PREFACE

There is perhaps no other area than the environmental protection which has attracted a great deal of concern beyond the late 1960's. The growing concern over environmental abuse, exhaustion of natural resources, alteration of nature's balances, population increase, greater pollution levels, human impact on animal populations and natural landscapes, increase in the use of hydrocarbon fuels and deforestation etc. has been the central point of discussion during the last two decades in the national and international forums. International concern was expressed in the Stockholm conference on Environment in 1972 and the Rio Earth Summit, 1992. Administrative as well as legislative measures also have been taken in developed and developing states to protect and improve environment. As a result, these measures have gradually crystalized into an evolving body of 'Environmental Law.'

As a major developing country, India has a well developed body of environmental laws. The policy formulation for protection of environment are also not lacking. Necessary organisational and institutional support to enforce laws and the policy perspectives has also been created. Mass education programmes to educate people on environment protection have also been initiated. Constitution of a specialised National Environment Tribunal now seems to be on the cards. Nevertheless a large section of our population still remains unaware of the fragility and the importance of environment. Also, the factors that give rise to environmental concern still remain in increasingly urgent forms. The laws remain
unimplemented. The enforcement mechanism suffers from inherent defects and the policy mandate remains to be fully operationalised.

This study examines, against the background of concern and the measures taken to protect environment, current Indian law and practice. A modest effort has been made in the present study to integrate relevant discussions on environmental law and policy with a view to highlight their efficacy in the cause of environment protection, point out the deficiencies and give some suggestions to improve the environmental management strategies. For the reasons of space, the examination of International law aspects of environmental protection have been omitted. The same constraints have made it necessary to concentrate on major issues--such as water pollution, air pollution, noise pollution and the land pollution affecting our physical environment. This has entailed omitting discussion on protection of some important issues such as historical monuments or areas of architectural importance.

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(Kailash Chand Thakur)