

Environmental Policy in India

| Subject | Lesson/Chapter Name |
|--------------------------|-------------------------------|
| Political Science | Environmental Policy in India |

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Environmental Policy in India

1.1 Introduction

The word *policy* is defined as a course of action which has been proposed or adopted by a Government, organisation or an individual. An environmental policy is the framing of a similar course of action for the protection of environment, wildlife and natural resources. In a developing country like India, an environmental policy is especially required because there is a consistent need for balancing between environment on one side and the needs of development on the other. A good environmental policy is a precursor for ensuring sustainable development.

We have already studied in the Chapter on *Environment and Sustainable Development* (Singh, 2015a) that industrial growth and economic development without incorporating the concerns of environmental protection leads to pollution and degradation of 'our common environment'.

We have also studied the impact of industrial pollution on human beings and the threat it causes to biodiversity in the Chapter on *Issues of Industrial Pollution: Global Warming and Threats to Biodiversity* (Singh, 2015b). A good environmental policy is therefore required to protect the environment as well as to ensure public health and well-being.

The concerns of environmental harmony and wildlife protection are found embodied in ancient scriptures in the Indian sub-continent. Kautilya's *Arthashastra* and Ashoka's edicts are known to include provisions for safeguarding nature and natural resources. The *Vedas* also echo the sentiments of environmental ethics and harmony as an important prerequisite for human survival and prosperity. Consequently, respect and love for nature is rooted in the Indian civilization.

Contemporary environmental policies began to be framed in India during the British Rule. The Shore Nuisances (Bombay and Kolaba) Act, 1853 was one of the first environment related acts passed during the British Rule. While the aforementioned Act prevented the encroachment of land resource along the sea-shore, its underlying benefit for the British was to stop any activity that affected or was likely to affect them from navigating their ships and vessels in the port of Bombay. Many other environment related Acts were passed by the British. However, we will keep our focus in this Chapter on environmental policies formulated in post-independent India.

The Constitution of India came into effect on 26 January 1950. The spirit of the Constitution is such that it safeguards the life, health and fundamental rights of every citizen of India. In doing so, the Constitution of India provides measures for protecting the environment which surrounds all of us. Article 21, Article 48(A) and Article 51A (g) in the Constitution of India are three specific Articles which are focused on environmental protection (Table 1).

While Article 48(A) and Article 51A (g) have direct implications for environmental protection, Article 21 is the Right to life and personal liberty. However, the Supreme Court of India has expanded Article 21 after interpreting that the Right to life and personal liberty also includes the Right to a clean and healthy environment.

One of the first cases where this interpretation of the Supreme Court came forward was the Rural Litigation and Entitlement Kendra & Ors. Vs State of UP & Ors. case which is also known as the Dehradun Quarrying Case. The Court maintained that, "Article 21 of the Constitution guaranteeing the right to life must be interpreted to include the right to live in a healthy environment with minimum disturbances of ecological balance and without avoidable hazard to (the people) and to their cattle, homes and agricultural lands and undue affection to air, water and environment" (May and Daly, 2014).

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| Table 1: Articles in the Constitution of India which provide for environmental protection. | |
|---|---|
| Article | Description |
| Article 21 | <i>Protection of life and personal liberty:</i> No person shall be deprived of his life or personal liberty except according to procedure established by law |
| Article 48A | <i>Protection and improvement of environment and safeguarding of forests and wildlife:</i> The State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country |
| Article 51A (g) | <i>Fundamental Duties:</i> It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures. |

The nodal agency in India which is responsible for the protection of environment and wildlife is the Union Ministry of Environment, Forests and Climate Change (MoEFCC). The earlier name of this Ministry was the Ministry of Environment and Forests (MoEF). The MoEF was renamed as MoEFCC in 2014.

The responsibility of framing and implementing the national environmental policy of India rests with the MoEFCC. MoEFCC also works to ensure the effective implementation of the Environment (Protection) Act of 1986. The latter was a result of India's active participation and commitment made during the United Nations Conference on the Human Environment in 1972, which is also known as the Stockholm Conference.

1.2 National Environment Policy, 2006

The *National Conservation Strategy and Policy Statement on Environment and Development, 1992* was one of the first attempts of the Government of India to develop a policy framework for environmental protection. The *National Forest Policy, 1988* and the *Policy Statement for Abatement of Pollution, 1992* are some other policy frameworks that advocate effective environmental management at the national level.

However, a need was felt to bring together the guiding principles of all these documents and develop a comprehensive national environmental policy. Consequently, the National Environment Policy was put together after widespread consultation and was approved by the Union Cabinet on 18th May, 2006. The **National Environment Policy, 2006** (NEP, 2006) does not displace earlier policies but builds upon them.

Web Resource: <http://envfor.nic.in/public-information/policy-statements>

The link provides an archive of all policy related documents formulated by the Union Ministry of Environment and Forests, Government of India till date.

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NEP, 2006 is a response to India's national commitment to a clean environment, mandated in the Constitution of India in Articles 48A and 51A (g) and strengthened by the judicial interpretation of Article 21. For the purpose of better understanding, NEP, 2006 defines the term *Environment* to comprise all entities, natural or manmade, external to oneself, and their interrelationships, which provide value, now or perhaps in the future, to humankind.

The NEP, 2006 is framed on three foundational aspirations. These are, i) that human beings should be able to enjoy a decent quality of life; ii) that humanity should become capable of respecting the finiteness of the biosphere; and iii) that neither the aspiration for the good life, nor the recognition of biophysical limits should preclude the search for greater justice in the world (MoEF, 2006). The objective kept in mind while framing the NEP, 2006 have been outlined in the box below.

Objectives of the National Environment Policy, 2006

Following are the objectives that were kept in mind while framing the National Environment Policy, 2006 by MoEF, Government of India.

1. Conservation of Critical Environmental Resources

To protect and conserve critical ecological systems and resources, and invaluable natural and man-made heritage, which are essential for life-support, livelihoods, economic growth, and a broad conception of human well-being.

2. Intra-generational Equity: Livelihood Security for the Poor

To ensure equitable access to environmental resources and quality for all sections of society, and in particular, to ensure that poor communities, which are most dependent on environmental resources for their livelihoods, are assured secure access to these resources.

3. Inter-generational Equity

To ensure judicious use of environmental resources to meet the needs and aspirations of the present and future generations.

4. Integration of Environmental Concerns in Economic and Social Development

To integrate environmental concerns into policies, plans, programmes and projects for economic and social development.

5. Efficiency in Environmental Resource Use

To ensure efficient use of environmental resources in the sense of reduction in their use per unit of economic output, to minimize adverse environmental impacts.

6. Environmental Governance

To apply the principles of good governance (transparency, rationality, accountability, reduction in time and costs, participation, and regulatory independence) to the management and regulation of use of environmental resources.

7. Enhancement of Resources for Environmental Conservation

To ensure higher resource flows, comprising finance, technology, management skills, traditional knowledge and social capital for environmental conservation through mutually beneficial multistakeholder partnerships between local communities, public agencies, the academic and research community, investors, and multilateral and bilateral development partners.

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The underlying objective of NEP, 2006 is to ensure that people dependent on natural resources obtain better livelihoods. Thus India's national environmental policy dwells on the understanding that conservation of environmental resources is necessary to secure livelihoods and well-being of its citizens.

1.3 Principles of NEP, 2006

The National Environmental Policy, 2006 establishes the following fourteen principles as guiding principles for the protection of environment and conservation of nature and natural resources. Some of these principles are self-explanatory. Others may require a short description for the readers to understand, which has been provided below.

1. Human Beings are at the Centre of Sustainable Development Concerns

2. The Right to Development

Both the present and future generations have a right to development which must be respected while making provisions for environmental protection. However, it must be remembered that no development can take place without a healthy environment.

3. Environmental Protection is an Integral part of the Development Process

4. The Precautionary Approach

Sometimes we are uncertain about the full impacts of a developmental activity on the environment and scientific evidence that a certain developmental activity will cause environmental degradation is lacking. However, that does not mean that we will go ahead with the said developmental activity.

NEP, 2006 provides measures to ensure that lack of scientific evidence will not be used as a reason for not taking suitable measures for environmental protection.

5. Economic Efficiency

An important guiding principle of NEP, 2006 is that economic efficiency will lead to greater environmental benefits. For ensuring this, NEP suggests that economic valuation of environmental resources and ecosystem service be carried out in a comprehensive manner.

5a) Polluter Pays

Sometimes the actions of one individual or company may have an impact on another individual or company even when they may not have any direct economic relationship with each other.

For example, if a factory emitting air pollution is set up around a residential area, the pollution will have an adverse impact on the residents even when the residents are not deriving any economic benefit from the factory.

Such an impact is termed as an externality in environmental economics and if the factory owner does not compensate the residents then the entire production system is said to be inefficient. NEP, 2006 advocates that in all such cases the polluter must bear the cost of such externalities.

5b) Cost Minimization

When the economic valuation of the impact on environment of a development activity cannot be calculated, the economic costs of realizing the benefits of such a development activity must be minimized.

6. Entities with 'Incomparable' Values

Economic valuations and cost-benefit analyses for utilizing or exploiting some natural resources (like a healthy tiger population; unique landscapes such as the Valley of Flowers, Uttarakhand etc.) or built heritage (like the Taj Mahal etc.) simply cannot be done since these are 'incomparable resources'. Damage, degradation or loss of these resources cannot be accepted and will not be allowed at any cost.

Thus, the NEP agrees to the non-acceptance of any kind of economic calculations in such cases and advocates priority in resource allocation for the protection and conservation of such entities.

7. Equity

All human beings must be given equitable access to nature and natural resources such as clean air, water etc.

8. Legal Liability

Any person or company causing harm to the environment must be liable in the court of law and must be penalized as already discussed in the 'polluter pays' principle.

8 a) Fault Based Liability

In addition to the above, a person or company may be penalized for not following the set environmental standards. For example, if a company burning large amounts of coal needs to have a chimney height of 30 meters, and its actual chimney height is only 10 meters then it can be held liable and penalized.

8 b) Strict Liability

If the actions or inaction of a person or a company cause damage to another person or company, then the first person or company must compensate the second person or company even if the first person or company has not broken any law or duty.

For example, in the Bhopal Gas Tragedy of 1984, strict liability applies on the Union Carbide company from where the gas leaked and killed thousands of people.

9. Public Trust Doctrine

This is an important doctrine in the NEP, 2006 according to which the State is not an absolute owner but only a trustee of the natural resource wealth of the country.

10. Decentralization

Local environmental problems need local solutions. However, local solutions can only be achieved when the State transfers the powers from a Central authority to a state authority and from a state authority to local authorities.

The NEP, 2006 advocates such a decentralization and the transfer of powers for ensuring sustainable solutions to environmental problems.

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11. Integration

The inclusion of environmental consideration in sectoral policymaking across all sectors and the strengthening of linkages between various agencies at the Central, State and Local levels is required for ensuring sustainable development. The NEP, 2006 recognizes this and advocates for such an integration in environment related policy making.

12. Environmental Standard Setting

The setting of environmental standards goes a long way in protecting the environment. An environmental standard may be an upper concentration value of a certain pollutant beyond which a certain type of factory cannot pollute in a unit time. The NEP, 2006 advocates the setting of environmental standards taking into consideration factors such as risks to human health, risk to environmental health, technical feasibility, cost of compliance to the set standards etc.

13. Preventive Action

NEP, 2006 clearly advocates that preventing environmental damage is far times better than degrading the environment and paying up later on to restore the degraded environment.

14. Environmental Offsetting

The NEP, 2006 provides provisions for exceptional cases where threatened or endangered species or natural systems required for supporting life cannot be protected for some reason. In this case, the policy advocates that cost-effective offsetting measures must be undertaken to restore and/ or reclaim the damages so that the lost environmental services are returned to the public.

1.4 International Conventions and India (1972-2012)

The United Nations Conference on the Human Environment (UNCHE), held in Stockholm, Sweden in June 1972, is considered to be one of the first global conference in contemporary times aimed at environmental protection. Also known as the **Stockholm Conference**, the importance of UNCHE 1972 can be realized by the fact that it led to the creation of the United Nations Environment Program (UNEP). The UNEP today is a leading global environmental authority which promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system.

A total of 26 principles were chalked out during the UNCHE, 1972 which were to be adopted and followed by all participating nations (UN, 1972). These principles became guiding principles for developing countries like India to frame environmental policies. The UNCHE was also instrumental in ensuring that the global attention to environmental challenges is maintained through the decision of celebrating 5th June (the starting date of the UNCHE, 1972) as the **World Environment Day**.

Web Resource: <http://www.unep.org/wed>

5th June, World Environment Day (WED) today has become the principal vehicle of United Nations for encouraging worldwide awareness and action for the environment.

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CITES

CITES or the Convention on International Trade in Endangered Species of Wild Fauna and Flora is an international agreement between governments. CITES aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival. CITES is a voluntary international agreement that came into force in 1975.

CITES has to be implemented by individual country at the national level under the laws of the respective country. India became a party to CITES in **1976** and has, since then, played an active role to discourage international trade in endangered biodiversity. The Government of India has shown remarkable strictness in controlling the trade in wildlife products. Care is also taken to destroy any such products that are seized from poachers and smugglers from time to time (Fig. 1).

Web Resource: <https://www.cites.org/eng/disc/what.php>

The link provides additional information on CITES including its working and achievements since inception.



Figure 1. The Environment, Forest and Climate Change Minister of India Shri Prakash Javadekar burning illegal wildlife products to flames in the incinerator located in the National Zoological Park in New Delhi on November 2, 2014. (Source: www.pib.nic.in. Accessed on 20/07/15 at 09.00 am)

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World Heritage Convention

The World Heritage Convention is a convention concerning the protection of the world's cultural and natural heritage and is overseen by the United Nations Educational, Scientific and Cultural Organization (UNESCO). The World Heritage Convention came into effect in 1975 and was ratified by India in the year **1977**.

As of 2015, UNESCO recognizes six natural sites in India as World Heritage Sites. These sites are listed in Table 2. Each such 'natural' World Heritage Site is provided adequate protection by the Wildlife Wing of the Ministry of Environment, Forests and Climate Change (MoEF, 2015).

| Year of Declaration | Name |
|---------------------|---|
| 2014 | Great Himalayan National Park Conservation Area |
| 2012 | Western Ghats |
| 1988 | Nanda Devi and Valley of Flowers National Parks |
| 1987 | Sundarbans National Park |
| 1985 | Kaziranga National Park |
| 1985 | Keoladeo National Park |
| 1985 | Manas Wildlife Sanctuary |

Ramsar Convention

In 1982, the United Nations General Assembly ratified a **World Charter for Nature**, which called for protection of nature and natural resources (UN, 1982). **1982** is also the year when India became a signatory to the **Ramsar Convention**. The Ramsar Convention came into being in the year 1971 and is an international treaty for the conservation of wetlands of international importance.

According to the Ramsar Convention, all lakes, rivers, aquifers, swamps, marshes, wet grasslands, peatlands, oases, estuaries, deltas, coastal areas, coral reefs, and all human-made sites such as fish ponds, rice paddies, reservoirs and salt pans are known as wetlands (Ramsar, 2015). Since wetlands are the primary source of fresh water and provide many other services to us, the Ramsar Convention calls for the protection of those wetlands which provide direct benefit to large number of people.

A total of 26 wetlands of international importance have been identified in India and special attention is given for their protection. These include Chilika Lake (Orissa), Harike wetland (Punjab), Loktak Lake (Manipur) (Fig. 2), Sasthamkotta Lake (Kerala) etc.

Web Resource: <http://www.ramsar.org/about-the-ramsar-convention>

The link provides additional information about the Ramsar Convention along with its history and achievements of member states.



Figure 2. Loktak Lake – a Ramsar site in India in North-east India is also known as the lifeline of the people of Manipur. (Image credit: Konsam Nirmala Devi)

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals (also known as the Bonn Convention since it was first put forward at Bonn, Germany) came into effect in 1983. India became a signatory to the Convention in **1983** itself and has been taking significant measures for the conservation of migratory species since then.

Migratory species are those species of animals who migrate from one area to another (usually from breeding ground to feeding ground and vice versa) in a periodic and seasonal manner. In doing so, they often cross national boundaries thus making their conservation a trans-boundary and international issue.

Brundtland Commission

The year 1987 can be considered a turning point in environmental advocacy and policy making due to the publication of a report entitled *Our Common Future*. Also known as the Brundtland Report, the *Our Common Future* report was released by the World Commission on Environment and Development (WCED) set up by the UNEP in 1983. The WCED was chaired by Norwegian Prime Minister Gro H. Brundtland (hence called the Brundtland Commission) and initiated the policy shift to sustainable development. The Report was one of the first documents which defined sustainable development.

The definition of sustainable development put forward by the Brundtland Commission Report is *development that meets the needs of the present generation without compromising the ability of the future generations to meet their own needs*. This definition

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is one of the most widely used definitions of sustainable development till date. The Brundtland Commission Report brought developing countries like India a step closer to framing a comprehensive environmental policy for themselves since the goal (of achieving sustainable development) was now clear.

Web Resource: <http://www.un-documents.net/our-common-future.pdf>

The link provides the full text to the Our *Common Future* Report which first defined and put forward the concept of sustainable development.

Montreal Protocol

Prior to the Brundtland Commission Report, the world's attention was drawn towards environmental challenges in 1985. A hole in the Ozone layer above Antarctica was discovered in this year. Further studies revealed that the cause of this Ozone hole was the release of certain ozone depleting substances by industrial processes. This was very concerning since the Ozone layer protects us from the harmful radiations of the sun. A hole in the Ozone layer only meant that we were now increasingly getting exposed to sun's harmful radiations.

Consequently, world leaders showed utmost urgency to address this issue and decided to phase out all industries and industrial processes which were producing these ozone depleting substances. The Vienna Convention for the Protection of Ozone Layer came into existence in 1985 in this regard and led to the formulation of the Montreal Protocol on Substances that Deplete the Ozone Layer in 1989.

India became a party to the Vienna Convention in 1991 and signed the Montreal Protocol in 1992. Such is the concern shown by all countries towards the environmental challenge of ozone layer depletion that on 16th September 2009, the Vienna Convention and the Montreal Protocol became the first treaties in the history of the United Nations to be ratified by all countries (UNEP, 2014).

Basel Convention

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is an international agreement for restricting the transfer of hazardous waste from one country to the other. More specifically the Basel Convention is aimed at restricting the transfer of hazardous waste from a developed country to a developing or less developed country. The Basel Convention came into force in 1992 and was signed and joined by India in the same year.

Earth Summit 1992

The United Nations Conference on Environment and Development (UNCED) took place in Rio de Janeiro, Brazil in June 1992. Also known as the Rio or the Earth Summit (1992), the UNCED, 1992 was the first major international conference since the release of the Brundtland Commission Report. It therefore saw large-scale participation from nations around the world. The outcome of the Conference was the Rio Declaration on Environment and Development, Agenda 21 and the Forest Principles.

Web Resource: <http://www.un.org/geninfo/bp/enviro.html>

The link provide further information to the Earth Summit 1992 and detailed text of the Rio Declaration, Agenda 21 document and the Forest principles.

In addition, a legally binding Convention on Biological Diversity was opened for signatures by all nations at the Rio Summit. India signed on to the Convention on Biological Diversity in 1992 itself.

The United Nations Framework Convention on Climate Change was also negotiated and opened for signature at the Rio Summit. India signed on to the UNFCCC in 1992 itself. The parties to the UNFCCC have met annually since 1995 for ensuring comprehensive and global action for preventing global warming. It was in one such Conference of Parties (CoP) meeting held in Kyoto in 1997 that some developed nations accepted legally binding obligations to reduce their greenhouse gas emissions. The outcome of this meeting came to be known as the **Kyoto Protocol**.

Web Resource: http://unfccc.int/kyoto_protocol/items/2830.php

The link provides more details and full text of the Kyoto Protocol.

Convention on Biological Diversity (CBD), 1993

The Convention on Biological Diversity (CBD) was opened for signature at the Earth Summit in Rio de Janeiro on 5 June 1992. It entered into force on 29 December 1993. The Convention has the following key objectives:

1. The conservation of biological diversity
2. The sustainable use of the components of biological diversity
3. The fair and equitable sharing of the benefits arising out of the utilization of genetic resources

The Convention on Biological Diversity (CBD) was inspired by the growing concern of the world community towards sustainable development. It represented a dramatic step forward in the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources.

India signed the CBD on 5th June 1992, ratified it on 18th February 1994 and became a Party to the Convention on 19th May, 1994.

As part of the CBD, a **Cartagena Protocol on Biosafety of the Convention**, also known as the Biosafety Protocol, was adopted in January 2000. The Biosafety Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology.

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Another Protocol, the **Nagoya Protocol** on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, was added to the CBD as a supplementary agreement on 29th October, 2010. It provides a transparent legal framework for the effective implementation of the fair and equitable sharing of benefits arising out of the utilization of genetic resources. The Protocol is named after the place Nagoya in Aichi Province, Japan (where it was conceived) and entered into force on 12 October 2014.

World Summit on Sustainable Development, 2002

The Rio Summit was followed by the World Summit on Sustainable Development (WSSD) which was held in Johannesburg (South Africa) in 2002. The conclusion of this summit came to be known as the Johannesburg Declaration on Sustainable Development and mainly called for participating countries like India to continue on the path of sustainable development (UN, 2002).

Stockholm Convention, 2004

The Stockholm Convention on Persistent Organic Pollutants was adopted on 22 May 2001 and entered into force on 17 May 2004. It is a Convention for regulating the manufacture of certain toxic and stable chemicals which can accumulate in our environment after being manufactured. India signed on the Stockholm Convention in 2002 and ratified in 2006.

Rio+20, 2012

The United Nations Conference on Sustainable Development (UNCSD) was held in Rio de Janeiro, Brazil as the third international conference after Earth Summit 1992 and WSSD 2002. It came to be known as Rio+20 since it took place in 2012, exactly 20 years after the first Earth Summit. Rio+20 focused on two broad themes: 1) a green economy in the context of sustainable development and 2) setting the institutional framework for sustainable development.

The outcome of Rio+20 focused on continuing on the pathway of sustainable development. The outcome document was aptly entitled, *The Future We Want*. Participating nations like India also agreed for developing Sustainable Development Goals which would build upon the existing Millennium Development Goals. Rio+20 concluded with some forward-looking decisions on a number of areas such as energy, food security, oceans and cities.

Web Resource: <https://sustainabledevelopment.un.org/rio20>

The link provides full text to all proceedings, discussions and decisions which took place at the Rio+20 Conference.

1.5 Environmental Legislation in India

The framing of environmental legislation in post-independent India has played a significant role in environmental protection. Some noteworthy Acts are listed below along with their year of enactment:

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- Wildlife (Protection) Act, 1972
- Water (Prevention and Control of Pollution) Act, 1974
- Forest (Conservation) Act, 1980
- Air (Prevention and Control of Pollution) Act, 1981
- Environment (Protection) Act, 1986
- Hazardous Wastes (Management and Handling) Rules, 1989
- Public Liability Insurance Act, 1991
- Environmental Impact Assessment Notification, 1994
- National Environment Tribunals Act, 1995
- National Environment Appellate Authority Act, 1997
- Biological Diversity Act, 2002
- Environmental Impact Assessment Notification, 2006 (supersession of 1994 Notification)
- National Green Tribunal Act, 2010

The Water (Prevention and Control of Pollution) Act, 1974 led to the creation of the Central Pollution Control Board (CPCB). CPCB is a statutory organisation constituted in September, 1974 which was later also entrusted with the powers and functions under the Air (Prevention and Control of Pollution) Act, 1981. The CPCB carries out monitoring and management of environmental pollution in India. It also provides technical services to the MoEFCC for better implementation of the Environment (Protection) Act, 1986.

According to the Environmental Impact Assessment Notification (2006), any development project which may have a significant impact on the environment needs to be assessed for the extent of damage that it may cause. Such an Environmental Impact Assessment (EIA) should also be reviewed by local people of the area where the project is proposed especially if the project will have socioeconomic impact on the local people. The EIA process ensures that environmental impacts of development projects are predicted in advance and suitable mitigation measures are put in place well in time.

The National Green Tribunal Act, 2010 has led to the setting up of the National Green Tribunal (NGT), a special court which hears all environment related cases. The National Green Tribunal was established on the 18th of October, 2010. The Tribunal has five places of sitting with its Principal Bench in Delhi. The other four zonal benches are located in Pune, Kolkata, Bhopal and Chennai. In addition, there are three circuit Benches at Shimla, Shillong and Jodhpur.

The setting up of the NGT has been a shot in the arm in the struggle to balance economic growth with environmental protection due to timely legal intervention in developmental projects. It should also be noted here that as of July 2015, the Government of India is considering the streamlining of existing environmental legislations by merging different Acts and introducing newer, more inclusive legislations.

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Glossary

| | |
|---------------------------|--|
| Basel Convention: | The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is an international agreement for restricting the transfer of hazardous waste from one country to the other. |
| Bonn Convention: | Bonn Convention is the international Convention on the Conservation of Migratory Species of Wild Animals. |
| Brundtland Commission: | Brundtland Commission is the World Commission on Environment and Development which published a report entitled Our Common Future in 1987, formally promoted the concept of sustainable development and urged all nations to focus on sustainable development. |
| CITES: | CITES or the Convention on International Trade in Endangered Species of Wild Fauna and Flora is an international treaty for the protection of endangered plants and animals. |
| Environmental Offsetting: | Ensuring full compensation for impact on the environment due to economic development is known as environmental offsetting. |
| Montreal Protocol: | Montreal Protocol on Substances that Deplete the Ozone Layer is a protocol to the international Vienna Convention for the Protection of the Ozone Layer by phasing out production of numerous substances that are responsible for ozone depletion. |
| Ramsar Convention: | Ramsar Convention or the Convention on Wetlands of International Importance is an international Convention for the conservation and sustainable utilization of wetlands around the world. |
| Rio+20: | The United Nations Conference on Sustainable Development which took place in 2012 at Rio de Janeiro, Brazil is known as Rio+20 because it is the third in the series of UN Conferences on Sustainable Development and took place exactly 20 years after the first such conference was hosted in 1992 in Rio de Janeiro itself. |
| Stockholm Convention: | Stockholm Convention on Persistent Organic Pollutants is an international Convention which aims to eliminate or restrict the production and use of persistent organic pollutants (POPs). |
| Wetlands: | Any water body such as lakes, rivers, aquifers, swamps, marshes, wet grasslands, peatlands, oases, estuaries, deltas, coastal areas, coral reefs and all human-made sites such as fish ponds, rice paddies, reservoirs and salt pans are known as wetlands. |

Multiple-choice Questions

| Question Number | Type of question |
|-----------------|--------------------------|
| 1 | Multiple Choice Question |

Question

Which among the following Articles from the Constitution of India are related to environmental protection?

- (a) Article 52A (g)
- (b) Article 48A
- (c) Article 21
- (d) All of the above

Correct Answer / Option(s)

(d) All of the above

| Question Number | Type of question |
|-----------------|--------------------------|
| 2 | Multiple Choice Question |

Question

The decision to celebrate 5th June as World Environment Day took place in which international conference?

- (a) United Nations Conference on the Human Environment, 1972
- (b) United Nations Conference on Environment and Development, 1992
- (c) World Summit on Sustainable Development, 2002
- (d) United Nations Conference on Sustainable Development, 2012

Correct Answer / Option(s)

(a) United Nations Conference on the Human Environment, 1972

Environmental Policy in India

| Question Number | Type of question |
|-----------------|--------------------------|
| 3 | Multiple Choice Question |

Question

Which among these is not a UNESCO recognizes natural heritage site in India?

- (a) Sundarbans National Park
- (b) Kaziranga National Park
- (c) Jim Corbett National Park
- (d) Keoladeo National Park

Correct Answer / Option(s)

(c) Jim Corbett National Park

| Question Number | Type of question |
|-----------------|--------------------------|
| 4 | Multiple Choice Question |

Question

Which of these international conventions is related to the protection and conservation of wetlands?

- (a) Basel Convention
- (b) Ramsar Convention
- (c) Stockholm Convention
- (d) Bonn Convention

Correct Answer / Option(s)

(b) Ramsar Convention

Environmental Policy in India

| Question Number | Type of question |
|-----------------|--------------------------|
| 5 | Multiple Choice Question |

Question

'Our Common Future' Report is associated with which of the following?

- (a) Brundtland Commission
- (b) Earth Summit, 1992
- (c) Rio+20
- (d) UNEP

Correct Answer / Option(s)

(a) Brundtland Commission

Short-answer Questions

- Q.1. Discuss the objectives and founding principles of India's National Environmental Policy (2006).
- Q.2. Enlist any four principles of National Environmental Policy of India and discuss any one of them briefly.
- Q.3. Discuss India's involvement in international environmental conventions with suitable examples.
- Q. 4. Stockholm Conference (1972) was an important milestone in environmental protection. Justify this statement with suitable examples.
- Q. 5. Briefly discuss the following: (a) Ramsar Convention (b) Brundtland Commission (c) Montreal Protocol