CHAPTER – 4

ENVIRONMENTAL LAWS IN INDIA AND GREEN MARKETING
Environmental Laws in India and Green Marketing

4.1: Introduction

The current focus on environment is not new - environmental considerations have remained an integral part of the Indian culture. The need for conservation and sustainable use of natural resources has been expressed in Indian scriptures more than three thousand years ago and is reflected in the Indian constitutional, legislative and policy framework and so also in India’s commitments to the world. Companies realize that consumers today have an increased awareness of the environmental impact that modern goods may have. Environmental claims are now relevant to a larger product range, from small household items such as nappies, toilet paper, cleaners and detergents to major white goods and appliances. Many consumers consider environmental claims, such as water or energy efficiency, as a major factor while evaluating the products they would purchase. Therefore, it is essential that consumers are provided with accurate information to enable them make informed decisions.

Environmental claims thus can be a powerful marketing tool. Companies are increasingly using environmental claims in an attempt to differentiate themselves and their products from the competition. These claims come in a wide range of forms, including statements about environmental sustainability, recycling, energy and water efficiency or impact on animals and the natural environment. Firms which make environmental or ‘green’ claims should ensure that their claims are scientifically sound and appropriately substantiated because consumers rely on the environmental claims the companies make and therefore expect that these claims must hold the truth. It is therefore essential that companies while making environmental claims must observe the various Acts and Laws relating to environmental protection.

This chapter therefore attempts to highlight the different laws in relation to protection of environment as prevalent in India today along with examining the avenues for green marketing within these laws.
4.2: Environment Protection Laws in India

Several environmental legislations existed in India even before her independence in 1947. The real impetus for bringing about a well-developed framework however came only after the UN Conference on the Human Environment (Stockholm, 1972). As an outcome of the UN declaration that the National Council for Environmental Policy and Planning was set up in India in the year 1972 under the ambient of the Department of Science and Technology. This Council later evolved into a full-fledged Ministry, the Ministry of Environment and Forests (MoEF) in 1985 which is today the apex administrative body in India for regulating and ensuring environmental protection. The MoEF and the pollution control boards (PCBs), both the Central Pollution Control Board (CPCB) and the State Pollution Control Boards (SPCBs), together form the regulatory and administrative unit of the Environment and Forest in India.

It is after the Stockholm Conference in 1976 that the constitutional sanction was accorded to environmental concerns through the 42nd Amendment of the Indian constitutions, which incorporated them into the Directive Principles of State Policy and Fundamental Rights and Duties. An extensive network of environmental legislation has grown in India from the 1970s.

A policy framework has also been developed in between to complement the legislative provisions. The Policy Statement for Abatement of Pollution and the National Conservation Strategy, and the Policy Statement on Environment and Development were brought out by the MoEF in 1992, in a view to developing and promoting initiatives for protection and improvement of the environment. The Environmental Action Programme (EAP) was formulated in 1993 with the objective of improving environmental services and integrating environmental considerations into the development programmes. Several other measures have also been taken by the government to protect and preserve the environment.

The Indian retail companies and multinational corporations operating in India are thus confronted with a growing variety of legislations designed to address environment issues because the concern for the environment extends beyond industrial
pollution, hazardous waste disposal, and rampant deforestation to include issues that focus directly on consumer products. Green marketing laws focus on environment friendly products and on product packaging and its impact on solid waste management. The following paragraphs deal with the legal and regulatory laws prevalent in India.

4.3: The legal and regulatory framework for environmental protection in India

India is among the first few countries in the world to provide for the protection and improvement of the environment in the national constitution, and it has taken several steps in designing policies and legislation to overcome environmental problems. India’s efforts have been on since long through various policies and programme to protect the environment. The various Acts in this regard have been **five folds- Laws relating to Water, Air, Forests and Wildlife, Environment in General, and Management of Hazardous Wastes** as shown in Table 4.1.

Each of the Acts mentioned in Table 4.1 may be briefly discussed as under:

**4.3.1: Water**

Water quality standards especially those for drinking water are set by the Indian Council of Medical Research. These bear close resemblance to WHO standards. The discharge of industrial effluents is regulated by the Indian Standard Codes and recently, water quality standards for coastal water marine outfalls have also been specified. In addition to the general standards, certain specific standards have been developed for effluent discharges from industries such as, iron and steel, aluminum, pulp and paper, oil refineries, petrochemicals and thermal power plants.

The Acts to control water pollution in India are

(1) **Water (Prevention and Control of Pollution) Act, 1974**
(2) **Water (Prevention and Control of Pollution) Cess Act, 1977**
(3) **Water (Prevention and Control of Pollution) Cess rules 1978.**
### Table 4.1: Legislations for environment protection in India

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Environmental Protection Laws</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Water</strong></td>
</tr>
<tr>
<td></td>
<td>1.1 Water (Prevention and Control of Pollution) Act, 1974</td>
</tr>
<tr>
<td></td>
<td>1.3 Water (Prevention and Control of Pollution) Cess rules 1978</td>
</tr>
<tr>
<td>2</td>
<td><strong>Air</strong></td>
</tr>
<tr>
<td></td>
<td>2.1 Air (Prevention and Control of Pollution) Act, 1981</td>
</tr>
<tr>
<td></td>
<td>2.2 The Air (Prevention and Control of Pollution) Rules 1982</td>
</tr>
<tr>
<td></td>
<td>2.3 Atomic Energy Act of 1982</td>
</tr>
<tr>
<td></td>
<td>2.4 Air (Prevention and Control of Pollution) Amendment Act, 1987</td>
</tr>
<tr>
<td></td>
<td>2.5 Motor Vehicles Act, 1988</td>
</tr>
<tr>
<td>3</td>
<td><strong>Forests and Wildlife</strong></td>
</tr>
<tr>
<td></td>
<td>3.1 The Wildlife (Protection) Act, 1972, Amendment 1991</td>
</tr>
<tr>
<td></td>
<td>3.2 The Forest (Conservation) Act, 1980</td>
</tr>
<tr>
<td>4</td>
<td><strong>Environment Protection and Management Acts in General</strong></td>
</tr>
<tr>
<td></td>
<td>4.1 Environment (Protection) Act, 1986 (EPA)</td>
</tr>
<tr>
<td></td>
<td>4.2 The Environment (Protection) Rules, 1986</td>
</tr>
<tr>
<td></td>
<td>4.3 The National Environment Appellate Authority Act, 1997</td>
</tr>
<tr>
<td>5</td>
<td><strong>Acts related to management of Hazardous Wastes</strong></td>
</tr>
<tr>
<td></td>
<td>5.1 Factories Act, 1948 and its Amendment in 1987</td>
</tr>
<tr>
<td></td>
<td>5.2 Public Liability Insurance Act (PLIA), 1991</td>
</tr>
<tr>
<td></td>
<td>5.3 National Environment Tribunal Act, 1995</td>
</tr>
<tr>
<td></td>
<td>5.4 Recycling and E waste (Management and Handling) Rules 2011</td>
</tr>
</tbody>
</table>

A brief outline of these acts is as follows.

#### 4.3.1.1: Water (Prevention and Control of Pollution) Act, 1974

This Act represented India’s first attempts to comprehensively deal with environmental issues. The Act prohibits the discharge of pollutants into water bodies beyond a given standard, and lays down penalties for non-compliance.
The Act was amended in 1988 to conform closely to the provisions of the EPA, 1986. It set up the CPCB (Central Pollution Control Board) which lays down standards for the prevention and control of water pollution. At the State level, the SPCBs (State Pollution Control Board) function under the direction of the CPCB and the state government.

4.3.1.2: Water (Prevention and Control of Pollution) Cess Act, 1977

This Act provides for a levy and collection of a cess on water consumed by industries and local authorities. It aims at augmenting the resources of the central and state boards for prevention and control of water pollution.

4.3.1.3: Water (Prevention and Control of Pollution) Cess rules 1978

The Water (Prevention and Control of Pollution) Cess rules 1978 which came as a fallout to Water (Prevention and Control of Pollution) Cess Act, 1977 in order to define the standards and indications for the kind of and location of meters that every consumer of water is required to install.

4.3.2: Air

The various acts in relation to control of air pollution that have been enacted over the years in India are

(1) Air (Prevention and Control of Pollution) Act, 1981
(2) The Air (Prevention and Control of Pollution) Rules 1982
(3) Atomic Energy Act of 1982
(4) Air (Prevention and Control of Pollution) Amendment Act, 1987

A brief contents of which are as follows:

4.3.2.1: Air (Prevention and Control of Pollution) Act, 1981

To counter the problems associated with air pollution, ambient air quality standards were established, under the Air (Prevention and Control of Pollution) Act, 1981. The Act provides means for the control and abatement of air pollution. The Act seeks to combat air pollution by prohibiting the use of polluting fuels and substances as well as
by regulating appliances that give rise to air pollution. Under the Act establishing or operating of any industrial plant in the pollution control area requires consent from State Boards. The Boards are also expected to test the air in air pollution control areas, inspect pollution control equipment, and manufacturing processes. In the context, the National Ambient Air Quality Standards (NAAQS) for major pollutants were notified by the Central Pollution Control Board (CPCB) in April 1994. The NAAQS prescribe specific air standards for industrial, residential, rural and other sensitive areas. Industry-specific emission standards have also been developed for iron and steel plants, cement plants, fertilizer plants, oil refineries and the aluminum industry.

4.3.2.2: The Air (Prevention and Control of Pollution) Rules 1982

The Air (Prevention and Control of Pollution) Rules 1982 has been formulated to define the procedures for conducting meetings of the boards, the powers of the presiding officers, decision-making, the quorum; manner in which the records of the meeting were to be set etc.

4.3.2.3: Atomic Energy Act of 1982

This act came as complementary to the Air (Prevention and Control of Pollution) Act, 1981 and The Air (Prevention and Control of Pollution) Rules 1982, to deal with radioactive waste.

4.3.2.4: Air (Prevention and Control of Pollution) Amendment Act, 1987

The Air (Prevention and Control of Pollution) Amendment Act, 1987 was enacted to empower the central and state pollution boards to take immediate measures to tackle grave emergencies and also to recover expenses incurred from the offenders. The Boards were also empower by virtue of this amendment to cancel the approvals already accorded for non-fulfillment of the prescribed conditions.

4.3.2.5: Motor Vehicles Act, 1988

The Motor Vehicles Act 1988 was enacted to regulate vehicular traffic, besides ensuring proper packaging, labeling and transportation of the hazardous wastes. The Mass emission standards were notified in 1990, which were made more stringent in
1996. In 2000 these standards were revised again and for the first time separate obligations for vehicle owners, manufacturers and enforcing agencies were stipulated. In addition, fairly stringent Euro I and II emission norms were notified by the Supreme Court on April 29, 1999 for the city of Delhi. The notification made it mandatory for car manufacturers to conform to the Euro I and Euro II norms by May 1999 and April 2000, respectively, for new noncommercial vehicle sold in Delhi.

4.3.3: Forests and Wildlife

The various acts in relation to conservation of forests and wildlife are


A brief about each act is mentioned below:

4.3.3.1: The Wildlife (Protection) Act, 1972, and Amendment Act 1991

The WPA (Wildlife Protection Act), 1972, provides provision for protection species of flora and fauna and establishes a network of ecologically-important protected areas in India for wildlife protection. The WPA empowers the central and state governments to declare any area a wildlife sanctuary, national park or protected area. No industrial activity can be carried out inside these protected areas. It provides for authorities to administer and implement the Act; regulate the hunting of wild animals; protect specified plants, sanctuaries, national parks and protected areas; restrict trade or commerce in wild animals or animal articles. This Act prohibits hunting of animals except with permission of authorized officer when an animal has become dangerous to human life or property or disabled or diseased as to be beyond recovery (WWF-India, 1999). The near-total prohibition on hunting was made more effective by the Amendment Act of 1991.

4.3.3.2: The Forest (Conservation) Act, 1980

This Act was adopted to protect and conserve forests. The Act restricts the powers of the state in respect of de-reservation of forests and use of forestland for non-forest activities (the term 'non-forest purpose' includes clearing any forestland for cultivation of cash crops, plantation crops, horticulture or any purpose other than reforestation).
4.3.4: Environment Protection and Management Acts in General

There are mainly three Acts that fall under the general rules to protect the environment. They are

(1) Environment (Protection) Act, 1986
(2) The Environment (Protection) Rules, 1986
(3) The National Environment Appellate Authority Act, 1997

A brief description of these Acts may be given as follows:

4.3.4.1: Environment (Protection) Act, 1986

This Act is an umbrella legislation designed to provide a framework for the coordination of central and state authorities established under the Water (Prevention and Control) Act, 1974 and Air (Prevention and Control) Act, 1981. Under this Act, the central government is empowered to take measures necessary to protect and improve the quality of the environment by setting standards for emissions and discharges; regulating the location of industries; management of hazardous wastes, and protection of public health and welfare. From time to time the central government issues notifications under the Environment (Protection) Act (EPA) for the protection of ecologically-sensitive areas or issues guidelines for matters under the EPA.

Some of the notifications issued under this Act are:

- Doon Valley Notification (1989), which prohibits the setting up of an industry in which the daily consumption of coal/fuel is more than 24 MT (million tonnes) per day in the Doon Valley.
- Coastal Regulation Zone Notification (1991), which regulates activities along coastal stretches. As per this notification, dumping ash or any other waste is prohibited. The thermal power plants (only foreshore facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated waste water/cooling water) require clearance from the MoEF.
- Dhanu Taluka Notification (1991), under which the district of Dhanu Taluka has been declared an ecologically fragile region and setting up power plants in its vicinity is prohibited.
- Revdanda Creek Notification (1989), which prohibits setting up industries in the belt around the Revdanda Creek as per the rules laid down in the notification.

- The Environmental Impact Assessment of Development Projects Notification, (1994 and as amended in 1997). As per this notification:
  - Projects under the relicensed category of the New Industrial Policy require clearance from the MoEF.
  - All developmental projects located in fragile regions must obtain MoEF clearance.
  - Industrial projects with investments above Rs 500 million must obtain MoEF clearance and are further required to obtain a LOI (Letter Of Intent) from the Ministry of Industry, and an NOC (No Objection Certificate) from the State Pollution Control Board and the State Forest Department if the location involves forestland.

- The notification also stipulates procedural requirements for the establishment and operation of new power plants. As per this notification, two-stage clearance for site-specific projects such as pithead thermal power plants and valley projects is required. Site clearance is given in the first stage and final environmental clearance in the second.

- Ash Content Notification (1997), required the use of beneficiated coal with ash content not exceeding 34% with effect from June 2001, (the date later was extended to June 2002). This applies to all thermal plants located beyond one thousand kilometers from the pithead and any thermal plant located in an urban area or, sensitive area irrespective of the distance from the pithead except any pithead power plant.

- Taj Trapezium Notification (1998), provided that no power plant could be set up within the geographical limit of the Taj Trapezium assigned by the Taj Trapezium Zone Pollution (Prevention and Control) Authority.

- Disposal of Fly Ash Notification (1999) the main objective of which is to conserve the topsoil, protect the environment and prevent the dumping and disposal of fly ash discharged from lignite-based power plants. The salient feature of this notification is that no person within a radius of 50 km from a
coal-or lignite-based power plant shall manufacture clay bricks or tiles without mixing at least 25% of ash with soil on a weight-to-weight basis.

Rules for the Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms/Genetically Engineered Organisms or Cell was introduced in 1989 with the view to protect the environment, nature and health in connection with gene technology and micro-organisms, under the Environmental Protection Act, 1986. The government in 1991 further decided to institute a national label scheme for environmentally-friendly products called the 'ECOMARK'. The scheme attempts to provide incentives to manufacturers and importers to reduce adverse environmental impacts, reward genuine initiatives by companies, and improve the quality of the environment and sustainability of available resources.

4.3.4.2: The Environment (Protection) Rules, 1986

These rules lay down the procedures for setting standards of emission or discharge of environmental pollutants. The Rules prescribe the parameters for the Central Government, under which it can issue orders of prohibition and restrictions on the location and operation of industries in different areas. These rules lay down the procedure for taking samples, serving notice, submitting samples for analysis and laboratory reports.

4.3.4.3: The National Environment Appellate Authority Act, 1997

This Act provided for the establishment of a National Environment Appellate Authority to hear appeals with respect to restriction of areas in which any industry operation or process or class of industries, operations or processes could not carry out or would be allowed to carry out subject to certain safeguards under the Environment (Protection) Act, 1986.

In addition to these, various Acts specific to the coal sector have been enacted. The first attempts in this direction can be traced back to the Mines Act, 1952, which promoted health and safety standards in coal mines. Later the Coal Mines (Conservation and Development) Act (1974) came up for conservation of coal during mining operations. For conservation and development of oil and natural gas resources a similar legislation was enacted in 1959.
4.3.5: Acts relating to Management of Hazardous Wastes

There are several legislations that directly or indirectly deal with hazardous waste. The relevant legislations are

(1) The Factories Act, 1948
(2) The Public Liability Insurance Act, 1991
(3) The National Environment Tribunal Act, 1995
(4) Recycling and E waste (Management and Handling) Rules 2011

Besides the above mentioned Acts, there are also certain notifications under the Environmental Protection Act of 1986 all of which are briefly described below:

4.3.5.1: Factories Act, 1948 and its Amendment in 1987

The Factories Act, 1948 was a post-independence statute that explicitly showed concern for the environment. The primary aim of the 1948 Act has been to ensure the welfare of workers not only in their working conditions in the factories but also their employment benefits. While ensuring the safety and health of the workers, the Act contributes to environmental protection. The Act contains a comprehensive list of 29 categories of industries involving hazardous processes, which are defined as a process or activity where unless special care is taken, raw materials used therein or the intermediate or the finished products, by-products, wastes or effluents would:

- Cause material impairment to health of the persons engaged
- Result in the pollution of the general environment

4.3.5.2: Public Liability Insurance Act, 1991

The Act covers accidents involving hazardous substances and insurance coverage for the following case where death or injury results from an accident, by making the owner liable to provide relief as is specified in the Schedule of the Act. The Public Liability Insurance Act was amended in 1992, and the Central Government was authorized to establish the Environmental Relief Fund for making the relief payments.

4.3.5.3: National Environment Tribunal Act, 1995

The Act provided strict liability for damages arising out of any accident occurring while handling any hazardous substance and for the establishment of a National
Environment Tribunal for effective and expeditious disposal of cases arising from such accident, with a view to give relief and compensation for damages to persons, property and the environment and for the matters connected therewith or incidental.

4.3.5.4: Recycling and E waste (Management and Handling) Rules 2011

Putting the onus of re-cycling of electronic wastes (e-waste) on the producers, the Ministry of Environment and Forest (MoEF) has for the first time notified e-waste management rules.

The e-waste (management and handling) Rules, 2011 would recognize the producers’ liability for recycling and reducing e-waste in the country. The rules will come into effect from May 1, 2012. These rules will apply to every producer, consumer and bulk consumer involved in manufacture, sale, and purchase and processing of electronic equipment or components. The ministry is giving the producers of electrical and electronic equipment a breathing period of one year to set up their collection centres. The rules will come under the Environment Protection Act (EPA).

Under the new rules, producers will have to make consumers aware about the hazardous components present in the product. Also, instructions for consumers for handling the equipment after its use along with the do’s and do nots. They will also have to give information booklets to prevent e-waste from being dropped in garbage bins.

Notifications under the EPA, 1986:

Under the EPA 1986, the MoEF has issued several notifications to tackle the problem of hazardous waste management. These include:

- Hazardous Wastes (Management and Handling) Rules, 1989, which brought out a guide for manufacture, storage and import of hazardous chemicals and for management of hazardous wastes.
- Biomedical Waste (Management and Handling) Rules, 1998, were formulated along parallel lines, for proper disposal, segregation, transport etc. of infectious wastes.
- Municipal Wastes (Management and Handling) Rules, 2000, whose aim was to enable municipalities to dispose municipal solid waste in a scientific manner.
- Hazardous Wastes (Management and Handling) Amendment Rules, 2000, a recent notification issued with the view to providing guidelines for the import and export of hazardous waste in the country.

4.4: Eco-Labeling

The Government of India has decided to institute a Scheme on Labeling of Environment Friendly Products, called Eco-Labeling. The scheme will operate on a national basis and provide accreditation and labeling for household and other consumer products which meet certain environmental criteria along with quality requirements of the Indian standards for that product. The label shall be known as the "ECOMARK" and will be of the design to be notified.

The specific objectives of the scheme are as follows:
- To provide an incentive for manufacturers and importers to reduce adverse environmental impact of products.
- To reward genuine initiatives by companies to reduce adverse environmental impact of their products.
- To assist consumers to become environmentally responsible in their daily lives by providing information to take account of environmental factors in their purchase decisions.
- To encourage citizens to purchase products which have less harmful environment impacts.
- Ultimately to improve the quality of the environment and to encourage the sustainable management of resources.

Award of the ‘ECOMARK’

The award of the ‘ECOMARK’ will involve three stages as under:
- A steering committee is set up in the Ministry of Environment and Forests, to determine the product categories for coverage under the scheme and also
formulate strategies for promotion, implementation, future development and improvements in the working of the scheme.

- A technical committee is set up in the Central Pollution Control Board, to identify the specific product to be selected and the individual criteria to be adopted, including, wherever possible, inter-se priority between the criteria if there be more than one.

- The Bureau of Indian Standards to assess and certify the products and draw up a contract with the manufacturers, allowing the use of the label, on the product.

- The Bureau of Indian Standards (BIS) shall implement the scheme.

Certification and Licensing under the ECOMARK scheme

- Under the scheme the manufacturers shall apply for testing and certification of products which fall under the notified categories in terms of their compliance with published environmental criteria in the prescribed form. The terms and conditions governing operations of licenses including fees shall be as per the Bureau of Indian Standards Act and the regulations framed there under.

- Testing and certification shall be carried out by the Bureau of Indian Standards. For product categories which have the Indian Standards mark, the Bureau of Indian Standards will ordinarily complete the task of certification within a period of three months. Products certified as eligible for the ECOMARK shall be licensed to carry the ECOMARK for a prescribed time period.

- The product shall be reassessed after the prescribed period and the license fee shall have to be paid again for the mark.

Criteria for ECOMARK

Environmental criteria for each product category will be notified by the Central Government and later on shall be translated into Indian Standards by the Bureau of Indian Standards. The criteria shall be for broad environmental levels and aspects, but
will be specific at the product level. Products will be examined in terms of the following main environmental impacts:

- The products have substantially less potential for pollution than other comparable products in production, usage and disposal.

- These products are recycled, recyclable, made from recycled products or biodegradable, where comparable products are not.

- That they make significant contribution to saving of non-renewable resources, including non renewable energy sources and natural resources.

- The product must contribute to a reduction of the adverse primary criteria which has the highest environmental impact associated with the use of the product, and which will be specifically set for each of the product categories.

The label shall be awarded for a minimum period of one year and shall roll forward annually. The Bureau of Indian Standards have the powers to withdraw the license at any time if they find any misleading information. The award may also be withdrawn in case of any change in criteria due to the advancement of technology or any other valid reasons, in consultation with the technical committee. The time period of the award may be reviewed from time to time.

**The Logo**

The Logo for the 'ECOMARK' shall be as notified by the Central Government.

**4.5: Relevance of Environment Protection Acts to Green Marketing**

Each of the Laws mentioned above has a bearing on the firms' approach to safeguarding the environment especially in relation to the impact on the environment of their products or services or the manner they conduct their businesses.

Attempt has been made to identify and display as in Table 4.2 how different companies have reoriented their products and/or services to conform to the environmental laws in India in the form of green marketing.
<table>
<thead>
<tr>
<th>Laws</th>
<th>Name of the Act</th>
<th>Year of enactment</th>
<th>Broad purpose</th>
<th>Brief outline</th>
<th>Relevance to Green Marketing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment Protection and Management Acts in General</td>
<td>The Environment (Protection) Act, 1986</td>
<td>1986</td>
<td>Protection of Environment</td>
<td>This act authorizes the central government to protect and improve environmental quality, control and reduce pollution from all sources, and prohibit or restrict the setting and/or operation of any industrial facility on environmental grounds.</td>
<td>Encourages companies to adopt green technology and/or manufacture and market green products, e.g., the green batteries manufactured by Tata or that of the Japanese brand ‘OKAYA’; Green Range of Printers on offer in the market; the 5 Star rated ACs, and the REVA electric car, to list a few.</td>
</tr>
<tr>
<td></td>
<td>The Environment (Protection) Rules, 1986</td>
<td>1986</td>
<td>Protection of Environment</td>
<td>Lays down procedures for setting standards of emission or discharge of environmental pollutants</td>
<td>The Centre for Science and Environment (CSE)’s Green Rating Project (GRP) was started as a civil society initiative to develop an alternative form of governance to control industrial pollution in India. GRP has laid down clear guidelines for the industry to improve its environmental performance.</td>
</tr>
</tbody>
</table>

Contd....
<table>
<thead>
<tr>
<th>The objective of Hazardous Waste (Management and Handling) Rules, 1989</th>
<th>1989</th>
<th>Management and Handling of Hazardous Waste</th>
<th>These rules are to control the generation, collection, treatment, import, storage, and handling of hazardous waste.</th>
<th>This law has initiated the growth of many consulting firms who are collaborating with Indian organizations to provide solutions to manage their hazardous wastes.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Manufacture, Storage, and Import of Hazardous Rules, 1989</td>
<td>1989</td>
<td>Manufacture, Storage and Import of Hazardous Materials</td>
<td>These rules define the terms used in this context, and sets up an authority to inspect, once a year, the industrial activity connected with hazardous chemicals and isolated storage facilities.</td>
<td>Indian organizations are implementing the integrated municipal solid waste (MSW) management plan that meets the regulatory norms.</td>
</tr>
<tr>
<td>The Manufacture, Use, Import, Export, and Storage of hazardous Micro-organisms/Genetically Engineered Organisms or Cells Rules, 1989</td>
<td>1989</td>
<td>Manufacture, Use, Import, Export, and Storage of hazardous Micro-organisms/Genetically Engineered Organisms or Cells</td>
<td>These rules were introduced with a view to protect the environment, nature, and health, in connection with the application of gene technology and microorganisms.</td>
<td>The public and private hospitals and organizations are increasingly managing their bio-medical waste in an environment friendly manner, such as by putting different colored bins for safe disposal of different colored disposable bags.</td>
</tr>
<tr>
<td>The Public Liability Insurance Act and Rules and Amendment, 1991</td>
<td>1991</td>
<td>Public Liability Insurance</td>
<td>Was drawn up to provide for public liability insurance for the purpose of providing immediate relief to the persons affected by accident while handling any hazardous substance.</td>
<td>Insurance companies cover the business for damages and compensation payouts along with any related legal fees in the event that the business has caused injury or death to a member of the public or damage to their property.</td>
</tr>
<tr>
<td>The National Environmental Tribunal Act, 1995</td>
<td>1995</td>
<td>Environmental Tribunal</td>
<td>Has been created to award compensation for damages to persons, property, and the environment arising from any activity involving hazardous substances.</td>
<td>The National Green Tribunal (NGT), a specialized body with representation of scientific experts to handle environmental disputes that involve cross-disciplinary issues, was designed to seek &quot;effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment. The NGT has started functioning from July 4, 2011 from Mumbai.</td>
</tr>
</tbody>
</table>

Contd....
<table>
<thead>
<tr>
<th>The National Environment Appellate Authority Act, 1997</th>
<th>1997</th>
<th>Environment Appellate Authority</th>
<th>It has been created to hear appeals with respect to restrictions of areas in which classes of industries etc. are carried out or prescribed subject to certain safeguards under the EPA</th>
<th>Communities can come together to understand the upcoming and existing projects which have negative impact on the environment and appeal against such projects. Ashoka India is a group promoted by social entrepreneurs who work towards awareness and implications of such projects and for providing legal solutions to it.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Biomedical Waste (Management and Handling) Rules, 1998</td>
<td>1998</td>
<td>Biomedical Waste Management and Handling</td>
<td>Is a legal binding on the health care institutions to streamline the process of proper handling of hospital waste such as segregation, disposal, collection, and treatment</td>
<td>Organizations in India are managing their waste in the aspects of segregation of wastes in different color-coded bags and containers. The disposal operations are carried out using incineration and sterilization as the two main modes. Ramky Enviro Engineers Ltd were the pioneers in starting India's first Biomedical Waste Management facilities.</td>
</tr>
<tr>
<td>The Environment (Siting for Industrial Projects) Rules, 1999</td>
<td>1999</td>
<td>Citing of Industrial Projects on Environmental front</td>
<td>Lay down detailed provisions relating to areas to be avoided for setting of industries, precautionary measures to be taken for site selecting as also the aspects of environmental protection which should have been incorporated during the implementation of the industrial development projects.</td>
<td></td>
</tr>
<tr>
<td>The Municipal Solid Wastes (Management and Handling) Rules, 2000</td>
<td>2000</td>
<td>Municipal Solid Wastes Management and Handling</td>
<td>Apply to every municipal authority responsible for the collection, segregation, storage, transportation, processing, and disposal of municipal solid wastes.</td>
<td></td>
</tr>
</tbody>
</table>

Citing the need to protect the environment and local residents, Indian courts and government agencies have started blocking — or even cancelling — a growing number of industrial projects. Many MNC’s like Vedanta and Lafarge operating in Mining and Cement sector have not been allowed to carry out operations in sensitive areas.

Organizations are developing cost effective and environmentally sound techniques and strategies to manage solid waste. Awareness is also created among the public to the need for waste management. Establishment of the National Solid Waste Association of India (NSWAI) on 25th January

Contd....
1996 is step forward in this direction. The association is also a member of the International Solid Waste Association (ISWA) which provides a platform for exchange of information and expertise in the field of Solid Waste Management at the international level.

<table>
<thead>
<tr>
<th>The Ozone Depleting Substances (Regulation and Control) Act, 2002</th>
<th>2000 Ozone Depleting Substances (Regulation and Control)</th>
<th>Rules have been laid down for the regulation of production and consumption of ozone depleting substances.</th>
</tr>
</thead>
</table>

This law led to the introduction of 'Ecofrig', a concept used in the Indian refrigerator market. Godrej Appliances Ltd. gave the first Ecofrig to the Indian consumer, followed by LG and Whirlpool. CUTS-Centre for Sustainable Production and Consumption based at Calcutta works simultaneously at the grassroots, national and international levels on various issues that ultimately, directly or indirectly, affect the consumer in this area.

Contd....
<table>
<thead>
<tr>
<th>The Batteries (Management and Handling) Rules, 2001</th>
<th>Batteries - Management and Handling</th>
<th>These rules shall apply to every manufacturer, importer, reconditioner, assembler, dealer, auctioneer, consumer, and bulk consumer involved in the manufacture, processing, sale, purchase, and use of batteries or components so as to regulate and ensure the environmentally safe disposal of used batteries</th>
<th>Companies like Panasonic, Duracell give information to consumers regarding safe disposal of batteries through their website as well as during its purchase. Gravita Exim Limited gives solutions to the organizations for recycling the batteries.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Noise Pollution (Regulation and Control) (Amendment) Rules, 2002</td>
<td>Noise Pollution-Regulation and Control</td>
<td>Lays down such terms and conditions as are necessary to reduce noise pollution, permit use of loudspeakers or public address systems during night hours (between 10:00 p.m. to 12:00 midnight) on or during any cultural or religious festive occasion</td>
<td>A noise management plan is submitted to the organizations while getting approval for their construction. Acoustic screens and enclosures to be put to control noise from construction activity. Green Buildings developed like ITC Green Centre follow noise management system. The Environmental Research Institute (TERI) provides consultancy in this field.</td>
</tr>
<tr>
<td>Date</td>
<td>Act/Movement</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>Biological Diversity Act, 2002</td>
<td>This act is to provide for the conservation of biological diversity, sustainable use of its components, and fair and equitable sharing of the benefits arising out of the use of biological resources and knowledge associated with it.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Organizations are partnering with Government of India for safeguarding the biological diversity. Reliance Industries Ltd. is partnering with the Ministry of Environment and Forests, Government of India and Gujarat Ecological Commission to set up the National Centre for Marine Biodiversity (NCMB) for protection of coastal biodiversity.</td>
<td></td>
</tr>
<tr>
<td>1927</td>
<td>Forest and Wildlife Act and Amendment, 1984</td>
<td>Is one of the many surviving colonial statutes. It was enacted to 'consolidate the law related to forest, the transit of forest produce, and the duty leviable on timber and other forest produce'</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Organizations are becoming more and more aware about environmental protection. Coca Cola, and Genpact for example were active participants in the 'Plant million trees' campaign in the Gurgaon Biodiversity Park. These companies are focusing on greening their own surroundings as well.</td>
<td></td>
</tr>
</tbody>
</table>

Contd....
| Wildlife Protection Act, Rules 1973 and Amendment 1991 | 1972 | Wildlife Protection | Provides for the protection of birds and animals and for all matters that are connected to it whether it be their habitat or the waterhole or the forests that sustain them | Indian companies, through their campaigns, are spreading message to the consumers for preservation of animal. For example, AIRCELL’s campaign is ‘save tiger’. |
| The Forest (Conservation) Act and Rules, 1981 | 1980 | Forest Conservation | It provides for the protection of and the conservation of the forests. | Indian companies are focusing on greening their environment and plantation in forest areas. Reliance Industries Ltd is focusing on mangrove plantation in coastal Gujarat. |
| Water | | | | |
| The River Boards Act | 1956 | River Boards, for Management and Control of River Water | It enables the states to enroll the central government in setting up an Advisory River Board to resolve issues in inter-state cooperation | This act gives direction to specific industries not to dispose their affluent into the rivers. |
| The Merchant Shipping Act, 1970 | 1970 | Merchant Shipping | It aims to deal with waste arising from ships along the coastal areas within a specified radius. | Recycling initiatives have been taken by the organizations to recycle waste from the ships. |
| The Water (Prevention and Control of Pollution) Act, 1974 | 1974 | Water - Prevention and Control of Pollution | It establishes an institutional structure for preventing and | Indian organizations have taken a positive step |
abating water pollution. It establishes standards for water quality and effluent. Polluting industries must seek permission to discharge waste into effluent bodies. The CPCB (Central Pollution Control Board) was constituted under this act.

<table>
<thead>
<tr>
<th>Act/Rule</th>
<th>Year</th>
<th>Description</th>
<th>Water Consuming Industries</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Water (Prevention and Control of Pollution) Cess Act, 1977</td>
<td>1977</td>
<td>It provides for the levy and collection of cess or fees on water consuming industries and local authorities.</td>
<td>Water consuming industries are practicing water recycling and rainwater harvesting to meet their consumption of water.</td>
</tr>
<tr>
<td>The Water (Prevention and Control of Pollution) Cess Rules, 1978</td>
<td>1978</td>
<td>It contains the standard definitions and indicate the kind of and location of meters that every consumer of water is required to affix.</td>
<td>Organizations have taken initiatives to control their usage of water. ICICI Bank Ltd and Bharti Walmart have already started cutting on their water consumptions.</td>
</tr>
<tr>
<td>The Coastal Regulation Zone Notification, 1991</td>
<td>1991</td>
<td>It puts regulations on various activities, including construction, are regulated. It gives some.</td>
<td>The ministry of environment and forests (MoEF) has tied up with Reliance Industries Limited (RIL).</td>
</tr>
</tbody>
</table>

Contd....
| Air               | The Factories Act and Amendment in 1987 | 1948 Amendment of Factories Act | 1981 Air - Prevention and Control of Pollution | It was the first to express concern for the working environment of the workers. The amendment of 1987 has sharpened its environmental focus and expanded its application to hazardous processes. | CSR has emerged as an important functional area in every organization. Initiatives are taken to safeguard the health and welfare of the employees in the organization. |
| Air quality monitoring stations totaling 290 have been established by CPCB and SPCBs to control the air pollution. Initiatives taken by the Delhi Government have been successful in bringing air pollution levels in Delhi. |
|  | protection to the backwaters and estuaries. | to set up a National Centre for Marine Biodiversity in Jamnagar. This will be the first research institute in the public private partnership (PPP) mode and would focus exclusively on the conservation of the country's marine biodiversity. | | Contd.... | 78 |
The Air (Prevention and Control of Pollution) Rules, 1982

1982 Air - Prevention and Control of Pollution

It defines the procedures of the meetings of the Boards and the powers entrusted to them.

NTPC has taken green initiatives to cut down emissions from power plants to reduce the air pollution.

The Atomic Energy Act, 1982

1982 Atomic Energy

Deals with the radioactive waste

This Act gives directions to industries handling, transporting, using and disposing radioactive materials to protect public health and provide for their safety.

The Air (Prevention and Control of Pollution) Amendment Act, 1987

1987 Air - Prevention and Control of Pollution (Amendment Act)

It empowers the central and state pollution control boards to meet with grave emergencies of air pollution.

It is mandatory for all vehicles to go for pollution checks and carry its proof. Further, use of CNG in vehicles as encouraged by the Delhi Government is a step forward in this direction.

The Motor Vehicles Act, 1988

1988 Motor Vehicles

This Act states that all hazardous waste is to be properly packaged, labeled, and transported.

Its mandatory for all manufacturer's to label their packaged and hazardous materials during their Inland Transportation of Dangerous Goods (hazardous chemicals).
| Recycling and E waste | The e-waste (Management and Handling) Rules, 2011 | 2011 | Management and Handling of e-waste | This Act would recognize the producers’ liability for recycling and reducing e-waste in the country. | Major IT companies like Wipro, HP, Canon, etc have taken constructive steps to handle and recycle their e-waste. Consultants like A2Z Dataserv Limited provide full e-lifecycle services encompassing secure, sustainable solutions for environmental responsive recovery and disposal of IT assets. |

Source: Compiled from available literature.

### 4.6: International Agreements on Environmental issues

India is signatory to a number of multilateral environment agreements (MEA) and conventions. Table 4.3 contains a list of some important multilateral environment agreements.

An overview of these MEAs and India’s corresponding obligations is given as under:

#### 4.6.1: Convention on International Trade in Endangered Species of wild fauna and flora (CITES), 1973

The aim of CITES is to control or prevent international commercial trade in endangered species or products derived from them. CITES does not seek to directly protect endangered species or curtail development practices that destroy their habitats. Rather, it seeks to reduce the economic incentive to poach endangered species and destroy their habitat by closing off the international market. India became a party to the CITES in 1976. International trade in all wild flora and fauna in general and species covered under CITES is regulated jointly through the provisions of The

Table 4.3: List of important Multilateral Environment Agreements (MEAs).

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Multilateral Environment Agreements (MEAs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Convention on International Trade in Endangered Species of wild fauna and flora (CITES), 1973</td>
</tr>
<tr>
<td>2</td>
<td>Montréal Protocol on Substances that deplete the Ozone Layer (to the Vienna Convention for the Protection of the Ozone Layer), 1987</td>
</tr>
<tr>
<td>4</td>
<td>UN Framework Convention on Climate Change (UNFCCC), 1992</td>
</tr>
<tr>
<td>5</td>
<td>Convention on Biological Diversity, 1992</td>
</tr>
<tr>
<td>6</td>
<td>UN Convention on Desertification, 1994</td>
</tr>
<tr>
<td>7</td>
<td>International Tropical Timber Agreement and The International Tropical Timber Organization (ITTO), 1983</td>
</tr>
</tbody>
</table>

4.6.2: Montreal Protocol on Substances that deplete the Ozone Layer (to the Vienna Convention for the Protection of the Ozone Layer), 1987

The Montreal Protocol to the Vienna Convention on Substances that deplete the Ozone Layer, came into force in 1989. The protocol set targets for reducing the consumption and production of a range of ozone-depleting substances (ODS). In a major innovation, the Protocol recognized that all nations should not be treated equally. The agreement acknowledges that certain countries have contributed to ozone depletion more than others. It also recognizes that a nation's obligation to reduce current emissions should reflect its technological and financial ability to do so. India acceded to the Montreal Protocol along with its London Amendment in September 1992. The MoEF has established an Ozone Cell and a steering committee on the Montreal Protocol to facilitate implementation of the India Country Program, for phasing out ODS production by 2010.

Basel Convention, which entered into force in 1992, has three key objectives:

- To reduce transboundary movements of hazardous wastes;
- To minimize the creation of such wastes; and
- To prohibit their shipment to countries lacking the capacity to dispose hazardous wastes in an environmentally sound manner.


4.6.4: UN Framework Convention on Climate Change (UNFCCC), 1992

The primary goal of the UNFCCC was to stabilize greenhouse gas emissions at levels that would prevent dangerous anthropogenic interference with the global climate. The convention embraced the principle of common but differentiated responsibilities which has guided the adoption of a regulatory structure. India signed the agreement in June 1992, which was ratified in November 1993.

India has initiated the preparation of its First National Communication (base year 1994) that includes an inventory of GHG sources and sinks, potential vulnerability to climate change, adaptation measures and other steps being taken in the country to address climate change.

4.6.5: Convention on Biological Diversity, 1992

The Convention on Biological Diversity (CBD) is a legally binding, framework treaty that has been ratified until now by 180 countries. The CBD has three main thrust areas: conservation of biodiversity, sustainable use of biological resources and equitable sharing of benefits arising from their sustainable use.
The Convention on Biological Diversity came into force in 1993. Many biodiversity issues are addressed in the convention, including habitat preservation, intellectual property rights, bio safety, and indigenous peoples’ rights.

4.6.6: UN Convention on Desertification, 1994

Delegates to the 1992 UN Conference on Environment and Development (UNCED) recommended establishment of an intergovernmental negotiating committee for the elaboration of an international convention to combat desertification in countries experiencing serious drought and/or desertification.

The convention is distinctive as it endorses and employs a bottom-up approach to international environmental cooperation. Under the terms of the convention, activities related to the control and alleviation of desertification and its effects are to be closely linked to the needs and participation of local land users and non-governmental organizations.

4.6.7: International Tropical Timber Agreement and The International Tropical Timber Organization (ITTO), 1983

The ITTO established by the International Tropical Timber Agreement (ITTA), 1983, came into force in 1985 and became operational in 1987. The ITTO facilitates discussion, consultation and international cooperation on issues relating to the international trade and utilization of tropical timber and the sustainable management of its resource base. The successor agreement to the ITTA (1983) was negotiated in 1994, and came into force on 1 January 1997. The organization has 57 member countries. India ratified the ITTA in 1996. The extent of the environmental legislation network is evident from the above discussion but the enforcement of the laws has been a matter of concern.

4.7: Green/Environmental Laws in Select Developed Nations

Governments across geographies are encouraging companies to adopt environmentally safe production/consumption practices and selling methods. The discussion below gives an insight the various existing green laws and legislations in various developed economies of the world where consumer awareness towards green products and environmental conservation is considerably high. China has been
included as an Asian country representation apart from India as economic growth rate of China has been phenomenon in the past few years.

4.7.1: Green Laws in United States of America

A number of factors have caused business firms in some industries to incorporate an environmental ethic into their operations. The principal factor, of course, is the growing public awareness of the environmental degradation that has resulted as a consequence of the growth in population and natural resource consumption throughout the world during the last 50 years. The issue is particularly relevant in America, which accounts for fully one quarter of world consumption despite having only a small fraction of the world's population. This growing public awareness of environmental issues has brought with it a corresponding change in the buying decisions of a significant segment of American consumers. Many consumers, and not just the most environmentally conscious, have begun in recent years to incorporate environmental concerns in their personal buying decisions through the purchase and use of products and services perceived to be more environmentally friendly. In some cases, changes in commodity availability have been the motivation behind such shifts in purchasing patterns.

Businesses took heed of this growth in "green consumerism," and new marketing campaigns were devised to reflect this new strain of thought among consumers. Companies with product lines that were created in an environmentally friendly fashion (i.e., with recycled products, comparatively low pollutant emissions, and so on) quickly learned to shape their marketing message to highlight such efforts and to reach those customers most likely to appreciate these green efforts.

Federal Trade Commission Act - Green Guides

Section 5 of the Federal Trade Commission Act authorizes the FTC to regulate the advertising of goods and services. Persons and corporate entities who engage in any unfair or deceptive acts or practices in their marketing activities are subject to disciplinary action, which may include injunctions, corrective advertising, restitution and/or civil fines of up to $16,000 for each violation.
In 1992, the FTC first issued its Guide for the Use of Environmental Marketing Claims, also known as the "Green Guides," for the purpose of assisting advertisers of products and services having environmental attributes to avoid making deceptive or untruthful marketing claims in violation of the FTC Act. The Green Guides establish general principles that apply to all sales promotional activities and provide direction on particular environmental marketing claims. Some "general principles" under the Green Guides include

(1) the use of clear, conspicuous and understandable qualifications and disclosures in advertising;
(2) the avoidance of overstatements relating to environmental attributes, especially ones created by implication, and
(3) substantiation.

Direction on particular environmental marketing claims in the Green Guides relates to the use of terms connoting general environmental benefits, such as "eco-friendly," and representations on specific attributes, such as degradability, recycled content, and ozone safety and friendliness.

These guides apply to environmental claims included in labeling, advertising, promotional materials and all other forms of marketing, whether asserted directly or by implication, through words, symbols, emblems, logos, depictions, product brand names, or through any other means, including marketing through digital or electronic means, such as the Internet or electronic mail. The guides apply to any claim about the environmental attributes of a product, package or service in connection with the sale, offering for sale, or marketing of such product, package or service for personal, family or household use, or for commercial, institutional or industrial use.

The following general principles apply to all environmental marketing claims:

- **Qualifications and disclosures**: The Commission traditionally has held that in order to be effective, any qualifications or disclosures such as those described in these guides should be sufficiently clear, prominent and understandable to prevent deception. Clarity of language, relative type size and proximity to the claim being qualified, and an absence of
contrary claims that could undercut effectiveness, will maximize the likelihood that the qualifications and disclosures are appropriately clear and prominent.

• **Distinction between benefits of product, package and service:** An environmental marketing claim should be presented in a way that makes clear whether the environmental attribute or benefit being asserted refers to the product, the product's packaging, a service or to a portion or component of the product, package or service. In general, if the environmental attribute or benefit applies to all but minor, incidental components of a product or package, the claim need not be qualified to identify that fact.

• **Overstatement of environmental attribute:** An environmental marketing claim should not be presented in a manner that overstates the environmental attribute or benefit, expressly or by implication.

• **Comparative claims:** Environmental marketing claims that include a comparative statement should be presented in a manner that makes the basis for the comparison sufficiently clear to avoid consumer deception.

• **General environmental benefit claims:** It is deceptive to misrepresent, directly or by implication, that a product, package or service offers a general environmental benefit.

• **Degradable/biodegradable/photodegradable:** It is deceptive to misrepresent, directly or by implication, that a product or package is degradable, biodegradable or photodegradable. An unqualified claim that a product or package is degradable, biodegradable or photodegradable should be substantiated by competent and reliable scientific evidence that the entire product or package will completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

• **Compostable:** It is deceptive to misrepresent, directly or by implication, that a product or package is compostable. A claim that a product or
package is compostable should be substantiated by competent and reliable scientific evidence that all the materials in the product or package will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device.

- **Recyclable**: It is deceptive to misrepresent, directly or by implication, that a product or package is recyclable. A product or package should not be marketed as recyclable unless it can be collected, separated or otherwise recovered from the solid waste stream for reuse, or in the manufacture or assembly of another package or product, through an established recycling program.

- **Recycled content**: A recycled content claim may be made only for materials that have been recovered or otherwise diverted from the solid waste stream, either during the manufacturing process (pre-consumer), or after consumer use (post-consumer).

- **Source reduction**: It is deceptive to misrepresent, directly or by implication, that a product or package has been reduced or is lower in weight, volume or toxicity. Source reduction claims should be qualified to the extent necessary to avoid consumer deception about the amount of the source reduction and about the basis for any comparison asserted.

- **Refillable**: It is deceptive to misrepresent, directly or by implication, that a package is refillable. An unqualified refillable claim should not be asserted unless a system is provided for: (1) the collection and return of the package for refill; or (2) the later refill of the package by consumers with product subsequently sold in another package. A package should not be marketed with an unqualified refillable claim, if it is up to the consumer to find new ways to refill the package.
Ozone safe and ozone friendly: It is deceptive to misrepresent, directly or by implication, that a product is safe for or "friendly" to the ozone layer or the atmosphere.

4.7.2: Green Laws in the European Union

Many European countries also have devised schemes to identify products that comply with certain criteria that make them more environmental friendly than similar products. Products that meet these criteria are awarded an "Eco label" that the manufacturer can display on packaging to signal to customers that it is an environmental friendly product. The EC is becoming more aggressive in issuing new directives and in harmonizing Eco labeling and other environmental laws across all member states.

Germany has passed the most stringent green marketing laws that regulate the management and recycling of packaging waste.

The new packaging laws were introduced in three phases.

- The first phase required all transport packaging, such as crates, drums, pallets, and Styrofoam containers, to be accepted back by the manufacturers and distributors for recycling.

- The second phase required manufacturers, distributors, and retailers to accept all returned secondary packaging, including corrugated boxes, blister packs, packaging designed to prevent theft, packaging for vending machine applications, and packaging for promotional purposes.

- The third phase requires all retailers, distributors, and manufacturers to accept returned sales packaging, including cans, plastic containers for dairy products, foil wrapping, Styrofoam packages, and folding cartons such as cereal boxes. The requirement for retailers to take back sales packaging has been suspended as long as voluntary green dot program remains a viable substitute. A green dot on a package identifies manufacturers that have agreed to ensure a regular collection of used packaging materials directly from the consumer's home or from designation local collection points.
4.7.3: Green Laws in Australia

For the first time, from 1 January 2011, Australian businesses and consumers have the same legal protections and expectations in relation to advertising and selling practices wherever they are in Australia. These are contained in the Australian Consumer Law (ACL), which is a schedule to the Competition and Consumer Act 2010. The ACL applies nationally and contains simple rules to ensure that businesses trade fairly with consumers.

The ACL applies to all forms of marketing, including claims on packaging, labeling and in advertising and promotion across all mediums (print, TV, radio and internet). This means that any environmental claims you are considering need to be assessed against the requirements of the ACL. Failure to abide by the rules set out in the ACL can result in serious penalties.

Generally, a claim should:

- be honest and truthful
- detail the specific part of the product or process it is referring to
- use language which the average member of the public can understand
- explain the significance of the benefit
- be able to be substantiated.

Principles to consider

Claims must be accurate-Any claim you make must be accurate and not mislead consumers in any way. Whether a representation is false or misleading is a question of fact, and it does not matter if there was intent to mislead.

- Claims should be able to be substantiated-You should be able to substantiate any environmental claim you make, whether on your packaging, in your advertising or through your representatives. Being able to substantiate claims you make is a good way to show you have a good faith basis for making the representation.
• Claims should be specific, not unqualified and/or general statements—Unqualified statements are risky because they may not adequately explain the environmental benefits of your product to your target audience.

• Claims should be in plain language—The use of scientific language or technical jargon can confuse average consumers who are not familiar with it. Consumers who are unfamiliar with technical terms will often make assumptions and may be misled.

• Claims should only be made for real benefit—Environmental claims should only be made where there is a genuine benefit or advantage. You should not advertise environmental benefits where they are irrelevant, insignificant or simply advertise the observance of existing law.

• Claims must not overstate a benefit—You should not make claims that expressly or implicitly overstate an environmental benefit. When producing your marketing material, avoid implications of significant environmental benefits if the benefit is negligible.

• Pictures can also be representations—Images such as those of forests, the earth or certain endangered animals can also be representations.

• Claims should make it clear whether claimed benefits refer to packaging or content.

• Claims should consider the whole product life cycle—When making claims about a particular characteristic or part of a product, you should also consider the whole product life cycle.

• Claims should not overstate the level of scientific acceptance—Where the scientific basis for your claim is under dispute or not conclusive, you should be especially careful not to present your claim as being universally accepted.

Penalties and remedies for breaching the ACL

The ACCC, consumers and competitors can all take legal action if an environmental claim potentially breaches the ACL. The business or person making the environmental claim in contravention of the ACL can be sued for damages.

The ACCC’s enforcement powers and remedies are extensive and include monetary penalties of up to $1.1 million for companies and up to $220 000 for individuals, as
well as injunctions, adverse publicity orders, corrective advertising orders, community service orders, disqualification orders and ancillary orders of various kinds.

These orders are wide ranging, and will generally vary depending on the circumstances and conduct in question.

4.7.4: Green Laws in Canada

Canadians become ever more vigilant about the state of the environment and insistent that offenders of environmental laws be held accountable. Canada has witnessed an increasing degree of government regulation and corresponding activity intent upon protecting the environment.

All levels of government across Canada have enacted legislation to regulate the impact of business activities on the environment. Courts have been active in developing new standards and principles for enforcing environmental legislation. In addition, civil environmental lawsuits are now commonplace in Canadian courtrooms involving claims over chemical spills, contaminated land, noxious air emissions, noise and major industrial projects.

The environment is not named specifically in the Canadian Constitution and consequently neither federal nor provincial governments have exclusive jurisdiction over it. Rather, jurisdiction is based upon other, named, “heads of power”, such as criminal law, fisheries or natural resources. For many matters falling under the broad label known as the “environment”, both the federal and provincial governments can and do exercise regulatory responsibilities. This is referred to as “concurrent jurisdiction”, which, in practical terms for business managers, means that both provincial and federal regulations must be complied with.

Environmental statutes create offences for non-compliance that can impose substantial penalties, including million-dollar fines and/or imprisonment. Many provide that maximum fines are doubled for subsequent offences and can be levied for each day an offence continues. Most environmental statutes impose liability on directors, officers, employees or agents of a company where they authorize, permit or acquiesce in the commission of an offence, whether or not the company is prosecuted. Companies and individuals may escape environmental liability on the basis that they took all reasonable steps to prevent the offence from occurring.
Canadian Environmental Protection Act, 1999 (CEPA)

CEPA is the principal federal environmental statute, which governs a variety of environmental activities falling within federal jurisdiction such as the regulation of toxic substances, cross border air and water pollution, and waste disposal or “dumping” into the oceans. CEPA also contains specific provisions for the regulation of environmental activities that take place on lands and operations owned by, or under the jurisdiction of, federal agencies, including banks, airlines and broadcasting systems, and aboriginal lands. CEPA establishes a system for evaluating and regulating toxic substances, imposes requirements for pollution prevention planning and emergency plans, and regulates the inter-provincial and international movement of hazardous wastes and recyclable materials. Some of the more important CEPA regulatory provisions are in the area of

- Toxic Substances
- National Pollutant Release Inventory
- Air Pollution and Greenhouse Gases
- Movement of Hazardous Waste and Hazardous Recyclable Material
- Waste Disposal at Sea
- Environmental Emergencies
- Environmental Enforcement Act
- Public Participation and Consultation

Canada is one of the nations that have transposed a powerful Green Energy Act. Canada’s Green Energy Act also highlighted the fact that one of their key foci would be to use renewable energy sources. That also meant that Canada’s Green Energy Act would influence further development of renewable energy options. In addition, Canada’s Green Energy Act put a huge emphasis on the fact that the conservation of energy was going to be most highly influenced. Canadian consumers are becoming increasingly concerned about the environmental performance of products. This has led to an increased demand for environmental information about products from consumers, government, and industry. Industries may choose to communicate environmental benefits through environmental labeling and use advertising vehicles to promote these benefits. There are a wide range of descriptors, logos, vignettes, and
other representations used to describe or imply environmental claims for consumer products. Standards play an important role in providing guidance to ensure responsible claims in industry and advertising.

A new guide from the Canadian Competition Bureau of the Canadian Standards Association provides the business community there with green marketing guidelines. While the guide is not a law, the Competition Bureau says it will not hesitate to pursue deceptive environmental claims, fine violators or remove products from store shelves.

According to "Environmental Claims: A Guide for Industry and Advertisers," the use of vague claims implying general environmental improvement are insufficient and should be avoided; environmental claims should be clear, specific, accurate and not misleading; and environmental claims should be verified and substantiated, prior to being made.

They also provide continual improvement through the maintenance of a standards program that is updated as environmental practices and scientific information evolve. The ISO 14020 Series of Standards on environmental labels and declarations has been developed to help in this regard. This series comprises Type 1 eco-logo labels (CAN/CSA-ISO 14024), Type II self-declared environmental claims (CAN/CSAISO14021), and Type III environmental profile declarations (CAN/CSA-ISO 14025). Those making claims of conformity with the standards for all three types of labels are required to consider the impact of the life cycle of the product or service on the environment and be able to support the claim with verifiable data.

4.7.5: Green Initiatives in China

China has been working with great determination in recent years to develop, implement, and enforce a solid environmental law framework. Chinese officials face critical challenges in effectively implementing the laws, clarifying the roles of their national and provincial governments, and strengthening the operation of their legal system.
EPA Office of General Counsel launched the EPA–China Environmental Law Initiative in September, 2007, to encourage a continuing dialogue between the U.S. and China on environmental law. The goals of the initiative include:

- Sharing EPA's legal experience and expertise to help improve China's environmental health.
- Sharing information useful to U.S. entities with business or other stakes in how China addresses environmental issues.
- As relates to the purchase of renewable power by the grids, an argument could be made that the amendments actually weaken, or at least complicate, this obligation. The law as originally enacted included this simple and clear requirement at Article 14.
- Grid enterprises shall enter into grid connection agreement with renewable power generation enterprises that have legally obtained administrative license or for which filing has been made, and buy the grid-connected power produced with renewable energy within the coverage of their power grid, and provide grid-connection service for the generation of power with renewable energy.
- Article 14 has been amended to require the promulgation of an annual regulation that will govern grid purchases of renewable power.
- The department of the State Council in charge of energy affairs shall, jointly with the state power regulatory organ and the financial department of the State Council, determine the percentage of the quantity of electricity generated from renewable energies in the total quantity of electricity generated during the planned period, and formulate the specific regulations on the priority power dispatching and purchase of the full amount of electricity generated from renewable energies by power-grid enterprises, in accordance with the national programs for the development and utilization of renewable energies. The foregoing regulations shall be implemented under the supervision by the department of the State
Council in charge of energy affairs, jointly with the national power regulatory organ, within the year concerned.

- One notable addition of the new amendments (also in Article 14) is that they specifically require grid companies to "expand the scope of distribution of power generated from renewable energies, develop and apply such technologies as smart power grids and energy storage, improve their management of power grid operation, enhance their capabilities for taking up electricity generated from renewable energies, and provide grid connection services for electricity generated from renewable energies".

- Perhaps the most significant change is in the penalty section. In the original law, electric grid companies, natural gas and heat pipeline companies, and gas-selling enterprises that fail to purchase or accommodate renewable sources of power or fuel are liable for compensation. The "energy authorities of the State Council" or local people's government at the provincial level shall order them to correct the situation within a stipulated period of time; if they refuse to correct the situation, a fine of up to double the amount of economic loss shall be imposed against them (Articles 29 to 31). The original law limited the maximum fine to no more than the actual amount of the economic loss.

From the perspective of consumers, the green awareness of Chinese consumers is quite low compared with those of developed countries. Due to the comparative low consumption level as a whole in China and insufficient promotion activities to green products from the governments, many consumers at present haven't formed the awareness to associate environment protection with their own interests, not to mention of their effective supervision to enterprises.

At the beginning of 2003, Environment-Friendly Product Certification Committee of China launched a large scale investigation on Public Green Consumption. The result showed that 27% consumers are ignorant of green products completely, 58% consumers are able to discern part green products, and merely 15% consumers can distinct the true green products from false ones.
A quick summary of the Green/Environmental Protection Laws in Developed Countries and the scope of green marketing may be drawn as in Table 4.4.

Table 4.4: Green/Environmental Protection Laws in Developed Countries and Green Marketing

<table>
<thead>
<tr>
<th>Country</th>
<th>Law/Rule Description</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>America</td>
<td>Federal Trade Commission Act</td>
<td>Requires companies to (1) use clear, conspicuous and understandable qualifications and disclosures in advertising; (2) avoid of overstatements relating to environmental attributes, especially the ones created by implication, and (3) to go for substantiation.</td>
</tr>
<tr>
<td></td>
<td>Applies to all sales promotional activities and provides direction on environmental marketing claims.</td>
<td>Unfair or deceptive acts or practices in marketing activities are subject to disciplinary action like injunctions, corrective advertising, restitution and/or civil fines of up to $16,000 for each violation.</td>
</tr>
<tr>
<td>European Union</td>
<td>Member countries have different laws to protect the environment</td>
<td>Germany on particular has a stringent law on packaging of the products which has three stages in it:</td>
</tr>
<tr>
<td></td>
<td>'Eco label' is more commonly used to signify that the product is environment compliant</td>
<td>The new packaging laws were introduced in three phases.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The first phase required all transport packaging, such as crates, drums, pallets, and Styrofoam containers, to be accepted back by the</td>
</tr>
</tbody>
</table>

96 Contd....
Manufacturers and distributors for recycling.

The second phase required manufacturers, distributors, and retailers to accept all returned secondary packaging, including corrugated boxes, blister packs, packaging designed to prevent theft, packaging for vending machine applications, and packaging for promotional purposes.

The third phase requires all retailers, distributors, and manufacturers to accept returned sales packaging, including cans, plastic containers for dairy products, foil wrapping, Styrofoam packages, and folding cartons such as cereal boxes.

<table>
<thead>
<tr>
<th>Country</th>
<th>Law</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Australian Consumer Law (ACL), which is a schedule to the Competition and Consumer Act 2010</td>
<td>The ACL applies to all forms of marketing, including claims on packaging, labeling and in advertising and promotion across all mediums (print, TV, radio and internet). This means that any environmental claims you are making must:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Requires that a claim should:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• be honest and truthful</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• detail the specific component of the product or process it is referring to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• use language which the average member of the public can understand</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• explain the significance of the benefit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• be able to be substantiated</td>
</tr>
<tr>
<td>Country</td>
<td>Law Name</td>
<td>Requires grid companies to do:</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Canada</td>
<td><strong>Canadian Environmental Protection Act, 1999 (CEPA)</strong></td>
<td><strong>Toxic Substances, National Pollutant Release Inventory, Air Pollution and Greenhouse Gases, Movement of Hazardous Waste and Hazardous Recyclable Material, Waste Disposal at Sea, Environmental Emergencies, Environmental Enforcement Act, Public Participation and Consultation</strong></td>
</tr>
<tr>
<td>China</td>
<td><strong>China Environment Law, 2007 and Renewable Energy Law, 2009</strong></td>
<td><strong>“expand the scope of distribution of power generated from renewable energies, develop and apply such technologies as</strong></td>
</tr>
</tbody>
</table>

Contd....
smart power grids and energy storage, improve their management of power grid operation, enhance their capabilities for taking up electricity generated from renewable energies, and provide grid connection services for electricity generated from renewable energies”

“energy authorities of the State Council” or local people’s government at the provincial level shall order them to correct the situation within a stipulated period of time; if they refuse to correct the situation, a fine of up to double the amount of economic loss shall be imposed against them.

4.8: Conclusion

A host of environmental laws existed in India even before her independence in 1947. The real impetus for bringing about a well-developed framework for protection of the environment however came only after the UN Conference on the Human Environment in Stockholm in the year 1972. As an outcome of this conference and the UN declaration that the National Council for Environmental Policy and Planning was set up in India in the year 1972 under the ambient of the Department of Science and Technology. This Council later evolved into a full-fledged Ministry, the Ministry of Environment and Forests (MoEF) in 1985 which is today the apex administrative body in India for regulating and ensuring environmental protection. The MoEF and the pollution control boards (PCBs), both the Central Pollution Control Board (CPCB) and the State Pollution Control Boards (SPCBs), together form the regulatory and administrative unit of the Environment and Forest in India.

It is after the Stockholm Conference in 1976 that the constitutional sanction was accorded to environmental concerns through the 42nd Amendment of the Indian Constitution, which incorporated them into the Directive Principles of State Policy
and Fundamental Rights and Duties. An extensive network of environmental legislation has grown in India from the 1970s.

The Policy Statement for Abatement of Pollution and the National Conservation Strategy, and the Policy Statement on Environment and Development were brought out by the MoEF in 1992, in a view to developing and promoting initiatives for protection and improvement of the environment. The Environmental Action Programme (EAP) was formulated in 1993 with the objective of improving environmental services and integrating environmental considerations into the development programmes. Several other measures have also been taken by the government to protect and preserve the environment.

The Indian retail companies and multinational corporations operating in India are thus confronted with a variety of legislations designed to address environment issues because the concern for the environment extends beyond industrial pollution, hazardous waste disposal, and rampant deforestation to include issues that focus directly on consumer products. Green marketing laws focus on environment friendly products, product packaging and its impact on solid waste management. A summary of these laws along with the scope for green marketing underlying them has been given in Table 4.3. A further condensed form of the relevant laws and scope for green marketing in the Indian context has been given in Table 4.5.

The Indian Environmental Protection Laws that drive firms to go green are found almost at par with similar laws and initiatives being prevalent in developed countries like the US, Australia, European Union, and Canada and also the rising economy, China.
Table 4.5: Environmental laws and scope for green marketing in India

<table>
<thead>
<tr>
<th>Name of the Act</th>
<th>Relevance to Green Marketing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment Protection and Management Acts in General</td>
<td></td>
</tr>
<tr>
<td>The Environment (Protection) Act, 1986</td>
<td>Encourages companies to adopt green technology and /or manufacture and market green products, e.g., green batteries manufactured by Tata Group; OKAYA green batteries; Green Range of Printers, ACs of 5 Star, REVA electric car</td>
</tr>
<tr>
<td>The Environment (Protection) Rules, 1986</td>
<td>Centre for Science and Environment (CSE) Green Rating Project (GRP) was started as a civil society initiative to develop an alternative form of governance to control industrial pollution in India, (GRP) lays down clear guidelines for the industry to improve its environmental performance,</td>
</tr>
<tr>
<td>The objective of Hazardous Waste (Management and Handling) Rules, 1989</td>
<td>This law has initiated the growth of many consulting firms who are collaborating with Indian organizations to solutions to management of their hazardous wastes</td>
</tr>
<tr>
<td>The Manufacture, Storage, and Import of Hazardous Rules, 1989</td>
<td>Indian organizations are implementing integrated municipal solid waste (MSW) management plan that meets the regulatory norms.</td>
</tr>
<tr>
<td>The Manufacture, Use, Import, Export, and Storage of hazardous Micro-organisms/ Genetically Engineered Organisms or Cells Rules, 1989</td>
<td>Increasingly public and private hospitals and organizations are managing their bio-medical waste in an environment friendly manner, different colored bins with different colored disposable bags are put within the campuses for safe disposal of waste</td>
</tr>
<tr>
<td>The Public Liability Insurance Act and Rules and Amendment, 1991</td>
<td>Insurance companies cover the business for damages and compensation payouts along with any related legal fees in the event that the business has caused injury or death to a member of the public or damage to their property.</td>
</tr>
</tbody>
</table>

Contd...
<p>| The National Environmental Tribunal Act, 1995 | The National Green Tribunal, a specialized body with representation of scientific experts to handle environmental disputes that involve cross-disciplinary issues, was designed to seek “effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment, started functioning from July 4, 2011 in Mumbai |
| The National Environment Appellate Authority Act, 1997 | Communities can come together to understand the upcoming and existing projects which have an negative impact on the environment and appeal against such projects. Ashoka India is a group promoted by social entrepreneurs who work towards awareness and implications of such projects and legal solutions to it. |
| The Biomedical waste (Management and Handling) Rules, 1998 | Organizations in India are managing their waste in the aspects of segregation of wastes in different color-coded bags and containers. The disposal operations are carried out using incineration and sterilization as the two main modes. Ramky Enviro Engineers Ltd were pioneers in starting India's first Biomedical Waste Management facilities. |
| The Environment (Siting for Industrial Projects) Rules, 1999 | Citing the need to protect the environment and local residents, Indian courts and government bodies have started blocking – or even cancelling – a growing number of industrial projects. Many MNC’s like Vedanta and Lafarge operating in Mining and cement sector have not been allowed to carry out operations in sensitive areas. |
| The Municipal Solid Wastes (Management and Handling) Rules, 2000 | Organizations are developing cost effective and environmentally sound techniques and strategies to manage solid waste experiences. Awareness is also created among the public on the need for environment sound management of all wastes. National Solid Waste Association of India (NSWAI)” was established on 25th January 1996. The association is also a member of the International Solid Waste Association (ISWA), and provides forum for exchange of information and expertise in the field of Solid Waste Management at the international level. |</p>
<table>
<thead>
<tr>
<th>The Ozone Depleting Substances (Regulation and Control) Act, 2002</th>
<th>This law led to the introduction of ‘Ecofrig’ concept in the Indian refrigerator market. Godrej Appliances Ltd gave first Ecofrig to the Indian consumer, followed by LG and Whirlpool. CUTS-Centre for Sustainable Production and Consumption based at Calcutta works simultaneously at the grassroots, national and international levels on various issues that ultimately, directly or indirectly, affect the consumer in this area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Batteries (Management and Handling) Rules, 2001</td>
<td>Companies like Panasonic, Duracell give information to consumers regarding safe disposal of batteries through their website and during its purchase. Gravita Exim Limited give solutions for recycling of batteries to organizations.</td>
</tr>
<tr>
<td>The Noise Pollution (Regulation and Control) (Amendment) Rules, 2002</td>
<td>A noise management plan is submitted to the organizations while getting approval for their construction. Acoustic screens and enclosures to be put to control noise from construction activity. Green Buildings developed like ITC Green Centre follow noise management system. The Environmental Research Institute (TERI) provides consultancy in this field</td>
</tr>
<tr>
<td>The Biological Diversity Act, 2002</td>
<td>Organizations are partnering with Government of India for safeguard of biological diversity. Reliance Industries Limited is partnering with the Ministry of Environment and Forests, Government of India and Gujarat Ecological Commission to set up the National Centre for Marine Biodiversity (NCMB) for prevention of coastal biodiversity.</td>
</tr>
<tr>
<td>Forest and Wildlife</td>
<td>Organisations are becoming more and more aware towards environmental protection. Coca Cola, Genpact were active participants in Plant million trees campaign in Gurgaon Biodiversity Park. Also they are focusing on greening their surroundings.</td>
</tr>
<tr>
<td>The Indian Forest Act and Amendment, 1984</td>
<td>Through their campaigns Indian companies are spreading messages to consumers for preservation of animal. AIRCELL save tiger campaign</td>
</tr>
<tr>
<td>The Forest (Conservation) Act and Rules, 1981</td>
<td>Indian companies are focusing on greening their environment and plantation in forest areas. Reliance Industries Ltd focusing on mangrove plantation in coastal areas of Gujarat</td>
</tr>
<tr>
<td>Water</td>
<td>This act gives direction to specific industries to not dispose their affluent rivers. Leather Industry –Tanneries operating near river Ganga in Kanpur</td>
</tr>
<tr>
<td>The River Boards Act</td>
<td>Recycling initiatives have been taken by the organizations to recycle waste from the ships</td>
</tr>
<tr>
<td>The Merchant Shipping Act, 1970</td>
<td>Indian organizations have taken a positive step towards conservation and prevention of water. Tata group, ITC Limited ,Levi’s are ahead in becoming water positive organizations.</td>
</tr>
<tr>
<td>The Water (Prevention and Control of Pollution) Act, 1974</td>
<td>Water consuming industries are practicing water recycling and rain water harvesting meet their consumption of water.</td>
</tr>
<tr>
<td>The Water (Prevention and Control of Pollution) Cess Act, 1977</td>
<td>Organizations have taken initiatives to control their usage of water. Initiatives taken by ICICI Bank and Bharti Walmart to cut on their water consumption</td>
</tr>
<tr>
<td>The Water (Prevention and Control of Pollution) Cess Rules, 1978</td>
<td>The ministry of environment and forests (MoEF) has tied up with Reliance Industries Limited (RIL) to set up a National Centre for Marine Biodiversity in Jamnagar. This will be the first research institute in the public private partnership (PPP) mode and would focus exclusively on the conservation of the country's marine biodiversity.</td>
</tr>
<tr>
<td>The Coastal Regulation Zone Notification, 1991</td>
<td>CSR has emerged as an important functional area in the organization. Initiatives are taken to safeguard the health and welfare of the employees, these details form an integral part of the organizational disclosure and annual reports.</td>
</tr>
<tr>
<td>The Factories Act and Amendment in 1987</td>
<td>Air quality monitoring stations (total 290) have been established by CPCB and state pollution control boards to control air pollution ,initiatives taken by Delhi government have been successful in bringing air pollution levels in Delhi.</td>
</tr>
<tr>
<td>Statute</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>The Air (Prevention and Control of Pollution) Rules, 1982</td>
<td>NTPC has taken green initiatives to cut down emissions from power plants to reduce air pollution.</td>
</tr>
<tr>
<td>The Atomic Energy Act, 1982</td>
<td>This act gives directions to industries handling, transporting, using and disposing radioactive materials to protect public health and safety.</td>
</tr>
<tr>
<td>The Air (Prevention and Control of Pollution) Amendment Act, 1987</td>
<td>CNG in vehicles promoted by Delhi Govt. Its mandatory for all vehicles to go for pollution checks and carry its proof.</td>
</tr>
<tr>
<td>The Motor Vehicles Act, 1988</td>
<td>Its mandatory for all manufacturer’s to label their packaged and hazardous materials during their Inland Transportation of Dangerous Goods (hazardous chemicals).</td>
</tr>
<tr>
<td><strong>Recycling and E waste</strong></td>
<td><strong>The e-waste (Management and Handling) Rules, 2011</strong> Major IT companies like Wipro, HP, Canon etc have taken constructive steps to handle and recycle their e-waste. Consultants like A2Z Dataserv Limited provides full e-lifecycle services encompassing secure, sustainable solutions for environmental responsive recovery and disposal of IT assets.</td>
</tr>
</tbody>
</table>

References

Bajaj R. 1996 ‘CITES and the wildlife trade in India’, Centre for Environmental Law, WWF-India, New Delhi, pp.182.


MS 27 10/01 Strategic Issues for Retail CEOs Perspectives on Operating in India’s Retail Sector PricewaterHouse Coopers report 2010.


Websites

www.cfgt.org

www.chinaenvironmentallaw.com

www.envfor.nic.in/legis/legis.html

www.cpcb.nic.in

www.nptel.iitm.ac.in
www.accc.gov.au
www.ams.usda.gov
www.ftc.gov
www.wholefoodsmarket.com
www.bestpractices.org/bpbriefs/environment.html
www.cseindia.org/programme/industry/green_rating.htm
www.india.ashoka.org/ashoka-india
www.ramkyenviroengineers.com/BiomedicalWaste.html/retrieved
www.cuts-international.org/cspac-campaign-ecofridge.htm/retrieved
www.guardian.co.uk/world/2010/oct/26/india-environment-industry-projects-vedanta
www.panasonicenergy.in/eco-friendly-batteries.php
www.milliontreesgurgaon.com
www.ntpc.co.in/annualreports/2009-10
www.envfor.nic.in/divisions/ic/wssd/doc2/ch2.pdf
www.a2zdataserv.com

***