city in the state of Uttar Pradesh, from which River Ganga passes through. Therefore, it becomes an additional responsibility of the municipal authorities to ensure that urban activity is causing minimum or no pollution to River water, because any pollution caused to this River water will have detrimental effect to those cities and towns from which the River Ganga will pass through down the line. The honourable Supreme Court in *Kanpur tanneries* ^[1] case, for the first time in the environmental jurisprudence of India, examined the scope of functions of local authorities, such as, municipal bodies that how they should be responsible to control the River water pollution.

2. Fact of the case

The present case has been initiated by the honourable Supreme Court after witnessing enormous pollution in the River Ganga because of the operation of many tanneries industries at Kanpur. Therefore, in *Kanpur tanneries* ^[2] case the honourable Supreme Court decided to relook into the jurisdiction of

municipality from which River Ganga passes through and how the municipality is discharging function for the purpose of protecting River water against pollution.

3. Reasons for causing river water pollution

In the present case, the apex court found from the affidavit filed by the Kanpur municipal authority that many factors are responsible for causing extreme pollution to River water of Ganga. The Supreme Court found total seven points responsible for causing pollution to River Ganga. First, discharge of untreated influence ^[3] carried away by city drainage system into River Ganga. The untreated influence is not only coming out from sewage water, domestic sewage but also from textile industries, tanneries industries, et cetera which are drained into River Ganga without treating them with any anti-pollution control devices. Therefore, raw sewage is directly drained into River Ganga and generating extremely polluting water. Second, the presence of cowshed at the bank of River Ganga for serving the milk or dairy purpose. For any urban planning dairy industries are of very importance. For supplying milk to these dairy industries maintenance of cow and cowshed is also important, however, this sector is not very properly organised in most of the cities and the people maintaining the cow or cowshed is poor people and unaware of the fact that what kind of environmental problem may be associated with unplanned maintenance of cowshed. The same happened in the Kanpur city, because most of the cowshed have been placed at the River bank of Ganga and continuously supplying milk to dairy industries. But the issue is connected with pollution problem to River Ganga. As per the Kanpur municipality report near about 80,000 cows have been placed at the River bank of Ganga for supplying milk to dairy industries. The number of cows are not dangerous but the amount of cow dung generated every day along with fodder waste and other refuse, no doubt enormous and not only responsible to create blockage in nearby drainage system, by which during the rainy season the wastewater spills out and reaches to roads and residential area, but also cause high rate of

pollution by mixing with the River Ganga. This enormous quantity of waste generated from cowshed every day is sufficient to cause heavy pollution to River Ganga. Third, the unscientific disposal of night soil responsible for causing River water pollution. In urban area, this is one of the major regions for water pollution that there will be many slum areas, where most of the places will be un-sewage area and the night soil collected shall be directly disposed of and dumped in the open drainage system, which will not only cause blockage but also through the drainage system will reach to River Ganga for causing pollution to water. Fourth, untreated wastewater from tanneries industries are polluting the River water of Ganga. It is true that Kanpur tanneries industries are famous industries for manufacturing high quality of leather. But, in the process of processing fresh leather harmful chemicals are used to treat animal skins along with gallons of fresh water. After treating the animal skins the wastewater consisting of harmful chemicals are drained into River Ganga without treating them properly. Thereby, this practice causes extreme and violent pollution to River Ganga and leads the water unfit for human consumption, drinking, bathing even unfit for cattle consumption. Fifth, water supply to Kanpur city also causes River water pollution. For daily need in the Kanpur city almost 55 gallons of water is supplied. Interestingly, after use of water it becomes a wastewater which is released by domestic places, industries, commercial places and the wastewater mixed with the domestic and industrial sewage becomes huge gallons of water and this wastewater through the drainage system comes back to River Ganga without being properly treated by pollution control devices. Therefore, supplying drinking water and water for industries and commercial places are inevitable for urban activities, but equally the same water comes back as wastewater and reaches back to River Ganga without treating such industrial effluent. Sixth, dry and wet cleaning service of clothes also cause pollution to River water of Ganga. Cleaning of clothes by dry and wet mechanism is one of the essential features of urbanisation. However, in this process harmful detergent and chemicals are used with the fresh water to clean the dirty clothes. After treating the close with this detergent and harmful chemicals fresh water supply and the fresh water becomes a wastewater consisting of detergent and harmful chemicals. In this regard, this dry cleaning industry never takes the help of pollution control devices to treat the untreated effluents coming out because of the process of clearing of cloths. Therefore, this try cleaning industry directly discharges the untreated effluents into River Ganga, thereby, causing extreme pollution to River water. Seventh, the defecation released by the economically weaker section. This is one of the major urban problem that the state government or the municipality never paid proper attention to these communities residing outskirts of cities but play vital role in service delivery system. Since, these people belong to economically weaker section, therefore, they have somehow a place to stay without proper system of toilets. In this regard, the defecation released by this section of people at the bank of River Ganga also causes not only public nuisance but severe pollution to River water of Ganga.

There was an important question that whether the River water of Ganga is fit for human consumption or not. Accordingly, in the 1986-87 the Ganga water samples were collected and tested in the laboratories by the Industrial Toxicology Research Centre, Council for Scientific and Industrial Research. The

report was shocking, because it was revealed that the River water of Ganga is not fit for drinking, bathing or fishing purpose. The availability in the sample of River water of iron and manganese are 29.2 mg/mL, whereas ISI, that is, Indian statistical Institute, recommends for .3 and .9 mg/mL respectively for iron and manganese. Whereas, World Health Organisation prescribes a limit as .5 of manganese in the drinking water. Moreover, the report suggests that the applicability of total coliform bacteria including fecal coliform bacteria ^[4] are very high which provides a situation to leave the River water outside the purview of human use. Most importantly, the values of biochemical demand ^[5] and bio oxygen demand ^[6] are very high from that of prescribed limit of ISI. This situation also compels that the River water is unfit for human use.

It is clear that the quantum of pollution caused to River Ganga is not from one source, but from multiple sources. Moreover, the factors which are responsible for causing pollution are the integral section of urbanisation and no city can be devoid of all these facilities. The only issue, which came forward to show the basic reason for pollution is connected with non-installation of pollution control devices. Therefore, it is high time to examine the relevant statutory provisions, whether those provisions giving relief to this kind of environmental crisis.

4. Statutory provisions to control river water pollution

The state of Uttar Pradesh has enacted a law to regulate municipal activities within the state under the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 ^[7]. The Kanpur municipality has been established under this Uttar Pradesh municipality law. Section 114 ^[8] of the Uttar Pradesh municipality law clearly depicts the obligatory duties to municipalities in the state that the concerned municipality shall make provisions, which not only should be adequate but also efficient for the purpose of collecting and disposal of industrial sewage, rubbish and other waste materials, treatment of the waste materials including industrial sewage and establishment of farm or factory for that purpose. This section further imposes essential duties to municipalities for the purpose of properly maintaining and establishing structures for efficient water supply for private and public purposes. As per this section, it shall be the essential duty of the municipality to guard the water from pollution and ensure that the water is not being used by human society. The honourable Supreme Court also examined other related provisions from the Uttar Pradesh municipality law to show that how they are connected with environmental management scheme within the state of Uttar Pradesh. Section 251 ^[9] of the Uttar Pradesh municipality law is related with the disposal of sewage in the city. For this purpose, the municipality is authorised under this section to find out the areas for collection of sewage, chock out plan for transportation of sewage, find out suitable place where sewer can be stored, find out suitable place where untreated sewage can be treated with the help of pollution control devices and once the sewages treated properly where it should be disposed of. In this regard municipality was empowered to enter into a contract with any other organisation or person for the execution of any of the above matters. Under section 388 ^[10] of the Uttar Pradesh municipality law, the municipality is authorised to collect the polluted matters from any portion of the city and for which the public notice shall be issued by the Chief Officer of the municipality. Section 396 ^[11] of the Uttar Pradesh

municipality law clearly authorises the municipality to take necessary measures for the purpose of removing the dead animals or carcasses of animals from the city, which is hazardous in the locality. Under section 397^[12] of the Uttar Pradesh municipality law, the municipality is authorised to prohibit such practices of cultivation, use of such manure and vegetables which are injurious to health. Similarly, under section 398^[13] of the Uttar Pradesh municipality law, it is the municipality who is authorised to prohibit the owner of the noxious vegetation which is injurious to health. Section 405^[14] of the Uttar Pradesh municipality law also authorises the Chief Officer of the municipality to remove the public nuisance which is being caused by any sewage tank or small reservoir pond or pool and also causing serious health issues. According to section 407^[15] of the Uttar Pradesh municipality law, it is the municipality who is authorised to ensure that no spread of dangerous diseases, in the state and to ensure that all the necessary steps shall be taken by the municipality.

The honourable Supreme Court also witnessed that the similar provisions are also available under sections 7, 189, 191 of the Uttar Pradesh Municipalities Act, 1916. Therefore, under this legislation also the municipality has obligatory duties, which cannot be ignored. At the same time, the apex court found that there is another legislation, in the name of the Uttar Pradesh Water Supply and Sewerage Act, 1975, where the provision imposes responsibilities to local authorities, such as municipalities to maintain proper channel for water supply in the cities and construct structures which can ensure safe drinking water to its citizens. Therefore, overall the Act emphasises to municipalities to maintain cleanliness of the city. Apart from municipalities the other statutory body, that is, state pollution control board available in the state, who will also ensure that the water bodies including the water is free from pollution. The state pollution control board is established under section 4 of the Water (Prevention and Control of Pollution) Act, 1974^[16]. Though, the Act is a central legislation but empowers the state government to implement various provisions of this legislation. The Act defines various expressions efficiently, such as, pollution^[17], sewage effluent^[18], sewer^[19], stream^[20], trade effluents^[21], et cetera. The honourable Supreme Court specifically, examined the scope of function of state pollution control board as mentioned under section 17 of the Water Act. The apex court found that there are many essential functions have been mentioned under this section, for example, the state board can inspect the industrial premises, can examine the documents relating to waste disposal, can collect the samples of trade effluents, can send the samples to state laboratories to inspect the harmful elements, can prescribe specific standard for trade effluents, can prescribe the scientific standard for drinking water, can take necessary measures against polluting industries, et cetera. From these functions, it seems to be that the state pollution control board is all powerful to guard against adverse impact to water bodies because of urbanisation.

The Environment (Protection) Act, 1986 enacted for the purpose of overall protection and promotion of environment in India. Section 3 of this Act, the central government to prescribe various limits of pollutant in the environment so that different components of the environment could be pollution free. In this regard, this central government can direct state government to follow the prescribed limit as prepared by the central government and can also request state government to prepare

its own prescribed standard by which the state government can maintain the environment with natural quality.

Therefore, from the examination of the above-mentioned statutes by the honourable Supreme Court it is clear that the laws are sufficient to take care about pollution of water bodies including River water pollution. Another added advantage which was available under the Ganga action plan, by which the pollution of River Ganga could have been controlled significantly.

5. Ganga Action Plan and beyond

The apex court found that the Ganga action plan is applicable to Kanpur city, because of the fact that the River Ganga passes through the city. The Ganga action plan was for the first time established in the year 1986^[22]. The Ganga action plan was phased out in three segments in Kanpur city, for example, first, UP Jal Nigam, Second, Kanpur Jal Sansthan and third, integrated environmental and sanitary engineering project under the Dutch government assistance. Under UP Jal Nigam, there will three projects undertaken, for example, first, remodelling of sewage pumping station including improvement of sewage farm, second, remodelling of drainage system including covering the open drains and third, establishment of effluent treatment plant. Under Kanpur Jal Sansthan the project related to cleaning of sewer tank and remodelling of the same was adopted. Under the integrated environmental and sanitary engineering project, which is financially assisted by the Dutch, involves the projects, such as, removal of deficiencies in existing sanitary facilities, laying the pipeline for industrial sewer and establishment of sewer treatment plant and remodelling of the existing sewer treatment plant. Interestingly, the apex court found that the budget for conducting ganga action plan in the Kanpur city, in the year 1985-87, was fixed at two Rs. 36 crores^[23]. However, from the record shows that during this year only Rs. 5 crore was spent. The financial assistance not only given from state government of Uttar Pradesh, but also from central Ganga authority for Ganga action plan, the World Bank and the Dutch government. In the affidavit, filed by the state of Uttar Pradesh, clearly mentions that pollution of River Ganga could not be controlled because of unscientific plan and improper management adopted respective authorities. The affidavit mentions that the problem of River water pollution is because of many reasons, such as, throwing solid waste, unused clothes and garments, plastics and other materials directly into the River water, throwing used building materials after the construction is over directly into the drainage system thereby blocking the drainage system and also these matters are reaching to river water and polluting the same, pollution also happens because of undersized sewer system in slum locality, non-availability of mechanical equipments for cleaning the sewer system and lack of financial assistance. Therefore, it shows a clear struggle of the Ganga action plan in the city of Kanpur. It is interesting to note here that the National Commission for Clean Ganga was registered in the year 2011 to implement the functions of the National Ganga River Basin Authority. However, this Ganga River Basin Authority has been discontinued from the year 2016 and National Ganga Council has taken its place from the year 2016^[24].

7. Directions of the Court

There was no option left for the honourable Supreme Court to

take this matter lightly and accordingly, the apex court issued stricter directions for maintaining the water quality of River Ganga. Before awarding directions, the honourable Supreme Court took the example of common law, where riparian owner can bring a suit of nuisance against an action of the corporation, where such corporation or the industry has discharged the insufficiently treated trade effluents into the River water and by which the River water is polluted ^[25]. The apex court, therefore, stated clearly though Mr MC Mehta is not the riparian owner, but being the public-spirited citizen, this petition shall be dealt for public interest.

The Supreme Court made a point that milk and dairy industries established at the bank of River Ganga at Kanpur city needs proper attention for its own maintenance. Therefore, the court stated to the state government of Uttar Pradesh that either this dairy industry should be shifted to a new location which should be far away from accessing River Ganga, so that the cow dung and other refuse will not reach to River water of Ganga. If there is a problem for relocation of 80,000 cows, then there will be another option that the cow dung and other refuse should be disposed of with the help of motor vehicles so that it should not reach to River water and for removing this cow dung and other refuse the dairy owner shall not be entitled for any sort of compensation.

The apex court directed the municipality at Kanpur city that they should take immediate steps to improve and remodel the entire sewerage system in the labour colonies, so that the sewer can be taken away smoothly. Where there is no such pipeline, the municipality should take immediate steps to construct the proper drainage system including pipeline for proper treatment of sewer. At the same time, the apex court stated that the colonies which are occupied by the economically backward classes, the municipality and the state government of Uttar Pradesh should spend money for the purpose of construction of public latrines and urinals.

The honourable Supreme Court made a point that the municipalities should be active to stop the throwing of dead bodies or half burnt dead bodies into the River Ganga and create proper awareness to its own subject. The court made it very clear that it is the responsibility of the municipality that no trade effluent should be drained into the River Ganga without treatment. Therefore, all the trade effluents should be properly treated before draining into River Ganga.

The honourable Supreme Court raised the issue with regard to section 482 ^[26] of the Criminal Procedure Code, 1973 and requested the High Court that it should wisely use its jurisdiction whenever the petition has been made before such High Court with regard to water pollution and prevention issues. Not that always injunction has to be granted and it should be granted in exceptional situations only.

The honourable Supreme Court made an interesting direction that the central government should introduce the environment as subject up to 10th class in the schools and at least one hour in a week should be spent for learning the environmental issues connected with pollution and prevention. It also suggested that the teachers who are conversant with the subject should involve training other people who can spread the knowledge through awareness scheme.

The apex court further directed to the central government that at least once in a year there should be of programme connected to 'keep the city clean' week and 'keep the village clean' week where every stakeholder should be involved to create further

awareness with regard to environmental protection and preservation.

Finally, the apex court directed that the orders made in this case shall be applicable automatically to all those municipalities from which River Ganga passes through.

8. Conclusion

It is clear from the above discussion that River water pollution is a major challenge in India. The authority is to be imposed with the functions to ensure that there should be check and balance of causing pollution to River water. It seems to be ineffective and these authorities are handling the matter more casually than with serious attitude. The River Ganga is not only a sacramental River for certain communities, but also lifeline for many villages and cities in India. In spite of having sound environmental legislations, yet negligible steps taken by the enforcement agencies and thereby leaving the polluting the River water unaddressed. Ganga action plan was initiated in the year 1986 and involved multicore projects, but, in reality could not achieve the goals for which this action plan was brought into reality. The quality of River water of Ganga is not fit for human use and this has been proved by many high-profile institutions, who provided the report and which suggests that the chemical composition and oxygen level dissolved in the water are absolutely different and dangerous from the prescribed standard. Therefore, in spite of having different policies and environmental legislations including Ganga action plan, why River Ganga is not free from pollution is a matter of subject to be discussed further and to find out the loopholes which could be plugged in to ensure that River water remains pollution free. It seems that more than presence of legislations, it is a matter of timely and efficiently implementation of the provisions of environmental legislations by the enforcement agencies, which will improve the quality of River water while making the water pollution free in India.

9. References

1. *See, Ibid.*
2. *See, AIR 1988 SC 1037 at Para 17*
3. 274.50 million litres a day of sewage water is being discharged into the river Ganga from the city of Kanpur, which is the highest in the State of Uttar Pradesh and next only to the city of Calcutta which discharges 580.17 million litres a day of sewage water into the river Ganga. *See AIR 1988 SC 1115 at Para 9*
4. The total and fecal coliform bacteria test is a primary indicator of potability, suitability for consumption, of drinking water. It measures the concentration of total coliform bacteria associated with the possible presence of disease causing organisms. Available at <http://www.water-research.net/index.php/water-testing/bacteria-testing/fecal-coliform-bacteria> (accessed on 20.03.2017)
5. C.O.D
6. B.O.D.
7. Hereinafter Uttar Pradesh municipality law
8. 114, Obligatory duties of the Mahapalika - It shall be incumbent on the Mahapalika to make reasonable an adequate provision, by any means (sic) which it is lawfully competent to it to use or to take, for each of the following matters, namely;- (iii) the collection and removal of sewage, offensive matter and rubbish and

- treatment and disposal thereof including establishing and maintaining farm or factory: (vii) the management and maintenance of all Mahapalika waterworks and the construction or acquisition of new works necessary for a sufficient supply of water for public and private purposes; (viii) guarding from pollution water used for human consumption and preventing polluted water from being so used;
9. 251. Provision of means for disposal of sewage - The Mukhya Nagar Adhikari may, for the purpose of receiving, treating, storing, disinfecting, distributing or otherwise disposing of sewage, construct any work within or without the City or purchase or take on lease any land, building, engine, material or apparatus either within or without the City or enter into any arrangement with any person for any period not exceeding twenty years for the removal or disposal of sewage within or without the City.
 10. 388. Provision may be made by Mukhya Nagar Adhikari for collection, etc., of excrementitious and polluted matter - (1) The Mukhya Nagar Adhikari may give public notice of his intention to provide, in such portion of the City as he may specify, for the collection, removal and disposal by Mahapalika agency, of all excrementitious and polluted matter from privies, urinals, and cess-pools, and thereupon it shall be the duty of the Mukhya Nagar Adhikari to take measures for the daily collection removal and disposal of such matter from all premises situated in such portion of the City. (2) In any such portion as is mentioned in Sub-section (1) and in any premises, wherever situated, in which there is a water-closet or privy connected with a Mahapalika drain, it shall not be lawful, except with the written permission of the Mukhya Nagar Adhikari, for any person who is not employed by or on behalf of the Mukhya Nagar Adhikari to discharge any of the duties of scavengers.
 11. 396. Removal of carcasses of dead animals - (1) It shall be the duty of the Mukhya Nagar Adhikari to provide for the removal of the carcasses of all animals dying within the City. (2) The occupier of any premises in or upon which any animal shall die or in or upon which the carcass of any animal shall be found, and the person having the charge of any animal which dies in the street or in any open place, shall, within three hours after the death of such animal or, if the death occurs at night within three hours after sunrise, report the death of such animal at the nearest office of the Mahapalika health department. (3) For every carcass removed by Mahapalika agency, whether from any private premises or from public street or place, a fee for the removal of such amount as shall be fixed by the Mukhya Nagar Adhikari shall be paid by the owner of the animal, or, if the owner is not known, by the occupier of the premises in or upon which, or by the person in whose charge, the said animal died.
 12. 397. Prohibition of cultivation, use of manure, or irrigation injurious to health - If the Director of Medical and Health Services or the Civil Surgeon or the Nagar Swasthya Adhikari certifies that the cultivation of any description of crops or the use of any kind of manure or the irrigation of land in any specified manner- (a) in a place within the limits of a City is injurious or facilitates practices which are injurious to the health of persons dwelling in the neighbourhood, or (b) in a place within or beyond the limits of a City is likely to contaminate the water-supply of such City or otherwise render it unfit for drinking purposes, the Mukhya Nagar Adhikari may by public notice prohibit the cultivation of such crop, the use of such manure or the use of the method of irrigation so reported to be injurious, or impose such conditions with respect thereto as may prevent the injury or contamination: Provided that when, on any land in respect of which such notice is issued, the act prohibited has been practised in the ordinary course of husbandry for the five successive years next preceding the date of prohibition, compensation shall be paid from the Mahapalika Fund to all persons interested therein for damage caused to them by such prohibition.
 13. 398. Power to require owners to clear away noxious vegetation -The Mukhya Nagar Adhikari may, by notice, require the owner or occupier of any land to clear away and remove any vegetation or undergrowth which may be injurious to health or offensive to the neighbourhood.
 14. 405. Power to require removal of nuisance arising from tanks, etc. - The Mukhya Nagar Adhikari may by notice require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off a private well, tank, reservoir, pool, depression or excavation therein which may appear to the Mukhya Nagar Adhikari to be injurious to health or offensive to the neighbourhood: Provided that the owner or occupier may require the Mukhya Nagar Adhikari to acquire at the expense of the Mahapalika or otherwise provide, any land or rights in land necessary for the purpose of effecting drainage ordered under this section.
 15. 407. Any place may at any time be inspected for purpose of preventing spread of dangerous disease - The Mukhya Nagar Adhikari may at any time, by day or day night, without notice or after giving such notice of his intention as shall in the circumstances, appear to him to be reasonable, inspect any place in which any dangerous disease is reported or suspected to exist, and take such measures as he shall think fit to prevent the spread of the said disease beyond such place.
 16. hereinafter, the Water Act
 17. Sec-2(e)-the Water (Prevention and Control of Pollution) Act, 1974 'pollution' means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may or is likely to, create a nuisance or render such water harmful or injurious to public health Or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms;
 18. Sec-2(g)- the Water (Prevention and Control of Pollution) Act, 1974'sewage effluent' means effluent from any sewerage system or sewage disposal works and includes sillage from open drains;
 19. Sec-2(gg)- the Water (Prevention and Control of Pollution) Act, 1974 'sewer' means any conduit pipe or channel, open or closed, carrying sewage or trade effluent;

20. Sec-2(i)- the Water (Prevention and Control of Pollution) Act, 1974 'stream' includes-(i) river; (ii) water course (whether flowing or for the time being dry); (iii) inland water (whether natural or artificial); (iv) sub-terranean waters; (v) sea or tidal waters to such extent or, as the case may be, to such point as the State may, by notification in the Official Gazette, specify in this behalf;
21. Sec-2(k)- the Water (Prevention and Control of Pollution) Act, 1974 'trade effluent' includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any trade or industry, other than domestic sewage.
22. The Ganga action plan was, launched by Shri Rajeev Gandhi, the then Prime Minister of India on 14 Jan. 1986 with the main objective of pollution abatement, to improve the water quality by Interception, Diversion and treatment of domestic sewage and present toxic and industrial chemical wastes from identified grossly polluting units entering in to the river. Available at <http://www.mppcb.nic.in/gap.htm> (accessed on 20.03.2017)
23. See para 10 in AIR 1988 SC 1115
24. National Mission for Clean Ganga (NMCG) was registered as a society on 12th August 2011 under the Societies Registration Act 1860. It acted as implementation arm of National Ganga River Basin Authority (NGRBA) which was constituted under the provisions of the Environment (Protection) Act (EPA), 1986. NGRBA has since been dissolved with effect from the 7th October 2016, consequent to constitution of National Council for Rejuvenation, Protection and Management of River Ganga (referred as National Ganga Council) vide notification no. S.O. 3187(E) dt. 7th October 2016 under EPA 1986. Available at http://nmcg.nic.in/about_nmcg.aspx (accessed on 20.03.2017)
25. For further details, see- *Pride of Derby And Derbyshire Angling Association v. British Celanese Ltd.* 1953 Cha 149
26. Section 482 in The Code of Criminal Procedure, 1973- Saving of inherent powers of High Court. Nothing in this Code shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under this Code, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice.