CHAPTER-VII

CONCLUSION AND SUGGESTIONS

7.1. Conclusion

“Do not harm the environment, do not harm the water and the flora Earth is my mother, I am her son, may the waters remain fresh, do not harm the waters Tranquility be to the atmosphere, to the waters, to the crops and vegetation.”

This timeless Vedic prayer invokes divine intervention to conserve and protect the environment. The relationship between man and nature has been recognized and is imbibed in the culture and traditions of India.

A dichotomy exists in our society, we tend to keep our homes clean but have no hesitation in throwing the garbage out, because there is someone paid to clean it up. This contrasts with the situation in advanced countries where littering, spitting and using public places as toilets are frowned upon. While we tend to imitate those countries in various ways, we have not taken such good points for adoption.

Awareness of the environmental issues is minimal in the community.

Every year people all over celebrate World Environment Day, with plans in mind to save earth and the environment. But sometimes we need to ask ourselves “will we really execute our plans? So it should be the duty of every person to protect the nature and development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.”

By the 1970s, impacts of extractive industries, such as logging, mining, marine fisheries, and industrial and power generation processes on the environment became the issues of intense national and international concerns as we know them today. These initially revolved around problems caused by pollution and depletion of natural resources. They included air and water pollution, effects of human activities on the atmosphere (greenhouse gases and climate change), deforestation, soil erosion,

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desertification, silting of lakes and waterways, and threats to biodiversity. The politicians largely give a go-by to environmental issues because they are more concerned about losing people's votes. Huge trees are uprooted to make way for new highways. Lovely trees are cut to lay a foundation for a high rise building with no tears shed for their loss. Environmental issues, thus, have no takers. India is called as the land of rivers. From the Ganges to the Cauvery, most devout Hindu pilgrims consider the waterways sacred since the religious texts hold that Ganges purifies the bather of sins - merely catching the sight of Narmada is said to do the same. However, India’s rivers are increasingly becoming the dump sites for domestic, industrial, and agricultural wastes. Polluted environment endangers the human race by threatening its survival on planet earth. Boundaries of any nation cannot limit these environmental problems to a particular country and region, but its impact is global one. This large scale environmental degradation has caused a global concern about the conservation and protection of the earth’s environment.

The problem of air pollution became very serious problem in India. Thus, the national capital region is the most polluted area of the world where the pollution level in air is on the red line. It is evident from the fact that when the U.S President Mr. Barrack Obama visited the New Delhi in 2014, he had to bring the oxygen cylinders from U.S.A with his squad in view of the bad condition of Delhi due to pollution. In NCR Delhi, the particulate matter in the air was measured as is more than 2.5 levels which are considered to be dangerous to the health. The UNO also mentioned in its report that water and air pollution is becoming very dangerous problem in Delhi. Nowadays, the problem of smog is prevalent in plains wherein the smoke joins the fog especially in winter season. This problem is caused due to burning of paddy husk by the farmers during winter season which causes serious health repercussions, pollution to the environment and is a kind of high pollutant.

The major portion of environmental pollution is caused by human interference in which the industrialization is the most responsibly reason but the social traditions and unawareness also play a big role in India to increase the pollution level. Burning the crackers and other material during Diwali and winter session results in high level of air pollution due to high quantity of smoke in the air and the burning of crop residues by the farmers.
These problems of environmental pollution are increasing day by day. Now, if we take example of water pollution then, also find that for the purpose of fulfilling some religious purposes mainly in Hindu religion, people polluted the water by throwing dead human body in the river, pond, and some time also in well but not for religious purpose but some personal purposes. So, there are several cause of polluted water in urban area due to industrialisation not only water pollution occurred, but full environment becomes pollute. Air and water are the most indispensable gifts of nature for preservation of life abundant sunshine together with adequate rain keeps nature’s generating force at work. But, we are not saving these natural gifts for our next generations nor the Government agencies are taking any initiative for their protection. One of the well said wording is coming into mind i.e. "If there is a 3rd World war, it is said, the war will be for drinking water."

Recently the result of state assembly elections of Gujarat and Himachal Pradesh are declared, on that day the workers and followers of those political parties express their feeling of happiness by bursting crackers in private as well as public which led to cause the air and noise pollution. It has been observed by the courts on various occasions that right to religion under Articles 25 and 26 is not an absolute right and it is subject to reasonable restrictions. But all is in vain.

Although the prospective measures for environment protection have been discussed in the earlier chapters are intriguing, the main conclusion are a bit paradoxical. In exploring this paradox, the researcher is going to summarise their thesis in following heads:

**Need for Environmental Laws**

Today, we are living in nuclear age and no one can overlook the harm caused to the environment by the nuclear bombs dropped by the United States on the Japanese urban communities of Hiroshima and Nagasaki amid the last phases of World War - II in 1945. The day to day innovation and advancement of technology apart from development additionally has extended the risk to human life. Therefore, there is a dire need in place to evolve new industrial laws which prevent the industries to
produce anti-environmental products or which cause a loss to nature in a way which cannot compensate the loss.\textsuperscript{4}

**Problem of Environmental Pollution**

The dumping of hazardous and toxic wastes, both solid and liquid, released by the industrial plants is also the result of environment degradation in our country. The problem of acid rain which is caused mainly by the emissions of sulphur dioxide and nitrogen oxides from power stations and industrial installations is a graphic example of it. The ill-effects of acid rain can be found on vegetation, soil, marine resources, and monuments as well as on humans. Air pollutants and acids generated by the industrial activities are now entering forests at unprecedented scales. Air pollution has now become a major killer with three million people dying of it every year. Carbon emissions doubled in three decades. Global warming is now a serious threat. In the 21\textsuperscript{st} century, irregular climate changes have been a big challenge for the entire human race therefore the international organizations are working together continuously to save the world from the effects of climate change and global warming\textsuperscript{5}. In an effort to cut down the pollution rate, the 195 countries had signed an agreement at the 21st Conference of the Parties of the UNFCCC in Paris and adopted by consensus on 12 December 2015. As of November 2016, 193 UNFCCC members have signed the treaty, 114 of which have ratified it. After several European Union states ratified the agreement in October 2016, there were enough countries that had ratified the agreement that produce enough of the world's greenhouse gases for the agreement to enter into force. The agreement went into effect on 4 November 2016\textsuperscript{6}. This agreement amongst the nations is known as Paris Agreement. The objective of the Paris Agreement is to achieve the environmental justice by way of reduction in the emission rate of green house gases.

The recent "record-high" air pollution in New Delhi is a "wake-up call" for the world that unless decisive actions are taken to reduce air pollution, the smog in India's


\textsuperscript{5} A.K Thakur and Dalip Kumar, Dimensions Of Climate Change In India-A Development Perspective, Regal Publications( 2013) p.163.

capital and its adverse impact on the daily lives of its citizens will become a commonplace phenomenon, the United Nations children's agency has said. According to estimates, air pollution levels hit 999 micrograms of particulate matter per cubic meter in some areas of the national capital, more than 15-16 times the limit considered safe.⁷

**Environmental Protection and the Historical Perspective**

Protection and conservation of environmental resources are however not new: many societies have traditions going back hundreds of years. Most of ancient texts teach us that it is the dharma of each individual in any society to protect nature. It is evident from the study that the importance of environment protection of environment protection in India can be traced back to the period between 321B.C and 300B.C. In Kautilaya Arthashastra a great importance has been laid on environment protection, and clear punishments have been prescribed on the basis of the importance of various parts of a particular tree. Manusmriti mentions about the optimum use of resources of nature and also prescribes different punishment for causing injury to plants.

In Hinduism, we find that Vedas, Upanishads and other ancient scripture of Hindu religion have great importance to trees, plants and wildlife and also their value to human beings. The ancient Vedas several references to environmental protection, ecological balance, weather cycles, rainfall phenomena, hydrologic cycle, and related subjects that direct indicate the high level of awareness of the seers and people of that time. By the end of Vedic and Upanishadic periods, Buddhism and Jainism came into existence. Non-violence, truth, respect and love for other living organisms including trees became the basic tenets of these religions. They also contain the precepts for environmental protection. Emperor Asoka’s stone edicts on protection of birds and animals survive even to this day. Holy Quran also refers to the various components of environmental at length. It states that should not neglect the creatures and earth created by the god.

Environmental statutes in modern India date back to mid-nineteenth century. Some of these laws deal with natural resources such as the forests and others cover water and air pollution. During the British Raj though there was no exclusive enactment to deal

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⁷ Delhi a wake-up call for world on air pollution: UNICEF; The Times of India, Nov 12, 2016.
with the offences concerning to the environmental pollution but in 1860 for the first
time to control environmental pollution certain punitive measures were incorporated
into the Indian Penal Code, 1860.

The post-independence India was concerned with equity and growth and the
environmental concern was added only as a third dimension. The main impetus for the
development of environmental law came from the UN Conference on the Human
Environment held in Stockholm in 1972.

In this category can be cited the case of Indian Environmental (Protection) Act, 1986
which was enacted following the Stockholm Conference 1972. The Earth Summit
1992 and associated developments have thrown open a large number of
environmental law principles namely polluter pays principle, precautionary principle,
sustainable development principle, international equity etc. Prior to 1972 in India, the
environmental concerns such as sewerage disposal, sanitation and public health were
dealt with by federal ministries and each pursued their own objectives in the absence
of a proper coordination system. As part of its campaign on green environment,
Indian Parliament has enacted nationwide comprehensive laws. In the post-Stockholm
era, a rapid and extensive legislative activity to check anything that pollutes
environment has taken place in India. Parliament has passed a large number of
legislations, which exclusively deal with the protection of environment, and these
legislations are; The Water (Prevention and Control of Pollution) Act, 1974; Forest
(Conservation) Act, 1980; The Air (Prevention and Control of Pollution) Act, 1981;
Environment (Protection) Act, 1986; Public Liability Insurance Act, 1991, the
National Environmental Tribunals Act, 1995; and the National Environment
Appellate Authority Act, 1997; The Scheduled Tribes and other Traditional Forest
Dwellers (Recognition of Forest Rights) Act, 2006; National Green Tribunal Act,
2010 etc. One of the major environmental enactments came just two years after the
Stockholm Conference in 1974. The water (Prevention and Control of Pollution) Act
was passed for the purpose of prevention and control of water pollution and for
maintaining and restoring the wholesomeness of water. The Water Act represented
India’s First attempt to deal with an environmental issue from a legal perspective.
Thus, the Parliament is charged with a responsibility to enact laws addressing the
emerging problems relating to environment. The Indian Planning Commission states
in the Tenth Five Year Plan (2002-2007) that pollution of air, water and soil is
emerging as a serious threat to human health, biodiversity, climate change and economy of the area. The Indian Planning Commission has, therefore, recommended review of existing environmental policy, laws, rules, regulations and executive orders for their better enforcement.

Environment is immune to political boundaries. This is because of the inherent global nature of environment itself. Thus, although social and economic development is essentially a national issue, its advancement can be a global concern.

**Constitutional Mandate on Environmental Protection**

The constitution of India originally adopted, did not contain any direct and specific provision regarding the protection of natural environment. But the new Part IV-A which consists of only one Article 51-A was incorporated by the Constitution (42nd Amendment) Act, 1976. Thus, it can be said that our Constitution puts an emphasis on environment protection. Article 48-A which is one of the Directive Principles of State Policy states that the State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country. It is also to be noted that Article 21 of the Constitution guarantees one of the important fundamental right to the citizens and says that no person shall be deprived of his life "right to life" contained in Article 21 has been given a very wide interpretation by the Supreme Court of India. The Supreme Court of India interpreted Article 21 which guarantees the fundamental right to life and personal liberty, to include the right to a wholesome environment and held that a litigant may assert his or her right to a healthy environment against the State by a writ petition to the Supreme Court or a High Court.

It may also be noticed that there are certain important constitutional provisions which give the citizens the right to approach the High Courts as well as the Supreme Court of India to protect their fundamental rights

**Role of Legislature in Protection of Environment**

Today, India has a wide range of legislative measures, policies and programmes which are supported by Sustainable Development Principles. Recently, our new Prime Minister Mr. Narendra Modi initiated Swach Bharat Campaign on the eve of Gandhi Jayanti, to clean the streets of India from dirt, pollution and wastes. Earlier, environmental pollution as a subject-matter of legislation did not find place in the Indian law books until as late as 1974. Before 1974, the only source available to the
citizen against pollution of any nature was under the civil and criminal law, like Indian penal code, criminal procedure code and law of tort. However, there was nothing in the nature preventive and regulatory enactments. It was only the year 1974 that water (Prevention and Control of Pollution) Act, 1974. This was followed by the Air (Prevention and Control of Pollution) Act 1981. Until 1981, the legislation with regard to environmental pollution was drawn a piece in of meal. Even these legislation were only punitive nature and not preventive. The environment protection Act 1986 was first comprehensive legislation with regard to environmental pollution. The Environment Protection Act is an umbrella legislation enacted to provide for the Central Government coordination over the Central and State authorities established inter-alia under the water Act, 1974 and the Air Act, 1981. Thus, the Parliament of India has done a lot of work to preserve and protect the natural environment and control the various industrial activities by way of legislation and regulations through its various agencies like Ministry of Forest, Environment and Climate Change, various nodal agencies and NGOs etc after the judicial activism in India took a sharp stage to protect the environment.

**Role of Judiciary in Protection of Environment**

Environmental problems have received adequate attention over the world in last two-three decades. Our governments have enacted plethora of laws for securing environmental and courts have been playing important roles in this process. The shortcomings of the executive in coping with the pressures on the environment brought about by change in the country's economic policies had thrust the responsibility of environmental protection upon the judiciary. This has meant that in India, the Judiciary in some instances had to not only exercise its role as an interpreter of the law but has also had to take upon itself the role of constant monitoring and implementation necessitated through a series of public interest litigations that have been initiated in various courts. However, in the defence of the executive, it must be said that India has actively participated in several multilateral treaties and has been active in admitting its commitments to the environment in accordance with the general principles of International Law while incorporating them into its national laws. In its efforts to protect the environment, the Indian Judiciary in general have relied on the public trust doctrine, precautionary principle; polluter pays principle the doctrine of strict and absolute liability, the exemplary damages principle, the pollution
fine principle and inter-generational equity principle apart from the existing law of the land. The consistent position adopted by the courts as enunciated in one of its judgments has been that there can neither be development at the cost of the environment or environment at the cost of development. The logical interpretation by the apex court has been given to Article 21, i.e. right to life include right to live in healthy environment. Overall the court has adopted a generally green approach in its decisions, which have emphasised the rights of both humans and nonhumans. It has introduced innovative methods in judicial decisions making process and also actively engaged in implementing its own directions; sometimes by monitor the day to day activities of implementing agencies enjoined by Constitution to protect and improve the environment. The Indian Supreme Court and the High Courts have also helped growth of environmental regulation in India besides propelling emergence of a novel environmental jurisprudence. In several instances, the court has taken a proactive and aggressive approach to protecting the environment it has asserted that the deterioration of the environment through unrestrained industrial activities or non implementation of environmental laws by implementing agencies cannot be tolerated especially because natural sources like water, land and air are an integral part of the general well being of the people and future generations. However, in certain cases, the courts appear to have deviated from its own precedents and interpretations of Constitutional provisions for the protection of the environment. Thus the courts in India have played a dynamic role in preserving the environment and eco-system. In a series of cases, the superior courts of India issued various directions and orders to prevent the environmental degradation.

Recently the Uttarakhand High Court gave guidelines in protection of environment in case of *Shri Sai Nath Seva Mandal v. State of Uttarakhand and Ors.* These are as follow;

(i) All the streets, public premises such as parks etc. shall be surface cleaned on daily basis, including on Sundays and Public holidays by Municipal Corporations, Nagar Panchayats, Municipal Councils and Panchayati Raj Institutions.

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(ii) All the workers deployed for cleaning the streets and removal of garbage including bio-degradable medical waste should be provided with necessary equipment including uniforms, shoes, gloves and other implements etc. for winters and summers separately and also proper uniforms which have reflectors and be provided with ID cards also.

(iii) All the streets and roads falling within the municipal areas, municipal corporation/Panchayati Raj institutions should be surface cleaned in the morning.

(iv) The state government is directed to take decision on all the proposals sent to it by the municipal bodies for managing the solid waste in their territorial jurisdiction within four weeks from today.

(v) The municipal corporation/municipal bodies, throughout the state, may consider to provide two dustbins (for collection of dry and wet bio-medical waste), free-of-cost, to all the households in the Municipal area, depending on their financial health.

(vi) All the local bodies, including village Panchayats, are directed to ensure door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential institution.

(vii) All the local bodies are directed to put suitable hoardings at tourist destinations to appraise local as well as tourists not to dispose of any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs etc. on the streets or into water bodies or down the hills.

The year of 2016 has marked a history in the protection of environment. The Hon’ble Apex Court and National Green Tribunal delivered landmark judgments and orders for the preservation of natural sources including air pollution and river protection etc.

**Role of National Green Tribunal in Protection of Environment**

In India the higher judiciary is loaded with excessive weight with a large backlog of cases. It may be appreciated that in order to have effective prevention of environmental pollution and environmental complaints should be decided in an efficient manner which is not possible in the present context of judicial administration. Therefore urgent need was felt for an alternative forum so that environmental cases were resolved without much delay. India’s Environmental Court
as a result of the need repeatedly express by the Constitutional Courts on the need to have a specialized judicial bodies to deal with complex environment questions. The trigger for setting up of Environmental Courts was through the Supreme Court of India which in its judgment highlighted the difficulties faced by Judges in adjudicating on Environment.

The Supreme Court in *M. C. Mehta*¹⁰ *v. Union of India* observed that “Environment Court” must be established for expeditious disposal of environmental cases and reiterated it time and again. As a sequel to it the National Environment Tribunal Act, 1995 and National Environment Appellate Authority Act, 1997 were passed by the Indian Parliament. The NGT is a specialized forum for effective and speedy disposal of cases pertaining to environment protection and conservation of forests. Over the past seven years, the NGT’s role has been very progressive towards environmental protection, especially with regards to the rights of marginalized people. In terms of pollution control, when the air quality in Delhi began to deteriorate in early November, culminating in what ultimately was termed an environmental emergency, the NGT’s role was critical in the efforts to restore normalcy. The NGT supported the phased deregistration of 15-year-old diesel vehicles in Delhi, placed strict rules on incineration plants, constituted a committee to inspect gas stations, and even pioneered a ban on disposable plastics, in effect from January 2017. It also set an important precedent by banning construction activity in the peak stages of this emergency and stood clearly on the stance that economic setbacks cannot be a reason to ignore wide-ranging environmental problems. In another recent judgment, the NGT had held it illegal to hire the services of retired bureaucrats as chairs of the statutory expert appraisal committees that review projects for environmental clearances.

**Role of Lawyers in Protection of Environment**

The lawyer community is the most active community in all professions in relation to their role in protecting human beings from apparent threat in view of human rights. They have played a pivotal role with regard to social issues especially in relation to Public Interest Litigation relating to environment. It is evident from the study that lawyers have played a very good role in protecting the environment in India and in this context Ld. M. C Mehta is the great environment lawyer who represented a

¹⁰ 1986 (2) SCC 176.
number of great environment cases in various High Courts and Supreme Court of India. The Hon’ble Supreme Court of India has regarded the M.C Mehta as PIL Mehta because he has dealt with the environment issues of the country by way PILs.

**Role of NGOs to Protect the Environment**

NGOs are also playing very important role in protection of our ecosystem. They are creating awareness among people on current environmental issues and their solutions. They are transferring information through newsletter, brochures, articles, audiovisuals, etc. and also helping the village administrative officials in the preparation, application and execution of projects on environmental protection.

**Swach Bharat Abhiyan**

The Narendra Modi Government launched the “Swachh Bharat” movement to solve the sanitation problem and waste management in India by ensuring hygiene across the country. Emphasizing on “Clean India” in his 2014 Independence Day speech, PM Modi said that this movement is associated with the economic activity of the country. The prime objective of the mission is to create sanitation facilities for all. It aims to provide every rural family with a toilet by 2019. Modi has directly linked the Clean India movement with the economic health of the nation. This mission, according to him, can contribute to GDP growth, provide a source of employment and reduce health costs, thereby connecting to an economic activity. Cleanliness is no doubt connected to the tourism and global interests of the country as a whole. It is time that India’s top 50 tourist destinations displayed highest standard of hygiene and cleanliness so as to change the global perception. Clean India can bring in more tourists, thereby increasing the revenue. He has appealed to the people to devote 100 hours every year to cleanliness. Not only had the sanitation programme, Modi also laid emphasis on solid waste management and waste water management. He has also directed that separate toilets for boys and girls should be provided in every school in the country by 15 August, 2015. According to government data, in January 2015, 7.1 lakh individual household toilets have been built under this dream project. This number is considered the highest for any month since its launch in October 2014.

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31.83 lakhs individual toilets have been built until January 2015. So far, Karnataka is
the best performer by achieving 61% of the target while Punjab is the worst performer
by achieving 5% of the target\textsuperscript{13}. With effect from 1 April 1999, the Government of
India restructured the Comprehensive Rural Sanitation Programme and launched the
Total Sanitation Campaign (TSC). To give a fillip to the Total Sanitation Campaign,
effective June 2003 the government launched an incentive scheme in the form of an
award for total sanitation coverage, maintenance of a clean environment and open
defecation-free Panchayat villages, blocks and districts called Nirmal Gram Puraskar.
Effective 1 April 2012, the TSC was renamed to Nirmal Bharat Abhiyan (SBA). On 2
October 2014 the campaign was launched as Swachh Bharat Abhiyan\textsuperscript{14}. This
campaign aims to accomplish the vision of a “Clean India” by 2 October 2019, the
150th birthday of Mahatma Gandhi. It is expected to cost over Rs. 62,000 crore (US
$9.7 billion). Fund sharing between the Central Government and the State
Government and Urban Local Bodies (ULBs) is 75%:25% (90%:10% for North
Eastern and special category states). The campaign has been described as “beyond
politics” and “inspired by patriotism”. Swachh Bharat/Clean India Run on 2 October
2014 a Swachh Bharat Run was organized at the Rashtrapati Bhavan. As per the
announcement from the Rashtrapati Bhavan around 1500 people participated and the
event was flagged off by President Pranab. Participants in the run included officers
and their families.

7.2. Suggestions for the Protection of Environment

Everyone have to start adopting eco-friendly solutions to treat the thousands and
tonnes of waste, which we generate every day, so as to seeing a beautiful tree or a
flowerbed on the way, where we move around by quick disposal and its treatment.
This can become a reality. There is technology available which is cost effective and
easy to implement. Environmental protection is a national as well as international
responsibility. We remember what Mahatma Gandhi said “The earth provides enough
to satisfy every man’s needs, but not for anybody’s greed”. Thus, the researcher is

\textsuperscript{13} Y Sharma, \textit{Swachh Bharat Abhiyan: Government Builds 7.1 Lakh Toilets in January} (2015)
available on http://articles.economictimes.indiatimes.com/2015-02-17/news/59232518_1_india-
open-defecation-swachh-bharat-abhiyan-toilets (accessed on 14th August 2016).
\textsuperscript{14} S Coates and D.C. Dulk, \textit{Elsevier Connect. Making a Stink: @UNICEFIndia Seeks to End Open
Defecation} (2014) available on http://www.elsevier.com/connect/unicef-india-campaigns-to-end-
open-defecation (accessed on 23\textsuperscript{rd} May 2015).
suggesting some means, ways and practices to tackle environment problems and issues.

**Need of Effective Polices**

Environmental pollution and resource degradation are some of the burning problems faced by society. Lawmakers should therefore, disassociate themselves from law making on ad hoc basis and in a reactive manner. They would do well to review, modify and enact such environmental legislation, which not only addresses the problems of the environment more holistically but also incorporates the internationally recognized environmental law principles most importantly sustainable development. Decentralized decision-making is often considered to be more effective in addressing environmental problems.

Section 49 of the Water (Prevention and Control of Pollution) Act, Section 43 of the Air Prevention and Control of Pollution) Act and Section 19 of the Environmental Protection Act, should be deleted so that, any person can make a complaint to the Court, without giving a notice of sixty days. The Pollution Control Boards should be given sufficient autonomy so that they can act independently. The Pollution Control Boards should be brought under an obligation to act within a particular period against the polluters without fail. An independent body may be created to supervise the Boards in prevention and control of pollution and promotions of healthy environment.

Moreover, it is suggested that government must encourage such policies that create jobs and employment in rural areas. *Programmes like Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)* should be encouraged and adequately funded by government in rural area. That will definitely control the migrated population from villages to cities, which in turn causes exploitation of natural resources. It is true that mere legislation will not give us desired results. There must be an effective implementation and an effective watch-dog agency.

**Environmental Education Awareness Programmes**

The awareness about environmental pollution and the laws should be wide spread with relation of serious effects of pollution on human life. Awareness camps should be organised to teach the people that how to protect our environment. To enforce legal control environmental pollution meaningful the people are to be educated about
causes of pollutions, various legal provisions and their rights and duties. Environmental NGOs and educational institutions may take the duty to educate the people by adopting awareness programme in various forms. The young children of impressionable age should be motivated to desist from playing with firecrackers, use of high sound producing equipment’s and instruments on festivals, religious and social functions, family get-togethers and celebrations etc. which cause pollution. Suitable chapters can be added into textbooks, which teach civic sense to the children and teach them how to be good and responsible citizen which would include learning by heart of various fundamental duties and that would obliviously include learning not to create pollution and to prevent if generated by others. Holding of special talks and lectures can be organized in the schools to highlight the menace of pollution and the role of the children in preventing it. For these purpose the state must pay its role by the support and cooperation of non-government organisations can be enlisted. The future generation must learn how to use energy and materials with great efficiency. They must learn how to utilize solar energy in all its forms. They must rebuild the economy in order to eliminate waste and pollution. They must learn how to manage renewable resources for a long term. Moreover, a joint effort by the people, industry and government is required to facilitate the policy, laws and regulations for sustainable forms of development. Further, it is submitted that education based on skill development is need for the sustainable development. Therefore, government must encourage the skill based education system, which will create more employment and reduce poverty, a major cause for non-implementation of sustainable development.

**Paperless Record Emphasis on Digitization**

Digitization is one of the major steps to curb the pollution problem. The Government of India must emphasis on the paperless work and more use of computer and digitization of the record which will help in maintaining the electronic data for longer period comparatively to the paper record. It should be adopted by the government through effective modes and training the existing staff as well as by keeping the pre-requisite condition of the further recruitment. It will reduce the cutting of trees for paper manufacturing industries which play dual role of reducing of carbon emission as well as help in protecting the greenery. Management of natural sources should be done in smart way. The digital registry must be widely available and inter linked with
more regional branches and its sub-offices so as to enable easy access for the researchers and users.\footnote{Naresh Kumar Vats, ‘Traditional Knowledge and conservation of Biodiversity’ GH Raisoni Law Journal ‘The Biological Diversity Act 2002 Legal Dimension of its implementation’ Aug 2017, p.161}

**Appreciate the Environment.**

It is hard to feel motivated to save the environment when we feel disconnected from it. So, take time to appreciate the environment. Go for walks, meditate in a local park or other green space and do a little gardening each weekend. That way, you will realize how much better a gorgeous natural world can make our lives – and this will help to spur you on to take action to conserve the environment for future generations.

**Plantation of Trees**

Education and encourage of tree plantation movement by educational Institutions, Industrial organisations and Government Sectors will be helpful of maintaining the ecological balance. This move will be more encouraging planting more and more trees and preserving of rare species and sanctuaries. This will help in absorbing excess carbon dioxide. It should be moral duty of all to plant more and more tree to conserve the universe. A best example of this the deputy commissioner of Nahan District of Himachal Pradesh launched a scheme that every school student should plant one tree in this month. This has been done by at least 2500 student of Solan and Nahan district.

**Using Public Transportation**

Encourage people to use more and more public modes of transportation to reduce pollution. Also, try to make use of car pooling. If you and your colleagues come from the same locality and have same timings you can explore this option to save energy and money. Walk or cycle where it is safe to do so – walking is free; cycling can help to keep you fit. If possible, try carpooling to work, business presentations, events, or even to run errands. Think of ways you can reduce the number of trips you make using your car.

**Use of compost bin**

More awareness of setting up a compost pit in your college or garden, so that you can enrich your soil with the organic waste from the kitchen and cut down on the amount
of waste it sends to a landfill. Set up buckets in your college or lunchroom where fruit and left-over food can be put. Empty the buckets daily into a compost pit, and use the rich compost formed in a few weeks to enrich the soil around the college. Kitchen scraps, leaves and grass clippings are excellent compost. This can be used to recycle waste food and other biodegradable materials.

**Subsidies to the Farmers**

Subsidise the farmers in purchasing the mechanical technology to degrade their crop residue or promote the incentive in the form of crop price rather than paying separately and initiate the follow up action by the local persons. Proper monitoring of Bio-diversity Access and benefit sharing and transfer of biological resource must be monitored and Patent Office must share the information with National Bio-Diversity Authority, State Bio-Diversity Board as well as local Bio-diversity Management Committee, if any biological resources have been derived by the foreign agencies for obtaining the Intellectual Property Rights.  

**Rain Water Harvesting**

Saving precious rainwater is very important. Harvest rainwater from rooftops and use it sustainably to recharge wells to reduce the burden on rivers and lakes. For conservation of water rain water shed should be used and use of rain harvesting is very much important.

**Using an Environmental Calendar of Activities**

There are several days of special environmental significant which can be celebrated in the community and can be used for creating environmental awareness. For example Earth Day is celebrated on April 22.

**Sustainable Development**

Sustainable development aims at making use of natural resources and environment for raising the existing standard of living in such a way as not to reduce ability of the future generations to meet their own needs. Still there are no adequate sewerage facility and sewage treatments in cities and towns. There is no proper infrastructure

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facility for collection, treatment and disposal of waste including sewage as well as waste and waste water coming from industries. Proper channel should be used for sanitation and urban waste (sewage and sullage) may be recycled to generate cheaper fuel gas and electricity.

**Public Awareness**

Media is the fourth pillar of the democracy in India. It plays an important role and effective participation in the general socio-political improvement of the country. The media can play a robust role to spread awareness of environmental education among the masses. It would be very useful if government makes it mandatory to publish environment awareness materials on all kinds of print media as well as electronic media and the Public Relations department of the Central and state governments may be entrusted with this duty to disseminate the environment education on all forms and platforms in the county. Establishment of new factories should be restricted and those factories which are not following the norms in relation to preservation of environment, their license should be cancelled.

**Promotion of Use of Solar Energy**

Environmental pollution control could be analysed on the pattern of process control. A closer scrutiny would reveal the analogy between process control and environmental pollution control.

**Recycle, Reduce and Reuse**

There should be adoption of method R-3 Recycle, Reduce and Reuse. Recyclable resources such as minerals, paper, glass, do not lose their properties when they are used in economic processes. Therefore, they can be reused in the economic system. Send your drinking bottles, paper, used oil, old batteries and used tires to a depot for recycling or safe disposal; all these very cause serious pollution. Wherever possible, separate biodegradable and recyclable waste from non-biodegradable and work to reduce the amount of non-biodegradable or recyclable waste. Reduce the amount of meat you eat, or even better become vegetarian. Reduce emissions from cars by walking or cycling. These are not just great alternatives to driving, they are also great exercise. Reuse of carry bags. When going shopping, make it a habit to bring your own eco-bags and say no to plastic bags as much as possible.
Corporate Environmental Responsibility (CER) be supplemented with Corporate Social Responsibility (CSR)

The concept of *Corporate Environmental Responsibility* is generally understood to mean that corporations have a degree or responsibility not only for the economic consequences of their activities, but also for the environmental implications. The sustainability could only be achieved by collective efforts of government, corporate and public. The Companies Act, 2013 which has introduced the concept of CSR under Section 135 and Schedule VII, contains a list of the activities which a company can undertake as part of its CSR in initiatives. Activities which may be included by companies in their CSR policies include ensuring environmental sustainability. It provides that the companies should have a social responsibility to protect the environment beyond legal requirements. There is need to change laws so that this process can be strictly implemented and companies can be held accountable for their environmental impacts. We have often heard about violation of environment protection law and sustainable development principles by corporate for their gain, but it is not true in all the cases. Industries have to take inspiration from the following corporate, which are very bonded for environment and society.

Adoption of Concept of Green Taxes

The Government must seriously keep checks on the industries which are emitting the carbon, must subsidise in purchasing the technology wherein zeroing the carbon is possible and pressurise to advanced the technology as well as wherein polluting the water to establish the treatment plant and preserve the carbon residue and help to start producing the bricks or use of carbon for filling the land wherever it is needed. The concept of green taxes should be adopted by the government of India. It will create fear in the minds of people who frequently pollutes the environment. The concept of reduction of tax on incomes and institute a tax on pollution should be adopted like it was a suggestion by environmental crusader Al Gore (Former Vice-President of America) for India to tackle the issue of global warming effectively. *Gore* in an interactive session at the India said that: "*Reduce tax on employees and employers and put a tax on pollution. The more carbon dioxide one emits the more he pays in taxes.*” It is submitted that centre government must come forward and should insert the new clause of green tax in the environment protection related statutes.
Need of Public Participation

Our laws have no provisions regarding the public participation. It is really strange that one, who is directly affected by such acts, has no knowledge about the proposed environmental actions. So there should be insertion of public participation in environment protection statute and it will help the general public regarding the awareness towards their environment. It should be duty of every citizen to protect the natural sources. Moreover, to make the air cleaner, there is need to adopt some measures, like use of good quality petrol/diesel, alternative fuel like CNG and vehicles run with electricity, avoid use of loud-speakers, amplifier and DJ’s on religious places, avoid use of firecrackers, use of electric solar crematorium, replacement of electric system into solar system, walk, use cycles or public transportation; turn off engine when waiting, organic farming practices and do not burn agro waste. Apart from that, the well-adjusted engine systems and timely replacement of wearing engine parts could reduce pollutant emissions etc.

Positive Role of Media

Media is a very important organ of the Government. It is considered as fourth pillar of democracy. Therefore, Governments and media should aim for a major increase in awareness of the importance of the concept of sustainable development among the people. They should promote understanding of the importance of the concept. The researcher concludes that still 80.3% persons are not aware regarding the concept of carbon trading. The fact carbon credits by setting up energy substitution or fuel switching projects like biogas plants, solar cookers, solar cells and smokeless chulas etc. Moreover, India being a developed country has no emission targets to be followed. Therefore, it is to be suggested that under these circumstances media must come forward positively and bring awareness among the common masses regarding the carbon trading through the advertisement and awareness programmes etc.

Positive Efforts of Government

It is now for the Indian Government to initiate the process for restructuring of environmental policies and laws aimed at incorporating the substantive environmental law principles. This would remove the hurdle of lack of substantive legal principles in the Indian laws and then it would be a duty for both the enforcement agencies and public to contribute towards environmental protection without the necessity of
igniting the writ jurisdictions of the Indian courts by filing public interest litigation. Lack of sound environmental law principles in Indian environmental and forest policies and laws is a major hurdle in effective environmental governance. This is the reason that the Indian Planning Commission has recommended for a review of the laws and their revision. Schools have failed to inculcate in the students a deep love and attachment to Nature. No wonder they grow up without any concern for the environment which asks little but gives plenty in return. Voluntary organizations can help by advising the government about some local environmental and at the same time interacting at the grass-root levels.

**Promotion of Green Consumerism**

Green Consumerism is also a part of ecological modernization. To achieve Green Consumerism is necessary for sustainable society. Green Consumerism means the buying process of green products. Undoubtedly, the buying process of green or sustainable products has increased over the last few years; still more awareness is required among the masses. Therefore, there is need to increases sustainable production and consumption policies by the government and industrialists. In other words, it can be said that only green advice is not sufficient to the consumers. Government agencies and industrialists have to come forward and manufacture more green products on cheap prices than the non-green products.

**Need for Effective Measures for Crop Burning**

The problem of pollution caused by rice and wheat crop stubble burning has not received much attention by the policymakers and the various pollution authorities till recently. This could be partially due to the fact that the rice burning (the major source agri waste burning pollution) takes place only during selected months of October, November and December. The pollution is restricted only during these months. However even during these months there is considerable loss to human health and environment degradation. Air pollution contributes to the respiratory diseases like eye irritation, bronchitis, emphysema, asthma etc., which not only increases individuals’ diseases mitigation expense but also affect their productivity at work. Though health consequences from burning of agricultural residues are not fully understood, relative short exposure may be more of a nuisance rather than a real health hazard. Therefore there is a need for effective machinery which will reduce this
problem of crop burning. Measures should be taken to reduce the use of fire in agriculture. The stubble treated with urea as a fodder for animals, its use in biothermal energy production, paper manufacturing, mushroom cultivation, bedding for animals, etc. Development and implementation of enhanced Smoke Management Programs and banning on burning in night. Alternatives to burning agricultural residue like collection and transportation of agricultural residues, gasification as a fuel for the boilers, converting into briquettes and designing of suitable harvester should be promoted.

Finally, protection of the environment and keeping ecological balance unaffected is a task which not only the government but also every individual, association and corporation must undertake. It is a social obligation and fundamental duty enshrined in Article 51 A (g) of the Constitution of India. There is a need to have a comprehensive and an integrated law on environmental protection for meaningful enforcement. Such a step will be undoubtedly a leap forwards towards sustainable development and augmentation of strong environmental regime. The term eco friendly should become part of one’s every day vocabulary, because awareness among the people and executive is the only way to achieve the concept of sustainability.