

**UNIT: V** Environmental Policies - world summit - International Environmental policy - India's Environmental Policy - India's Environmental Policy - India's Environmental laws.

## **ENVIRONMENTAL POLICIES**

Environmental policy is the commitment of an organization or government to the laws, regulations, and other policy mechanisms concerning environmental issues. These issues generally include air and water pollution, waste management, ecosystem management, maintenance of biodiversity, protection of natural resources, wildlife and endangered species. Concerning environmental policy, the importance of implementation of an eco - energy - oriented policy at a global level to address the issues of global warming and climate change should be accentuated. Policies concerning energy or regulation of toxic substances including pesticides and many types of industrial waste are part of the topic of environmental policy. This policy can be deliberately taken to direct and oversee human activities and thereby prevent harmful effects on the biophysical environment and natural resources, as well as to make sure that changes in the environment do not have harmful effects on humans.

### **Definitions**

It is useful to consider that environmental policy comprises two major terms: environment and policy. Environment refers to the physical ecosystems, but can also take into consideration the social dimension (quality of life, health) and an economic dimension (resource management, biodiversity). Policy can be defined as a "course of action or principle adopted or proposed by a government, party, business or individual". Thus, environmental policy focuses on problems arising from human impact on the environment, which retroacts onto human society by having a (negative) impact on human values such as good health or the 'clean and green' environment.

Environmental issues generally addressed by environmental policy include (but are not limited to) air and water pollution, waste management, ecosystem management, biodiversity protection, the protection of natural resources, wildlife and endangered species, and the conservation of these natural resources for future generations . Relatively recently, environmental policy has also attended to the communication of environmental issues.

### **Instruments, problems, and issues**

Environmental policy instruments are tools used by governments to implement their environmental policies. Governments may use a number of different types of instruments. For example, economic incentives and market - based instruments such as taxes and tax exemptions, tradable permits, and fees can be very effective to encourage compliance with environmental policy. Corporate companies who engage in efficient environmental management and are transparent about their environmental data and reporting benefit from improved business performance. Bilateral agreements between the government and private firms and commitments made by firms independent of government requirement are examples of voluntary environmental measures. Another instrument is the implementation of greener public purchasing programs.

Several instruments are sometimes combined in a policy mix - to address a certain environmental problem. Since environmental issues have many aspects, several policy instruments may be needed to adequately address each one. Furthermore, a combination of different policies may give firms greater flexibility in policy compliance and reduce uncertainty as to the cost of such compliance.

Government policies must be carefully formulated so that the individual measures do not undermine one another, or create a rigid and cost - ineffective framework. Overlapping policies result in unnecessary administrative costs, increasing the cost of implementation. To help governments realize their policy goals, the OECD Environment Directorate collects data on the efficiency and consequences of environmental policies implemented by the national governments. The website, [www.economicinstruments.com](http://www.economicinstruments.com), provides database detailing countries' experiences with their environmental policies. The United Nations Economic Commission for Europe, through UNECE Environmental Performance Reviews, evaluates progress made by its member countries in improving their environmental policies.

The current reliance on a market - based framework is controversial, however, and many environmentalists contend that a more radical, overarching approach is needed than a set of specific initiatives, to deal with climate change. For example, energy efficiency measures may actually increase energy consumption in the absence of a cap on fossil fuel use, as people might drive more fuel - efficient cars. Thus, Aubrey Meyer calls for a 'framework - based market' of contraction and convergence. The Cap and Share and the Sky Trust are proposals based on the idea.

## **WORLD SUMMIT AND INTERNATIONAL ENVIRONMENTAL POLICY**

Conferences and Reports on the Environment UN activity in the field of environment has been driven by major conferences and reports

- \* UN Conference on the Human Environment (1972)
- \*World Commission on Environment and Development (1987)
- \* United Nations Conference on Environment and Development (1992)
- \*General Assembly Special Session on the Environment (1997)
- \*World Summit on Sustainable Development (2002)
- \*UN Conference on Sustainable Development (2012)
- \*UN Sustainable Development Summit (2015)

### **UN Conference on the Human Environment (1972)**

- Economic and Social Council resolution 1346 (XLV) of 30 July 1968 recommended the General Assembly consider convening a UN conference on problems of the human environment.
- Conference convened by General Assembly resolution 2398 (XXIII) of 3 December 1968
- Held in Stockholm, 5-16 June 1972
- Led to the establishment of the United Nations Environment Program (UNEP)
- Outcome document: A / CONF.48 / 14 / Rev.1

### **World Commission on Environment and Development (1987)**

- Established by General Assembly resolution 38/161 of 19 December 1983

- Prepared a report for General Assembly in 1987
- Based on a four-year study
- Transmitted by A / 42/427
- Entitled Our Common Future, also known as the Brundtland report
- Developed the theme of sustainable development

### **United Nations Conference on Environment and Development (1992)**

- Convened by General Assembly resolution 44/228 of 20 December 1988
- Held in Rio de Janeiro, 3-14 June 1992
- Known at the time as the Earth Summit
- Later came to be called the Rio Conference
- Led to the establishment of the Commission on Sustainable Development
- Outcome document in 3 volumes: A / CONF.151 / 26 / Rev.1
- Vol.I + Corr.1: Resolutions adopted by the Conference
- Vol.II: Proceedings of the Conference
- Vol.III + Corr.1: Statements made by Heads of State or Government at the summit segment of the Conference
- Three major agreements adopted (found in Vol.I + Corr.1):
- Rio Declaration on Environment and Development, a series of principles defining the rights and responsibilities of States
- Agenda 21, a global plan of action to promote sustainable development
- Statement of Forest Principles, a set of principles to underpin the sustainable management of forests worldwide
- Two multilateral treaties were opened for signature:
- United Nations Framework Convention on Climate Change (UNFCCC)
- Convention on Biological Diversity
- Called for several major initiatives in other key areas of sustainable development, such as, a global conference on Small Island Developing States; negotiations began for a Convention to Combat Desertification, and for an agreement on highly migratory and straddling fish stocks.

### **World Summit on Sustainable Development (2002)**

- Convened by General Assembly resolution 55/199 of 20 December 2000
- Also known as Rio +10
- Held in Johannesburg, 26 August - 4 September 2002
- Reviewed progress in the implementation of Agenda 21 since its adoption in 1992
- WSSD website still available
- Outcome document: A / CONF.199 / 20 + Corr.1, includes:
- Johannesburg Declaration on Sustainable Development
- Plan of Implementation

### **UN Conference on Sustainable Development (2012)**

- Called for by General Assembly resolution 66/197
- Known as Rio + 20
- Held in Rio de Janeiro, 20-22 June 2012
- Rio +20 website
- Outcome document A / CONF.216 / 16, includes "The future we want"

### **UN Sustainable Development Summit ( 2015 )**

- Convened as a high - level plenary meeting of the General Assembly
- New York , 25 - 27 September 2015
- Summit website

## **INDIA'S ENVIRONMENTAL POLICY AND PERFORMANCE**

In June 1992, the Minister of State for Environment and Forests. Government of India released a policy statement indicating India's policy of conservation strategy on environment and development. The task of the government, particularly the Ministry was and equitable use of resources for meeting the basic needs of the present and future generations without causing damage to the environment."

In India, 'environment' is a state subject and the effectiveness of many legislations and directions depend upon how the States implement these measures. More frequently we see that States do not cooperate fully with the centre for political reasons and as a result, we find pieces of legislations and directives are more in paper than actually implementing them.

The Forest Survey of 1991 indicated a total forest cover of only 19.49 per cent of the geographical area with only 11.73 per cent having a dense forest with a crown density of 40 per cent and above. An Eco Task Force has been constituted with the help of ex-servicemen to work in environmentally degraded regions. The government is expecting global funds to implement the afforestation scheme initiated at the Earth Summit in 1992.

### **Efforts of Government to Control Pollution**

In order to control air and water pollution, the Ministry has identified 17 most polluting industries and asked them to install pollution control equipment or face punitive action, including forcible closure.

The 17 industries declared as most polluting are: (1) Sugar (2) Fertilizer (3) Cement (4) Fermentation and Distillery (5) Aluminium (6) Petro-chemical (7) Thermal Power (8) Caustic Soda (9) Oil Refineries (10) Tanneries (11) Copper smelters (12) Zinc smelters (13) Iron and Steel

Industries (14) Pulp and Paper (15) Dye and dye intermediates (16) Pesticides; and (17) Pharmaceuticals.

Further, the government has issued a notification making environmental Audit compulsory for industries environmental clearance. The Department of Company Affairs has also agreed to amend the companies Act of 1956 to include a statement on environment in the Annual Report of companies. It is expected that, by these methods, the industries would try to adopt eco-friendly technologies and practices.

In addition to these efforts, in March 1992, the Public Liability Insurance Act 1991 was amended stipulating compulsory payment of compensation to victims by industries manufacturing or using hazardous chemicals, in case of an accident. As per this amendment, it is obligatory on the part of the industry to pay immediate compensation to the victims of accident without the latter having to go to court.

The industries which consume excess water and those whose effluents are not of the prescribed standard have been made to pay incremental cess by amending the Prevention and Control of water pollution Act.

The impact of the many-sided efforts of the government to contain pollution will be felt only in the long run and it is rather premature to expect immediate and instantaneous results. However, the government claims that in 1992-93, there had been an estimated reduction of 25 per cent of the industrial pollution from nearly 1600 and odd large and medium scale heavily polluting units.

**Vehicle Exhaust:** The principal villain of pollution in cities is the exhaust from automobiles. The attention of the government to reduce pollution due to emission from moving vehicles is rather very little. The government was supposed to have persuaded oil refineries to reduce the lead content in petrol. But this effort has not made any headway. As a result, even the automobile manufacturers have not yet changed the vehicle designs to accommodate unleaded fuel.

The compulsory pollution check on vehicles enforced in many cities have become a mere eye-wash and a gimmick. Only private vehicle owners take adequate precaution in reducing the pollution of smoke through exhaust. Most of the State owned vehicles are let off freely without any checking and they continue to contaminate the air without any control.

Another area where pollution control efforts require greater thrust is the thermal power plants. The efforts of the Ministry of Power to recycle the waste fly-ash of power plants in making into bricks have not materialised so far. The scheme could work successfully if there is a demand for such type of fly-ash bricks.

Fresh water has become very scarce in our country and with population explosion in a few decades, there will be no fresh water at all. In controlling water pollution, the government has numerous ambitious plans. The Ganga Action Plan was launched in 1986 to clean up the river. Similarly, the scheme for cleaning the Yamuna river and Gomati has been started at an

estimated cost of Rs.421 crores. This will be the part of the Second Phase of the Ganga Action Plan, as both these rivers are major tributaries of the Ganga. Sewage and industrial effluent treatment works will be taken up in 15 towns along these rivers. Another project for cleaning the river Damodar, one of the most polluted rivers in the country is also on the anvil.

The Ministry of Environment had sponsored several research projects on the effective management of wet lands and mangroves. According to "The State of Forest Report 1991" there is 4244 sq. Kms, representing 0.13 per cent of the total area of the country under mangrove forests. So far, nothing has been done to restore these fragile ecosystem to their pristine glory.

**Project Tiger:** The Wild Life Protection Act was amended to prevent the hunting of all species, other than vermin. Damaging the habitat of wild animals has been prohibited and a Central Zoo Authority has been set up to oversee the functioning of all zoos. Tiger covering 19 wild life reserves was completed recently. It revealed that in 1972, a year before the Project Tiger was launched, there were about 268 tigers in nine reserves. By the mid-eighties the number rose to 1121 in 17 reserves; and at present (1993), i.e., about 20 years after the launch of Project Tiger, there are 1327 tigers in 19 reserves.

The Sundarbans is a unique tiger area. But due to excessive felling of trees, along the banks of the river and large scale fishing has resulted in acute food shortage for the tiger. As a result, it is turning man-eater. According to B. Arjun Singh, a former member of the steering committee of Project Tiger, stated in his "A Review of Project Tiger 1993: "Because of shortage of prey and harsh environmental conditions., the estuarine tiger is perpetually hungry, and unless we can do something for him, he might disappear for ever from Sundarbans and lead to the collapse of the entire ecosystem which hinges on his survival".

**Legal Steps Taken:**

In order to protect the environment, various regulatory and promotional measures have been taken in our country over the past two decades. These are:

- (1) The Wild Life (Protection) Act, 1972 duly amended in 1983, 1986 and 1991.
- (2) The Water (Prevention and Control of Pollution) Act, 1974 amended in 1988.
- (3) The Water (Prevention and Control of Pollution) Cess Act, 1977, amended in 1991.
- (4) The Forest (Conservation) Act, 1980, amended in 1988.
- (5) The Air (Prevention and Control of Pollution) Act, 1981, amended in 1988.
- (6) The Environmental (Protection) Act, 1986.
- (7) The Motor Vehicles Act, 1938, amended in 1988
- (8) The Public Liability Insurance Act, 1991