
UNIT 9 STATE INITIATIVES

Structure

- 9.1 Introduction
 - Objectives
- 9.2 Legislative Measures
- 9.3 Judicial Interpretations
- 9.4 Institutional Mechanisms
- 9.5 Summary
- 9.6 Terminal Questions

9.1 INTRODUCTION

The goal of environmental protection should be high on the priority list of the South Asian countries. It is indeed true for India, going both by its participation in international efforts as well as by its efforts within the country. India has participated actively in international environmental conferences and has signed and duly ratified most of the important conventions relating to environmental protection, thereby taking on international legally binding obligations in this direction. It has enacted a large number of environmental laws within the country, covering almost every sector of the environment. What is more, the Indian judiciary has taken the issue of environmental protection very seriously and through expansive interpretation, has ensured, for all practical purposes, a 'right to environment'. There is also in place in India an institutional mechanism to take care of environmental issues. In real terms, however, it has not been easy to translate these initiatives effectively into reality. There are numerous problems in implementing this large body of law. Although this unit is an overview of the initiatives taken in India at the national level towards environmental protection, you can apply this information to your own context.

Objectives

After studying this unit you should be able to :

- discuss your country's international obligations relating to environmental protection;
- explain the legislation for environmental protection in your own country;
- analyze the role of the judiciary in strengthening the cause of environmental protection;
- describe the institutions that deal with environmental protection in your country; and
- discuss the challenges that need to be overcome in order to ensure effective implementation of environmental law and policy in your context

9.2 LEGISLATIVE MEASURES

An amendment to the Indian Constitution included in 1976 provisions relevant to the environment protection. Article 48A was added in Part IV of the Constitution (Directive Principles of State policy), calling upon the state "to protect and improve the environment and to safeguard the forests and wildlife of the country". Also, Article 51(A)(g) was inserted, imposing a fundamental duty on every citizen "to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures".

Along with the constitutional provisions, there are numerous Acts, Rules and Notifications dealing with different aspects of the environment. The Indian Penal Code (IPC), 1860 has a number of provisions that can be invoked in the context of

environmental litigation. Section 268 of IPC defines ‘public nuisance’ as an act that “causes any common injury, danger, or nuisance to the public or to the people in general who dwell or occupy property in the vicinity or which must necessarily cause injury, obstruction, danger or annoyance to persons who may occasion to use any public right”. Various other provisions of the IPC can also be invoked for environmental matters. Besides these provisions, however, there is an entire body of enactments (numbering close to 200) that are directly aimed at environmental protection. Some of these are listed in the Table 9.1, followed by a brief description of some of the important enactments.

Table 9.1: Environmental Legislation in India

Indian Forest Act, 1927
Wildlife (Protection) Act, 1972
Wildlife (Transactions and Taxidermy) Rules, 1973
Wildlife (Stock Declaration) Central Rules, 1973
Wildlife (Protection) Licensing (Additional Matters for Consideration) Rules, 1983
Water (Prevention and Control of Pollution) Act, 1974 (Amended 1988)
Water (Prevention and Control of Pollution) Rules, 1975
Water (Prevention and Control of Pollution) Cess Act, 1977 (Amended 1992, 2003)
Water (Prevention and Control of Pollution) Cess Rules, 1978
Forest (Conservation) Act, 1980
Air (Prevention and Control of Pollution) Act, 1981 (Amended 1987)
Air (Prevention and Control of Pollution) Rules, 1982
Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983.
Environment (Protection) Act, 1986 (Amended 1991)
Environment (Protection) Rules, 1986
Hazardous Wastes (Management and Handling) Rules, 1989
Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989
Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms, Genetically Engineered Organisms or Cells Rules, 1989
Public Liability Insurance Act, 1991
Public Liability Insurance Rules, 1991
Coastal Regulation Zone Notification, 1991
Environmental Impact Assessment Notification, 1991
Environmental Audit Notification, 1992
Environmental Standards Notification, 1993, 1996
Environmental Clearance Notification, 1994
National Environment Tribunal Act, 1995
Wildlife (Protection) Rules, 1995
Wildlife (Specified Plants – Conditions for Possession by License) Rules, 1995
National Environmental Appellate Authority Act, 1997
Biomedical Waste (Management and Handling) Rules, 1998
Ozone Depleting Substances (Regulation) Rules, 2000
Biodiversity Act, 2002

Water Pollution: The Water Act of 1974 established an institutional structure to oversee and ensure the prevention and abatement of water pollution. The Act set up the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs). As per the Act, any person who knowingly causes or permits any poisonous, noxious or polluting matter to enter water bodies in violation of stipulated standards is guilty of an offence, which attracts penalties laid down in the Act.

The Water Rules were enacted in 1975, containing schedules and forms for information to be furnished by industries. The Water Cess Act of 1977 provides for the levy and collection of cess on water consumed by certain industries. These resources are used for prevention and control of water pollution. The standard forms and schedules for the supply of information are prescribed in the Water Cess Rules of 1978.

Air Pollution: The Air Act of 1981 entrusts the power of enforcing its provisions to the CPCB. In fact, the Air Act is, to a large extent, a mirror image of the Water Act. The objective of combating air pollution under the Air Act is undertaken by means of declaration of restricted areas, prohibition of use of polluting fuels and substances, etc. The penalties detailed in the Act are similar to those in the Water Act. The Air Rules were adopted in 1982.

Environmental Protection: The Environmental Protection Act (EPA) of 1986 is an umbrella legislation with wide legislative coverage. It gives wide powers to the central government to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment. Such measures include laying down standards for environmental quality, restricting areas of industrial operations, laying down procedures for handling hazardous substances etc.

The central government can close down offending industries and restrict the setting up of new industries at environmentally non-compatible sites. The Environment Rules of 1986 lay down procedures for the setting of emission and discharge standards. A host of notifications have been enacted under the EPA, such as those on Environmental Impact Assessment and Coastal Regulation Zones.

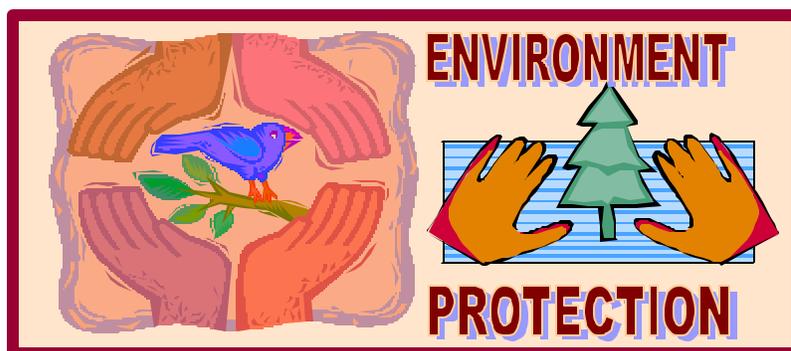


Fig.9.1: Prevention of pollution and environment protection are major concerns in India



Fig.9.2: Disposal and handling of hazardous waste is regulated through stringent rules

Hazardous Substances: There are various enactments relating to hazardous substances. The Hazardous Wastes Rules of 1989 make generators of hazardous wastes responsible for proper handling and disposal of such wastes. There are also rules aimed at protecting the environment and human health from potential adverse impacts of gene technology and micro-organisms, which set up a network of committees to regulate animal pathogens, plant pests and genetically modified organisms.

The Hazardous Chemicals Rules of 1989 set up an authority to inspect industrial activity connected with hazardous chemicals. The Public Liability Insurance Act (PLIA) of 1991 deals with accidents involving hazardous substances and insurance coverage. In case of death or injury from an accident, the owner is made liable to provide relief as specified in the Act. The Public Liability Insurance Rules of 1991 lay down the standard administrative procedures for seeking relief.

Forests: The legal regime to govern forest reflects the dual relevance of forests from the ecological and the economic points of view. The Indian Forest Act (IFA) of 1927, which is a product of the colonial times, reflects a revenue-oriented policy. It mainly regulates dealings in forest produce and facilitates the levying of duties on timber. This Act authorises the state government to constitute any forest land or waste land as ‘reserved forests’ by notification, thereby acquiring proprietary rights over the forest and forest produce. Activities in a ‘reserved forest’ are regulated by the government.

The Forest Conservation Act (FCA) of 1980 focuses more on the ecological value of forests. It lays down that no state government or other authority can, without the prior approval of the central government, make any order to de-reserve forests; use any forest land for non-forest purposes; lease out forest land to a private agency or cut naturally grown trees in forest land for the purpose of re-forestation. The state government may seek such permission only after considering all alternatives and finding that no other alternative is feasible and that the required area is the minimum needed for the purpose. FCA therefore brings all forests in the country under the overall guardianship of the central government.

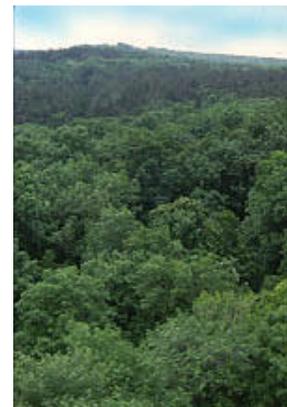


Fig.9.3: All forests in the country are under the overall guardianship of the Government of India by virtue of the Conservation of Forests Act, 1980

Wildlife: The Wildlife Protection Act of 1972 (WPA) provides for the regulation of hunting or killing of scheduled animals and protection of specified plant species. It confers powers on the state governments as well as the central government to proclaim ‘sanctuaries’ and ‘national parks’ in order to protect wildlife.

The WPA, along with its various amendments, covers various issues such as regulation on hunting of wild animals, possession of animal trophies and other products, setting up of the Central Zoo Authority etc. and sets out a framework for

punitive action in instances of violation. A number of specific rules have been issued under the WPA.

Biodiversity: The recently adopted Biodiversity Act, 2002 aims to “...provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge...” The Act provides for the constitution of a National Biodiversity Authority at the national level, State Biodiversity Boards at the state levels and Biodiversity Management Committees at the local levels to implement the provisions of this Act.



Fig.9.4: India has put in place various legislative measures for protecting wildlife and bio diversity

Policies: Apart from the above-mentioned legislation, numerous policies have been formulated by the government to further the objective of environmental protection. These include the National Conservation Strategy and Policy Statement on Environment and Development, 1992; the Policy Statement for Abatement of Pollution, 1992; the National Forest Policy, 1988; and the Wildlife Conservation Strategy, 2002.

India has a fairly good record of participation in international efforts at environmental protection, having ratified over forty Multilateral Environmental Agreements (MEAs) relating to various components of environmental protection. Some of the major areas of environmental protection that India is active in at the international level are listed in the Table 9.2.

Apart from its signature and ratification of almost all the major MEAs, India has also made its presence felt in all major international conferences relating to environmental protection and sustainable development.

SAQ 1

- Which of the legislative measures described above is relevant in your immediate context? Explain giving some case studies.
- Suggest measures for increasing public awareness about the environmental legislation. How will you practice them yourself?

Table 9.2: India's Participation in Multilateral Environmental Agreements

Sl. No.	Issue Area	International Legal Instrument	Date of Signature	Date of Ratification
1.	Protection of Wetlands	Convention on Wetlands of International Importance Especially as Waterfowl Habitat, 1971	—	1.10.1981 (a)
2.	Protection of Heritage	Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972	—	14.11.1977
3.	Protection of Endangered Species	Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973	9.7.1974	20.7.1976
4.	Conservation of Migratory Species	Convention on the Conservation of Migratory Species of Wild Animals, 1979	23.6.1979	4.5.1982
5.	Protection of the Ozone Layer	Vienna Convention for the Protection of the Ozone Layer, 1985	—	18.3.1991
		Montreal Protocol on Ozone Depleting Substances, 1987	—	19.6.1992
6.	Protection from Hazardous Wastes	Basel Convention on Transboundary Movements of Hazardous Wastes and their Disposal, 1989	15.3.1990	24.6.1992
7.	Preventing Climate Change	United Nations Framework Convention on Climate Change, 1992 Kyoto Protocol to the UNFCCC, 1997	10.6.1992	1.11.1993
8.	Conserving Biodiversity	Convention on Biological Diversity, 1992 Cartagena Protocol on Biosafety, 2000	5.6.1992	18.2.1994
9.	Combating Desertification	Convention to Combat Desertification, 1994	14.10.1994	17.12.1996
10.	Protecting the Antarctic Environment	The Antarctic Treaty, 1959 Convention on the Conservation of Antarctic Marine Living Resources, 1980	—	17.6.1985
		Protocol on Environmental Protection to the Antarctica Treaty, 1991	2.7.1991	26.4.1996
11.	Preventing Marine Pollution	Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircrafts, 1972 (MARPOL) Protocol Relating to the International Convention for the Prevention of Pollution from Ships, 1978	— —	
		United Nations Convention on the Law of the Seas, 1982	10.12.1982	29.6.1995

9.3 JUDICIAL INTERPRETATIONS

A major initiative towards environmental protection and sustainable development in India has originated from the Indian judiciary. The commitment of the judiciary towards social good in general and environmental protection in particular, led to the emergence of the innovative use of 'public interest litigation' (PIL) as a tool for social and environmental justice.

The judiciary has contributed to environmental protection in India in two ways. It has introduced procedural innovations to provide much wider access to justice. And it has, by a positive and expansive interpretation of the 'right to life' enshrined in Article 21 of the Constitution, included within its ambit a 'right to a healthy environment'. As pointed out above, the Indian constitution does not provide a distinct fundamental 'right to environment'. Environment finds mention only in the Directive Principles and Fundamental Duties. However, the Indian judiciary, starting from the 1980s, has adopted an increasingly environment-friendly stance and has imparted an interpretative linkage between a clean environment and the 'right to life'. The judiciary, in various cases has held that the basic requirement of a decent quality of life is to live in a healthy environment. The right to environment was given judicial recognition in the Dehradun Lime Quarries Case (Rural Litigation and Entitlements Kendra v. State of Uttar Pradesh, 1987) and reaffirmed in the Sriram Gas Leak Case (MC Mehta v. Union of India, 1987).

The judiciary has also dealt increasingly with cases involving a reconciling of environmental goals and development imperatives. In most such cases, the Indian courts have held that while the significance of development imperatives cannot be denied, environmental protection is a larger good that is worthy of pursuit, even at the cost of short-term losses such as loss of jobs or revenue. Some of these cases are briefly described in this section.

Dehradun Lime Quarries Case, 1987: This case related to stone quarrying operations in the Doon valley, which, the petitioners claimed, represented ecological havoc for the hills in the region. The Supreme Court ordered the closing of the mining operations in the areas where mining was reported to be dangerous, even in the face of the hardships caused to the miners, considering this "...a price that has to be paid for protecting and safeguarding the right of the people at large to live in a healthy environment". Of course, the court directed that the workers of the mines were to be rehabilitated through reemployment in reclamation, afforestation and soil conservation programmes in the areas. In this case, the Supreme Court came to its conclusion after having weighed the environmental need to protect the ecology of the hills against the need for limestone quarrying for industrial purposes in the country. The Court acknowledged the importance of industrial development but declared that it was not to be achieved at the cost of creating an ecological imbalance. Also, the Supreme Court spoke of a 'right to environment' in this case.

Sriram Gas Leak Case, 1987: In the Sriram case, the Court ordered the closing down of a hazardous industry wherein a gas leak had caused the death of a worker and endangered the health of several others. The court held that the State had the power to restrict hazardous industrial activities for the purpose of protecting the rights of the people to live in a healthy environment and laid down conditions under which industries of hazardous products would be allowed to restart. In this case, the Court evolved the principle of 'absolute liability' of compensation through interpretation of Article 21. Further, it held that the right to life contains the right to claim compensation for the victims of pollution hazards.

Ganga Pollution Case, 1988: In the Ganga Pollution case, the Supreme Court issued directions to numerous tanning (and therefore polluting) industries located on the banks of the river Ganga to either set up effluent plants or close down. It also ordered close to 5,000 industries located in the Ganga basin to install effluent treatment plants and air pollution control devices. The court also issued directions to the Central Government, Uttar Pradesh (UP) Pollution Control Board and the District Magistrate to ensure implementation of its orders. Again, the judgment was written taking into account the fact that the closure of the tanneries might result in unemployment and loss of revenue but the Court held that the life and health of people and the ecology of the Indo-Gangetic plain were more important.

Stone Crushers Case, 1992: The Supreme Court, in this case, ordered the closing down of over 200 stone-crushing units in Delhi and made them shift to 'stone-

crusher's zone' in the state of Haryana, as "...the quality of environment cannot be permitted to be damaged by polluting the air, water and land to such an extent that it becomes a health hazard for the residents of the area".

Environmental Awareness Case, 1992: The Supreme Court, in this case, issued directions for imparting environmental education and awareness in the country. This would include measures such as making environment a compulsory subject from classes I to XII in schools; introducing environment as a subject in universities; mandating cinema halls, touring cinemas and video parlours to show slides or messages on environment; and ensuring programmes on environment on television and radio.

Delhi Vehicular Pollution Case, 1994: In this case, the Supreme Court laid down far-reaching directions for the Union government to counter vehicular pollution. These measures included provision of environment-friendly (lead-free) petrol, compulsory fitting of new vehicles with catalytic converters, conversion of all government vehicles and public transport to compressed natural gas, and ban on plying of all commercial vehicles older than 15 years on Delhi roads.

Bicchri Case, 1996: In this case, remedial action was sought for the harm caused by operations producing a certain acid. The Court fixed responsibility on the errant industry and asked the central government to recover the expenses for remedial action, stating that the right to life of the villagers of Bicchri had been invaded and seriously infringed.

Coastal Areas Case, 1996: Since the coastal areas of India have a unique and fragile ecology and are being threatened by the mushrooming of hazardous industries, there are statutory restrictions on the setting up and expansion of industries, operations or processes in designated Coastal Regulation Zones. The state governments and Union Territories did not formulate coastal management plans as required by law. The Supreme Court, in this case, directed that this statutory requirement be met by all states and Union Territories and that their Coastal Management Plans be prepared within a stipulated deadline.

Taj Mahal Case, 1997: In this case, the Supreme Court ordered that no coal-based industry could operate in the 'Taj Trapezium', an area of about 10,400 square kilometers around the Taj Mahal. The polluting industries were directed to switch over to cleaner fuel or to relocate outside the defined area. The central government and the state government were directed to develop a Green Belt around the Taj Mahal and to provide uninterrupted power supply to curb the use of diesel generators.

Prawn Farming Case, 1997: This case concerned the large-scale environmental degradation of coastal areas caused by aquaculture farming. The Supreme Court ruled that no shrimp culture pond can exist within the coastal regulation zone and only traditional and improved traditional shrimp farming can be carried on in this area. Also, the central government was directed to constitute an authority conferred with all powers necessary to protect the fragile coastal areas.

Thus, the Supreme Court has often spoken out in favour of environmental protection initiatives. In *Chhetriya Pardushan Mukti Sangarsh Samiti v. State of UP, 1990*, the Supreme Court reiterated that every citizen has a fundamental right to enjoy a quality of life. Also, in *Subhash Kumar V. State of Bihar, 1991* case, it observed "Right to live ... include the right to enjoyment of pollution free water and air for full enjoyment of life." The above-mentioned are just some of the cases in which the Supreme Court has made a significant contribution to environmental protection efforts. Besides, as is clear from the Table 9.3, various High Courts of India have also supported the cause of environmental protection raised by citizens as PIL declaring it to be an essential ingredient of 'right to life'.

<p>Damodar Rao vs. Municipal Corporation, Hyderabad, 1987</p>	<p>“the enjoyment of life and its attainments and fulfilment guaranteed by Article 21 of the Constitution embraces the protection and reservation of nature’s gifts without which life cannot be enjoyed.The slow poisoning by the polluted atmosphere caused by environmental pollution and spoliation should also be regarded as amounting to violation of Article 21 of the Constitution”</p>
<p>Attakoya Thangal vs. Union of India, 1990</p>	<p>“The right to life is much more than the right to animal existence ... The right to sweet water and the right to free air, are attributes of the right to life, for, these are the basic elements which sustain life itself”</p>



Fig.9.5: Judicial intervention can make significant contributions to environmental protection

The 1980s and 90s witnessed the increased use of PIL as a tool for environmental protection in India. The ability to invoke the original jurisdiction of the Supreme Court and the High Courts under Articles 32 and 226 of the Constitution is a remarkable step in providing protection to the environment. Moreover, the courts have widened the dimensions of the substantive rights to health and a clean environment. Other issues taken up by the Supreme Court as PILs include solid waste disposal in cities, disposal of hazardous waste, regulation of manufacture and sale of pesticides, depletion of ground water in Delhi, closure of polluting industries along the Hooghly in Calcutta, constitution of Coastal Zone Management Committees, compassion to animals, privileges of tribal people and fishermen, Himalayan and forest ecosystems, ecotourism, land use patterns, development projects etc. The High courts have ruled on several cases relating to ivory trade, legality of lease for mining in reserve forest, sale of birds in Bombay etc.

PILs have enabled the cause of environmental protection to be taken up by a wide spectrum of people in society – lawyers, lawyers associations, environmentalists, welfare forums and even judges. ‘Green lawyers’ like MC Mehta and ‘green judges’

like Justice Kuldeep Singh and Justice Krishna Iyer have made immense contributions in strengthening the environmental initiatives.

However, we must not ignore the inherent limitations of environmental PIL. Some of these limitations arise out of technical nature of the cases that demand an independent scientific machinery to assist the judges. Also, it may not be wise to over-depend on law and judge's interpretation, as this law depends on the sensitivity of the individual judge and his/her understanding of the environmental problems. In any case, it should be for the legislature and executive to take a lead in environmental protection efforts in the ordinary course of things. The difficulties of PIL are heightened by the fact that environmental cases involve conflicting interests of different sections of society, often leading to difficulties in implementation. Monitoring of compliance presents a big challenge; only when the environment-favouring judgments of the courts are actually implemented in letter and spirit will there be de facto environmental protection.

SAQ 2

Discuss any one significant judicial intervention relevant to your context from all possible perspectives. Trace the subsequent developments and analyse the efficacy of the intervention.

9.4 INSTITUTIONAL MECHANISMS

The National Committee on Environmental Planning and Coordination (NCEPC), set up in 1972, was earlier the apex advisory board relating to issues of environmental protection. In 1980, a separate Department of Environment was constituted with a mandate to plan, promote and coordinate programmes relating to the environment. A full-fledged Ministry of Environment and Forests (MoEF) was established in 1985 to oversee environmental protection measures at the national level. The MoEF is the nodal agency at the central level for planning, promoting and coordinating policy formulation of the environmental programmes. The MoEF has six regional offices across India to assist in its work. The wide functions dispensed by the MoEF include environmental policy formulation, ensuring implementation of environmental legislation, monitoring and control of pollution, ecodevelopment, environmental research, education, training and awareness, forest conservation and wildlife protection, environmental clearance for industrial and development projects etc. The Ministry is accountable to the Parliament through its minister. In addition, state Departments on Environment and Forests function at the state levels.

The Central Pollution Control Board (CPCB) was constituted in 1974 as an implementing agency of the Water Act. Later, it also took on the implementation of the Air Act of 1981. The CPCB is a statutory body attached to the MoEF and is responsible for the prevention and control of industrial pollution. Its functions include technical research, information dissemination, training and awareness, establishing standards for air and water quality, and planning and executing programmes for the prevention, control and abatement of water and air pollution. State Pollution Control Boards (SPCBs) perform similar functions at the state levels. The National Environment Appellate Authority (NEAA) was set up in 1997 to process complaints and appeals made against the decisions of competent authorities established under the EPA.

A new institutional set-up is envisaged for conservation issues under the Biodiversity Act of 2002, comprising a National Biodiversity Authority, State Biodiversity Boards and Biodiversity Management Committees.

Various other autonomous institutions set up by the MoEF and other independent government organisations also contribute to environmental protection initiatives. Technical and research bodies such as the Zoological Survey of India (ZSI), Botanical Survey of India (BSI), Indian Institute of Forest Management (IIFM), Indira Gandhi

National Forest Academy (IGNFA), Forest Research Institute (FRI), Wildlife Institute of India (WII), Indian Council of Forestry Research and Education (ICFRE), and National Environmental Engineering Research Institute (NEERI) provide background research and inputs to the environmental law and policymaking process.

Pursuant to the 73rd and 74th Constitutional Amendments of 1992, municipalities and panchayats have also been given a larger role to play in environmental management. Panchayats are responsible for land improvement, soil conservation, water management, social and farm forestry etc. Municipalities are responsible for issues such as urban and town planning, solid waste management, urban forestry and ecological aspects of urban development. Apart from the official institutions and agencies dealing with environmental protection, India has witnessed a spurt in the growth of NGOs dedicated to various aspects of environmental protection. These NGOs perform important functions, often acting as a link between the people and the government machinery. The role of NGOs in India is discussed in Unit 12.

Insofar as the socio-economic development is concerned, the issues are region specific and manifest at the regional or community level. The initiatives taken by the Indian government are discussed in detail in the subsequent units.

9.5 SUMMARY

- India's participation in almost all the significant global treaties for environmental protection as well as its enactment of a comprehensive body of environmental law and policy display the keen interest it has in being a part of environmental protection initiatives.
- India is one of the few countries of the world where 'environment' finds an explicit mention in the Constitution itself. Although not guaranteed as a fundamental right, 'environment' has acquired the status of a right by being recognised as an integral component of the 'right to life' by the higher judiciary in judicial decisions spanning over the last two decades.
- There is also an elaborate network of environmental institutions to deal with various issues. However, there exists a chasm between what is provided for and what finds translation into reality. The Indian initiative is yet to realise its full potential and will require a renewed focus on implementation issues.

9.6 TERMINAL QUESTIONS

1. Trace the growth of environmental legislation in your country.
2. Examine the constitutional provision for environmental protection in the light of the subsequent judicial decisions.
3. What is the contribution of the institutions set up for environmental protection in your country?
4. Discuss the challenges faced in the implementation of environmental laws in your country.
5. You have in Unit 8 outlined the extent of various problems related to the environment in the context of your community, region or nation. Analyse whether the environmental legislation in effect in your country is sufficient to deal with those problems or some more issues need to be taken into account. Give specific examples.
6. Describe your experiences, if any, highlighting the issues that arise in the enforcement of these laws and regulations in your region/ country. Discuss what more needs to be done to take into account these issues.

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