IMPLEMENTATION OF ENVIRONMENTAL LEGISLATIONS FOR ENVIRONMENTAL PROTECTION

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ABSTRACT

Undoubtedly the whole world is facing irreparable damage to the mankind and the Environment due to the adverse impacts of various wastes including Hazardous wastes produced by several chemical & Explosive industries. These Hazardous wastes contain significant concentrations of Toxic elements & compounds; some of them are even Carcinogenic. On the other hand, several Acts, Rules and Regulations have been enacted by the Parliament under article 252 of the Indian Constitution viz. The Water (prevention & control of pollution) Rules 1974 & 1975, the Air (prevention and control of pollution) Acts 1981, The Environment (protection) Act, 1986; The Water (prevention & control of pollution) cess Act, 1977 and The Hazardous wastes (Management & Handling) rules, 1989. These Hazardous wastes have also been categorized according to their composition & toxic effects. Inspite of several Rules & Acts enacted by the Indian Parliament and their implementation by Central pollution control Board, Delhi & state pollution control Boards, the quality of the Environment is facing severe degradation. Hence more effective steps need to be taken in dealing with major polluting industries at all levels so as to keep our Environment free from all types of pollution.

INTRODUCTION

Although Environment has always been Important, its concern over imbalance surfaced first during the 1950’s with the publication of some articles and books. It was in 1960’s that the west voiced its concern for environmental issues for the first time. Biographical environment remained as the main focus in the 1970’s. It was seriously taken up in 1972 when international conference at Stockholm took place. The there was U.N. Conference on Human Environment in the same year. In 1972 itself, the world heritage convention related with protection and maintenance of monuments was also negotiated. 1983 observed the formation of the United Nations Commission on Environment and Development (UNCED) also known as the Brudtland commission.

In 1989, Intergovernmental panel on climate change (IPCC) was established by UNEP and world meteorological Organization (WMO) Thereafter , in 1987 Montreal Protocol on substances which deplete the Ozone layer entered into force in 1989 had 182 parties as of December, 2001 and it was definitely a successful venture. The UN conference on Envi-

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In order to preserve our environment, numerous legislative efforts were made, with the formulation of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992 and the Kyoto Protocol in 1997. These conventions paved the way for international cooperation in environmental protection.

The implementation of environmental legislations for India began in 1972 with the enactment of the Environmental (Protection) Act, which was followed by the Water (Prevention & Control of Pollution) Act, 1974, and the Air (Prevention & Control of Pollution) Act, 1981. Subsequently, several other laws have been enacted to address environmental issues, such as the Biological Diversity Act, 2002, and the National Green Tribunal Act, 2010.

The Indian Constitution, particularly Article 48 (a), provides for the protection and preservation of the environment and wildlife. The constitution also mandates the state to ensure that the environmental standards and pollution control norms are met.

LIST OF ACTS ENACTED BY THE INDIAN PARLIAMENT

- The water (Prevention & Control of Pollution) Act, 1974.
- The water (Prevention and Control of Pollution) Rules, 1975.
- The forest (Conservation) Act, 1980.
- The Air (Protection and Control of Pollution) Act, 1981.
- The Air (Prevention and Control of Pollution) Rules, 1982.
- The Biological Diversity Act, 2002.

The Water (Prevention & Control of Pollution) Act, 1974

This act is designed to prevent water pollution by regulating the discharge of pollutants into water bodies. It empowers the Central Board for the Prevention of Pollution to issue pollution control orders and to take necessary steps to control pollution.

The Air (Prevention & Control of Pollution) Act, 1981

This act is aimed at controlling air pollution by setting emission standards and regulating the discharge of pollutants into the atmosphere. It empowers the Central Board for the Prevention of Pollution to issue pollution control orders and to take necessary steps to control pollution.

The Environmental (Protection) Act was passed by the Indian parliament on 23rd May, 1986. This Act refers to the Stockholm conference of 1972 and is based on Article 253 of the constitution. By virtue of this Act, the union Govt. has armed itself with considerable powers deemed essential for the prevention, control and abatement of environmental pollution.

These powers include co-ordination of actions by states, planning and execution of nationwide environmental programs, laying down environmental standards, particularly those governing emission or discharge of environmental pollutants, setting restrictions on the location of industries etc. The powers vested in the act are indeed comprehensive; the coverage includes handling of hazardous substances, prevention of Environmental accidents, collaborating environmental research, inspection of polluting industrial units, establishment of pollution control laboratories, dissemination of informations etc.

If implemented in letter and spirit, this act will definitely convert the MOEF into a super ministry controlling the entire gamut of industrial and other developmental activities resulting in pollution free clean environment.
awareness among people as a whole regarding their duties and rights with regard to the protection of the Environment.

REFERENCES