

BOOK REVIEW

LALL'S COMMENTERIES ON WATER AND AIR POLLUTION LAWS. 2ND EDITION, 1986—Revised by K. B. ASTHANA, S. K. GADI and S. K. GHOSH. *Law Publishers, Allahabad 211001*—Price Rs. 200·00 (Hardbound)

The unprecedented developments in Science and Technology during 20th Century, have contributed among myriad of other changes, to an immense scale to the changing profile of environment. The natural environment of the planet Earth, admittedly, has changed there than one single reason, but almost all the causes can be traced back to a phenomenon called "Human interference". Since Man has now realised the short term gains that have been achieved against long term disaster, due to activities of its own kind, a global concern can be evident to bring out a rational policy for sustainable utilisation of natural resources, without endangering the very habitat where *Homo sapiens* evolved. The causes of environmental degradation, more commonly termed pollution and its effects have been discussed on a series of excellent publications in recent times. However, most of the literature on the subject of Pollution have their origin on western experience and data, generated through intensive studies in the temperate region of the world.

The causes, once identified, can however be assessed at a national level with obvious shift in items of the list of such causes which lead to pollution. To curb the level of pollution from existing sources or practices, the law-makers' role become of supreme importance. The laws to prevent and control pollution may be multidimensional, based on basic and vital parameters such as Water, Air, Landuse, Forest, Fisheries, Wildlife, Food, and use of safety measures in Atomic energy, Factories, Pesticide and Poisonous substances, etc.

In India, a series of enactments, both at the State and Central levels, promulgated during 1897 to 1981 can be traced (excluding the latest Environment Act, 1986) and 'Lall's commentaries'—although apparently deal with Water and Air Pollution Laws, a useful reading through the pages will reveal a list of other related and pertinent information. The present volume has been divided into Parts I-V ; Part-I deals with the details of, the water (Prevention and Control of Pollution) Act, 1974 including terms and condition of boards, constitution, rules and procedure for transactions of business, Cess act, 1977 and Cess Rules 1978 and Amendment of the Act, 1978, under 11 chapters ; Part II likewise, deals with the Air (Prevention and Control of Pollution) Act, 1981 under seven chapters. While both these chapters reproduce details from published documents, Part III provides an important and useful account of pollution and allied laws as interpreted by various courts under 28 chapters. These chapters include brief history, offences by Partnership Firms and Co-operative Societies, jurisdiction of court, procedure on application of accused after receipt of summons in warrant trials and summons trials, immunity from legal proceedings, grant of injunction and other relief, constitutional validity of the act of 1977 and rules made thereunder, along with citations of court cases in such areas like 'taking of samples' for

analysis ; Part IV of the book covers such diverse areas as water pollution problem in India and abroad, effect of pollution, types of industrial wastes and treatment methods, sampling of water, sewage and industrial wastes and standards in India and abroad, definition, sources and effect of air pollution, the subject of dust pollution, (asbestos, toxic dusts), land pollution, water supply and health hazard, helminth (parasites) effect on human and removal by treatment, industrial solid wastes and their effect etc. The last and final part V, deals with "State Rules" (Andhra Pradesh ; Gujrat, Uttar Pradesh, Maharashtra and West Bengal) totaling 11, but also include new parts of Merchant Shipping (Amendment) Act of 1983 dealing with marine pollution and civil liability for oil pollution damage ; the last one must be a central enactment.

The present volume as such fills up a long felt gap of informations, in a comprehensive manner, on such vital areas of environmental planning as 'pollution control laws', as existant in the country. Very often than not, non-availably of government acts in printed form has been a plea, perhaps justifiably, for non-compliance of pollution control laws. In a seminar of Council of Industrial Development Corporation with environmentalist held in New Delhi in 1984, dons of industries requested the organisers to ensure easy availability of all state and central enactments and amendments so as to utilise the same to avoid any penal measure.

One may however debate over the style followed in the book to present such an wealth of information. It would have been more desirable to introduce the readers with general subject of pollution (Part IV, chapter I-IX), followed by central enactments (Part I and II), state enactments (Part IV) and interpretation (Part III). The entire volume could have been more useful if a continuous pagination system was followed rather than separate pagination for Parts or even for chapter. I have failed to locate any reference to minimum Indian National Standard (MINAS) set up for a number of most polluting industries by Central Board for Prevention and Control of Water and Air Pollution or of 'Comprehensive Industry Document' which can help industrial houses to follow recommended procedure. Sometime Indian Standards (IS) are referred by numbers and year while in other cases like 'Standards of drinking water' (page 269 and 278) no specific reference could be noted. A list of publication of Central Board would have been of much use to the reader to get complete information on source, status and control of pollution. Since Environment Act, 1986 has been passed by the Parliament after publication of the 2nd edition of Lall's commentary, a reader has to consult the same to take cognizance of the changes imposed by the said act. The table of cases following the content and the alphabetical index at the end will be most useful as also the bibliography appended at the end of some chapters. While there are scope for a better edited and updated volume in future, this volume will be undoubtedly useful for a large target-readership and anyone who is interested in ensuring a better quality of life.

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