

# Environmental Acts: Protecting Nature and Promoting Sustainability

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## **ABSTRACT:**

Environmental legislation and regulations are essential for protecting the environment, advancing sustainable lifestyles, and resolving urgent environmental issues. In order to safeguard natural resources, lessen pollution, and lessen the effects of human activity on ecosystems, countries and international organisations have established a number of environmental laws. These laws are summarised in this summary. It draws attention to important pieces of law including the Paris Agreement, Clean Air Act, Clean Water Act, and Endangered Species Act. The relevance of these deeds in developing environmental stewardship, advancing sustainable development, and guaranteeing a better and more sustainable future for everyone is emphasised in the paper.

## **KEYWORDS:**

Air, Control, Environmental, Forest, Pollution, Prevention.

## **I. INTRODUCTION**

A law to address issues related to the environment's preservation, improvement, and maintenance. Whereas resolutions to take necessary actions for the preservation and enhancement of the human environment were made during the United Nations Conference on the Human Environment held in Stockholm in June 1972, in which India participated. The Environment Act, 1986, is another name for this law. It encompasses the whole of India. It will go into effect on the date that the Central Government, by publication in the Official Gazette, specifies. Various dates may be set for various regions and various sections of this Act. The Act defines each word, such as environment, environmental pollutants, environmental pollution, handling, hazardous material, occupier, and prescribed, in great detail.

### **General Power of the Central Government**

- i.** The ability for the central government to take action to preserve and enhance the environment.
- ii.** The Central Government shall have the authority to adopt any and all measures it considers appropriate or necessary for the purpose of preserving and enhancing environmental quality, subject to the requirements of this Act.
- iii.** Planning and carrying out a national programme for the prevention, control, and abatement of environmental pollution
- iv.** Establishing standards for the quality of the environment in all of its manifestations.
- v.** Establishing standards for the emission or discharge of environmental pollutants from various sources.
- vi.** Areas in which a class of industries, activities, or processes, or any one of them, may not be carried out, or in which they may only be done with specific protections.
- vii.** Establishing guidelines and safety measures for handling dangerous chemicals.
- viii.** Examination of such production methods, materials and chemicals as are likely to create environmental contamination.
- ix.** Conducting and supporting studies and research on issues with environmental pollution;
- x.** Inspection of any buildings, machinery, plants, manufacturing processes, materials, or other items, and the issuance of orders to authorities, officers, or other individuals as may be deemed necessary to take actions for the prevention, control, and abatement of environmental pollution;
- xi.** Creating manuals, rules, or guidelines for environmental pollution prevention, control, and reduction.

### **Air Pollution Act, 1981**

An act to address the prevention, control, and reduction of air pollution, the formation of boards to carry out the aforementioned objectives, the conferring and assignment of authorities and tasks to such boards, and other

things related thereto [1]–[3]. Whereas decisions were made at the 1972 Stockholm United Nations Conference on the Human Environment, in which India participated, to take appropriate measures for the preservation of the earth's natural resources, including, among other things, the preservation of the quality of air and control of air pollution, and whereas it is deemed necessary to implement the aforementioned decisions in so far as they relate to the preservation.

- i. The Air (Prevention and Control of Pollution) Act, 1981, may be cited.
- ii. It encompasses the whole of India.
- iii. It will go into effect on the day that the Central Government chooses, as announced in the official Gazette.

The terms air pollutant, air pollution, approved appliances, approved fuel, automobile, central board, chimney, control equipment, emission, industrial plant, member, occupier, prescribed, and state board are all defined in the Act in great detail.

### **Water Pollution Act, 1974**

An Act for the Prevention and Control of Water Pollution and the Maintenance or Restoration of Water Purity, for the Establishment of Boards for the Prevention and Control of Water Pollution with a View to Carrying Out the Aforesaid Purposes, for the Conferring and Assigning to Such Board Powers and Functions Relating Thereto and for Matters Connected Therewith. Whereas it is advisable to make provisions for the prevention and control of water pollution as well as the maintenance or restoration of water wholesomeness, for the establishment of Boards for the prevention and control of water pollution with a view to achieving the aforementioned goals, and for granting and assigning to such Boards powers and functions relating thereto [4]–[7].

This Act may be called the Water (Prevention and Control of Pollution) Act, 1974, 2. It applies in the first instance to the whole of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and the Union Territories; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of the article 252 of the Constitution. It shall take effect immediately in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura, and West Bengal, as well as in the Union Territories. Any reference in this Act to the commencement of this Act shall, in relation to any State or Union Territory, mean that it shall take effect on the date of such State's adoption under clause (1) of article 252 of the Constitution. Each and every word, such as board, central board, member, outlet, pollution, prescribed, sewage effluent, sewer, state board, state government, trade effluent, etc., is stated and explained in great detail in the Act.

### **The Wildlife (Protection) Act, 1972**

An act to address concerns related to, ancillary to, or incidental to the preservation of wild animals and birds. The Wild Life (Protection) Act of 1972 may be used to refer to this legislation. It first applies to the entirety of the States of Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, Manipur, Punjab, Rajasthan, Uttar Pradesh, and West Bengal as well as all Union territories. It also applies to any other State that may adopt this Act through a resolution passed in that state's support in accordance with Cl. (1) of Art. 252 of the Constitution. It shall take effect on the date that the Central Government may, by notification, appoint in any State or Union territory to which it extends or may in the future extend. Different dates may be appointed for different provisions of this Act or for various States or Union territories. Each and every term, such as animal, animal article, big game, board, captive animal, cattle, chief wild life warden, closed area, collector, commencing of this act, dealer, director, game reserve, habitat, hunting, land, license, manufacturer, meat, national park, notification, permit person, prescribed, sanctuary.

## **II. DISCUSSION**

### **Forest Conservation Act**

The policies a country adopts to manage its forests serve as a guide for the development of its forests. In India, scientific forestry has been practised for more than a century. In 1894, the nation's first forest policy was announced. Thus, in 1952, the Indian Republic created her National Forest Policy after Independence. In its 1976 Report, the National Commission on Agriculture, which was founded in 1970, examined the nation's forestry status and advocated the need for a new forest strategy. In 1950, the Independent Indian Constitution included forests to the State List of the Seventh Schedule. The management of the woods was within the purview of the States. The Constitution acknowledges the significance of maintaining and improving forests. According to

Article 48-A, the State should work to preserve the nation's forests and wildlife as well as to protect and develop the environment.

Large-scale forest loss and forest land attrition have occurred between 1950 and the present. Lands that had been forested were removed and put to new purposes, including agriculture, industry, hydropower projects, the settling of displaced people and refugees from other countries, etc. Due to the loss of their habitat, this also caused the country's animal population to decline. The Parliament added Forests and Wildlife to the concurrent list in the Seventh Schedule of the Constitution in 1976 after realizing the significance of forests for the health of the country. The de-reservation of forest or use of forestland for non-forest activities without prior clearance of the Central Government was severely restricted by the Forest (Conservation) Ordinance, 1980, which was issued by the President of India in the year 1980. In the national economy of any nation, forests perform three key roles:

- i. Protection.
- ii. Production.
- iii. Provision of ancillary benefits. This needs strong legislation. For the same reason, the Indian Forest Act of 1927 is still in effect today.

The animals (preservation) Act of 1972 contains extensive laws for the preservation of animals and the environment.

### **Forest Policy of 1894**

First published in 1894, India's Forest Policy outlined public benefit as the exclusive goal of managing public lands. The Policy recommended maintaining trees in mountainous locations to preserve the natural environment and to shield the farmed plains below from the devastation caused by hill floods. It was mandated that forests with important wood be maintained commercially. The local population's interests were to be prioritised while managing the worse quality woods.

### **Guiding principles for Forest Policy**

In 1988, India's Forest Policy underwent yet another revision. The preservation, conservation, and development of forests are the key objectives of the 1988 amended Forest Policy. Its objectives are

- i. Maintaining environmental stability by preserving and reestablishing ecological equilibrium.
- ii. Preservation of the natural heritage.
- iii. Prevention of soil erosion and denudation in catchments of rivers, lakes, and reservoirs.
- iv. Restriction of the spread of sand dunes in Rajasthan's desert and along coastal tracts.
- v. A significant increase in the amount of forest/tree cover through extensive a forestation and social forestry programmes.
- vi. Action to meet the needs of rural and tribal populations for fuel for wood, fodder, minor forest.
- vii. Increasing forest productivity to meet national needs.
- viii. Promoting effective use of forest products and optimal wood replacement.
- ix. Taking steps to encourage widespread public participation, especially among women, to achieve the goals and lessen pressure on already-existing forests.

### **Forest Conservation**

Increased soil erosion, irregular rainfall, and recurrent floods are all effects of the loss and degradation of forests and tree lands, particularly in the Himalayas and other hilly regions. Forest deterioration brought on by biotic pressure is a different issue that has to be addressed. For the creation of working plans and felling in forests, guidelines have been created. Some of the key aspects are

- i. Working plans should be current and stress-conserving.
- ii. Preliminary working plans should have a multidisciplinary approach.
- iii. Along with control measures, indigenous rights and concessions should be highlighted.
- iv. Grazing should be studied in detail and specific prescriptions should cover fodder propagation
- v. Shifting cultivation and encroachments need to be controlled.
- vi. Clear-felling with artificial regeneration should be avoided as much as possible, and clear-felling blocks shouldn't be larger than ten hectares in hills and 25 hectares in plains.
- vii. It might be a good idea to put a temporary ban on all felling above 1,000 metres in elevation to give these areas time to recover. Critical places in catchments and slopes that are vulnerable to landslips, erosion, etc. should be completely protected and immediately replanted with trees.

## Issues involved in enforcement of Environmental, Legislation

Politics and the environment are inextricably linked. In both affluent and developing countries throughout the globe, a new global concern for the environment emerged in the late 1980s and early 1990s. The role of environmentalism in international affairs is likewise seen to be expanding. Where there was just tension previously, this worry is fostering global collaboration. The number of multilateral environmental organisations is expanding even though there is no global political entity that can enforce global environmental protection [8]–[10]. There is no worldwide legislative with the capacity to enact laws, and there are no international organisations with the jurisdiction to control resources globally. The Hague International Court in the Netherlands lacks the authority to carry out its judgements. Nations may choose to just ignore the court. The expansion of intellectual viewpoint reflects this environmental coming of age. Governments formerly spent a lot of time worrying about domestic environmental issues. They are now starting to widen their horizons to address global issues including transboundary air and water pollution as well as planetary risks like stratospheric ozone depletion and climate change. It is becoming clearer that the type of society we want can only be secured through forceful cooperation. International Environmental Laws Influencing Factors:

- 1. Identification and Severity of The Issue:** Once a problem is generally perceived as being serious, finding a solution is simpler.
- 2. Statistics:** Enough fieldwork should be done to gather the necessary information on the scope of the issue in order to identify potential remedies.
- 3. Geo-Location:** To pinpoint the origins of issues and the regions affected by them.
- 4. Law and Order:** Whether a nation has environmental protection legislation and administrative processes to uphold such laws.
- 5. Pressures from the national and international levels:** who supports and who opposes action on the matter in each nation.
- 6. Infrastructure (Institutions and Policies):** Whether a system for international cooperation among interested nations is in place.
- 7. International Collaboration:** Whether there is a history of cooperation or conflict amongst the impacted nations.

## Indian Scenario

To safeguard the environment, laws must be improved and effectively applied. India has a lot of laws and norms in place to safeguard the environment, but they have not yet been fully complied with. The expansion of environmental legislation is an indication of how quickly environmentalism has become a significant political force. However, a lot of the laws are either unimportant or transient and susceptible to political pressure. Politicians do not break the law; nevertheless, the laws are changed to suit their own agendas. In order to develop another business or to capitalise on a location's tourism potential, environmental restrictions may be changed. Laws have often been modified to allow for commercialisation in mountainous regions. Animals in wildlife parks and sanctuaries are protected by wildlife wardens under the Wildlife (Protection) Act of 1972. However, we also discover that these wardens use their authority against conventional performers. Street performances of monkeys, bears, and snakes are rather frequent.

By exhibiting wild animals in zoological parks and allowing circus businesses to train animals for entertainment, the state makes money. Integrating environmental ideals into Indian legislation is challenging. Despite tougher regulatory restrictions, the environment's condition has not improved due to the financial crisis, a lack of essential infrastructure, dependence on litigation, a lack of a comprehensive industrial site strategy, and a lack of relevant technologies. The Air (Prevention of Pollution) Act, the Water (Prevention and Control of Pollution) Act, and the Environment (Protection) Act are just a few of the laws that have been created in India to combat pollution. Since it does not address the protection of interstate air pollution, the air law contains certain gaps. It focuses on the reduction of harmful emissions from certain industrial operations, traffic, and noise pollution. The Act does not apply to smoke or other non-noxious pollutants. The legal system must be open and transparent. The general public has a right to be informed of events. The judiciary must deliberate before rendering decisions. Without considering options like rehabilitation, these judgements will just serve to increase the price of unlawful management.

## Public Awareness

Environmental science seeks to increase public awareness of the delicate balance that exists between the natural world and its inhabitants, in order to maximise resource extraction on an economic basis and promote sustainable development. Second, it inspires students and researchers to pursue professions in environmental science. Knowledge of the fundamental concepts of ecology and environmental science would instill a feeling of responsibility in people to take good care of and manage the earth's natural resources. Due to the frequent connections between the causes of environmental issues and their responses, such knowledge is crucial. Public awareness focuses on topics that make the average person aware of actions that will enhance the environment as a whole. When environmental awareness reaches a point where the general population is aware of the dos and don'ts, laws and regulations become less important. People need to learn how to respond to issues with ecosystem health, waste disposal, and difficulties with hunting, deforestation, and pollution bio-magnification, food chain, and food web concepts.

By helping individuals comprehend how environmental system abuse affects those systems and who those systems impact, public awareness grows. But this raises an important question. Who would notify who when? Environmental decision-making may benefit greatly from public engagement. Their involvement has moral and useful ramifications. Through reading books, watching films, reading the news, periodicals, and other electronic media, persons who are financially secure and more educated may easily raise their environmental consciousness. NGOs can contribute more effectively to the dissemination of information all the way down to the village level. Public awareness may be raised through talking about environmental concerns with private voluntary organisations, non-governmental organisations (NGOs), farmers' organisations, cooperatives, schools, universities, and private business owners. This would provide additional knowledge to the planning process. The function of mass media is one of the many sources that might raise public awareness of it. People like watching television, listening to music, reading newspapers, and magazines, which explains why.

## III. CONCLUSION

Protecting the environment and reducing the negative effects of human activity need the use of environmental laws and regulations. Several significant environmental laws that have been put into place on the national and international levels have been covered in this essay. For instance, the Clean Air Act establishes criteria for emissions from industrial sources, cars, and power plants in an effort to lessen air pollution and safeguard public health. Similar to this, the Clean Water Act prioritizes preserving the health of water bodies, avoiding water pollution, and guaranteeing people have access to clean drinking water. The Endangered Species Act was created to safeguard vulnerable and endangered species as well as the environments in which they live. This law establishes legislative frameworks for biodiversity recovery and preservation, recognizing the significance of preserving a robust and balanced environment. The Paris Agreement is a significant environmental law on a global scale. By limiting global warming and lowering greenhouse gas emissions, it aims to counteract climate change. The pact invites nations to work together and take action as a whole to solve this global issue.

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