



ENVIRONMENATAL POLICY IN INDIA

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There is a growing concern in India about the continuous environmental deterioration. Unplanned development, rapid industrialization and unprecedented growth in population are recognized as being the main causes of environmental degradation. The governments, both at the center and in the states, are seized of the problem and have passed legislation aimed at preserving ecology and pollution control. However, bureaucratic indifference and apathy of the citizens have not helped the cause. There are expectations from the educational institutions as transferor of knowledge to make a much larger and more meaningful contribution in this regard. Before saying anything about environment, one should understand what the 'environment' is? McGraw Hill Encyclopedia of Environment Science (1975) has defined environment as "sum" total of all conditions and influences that affect the development and life organisms" whereas sustainable development in the Indian context has to be interpreted the light of our age old environmental ethic which is intermixed with our History, culture, religion and philosophy. Further, a real understanding about environmental deterioration should be based on scientific reasoning.

❖ We feel more concerned and perturbed only when some major environmental event occurs, having a direct bearing on human life. The global concern regarding the steadily deteriorating state of the environment first manifested seriously in the form of the United Nations Conference on Human Environment, held in Stockholm in June 1972, which focused on the dangers posed to the quality of human life, and to its survival itself, by continuous degradation of ecological asserts, and by the pollution due to industrial

effluents. It was a dialogue of the due between the rich and the poor. For the rich developed nations.

❖ As our Late Prime Minister Mr. Indira Gandhi tersely pointed out “of all the pollution we face³ the worst is poverty”. The Stockholm Conference opened the eyes of the north to the problems of the south. It also saw the adoption of rules and regulations to cover environmental ills- at least in the developed countries. More importantly it led to the establishment of the United Nations Environment Programme (UNEP).

❖ The world commission on Environment and Development (Brundtland Commission) was established in December 1983, and it presented, in 1987, a remarkable report “Our Common Future: which “tried to balance the arguments concerning north/south responsibility and suggest ways forward.” It concluded that “if we ignore the plight of the poor, then we can (only) expect a decline in the quality of life”.

❖ Government may not remain proudly insensitive, in their pursuit of development, to the mounting environmental destruction and degradation and show a callous disregard of well being of the people affected by development projects. Even if for the next few decades environmental activists and human right activists have to bear a disproportionate historic burden. It is significant that there is a modest increase in sensitivity, certainly among some Indian politicians and bureaucrats, towards the rights the people affected by purely economic and technocratic conceptions of ‘development’. A wider diffusion of this sensitivity among ecocrats (policy-makers who makes decision affecting environment and rights) is the prime challenge before those who would innovate state policies in the direction of public accountability.

❖ The struggle to remind those in power of the values and virtues of justice, rights an democracy is not ‘extremism’. Rather, extremism emanates from the managers of the state. Citizens have, under Article 51-A of the Constitution, clear nad compelling fundamental duty to combat extremist democracy denying arbitrary, coercive and corrupt-practices of political power. In the final analysis, the struggle to provide a clean environment is a struggle to enhace democracy and the rule of law. It is said that eco-activists still may not effectively represent “public interest” as comprehensively as the state since hteir knowledge base

may not be as extensive as that of state institutions. Technocratic institutions of knowing and knowledge in India are posited against the systems of organic / experimental knowledge of victims and those who sympathise with them. The claim to asymmetry of knowledge is no longer as strongly based now as it was before since eco-movements in India have slowly and steadily marshaled scientific knowledge through experts ready to serve them including superannuated bureaucrats / ecocrats who in their reincarnation as citizens are able to make available even the knowledge of how policy making actually operates.

- The Arthashastra by Kautilya, written as early as between 321 and 300 BC, contained provisions meant to regulate a number of aspects related to the environment.
- The fifth pillar edict of Emperor Ashoka also contains such regulations

During the British Reign in India:

- Shore Nuisance (Bombay and Kolabha) Act, 1853
- The India Penal Code, 1860
- The Indian Easements Act, 1882
- The Fisheries Act, 1897
- The Factories Act, 1897
- The Bengal Smoke Nuisance Act, 1905
- The Bombay Smoke Nuisance Act, 1912
- The Elephant's Preservation Act, 1879
- Wild Birds and Animals Protection Act, 1912

CONCLUSION

It is generally observed that most of the environmental policy lack local orientation.

The idea is to keep the change manageable within present legal and policy frames by tinkering rather than suggesting wholesale reformist legislation. It merely adds a local basis to apply global norms re-directing rather than changing existing policy towards impact level arrangements that will help in implementation of the salutary goals of the NEP 2006.

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