CONCEPT OF SUSTAINABLE DEVELOPMENT

Development and Environment are invariably related to each other. Environmental consequences of industrialization and economic development and the pollution of air, water and soil, on which our life depends, is the high or dear cost which man has to pay for economic progress. The environmental problems in developed countries are as a result of industrialization and technological development, in poor countries these problems are due to less development. Since the developed countries are facing environmental crisis, they argue that the developing countries will also have to face the same crisis if they make the same development. On the other hand, poor countries feel that the greatest source of pollution is poverty. While speaking before U.N. conference on Human Environment at Stockholm; late Prime Minister Mrs. Indira Gandhi had said that:

“For the developed countries development might be the cause of destruction of environment, for a country like India it was the Primary means for improving the standard of living, to make available food products, water, cleanliness, shelter, to bring about greenery in deserts and to make hills and mountains worth living.”

In the light of this statement we can say that the
topic of development is concerned with the situation of developing countries, whereas the degradation of the environment is a State of affairs with which, Primarily, the developed, and not the developing countries, are afflicted. The problem of environment protection is not only of national concern but has grown to international level. As we enter in the twenty first century humanity is faced with a daunting challenge of sustainability on the planet. There is need for a shift in paradigms to deals with shrinking forests, falling of water level, disappearing plant species Ozone depletion, acit rain, climate change, and extinction of bio-diversity whereas all nations have to be careful about their activities in exploitation of natural resources as well as protection of environment from the Industrial terrorism, which upset the equilibrium of environment and development.

For the first time the global community sat together at Stockholm in 1972 to threshold strategies for environment and development. Thus the Stockholm declaration emerged the attempting to give development a human face. The post 1972 era inspired by the Stockholm Declaration saw a movement from one earth to one planet by promotion of green fraternity and to advise an integrative the theme for International environmental policy has emerged in the
concept of “sustainable development.” To be sustainable development possesses both economic and ecological sustainability. Therefore, massive codification of laws at International and municipal level has made the phase for achieving the goal of sustainable development. It was this recognition that was responsible for the enactment of various environmental laws in India, which are designed not only to preserve and protect environment, but also to prevent environment pollution. In the enforcement of these laws, the Indian Judiciary has played a seminal role and used public interest litigation as a convenient tool to create a new environmental Jurisprudence in the country.

At the eve of the new millennium, concern about environment and development have become a central feature of development ideologies and debates in the third world. The task of making sustainable development operational through processes that meet the basic needs of the community while protecting the environment and empowering of the masses is during. People oriented developmental realize full potentiality only when communities, the planner, the policy makers and civil society are involved and motivated and there is constant sharing of knowledge.
3.1. ORIGIN AND DEVELOPMENT

The initial linkage of development and environment in International discourse is generally attributed to the Stockholm declaration of 1972. The Stockholm Declaration had exhibited the linkage between the natural and man made environment and underlined the critical relevance of both environment and development. Sustainable development as a concept in its modern form made its first major appearance in the world conservation strategy of 1980. This linkage was restated in the Declaration on the right to development [as enunciated in UN Resolution 41/128 of 4 December] 1986, which reaffirmed the exercise of the right to development involves exploitation of the environment and its limited natural resources and this gives rise to the concept of sustainable development because the environment has to be shared by the individuals of a nation with the entire human community in relation to human survival. The concern about development and environment and their close linkage have been persuasively articulated in the report of the World Commission on Environment and Development established by a resolution of the U.N. General Assembly and chaired by Mrs, Gro Harlem Brundtland, the Prime
Minister of Norway, and as such report is popularly known as Brundtland report (entitled “Our common future” 1987) which brought the concept of sustainable development into full prominence. In 1991 the world conservation union, united nations Environment Programme and World Wide fund for Nature, Jointly came out with a document called “Caring for the Earth” which is a strategy for sustainable living. Finally, came the Earth Summit held in June, 1992, at Rio which saw the largest gathering of world leaders ever in the history deliberating and chalking out a blue print for the survival of the Planet.

3.2. INTERNATIONAL PERSPECTIVE

The international perspective of environmental law policy, are perhaps best understood as the collective body of agreements among states regarding mutual rights and obligations affecting the environment. Its boundaries are definable only in broad terms because new scientific findings of international significance and enlarging perceptions of man-biosphere relationships have continually if unevenly expanded its frontiers.

The initial step for the environmental problems arose at a significant level in the industrialized west. The awareness of the west
as to the complexities of the ecology began and grew when an series of environmental and other related problems accompanied and rigorous exercises of their income generating activities like intense industrialization. The problems are more accrue if such Policy has to forge a global partnership between the developed and developing states. Hence, while such arrangements are "international common" in the sense that they are mutually agreed for a truly common interests to survive.\textsuperscript{14}

At the beginning of twentieth century, neither environment as an integrative ecological concept nor the biosphere as the planetary life support system was recognized and object of Public international concern. International efforts, so far as they focused upon resource conservation, did so largely for economic and strategic reasons.\textsuperscript{15} Significant steps in the development of international cooperation were taken after the world war II with the establishment of the United Nations Educational, Scientific, and cultural Organization (UNESCO) in 1945 and the International Union For Conservation of Nature and natural Resources (IUCN) in 1948, and by the Biosphere conference of 1968 Conferences mark as fundamental a change in perceptions of international responsibilities for the global environment.\textsuperscript{16}
A process of conceptual change was occurring after the United Nations Conference on Human Environment in Stockholm in 1972, The publication of the World conservation Strategy (1980), and our common Future (1987), and the U.N. Conference On Environment And Development (1992). Various specialized Agencies of the United nations and World bank sponsored networks like global environmental Facility (GEF) have played a major role in initiating environmental policies on sustainable manner in relation to the international community as a whole. International environmental law has developed to such an extent that there are some 350 multilateral treaties, 1,000 bilateral treaties and a multitude of instruments of intergovernmental organizations that have been adopted in the form of declarations, programs of action and resolutions.

It follows that the need for cooperation among nations must be viewed in the light of new imperatives, because the emphasis on sustainable development is vital to the well-being of humanity and not only to Present generations but generations yet to come. Nonetheless the international legal framework is quite significant to provide strength in support of the right to environment and sustainable
development, as it emerged into the same category as human right jurisprudence.\textsuperscript{19}

The United Nations in the first two decades has been painfully slow in dealing the environmental problem. Although in the beginning, selected aspects of human environment were dealt by various specialized agencies, there was neither any urgency in real sense to deal them effectively or any clear direction. For the first time in 1949 United Nations Scientific Conference On the conservation and Utilization of Resources, but at the same time International humanitarian law under the banner of Geneva Convention of 1949 in which right to environment has been acknowledged in the context of human survival. Though protection of the environment is conceived there in the context of warfare it does indicate clearly that “damage to natural environment” which “prejudice the health or survival of the population” as prohibited.

The two relevant articles are as follows:

\textbf{ARTICLE 35}

It is prohibited to employ methods or means of warfare, which are intended, or may be cause widespread, long term and severe damage to the natural environment.
ARTICLE 55

1. Care shall be taken in warfare to protect the natural environment against widespread; long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare, which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of population.

2. Attacks against the natural environment by way of reprisals are prohibited.

However, this right to environment has to be exercised recognizing the duties of states towards each other and also in relation to the international community as a whole, and this aspect does lead us on to the concept of sustainable development, it must be sustainable in relation to one’s neighbours, whether in the national or international context, and sustainability is essential in term of the entire community of human being. By taken into consideration extra-territorial space such as outer space or environment and moon in general which were fully effective by covered by the international legal system. It is now governed by the Outer space Treaty of 1967 and also Moon Agreement of 1979. It clearly states that:
Due regard shall be paid to the interests of Present and future generations as well as to the need to promote higher standards of living and conditions of economic and social Progress and development.\textsuperscript{21}

Furthermore, the agreement also recognized that measures should be taken to prevent the disruption of the existing balance of its environment because the moon and its natural resources are the common heritage of mankind.

The post 1972 era inspired by the Stockholm Conference brought a new paradigm shifts in international environmental issues which had been previously unrecognized,\textsuperscript{22} and started a movement From “one earth to one planet” by promotion of green fraternity at the global level. Its major accomplishment was official recognition of the environment as a subject matter of general international concern.\textsuperscript{23} It enlarged and facilitate force toward international action previously limited by inadequate perception of environmental issues and by restrictive concepts of national sovereignty and international interest. In the process of the conference two conflicting views were present. The first view insisted that the primary concern of the conference was the human impact on the biophysical environment with emphasis on the control pollution and conservation of resources. The Second view
laid by emphasis on social and economic development as the real issue. To bridge their differences the concept was advanced that environmental protection was an essential element of social and economic development.24

The Conference Agenda at Stockholm was divided into six main areas:

1. Planning and Management of Human Settlements for Environmental Quality.
2. Environmental Aspects of Natural Resources Management;
3. Identification and Control of Pollution and Nuisances of Board International Significance;
4. Educational, Informational, Social and Cultural Aspects of Environmental Issues;
5. Development and Environment;

In addition to education and organizational issues, the conference was focused mainly on four issues, namely, human settlements, natural resources, Pollution, the conflict or balance between development and environment.25

The main focus of the conference was to encourage and provide
guidelines for action by government and international organizations to protect and improve the human environment. Further the conference adopted the declaration of the United Nations Conference on the Human Environment, 1972, which was divided in two part proclaims seven truths about man in relation to his environment, the second part laid down twenty six Principle, which emphatically contained all the essential features of sustainable development namely:

(a) Principle 1 & 2 which speck of preservation and protection of the environmental and natural resources for the present and future generations.

(b) Principles 1 & 8 of Stockholm Declaration which spoke of Man's fundamental right to freedom, equality and adequate conditions of life.

(c) Principle, 11; 13 & 21 which seek to accommodate both ecological and economic concerns.

(d) Principles 9, 20 & 23 etc. which recognized the necessity to transfer the financial, technological resources and other scientific information and recognition of the necessity for applying different values to the developed and the developing countries.
Finally, the Conference passed resolutions establishing institutional arrangements for implementing the United Nations Environment Programme (UNEP) and setting up of the Global Environment Facility (GEF), represents and attempt to bring about collaboration, on financing global environmental problems, between the world Bank, United Nations Development Programme (UNDP) and United Nations Environment Programmer (UNEP).

(A) WORLD CONSERVATION STRATEGY 1980:

The sustainable development as a concept in its modern form first time uses in the World Conservation strategy, although the idea as such was discernable from the Stockholm Conference, 1972. Since then, it has become the focal point of multidisciplinary debates and is being critically discussed in all contexts and at all levels. The strategy clearly defined its principal objectives in following words:

The maintenance of essential ecological processes and life support systems, Preservation of genetic diversity and sustained utilization of species and ecosystems.

The strategy attempts to provide guidelines for the management of the earth’s living resources. In its statement of the objections it goes for beyond the usual conservation manifesto its declared goals are to
maintain essential ecological processes and life support systems, to preserve genetic diversity, and "to ensure the sustainable utilization of species and ecosystems, which support millions of rural communities as well as major industries". As the strategy declares: "the combined destructive impacts of a poor majority struggling consuming mist of the world’s resources are undermining the very means by which all people can survive and flourish".

(B) WORLD CHARTER FOR NATURE, 1982:

The World Charter For Nature passed after a decade from the Stockholm Conference has broad based the strategy for reform and action for the global enviro-legal movement at international and national level. The present charter, which proclaims the following principles:

1. Nature shall be respected and its essential processes shall not be impaired.

2. The genetic viability on the earth shall not be compromised, the population levels of life forms, wild and domesticated, must be at best sufficient for their survival, and to this end necessary habitats shall be safeguarded.

3. All areas of the earth, both land and sea shall be subject to
these principles of conservation, special protection shall be
given to unique areas to representative samples of all the
different types of ecosystems and to the habitats of rare of
endangered species.

4. Ecosystems and organisms as well as the land marine and
atmospheric resources that are utilized by man, shall be
managed to achieve and maintain optimum sustainable
productivity but not in such a way as to endanger the
integrity of those other eco-systems or species with which
they coexist.

5. Nature shall be secured against degradation caused by
warfare or other hostile activities.

Despite the above principles the world charter has formulated
certain functions for the balancing of man and environment and
conservation of the ecosystem of the world. The principles set forth shall
be reflected in the Law and practice of each state, as well as at the
international level. The world charter for Nature reaffirming that man
must acquire the knowledge to maintain and enhance his ability to use
natural resources in a manner which ensures the preservation of species
and ecosystems for the benefit of present and future generation.
CHAPTER-3

(C) WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT 1987

The Brundtland Commission report on environment and development generally known as “Our Common Future” made the global Community to realize the goal of sustainable development. Sustainable development as a catch phrase called upon to thrash out strategy and action Plan for a better eco-friendly future. The Commission defined the concept of sustainable development in such term which are emphatically laid down:

The satisfaction of human needs and aspirations is the major objective of development. The essential needs of vast numbers of people in developing countries for food, clothing, shelter, job are not being met, and beyond their basic needs these people have legitimate aspirations for an improved quality of life. A world is endemic will always be prone to ecological and other crises. Sustainable development requires meeting the basic needs of all and extending to all the opportunity to satisfy the aspirations for a better life.

It understanding of it was as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. It is contains within it two key concepts:
(i) The concept of "needs" in particular the essential needs of the world's poor, to which overriding priority should be given, and

(ii) Thus the goals of economic and social development must be defined in terms of sustainability in all countries, developed or developing, market-oriented or centrally planned interpretation will vary, but must share certain general and must flow from a consensus on the basis concept of sustainable development and on a broad strategy framework for achieving it.

Development involves a progressive transformation of economy and society. A development Path that is sustainable in a Physical sense could theoretically be pursued even in a rigid social and political setting. But physical Sustainability can not be secured unless development policies pay attention to such considerations as changes in access to resource and in the distribution of costs and benefits. Even the narrow nation of physical equity between generations, a concern that must logically be extended to equity within each generation. Therefore, sustainable development is not just about ecology or economics. At the case of this concept lies something very profound it
is a policy goal in which equity matter equity between generations and equity amongst the people around the world today.

3.3. ENVIRONMENT AND DEVELOPMENT

The United Nations Conference on Environment and Development held at Rio, Popularly called the Earth Summit reiterated its commitment to environment and sustainable development and urged upon the member-states to swing into action before the wounded earth reaches to a point of no recovery. It has adopted five document, namely the Rio Declaration on Environment and Development, Agenda 21, Legally non-billing Principles of Forestry, Climate change convention and Bio-diversity convention.

The Rio Declaration and other instruments of conference have adopted that sought to integrate the ecological and economic concerns. The Rio conference also adopted the same definition of sustainable development as formulated by the Brundtland commission. Hence all the three key elements of WCED’s concept of sustainable development are reflect from the various principles enunciated in the Rio documents.

(A) RIO DECLARATION

It is significant to note from a perusal of the Rio Declaration
that, it has adopted in which overall balance is found to be more in favour of economic development rather the equitable balance between the environment & development. In contemporary times where the right to development is predominantly understood as the right to economic development it is observed that the unconditional recognition of the right to development by the Rio Declaration and its other efforts for interesting the environmental and developmental concerns in a manner in which the latter may take precedence over the former. But at the same time one should not ignore the fact that the Rio Declaration speaks also of indivisibility of Peace, development and the environmental protection which is a clear indication that the Declaration has with its contemplation, ‘development’ in its holistic way. In fact the right to development in its true sense has broader connotations more than economic development. It is a process in which every factor must counts. Sustainable development has become a central part of economic and environmental thinking at all levels. Environmental Economics have become a central part of economic studies.

The emergence of sustainable development has coincided with a broadly increasing consensus in international human rights, the Rio
CHAPTER-3

Declaration which talks of human right to environment.\textsuperscript{36} The radical change in emphasis from the traditional principles of criminal liability to remedial pollution control measures by employing the financial deterrence made the incorporation of polluter pays principle is quite germane.\textsuperscript{37} The Rio specifically asked to develop national law regarding liability. Shared responsibility between people of contemporary generation is the foundation on which rests the operational significance of sustainable development. Since long it is realized that sustainable development to be workable policy, equitable co-operation between the participation of the policy is most essential. Hence, the professed objective of UNCED is to lay down a foundation for the global partnership between all the countries.\textsuperscript{38}

(B) U.N. COMMISSION ON SUSTAINABLE DEVELOPMENT

In 1992, more than 100 heads of state met in Rio de Janeiro, Brazil for the United Nation Conference on Environment and Development (UNCED). The Earth Summit was convened to address urgent problems of environmental protection and socio-economic development. The assembled leaders signed the Framework Convention on Climate Change and the Convention on Biological Diversity; endorsed the Rio Declaration and the Forest Principles; and
adopted Agenda 21, a 300-page plan for achieving sustainable development in the 21st century. The Commission on Sustainable Development (CSD) was created in December 1992 to ensure effective follow-up of UNCED; to monitor and report on implementation of the Earth Summit agreements at the local, national, regional and international levels. The CSD is a functional commission of the UN Economic and Social Council (ECOSOC), with 53 members. It was agreed that a five-year review of Earth Summit progress would be made in 1997 by the United Nations General Assembly meeting in special session.

The Commission on Sustainable Development consistently generates a high level of public interest. Over 50 ministers attend the CSD each year and more than one thousand non-governmental organizations (NGOs) are accredited to participate in the Commission's work. The Commission ensures the high visibility of sustainable development issues within the UN system and helps to improve the UN's coordination of environment and development activities. The CSD also encourages governments and international organizations to host workshops and conferences on different environmental and cross-sectoral issues. The results of these expert
level meetings enhance the work of CSD and help the Commission to work better with national governments and various non-governmental partners in promoting sustainable development worldwide.39

3.4. NATIONAL PERSPECTIVE

India's concern for environment basically rotates around under development, population, mass poverty and industrialization. To balance the imperatives of environment and development, India on its part stood committed of population control, eradicating of poverty, improving living standards of people but without compromising on environmental protection. However the core goal of sustainable development is to guarantor the right of existence for humanity.40

The concept of sustainable development is defined as a pattern of social and structure economic transformations (i.e. development), which optimizes the economic and societal, benefits available in the present, without jeopardizing the likely potential for similar benefits in the future. A primary goal of sustainable development is to achieve a reasonable and equitably distributed level of economic well-being that can be perpetuated continually for many human generations.

Sustainable development implies using renewable natural
resources in a manner, which does not eliminate or degrade them or otherwise diminish their usefulness for future generations. It further implies using non-renewable (exhaustible mineral resources in a manner, which does not unnecessarily preclude easy access to them by future generations. Sustainable development also requires depleting non-renewable energy resources at all slow enough rate so as to ensure the high probability of an orderly society transition to renewable energy sources. Based on similar arguments, sustainable development has been alternatively defined in various manners also, some of them are as follows:

"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.  

Sustainable development ensures that the maximum rate of resource consumption and waste discharge for a selected development portfolio would be sustained indefinitely, in a defined planning region, without progressively impairing its bio-productivity and ecological belief, accelerates rather than hinders economic development.
CHAPTER-3

Therefore, the Development plans have to ensure:

Sustainable and equitable use of resources for meeting the needs of the present and future generations without causing damage to environment.

To prevent further damage to our life-support systems;

To conserve and nurture the biological diversity, gene pool and other resources for long term food security.\(^4^3\)

The primary objective of the Sustainable Development is to reduce the absolute poverty of the world’s poor through providing lasting and secure livelihoods that minimize resource depletion, environmental degradation, cultural disruption and social instability.\(^4^4\)

In fact sustainable development is a process in which the exploitation of resources, direction of investments and orientation of technological development all are made consistent with future as well as present needs. The major components of sustainable development are:\(^4^5\)

(i) Symbiotic relationship between consumer human race and producer natural systems

(ii) Compatibility between ecology and economy

The Pre-conditions of sustainable development are:
In order to understand the concept of sustainable development, it is important to note some of the basic principles are:

1. That it is an alternative design for development, which, by definition should be environmentally benign and eco-friendly;

2. That the present generation should meet its needs without compromising the ability of future generations to meet their needs, i.e. to ensure that the production assets available to future generations are not unfairly diminished.

3. That those who enjoy the fruits of economic development today must not make future generations worse off by excessively degrading the earth’s exhaustible resources and Polluting the earth ecology and environment.

4. That there must be a symbiotic relationship between consumerist human race and producer natural systems.

5. That environment and development are not mutually
exclusive: healthy environment is essential to sustainable development and economy.

6. That economic development which erodes natural capital is often not successful.

7. That environmental mistake of the past need not be repeated, as past patterns of environmental degradation are not inevitable.

8. That development is not growth only, it should stand for broader goals of social transformation.

9. That sustainable development in the long-run has to do with ecology, resources and people, along with their service agencies, institutions and other aspects of their social organization.

10. That sustainable development has two major aspects: internally sustainable development and externally sustainable development; without both, no real sustainable development would exist; and

11. That sustainable development is accountable to the poor, and hence, it should ensure that the poor have adequate access to sustainable and secure livelihoods. \textsuperscript{46}
3.5. ENVIRONMENTAL POLICIES IN INDIA

(A) NATIONAL WATER POLICY, 1987

The draft National Water Policy emphasizes its policy need because of water being a prime natural resource, a basic human need a precious national asset. It is stated that water as a resources is one and indivisible—rainfall, river, surface ponds, lakes and ground waters are all part of one system. Water also a part of larger ecological system.

The main features of the policy are:

1. Adequate drinking water supply in both rural and urban populations with 25% and 80% sanitation respectively in such areas by the end of the International Drinking Water Supply and Sanitation Decade programme (1981-1990).

2. Improvements in quality of water by efficient technological application,

3. Improving the information system of adequate resource planning.

4. Bringing the available water resources of the country within the category of utilizable resources to the maximum planning for hydrological units,

5. Water resources projects should as far as possible be planned
and developed as multipurpose projects with provisions for drinking water supply as primary concern. The study on impact of project during construction and later on human lives, settlements, occupations, economic and other aspects should be an essential component of project planning's. An integrated and multidisciplinary approach should be adopted to project planning, formulation, clearance and implementation be with primary concern about the preservation of the quality of environment and the ecological balance,

(6) Special efforts to be made for the benefit of tribal areas and other disadvantaged groups such as scheduled castes and scheduled tribes,

(7) Periodical assessment of ground water resources is to be undertaken and its regulation is done so that it does not exceed the recharging possibilities, and social equity is also ensured. Over exploitation of ground water is to be avoided.

(8) Integrated and co-ordinated development of surface and ground water and their conjunctive use should be envisaged right from the project planning stage to form essential part of
the project.

(9) Broadly the order of priorities of water allocation should be for:

- drinking water
- irrigation
- hydro-power
- navigation
- industrial and other uses.

(10) Efforts be made for participation of farmers and voluntary agencies in various irrigation programmes and particularly in distribution and collection of water rates,

(11) To create conservation consciousness for water resources management and bring up master plan for flood control,

(12) Conclusion emphasizes the need of development and maintenance of national consensus and commitments to its underlying principles and objectives. 47

(B) FOREST POLICY, 1988

The government of India formulated a new national forest Policy in 1988 which entails ecological balance conservation of biological diversity, soil and water management, increase in the
productively efficient utilization wood and people is involvement.

In the preamble of the forest Policy of 1988, it was distinctly accepted that Indian forests have been depleted on account of the following main causes:

(a) Relentless pressure was put on Indian forest due to rapidly increasing demand for forest products, particularly fuel wood, timber and fodder admittedly, rapidly rising Indian Population and number of domestic cattle’s as well as increasing per capita income of the people of the country were causes of increased demand for products of forests.

(b) Protective measures had not been adopted in Indian forest to the needed extent. Inadequacy of protective measures had been also responsible for the depletion of Indian forests.

(c) On principle, diversion of forestlands for non-forest purposes had been considered desirable only in inevitable cases. Moreover, division of forest lands always required to be compensated fairly in the shape of new plantation, maintenance in some suitable parts of forests. Such
practice had not been duly adopted. Frequent diversion of forest lands for non-forest purposes and non-adoption of compensatory measures had been depleting Indian forest cover.

(d) The tendency to look upon forests as revenue earning resource, contributed its share in the depletion of forest cover. Even after the attainment of independence, above-mentioned old harmful tendency could not be checked. Excessive utilization of products of forests to gain maximum revenue also caused depletion.

Basic objectives of the national forest Policy (1988) were put as follows. 48

- Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country;

- Increasing substantially the forest/tree cover in the country through massive a forestation and social forestry programmes, especially, on all denuded, degraded and unproductive lands invoking the local people in this
endeavour by giving them tangible economic motives and employment opportunities;

- Meeting the rights and concessions for requirements of fuel wood, fodder, minor forest produce and small timber of the rural and tribal population with due cognizance of the carrying capacity of forests;

- Increasing the productivity of forests to meet the essential national needs;

- Encouraging efficient utilization of forest produce;

- Restriction on diversion of forest lands for non-forest uses and compensatory at forestation in case where diversion is unavoidable;

- A forestation on common lands by the local communities through usufruct sharing schemes;

- Motivation of Farmers/Lands owners to resort to tree farming in similar manner of crop based farming;

- Substitution of wood by other materials alternative sources of energy and fuel efficient stores;

- Permission to forest-based enterprises after a through scrutiny regarding the availability of raw materials;
CHAPTER-3

- Supply of forest produce to the industrial consumers only at its true market value and not at confessional prices;
- Involvement of local people and dedicated grass roots non governmental organizations in the afforestation programme and for protection of existing forests; and
- Creation of land banks for compensatory afforestation.

The forest policy 1988 is a clear departure from earlier policies however many novel practically such joint forest management protected area have not been adequately focused. Now it has to incorporate these practices, the government is giving a lot of rethinking for the review of forest policy.

(C) MINERAL POLICY, 1993.

The new mineral Policy, 1993 makes a radical departure from the long-standing policy of government of India to keep the exploration and exploitation of major minerals exclusively within the Public sector. There are, however, two serious dangers in privatization of mineral exploitation and export.

In the first place, the short-sighted greed for huge profits on the part of the private companies can lead to serious damage to the long-term national interest of the country.
A second danger of the liberal policy of exploitation of minerals is the likely adverse impact on the environment.

The major objectives and the strategies to achieve these objectives are as follows:

(i) To explore for identification of mineral wealth on land and offshore.

(ii) To develop mineral resources taking into account the national and strategic considerations: the strategy of development adopted this policy would ensure:

(iii) Exploration and supply should keep the present needs as well as future long-term needs of the country.

(iv) To minimize adverse effects of mineral development on the forests, environment and ecology through appropriate protective measures. The mineral policy is really the reflection of the concept of sustainable development and intergenerational equity principle.

(D) NATIONAL AGRICULTURAL POLICY

The government has finally come out with a National Agricultural Policy. This Policy document aims as a growth rate of more that four percent per annum in food production, a growth that is
technologically, environmentally and economically sustainable. This document has certain policy paths to achieve the objectives.

All the noble intentions of the governments are highlighted in this small document. The highlights of the path towards sustainable agriculture are:

- Reclamation degraded land fallow lands as well as problems of soils will be given high priority to optimize their high productive.
- Management of land resources on watershed basins will receive special attention.
- Integrated and holistic developments of rainfed areas will be promoted.
- Conjunctive use of surface and ground water will receive high priority.
- Sensitizing the farming community with environmental concerns is on the agenda.
- Agro forestry and social forestry would be given priority.
- Concreted efforts will be made to pool, distill and evaluate traditional practices knowledge and wisdom and to harness them for sustainable agriculture.
Now the question remains as to how the government is going to achieve these objectives and intentions. Through the policy document is overflowing with a priority list, to think about the effective implementation of the same, is the need to the hour.

3.6. SUSTAINABLE DEVELOPMENT PROGRAMME

Within the last decade, concern about environment and development have become a central feature of development ideologies and debates in the Third World. Working towards sustainable development is not longer an exclusive prerogative of the government but is emerging as a front-line issue involving the civil society. People and nations are beginning to realize that the current paths of development centered around the western paradigms are not always sustainable and there is a need to play a more proactive role in the development process. Information and communication technologies have an important role to play in the process of achieving sustainable development and this need forms the genesis of the Sustainable Development Networking Programme.

At the eve of the new millennium, people living in developing countries face unprecedented challenges concerning sustainable development brought on by the changing global economy, political
changes, environmental degradation and demographic pressures. The task of making sustainable development operational through processes that meet the basic needs of the community while protecting the environment and empowering the poor is daunting. People-oriented development can realize its full potential only when communities, the planners, the policy-makers and the civil society are involved and motivated, and there is a constant sharing of knowledge. The growing gap between the world's have and have-nots is today more appropriately reflected in the gap between people with access to information and those without.

The Brundtland Report (1987) emphasizes upon early access to and deliberate sharing of information and expertise between all nations and actors as a key component to ensuring a sustainable future for the planet. Today, information and knowledge have become a factor sui generis in the societal and economic development. To deal with the diverse challenges in achieving sustainable development, and to effectively bridge the knowledge gap – improved information and communication technologies (ICT) have a significant role to play. As generic technologies, they permeate and cut across all social institutions, perceptions and thought processes.
Access to information is essential and is de-facto the first step towards making an informed decision at any level. Information and communication technologies rest on the strong belief that communities have knowledge and expertise, which need to be synergized with the existing information, in the context of decision-making and initiating judicious action for sustainable and equitable development. Information, however, becomes knowledge only when it helps people to communicate and participate, and enables them to make informed choices – paving the way for a knowledge based networking.

Networking for knowledge sharing caters to the global thirst for information, builds up awareness among the change agents or those who can exert external pressure, and encourages informed and active participation of communities and individuals. Knowledge based networking strengthens the inherent link between information access, democracy, human rights, environmental protection and sustainable development by providing useful information for problem-solving, for enhancing community participation, for better organization of developmental interventions and for improving the relationships between the various stakeholders in development. Further, it breaks the boundary, which confines the availability of information to a few.
CHAPTER-3

Knowledge-based networking for influencing decision-making provides strength to the democracy as it enables the decision-making mechanism to perpetuate right below till the roots of the society. Alternative mechanisms to carry out these tasks would take a lot more time, resources and efforts. 

How are countries going to participate in the task of attaining sustainable development when basic information on the condition of the world’s environment and natural resources is out of reach of the many? How can a consensus be built up and be used as a tool for influencing decision-making when civil society does not have access to essential information. In a world where 80% of the world population has no access to reliable telecommunications, and one third has no access to electricity (Panos 1998), it is implicit that information and communication technologies by itself may not penetrate to all the strata of the society.

The onus lies on the intermediary institutions to provide the crucial link between information and its users, and encourage nations to invest in information and communication technologies' infrastructure so that they can reap the expected social and economic benefits. Often, information is available on issues concerning
sustainable development but access to such conventional and non-
conventional information is limited due to the lack of organization of
information services, which can give an appropriate and timely
support. With the future pointing towards accelerating the spread of
information and communications technologies, the management of
knowledge encompassing the function of information collection,
compilation, organizing and dissemination assumes significance and
this forms the genesis of Sustainable Development Networking
Programme (SDNP).

**********
NOTES AND REFERENCES


2. Id at p. 9.


CHAPTER-3


10. Ibid.


14. Supra Note (8) at P. 119.

15. Ibid.

16. Supra Note 13 at 45.


19. Supra Note 9 at 290-93.

20. Id at 291 and 300.


22. Supra note 13 at 21.
23. Supra note 5 at 86.

24. Supra note 13 at 55-56.

25. Id at 61.

26. For the text of the Declaration see Environmental law (Documents) Vol.2 Part-one compiled by CEERA Research Team National Law School of India University Banglore.


28. Supra note 8 at 110.

29. Supra note 13 at 317-19.1


31. Supra note 5 at 89.

32. Supra note 8 at 110.

33. See Principle 3 Rio Declaration, which speaks. The right to development must be fulfilled so as to equitably meet development and environmental needs of present and future generation.

34. Principle 25, Rio Declaration.

35. Principle 4, Rio Declaration.

36. Principle 1, Rio Declaration.


40. Supra note 5 at 86.


42. Supra note 11 at 43.


51. Supra note 6.

52. Supra note 11 at 37-40.

53. Supra note 51.

******

86