

ENVIRONMENTAL POLICY *IN INDIA*

Presented By:

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Objective :

- To critically discuss some environmental policies & acts , in force ,in India.
 1. Forest Conservation Act, 1980
 2. National Protection Act, 1986
 3. National Environment Policy, 2006
 4. Air (Prevention And Control Of Pollution),1981
- To discuss the prevention methods of pollution.

Forest (Conservation) Act, 1980

(Ministry of Environment and Forest)

- Came into force on 25 October 1980
- To provide for the conservation of forests



सत्यमेव जयते

OBJECTIVES

No State Government or any authority shall make, except with the prior approval of the Central Government:

- Any forest land or any portion thereof may be used for any non-forest purpose.
- Any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government

Offences in Reserved Forests :

- No person is allowed to set fire or clearings
 - Cattles are not permitted
 - No permission to collect any forests products;
- Protected forests
- No permission to do anything with trees which are mentioned in Act.

PENALTY

- Whoever contravenes and abets the contraventions of any of the provisions, shall be punishable with imprisonment; which may be extend to 15 days.

The Environment (Protection) Act 1986

(Ministry of Environment and Forest)

The Bhopal gas tragedy, Dec 1984.



सत्यमेव जयते

- Environmental protection is a practice of protecting the environment, on individual, organizational or governmental levels, for the benefit of the natural environment and (or) humans.
- Protection of the environment is needed due to various human activities.

OBJECTIVES

- To implement the decisions made at the U.N. Conference on the Human Environment held at Stockholm in June, 1972.
- To co-ordinate activities of the various regulatory agencies under the existing laws and creation of an authority or authorities for environment protection.
- To provide for deterrent punishment to those who endanger human environment, safety and health.
- To ensure sustainable development is also one of the goals of the EPA, 1986. If the act is not armed with the powers to ensure sustainable development, it will become a barren shell.
- To enact general law on environmental protection which could cover uncovered gaps in the areas of major environmental hazards as the existing laws generally focused on specific types of pollution or on specific categories of hazardous substances and some major areas of environmental were not covered.
- In short, the EPA, 1986 aims at protecting and improving the environment and prevention of hazards to human beings, other living creatures, plant and property

SCHEME OF THE ACT

The Environment (Protection) Act, 1986 has 26 Sections and it has been divided into four chapters relating to

- i) Preliminary,
- ii) General Powers of the Central Government,
- iii) Prevention, Control, and Abatement of Environmental Pollution,
- iv) Miscellaneous.

PREVENTION AND CONTROL

- To appoint environment officers to check environmental pollution
- Establishing environmental laboratories
- Laying down standards for emission or discharge of environmental pollutants from various sources whatsoever
- Restriction of areas in which any industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards

PENALTIES

- One of the objectives of EPA is to provide for deterrent punishment to those who endanger human environment, safety and health.
- Sec 15 of the EPA provides that any person who fails to comply or contravenes any of the provisions of the Act, or the rules made or orders or directions issued under the act or rules, then for such failure or contravention, he shall be punishable:-
 - a) With imprisonment for a term which may extend to 5 years,
 - b) With fine which may extend to one lakh rupees,
 - c) With both.
- In case the failure or contravention continues after the conviction for first failure or contravention, an additional fine which may extend to five thousand for every day can be imposed for a period during which failure or contravention continues.
- If the failure or contravention continues beyond a period of one year after conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

National Environmental Policy , 2006

(Ministry of Environment and Forest)



सत्यमेव जयते

OBJECTIVE :

- Conservation of Critical Environmental Resources
- Intra-generational Equity: Livelihood Security for the Poor
- Inter-generational Equity
- Integration of Environmental Concerns in Economic and Social Development
- Efficiency in Environmental Resource
- Use Enhancement of Resources for Environmental Conservation



PENALTY “*POLLUTER’S PAY*”

- In Fault Based Liability a party is held liable if it breaches a preexisting legal duty, for example, an environmental standard.
- Strict liability imposes an obligation to compensate the victim for harm resulting from actions or failure to take action, which may not necessarily constitute a breach of any law or duty of care.

AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

(Ministry of Environment and Forest)



सत्यमेव जयते

OBJECTIVE :

- The presence in air, above certain limit of various pollutant released in air through industrial emission and from certain human activities should be controlled through government interventions.
- Establishment of Central Pollution Control Board (CPCB)

Functions of CPCB :

- To improve the quality of air and to prevent, control or abate air pollution in the country
- Advise the Central Government on any matter concerning the improvement of the quality of air and the prevention, control or abatement of air pollution.
- Coordinate the activities of the State Boards and resolve disputes among them.
- Plan and cause to be executed a nation-wide programme for the prevention, control or abatement of air pollution.

Air Quality Index

AQI Category (Range)	PM ₁₀ 24-hr	PM _{2.5} 24-hr	NO ₂ 24-hr	O ₃ 8-hr	CO 8-hr (mg/ m ³)
Good (0-50)	0-50	0-30	0-40	0-50	0-1.0
Satisfactory (51-100)	51-100	31-60	41-80	51-100	1.1-2.0
Moderately polluted (101-200)	101-250	61-90	81-180	101-168	2.1- 10
Poor (201-300)	251-350	91-120	181-280	169-208	10-17
Very poor (301-400)	351-430	121-250	281-400	209-748*	17-34
Severe (401-500)	430 +	250+	400+	748+*	34+

Source: CPCB; India



PENALTY :

- Imprisonment of 1 year and 6 months and fine. For continuing failure, fine up to Rs. 5000 per violation
- If violation continues beyond one year, imprisonment can be increased from 2 years up to 7 years with fine.

Conclusion :

In spite of having various policies and acts for the conservation of environment , it is in danger. Due to moral hazard among the people, various commercial practices are exploiting the environment. Water Pollution, Air pollution , and Soil pollution are the major problem of the era. There is an urgent need to change this scenario.

By awareness amongst the citizen and sustainable practices can bring change. There is a need to find ways to minimal exploit of environment and gaining best use of it. There are so many easy ways to become more sustainable. We are all creatures of habit, and changing our behavior takes some time. Small steps are key, and once we will find how easy each is, we will be surprised how quickly we can make a positive difference in protecting our environment for our family and our planet.



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