

Impact of Environmental Law in India with Reference to Climate Change and Environmental Degradation

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ABSTRACT: Protecting the environment is vital since it affects your livelihood and health. Deforestation, air and water pollution, overgrazing, and other effects of decades of continuous exploitation of natural resources have resulted in environmental deterioration. With 1.3 billion people, India cannot satisfy the demands of its population. Therefore, we have environmental regulations to decrease air pollution, water pollution, and deforestation to maintain a stable environment and conservation for future generations. The country's ecology is deteriorating as a result of rising demand and the need for additional land and resources to satisfy basic requirements. Because of growing global concern and climate change, the majority of people today are dealing with food and water shortages. Given the current state of affairs, we must update our environmental laws to encourage sustainable growth through astute technological and intellectual decisions, set limits on the use of natural resources, and penalize lawbreakers.

Keywords: Environment Laws, sustainable development, air pollution, deforestation, population, natural resources, and environment deterioration.

INTRODUCTION

Over the last several decades, there has been a growing awareness and worry about how quickly our environment is degrading and how our fundamental life-supporting resources—such as air, water, soil, and other resources—are becoming less plentiful. The air we breathe is being contaminated, the water is getting contaminated, the rain is becoming more unpredictable, the forest is losing its natural resources and many plant and animal species are going extinct, the top soil is being eroded by heavy rains and other natural disasters. The ozone layer is depleting, and a worldwide warning is quite likely. The very survival of humans is threatened by environmental deterioration. Numerous causes, including increased agricultural productivity, population expansion, indiscriminate urbanization, poverty, unplanned industry, expanding energy consumption, and transportation, can contribute to environmental deterioration. Land degradation is a prevalent issue in today's world, resulting from ongoing deforestation, river damming, industry, mining, and logging, as well as development initiatives including human habitation, highways, and transportation and communication networks (Reddy, 2017). Land degradation is exacerbated by natural disasters such as droughts, floods, landslides, and earthquakes. Between 1975 and 1990, 200 million hectares of forest were destroyed to produce food. Water resources have been depleted and contaminated, rendering the water unfit for human use. Today, the majority of water bodies,

including lakes, rivers, seas, and oceans, as well as groundwater, are created by excessive industrial waste disposal, intensive agriculture, and deforestation. Floods occur every year as a result of siltation caused by soil erosion in rivers and lakes, which lowers their capacity to store water. The country is currently experiencing a water crisis as a result of past and present activities that have no limits when it comes to destroying the environment. This is also accompanied by the loss of flora and fauna because of the need for more land to build homes and other development projects as a result of the growing population. Over the past 2000 years, we have taken away the homes of flora and fauna, which has led to their extinction. With the exception of the state of Gujarat, the Asiatic lion, which was once widely distributed throughout Asia, is extinct. Air pollution has claimed millions of lives worldwide, and over 50% of Indians suffer from asthma. Greenhouse gas emissions from India's population contribute to both air pollution and climate change, making the situation worse. The practice of deforestation predates human civilization. Soil erosion and desertification are the results of inefficient environmental policies that drive wood gathering, overpopulation in farming, and poverty (Balasubramanian and Dhulasi 2012).

OBJECTIVES OF THE RESEARCH

The main objective of this article or this research paper is to fully understand the environmental laws of India with special reference to the various issues and

challenges related to the environment. The main objectives of this research are as follows:

1. Understanding Environment law in India
2. The current environment issues in India and the impact of these laws

EVALUATION

Environmental degradation has been caused by overgrazing, soil erosion, deforestation, crop rotation, various farming practices, and human avarice over time. Despite the environment law that is now in place and many rulings from the Supreme Court. India's situation is becoming worse (Pandya and Bharad 2019). The biggest threat to modern human civilization is climate change, which is a result of our continuous exploitation of the environment and its resources. Overuse of natural resources has resulted in a variety of health problems. The entire idea of environmental degradation is a reaction to human activity, which has led to the development of numerous industries and increased economic growth. In order to build, mine, and log, we need land, which is obtained by cutting forests. We also need a large amount of water, which comes from rivers and groundwater, and we dump industrial waste into these rivers, contaminating the water with harmful substances. The growing overuse of natural resources has resulted in a water crisis, food crisis, and poverty for the majority of people in India. The building of dams in several locations has also negatively impacted the livelihood of numerous communities. Groundwater is almost completely depleted in Indian cities nowadays as 70% of it is utilized for agriculture and the remaining 70% for building. There is no groundwater in 21 cities (Sovacool, 2014). Numerous people, especially tribal people, who completely rely on the forest for their economy and way of life, practice primitive agriculture and rely on forest resources to survive, reside in the forest. In actuality, a large number of people are employed by the forest; the forest's output serves as a raw material for a variety of goods; wood is needed to make furniture, paper and other building materials; timber products are used in homes; and medicinal plants are used as herbal remedies. The production of food is impacted equally by every minute that a tree is chopped down. In the case of a natural disaster, forests prevent soil erosion and replenish groundwater; without trees, we would be unable to stop erosion of the upper soil. The environment and climate change have become one of the world's biggest issues today. International conferences on preventing environmental damage by lowering greenhouse gas emissions have been conducted over the years. The majority of people in India now lack access to food and water, the natural environment is killing people, and natural disasters are becoming more frequent as a result of these dire circumstances. Many laws have been created over the years to protect the environment, but due to increased demand and population growth, people in India have not complied with these laws. Nevertheless, the government is working to enact new legislation and

enforce new regulations to restrict the removal of trees. safeguard animals, a national tribunal court has been established to resolve environmental protection-related disputes (Dwivedi and Kashyap 2013).

The National Green Tribunal Act of 2010 is one piece of environmental law that The Environment Protection Act of 1986, the Water (Prevention and Control of Pollution) Act of 1974, the Air (Prevention and Control of Pollution) Act of 1981, and the Hazardous Waste Management Regulation of 2008 (The Environment (Protection) Act 1986, Ministry of Law and Justice). The 1927 Indian Forest Act, The Forest Conservation Act 1980. The Wildlife Protection Act 1972. The Air (Pollution Prevention and Control) Act of 1981 The act was passed in order to reduce air pollution and enhance air quality by limiting the use of substances and fuels that pollute the air. The SPCB must approve any industrial construction in a polluted control region. The state may designate a region as an air pollution control area. The act limits and regulates air pollution by establishing state and federal boards to oversee air pollution management. Additionally, SPCB has inspected pollutants and tested production processes and equipment

The Water (Prevention and Control of Pollution) Act of 1974 was passed in order to stoppage, control, and restore water pollution. It also prohibits the discharge of chemicals into water bodies above a certain point. At the federal level, the Water Act established the Central Pollution Control Board (CPCB), which establishes the guidelines for the control and prohibition of water pollution. At the state level, the SPCB functions under the direction of the state government and the CPCB. The Water (Prevention and Control of pollution) Cess Act, which was last revised in 2003, was passed in 1977 and imposes a fee on water usage for operational purposes carried out by industrial enterprises.

The Environment Protection Act of 1986 was revised in order to safeguard and enhance the state of the environment. It established a framework for long-term environmental safety research and planning, as well as a system for prompt and adequate response to situations that pose a threat to the environment, all while collaborating with the federal and state governments. In addition to the relationships that occur between the elements of water, air, and land, the term "environment" also refers to plants, animals, microorganisms, and property. According to the Act, the central government can reduce emissions and discharges of pollutants into the atmosphere, regulate industrial areas, manage solid waste, protect public health, and take other necessary actions to improve the environment and air quality. Additionally, under the environment act, the central government can notify ecologically sensitive areas and provide further guidelines based on changing conditions. Lawbreakers face five years in jail, a fine of one lakh, and an additional \$5,000 each day if they don't stop breaking the law (Gilmar and Hader 2018). Rules for the Management of Hazardous Waste: Any chemical, physical, poisonous, flammable, or explosive waste that

can harm the environment or human health when it comes into contact with waste or other substances is considered hazardous waste. Hazardous waste management is covered by a number of laws, including the Public Liability Insurance Act of 1991, the National Tribunal Act of 1996, and the Factories Act of 1948. Guidelines for the import of hazardous chemicals and the handling and transboundary transportation of hazardous waste are outlined in the Hazardous Wastes (Management, Handling and Transboundary) Rules 2008. The Biomedical Waste Management Rule of 1998 established guidelines for the appropriate handling, handling, and sorting of waste materials. The appropriate disposal of municipal garbage is governed by the Municipal Solid Wastes Rules 2000. Lead acid battery disposal is governed by the 2001 Batteries Regulations and the 2011 E-waste Regulations. The Wildlife Protection Act of 1972 was created to safeguard the nation's wildlife and to put a stop to the illicit commerce in wildlife and its byproducts, poaching, and smuggling. In addition to amending the statute, the Ministry highlighted the ecologically significant protected areas and threatened plant and animal species, emphasizing the need to safeguard them.

In order to protect and conserve India's forests, the Forest Conservation Act of 1980 forbade the use of forest land for purposes other than those for which it was intended. This was followed by the Scheduled Tribes and Other Traditional Forest Dwellers Act of 2005, which granted rights to forest dwellers, Scheduled Tribes, and other traditional dwellers on the forest areas that they had previously inhabited. The India Forest Act of 1927 mandates the imposition of taxes on timber and other forest products, as well as the transfer of these products.

The Biodiversity Act of 2002 aims to preserve resources and associated knowledge while offering guidelines for their sustainable usage. Zone of Coastal Regulation Notification: The Ministry of Environment and Forest has released this in an effort to ensure the security of the fisheries industry and the community residing in the coastal region, as well as to safeguard the coastline and encourage development that is sustainable and does not endanger the marine environment or the coastal areas. In India, there have been several environmental offences. There are numerous laws protecting the environment, but environmental degradation is getting worse every day. The impoverished and those living in rural areas are particularly vulnerable to these changes in the environment, which can lead to natural disasters that impact the economy. In addition, India's disaster management is appalling, meaning that the majority of the population suffers the consequences of environmental degradation when cyclones carry those kaccha homes with them. The environment and development go hand in hand; natural resources are essential to development. To halt the deterioration of the ecosystem, which eventually caused climate change (Tripathi & Tripathi 2003).

WAY FORWARD

Restrictions on the discharge of industrial waste into water bodies are necessary to strengthen the environment. The limits of natural resources should be taken into account when developing; if water is needed for development, people should make plans for an alternative, such as groundwater recharge. Limiting deforestation and planting more trees are necessary to protect the ecosystem, restore afforestation, practice smart farming, prevent soil erosion, and optimize the use of water and soil. We must improve technology in areas where the usage of natural resources is kept to a minimum and embrace eco-friendly development strategies that will reduce greenhouse gas emissions and air pollution. When building new structures and undertaking new projects, the emphasis should be on sustainable development and environmental conservation. Smart towns may solve the issue of how natural disasters affect the impoverished, and they can also encourage the use of electric vehicles.

To protect the environment, we must be creative, introduce new technologies, and strictly regulate and enforce existing laws while also enacting new ones. Additionally, we must introduce green politics to India and set up environmental legislation awareness campaigns in many states, districts, and villages where there is a ban on tree-cutting. Since agriculture was the first industry to degrade the environment on Earth, vertical and indoor farming can help to limit the amount of land used for agriculture, saving the environment. Bringing farming into the urban and rural sectors can also lessen the global impact of climate change.

It is recommended that environment studies be made mandatory, and that children be educated about the environment and climate change from an early age. Planting trees is one way to help protect the environment. The environment has to be protected by more legislation.

CONCLUSION

The government implemented environmental laws in the 1980s to protect water, land, soil, public health, and flora and fauna due to the excessive use of natural resources and fossil fuels. At the time, urbanization was less than it is today, and the growing population needed access to basic necessities, which means more land, water, and food are needed. This has led to excessive deforestation, water pollution, and air pollution due to an increase in road transportation. Given that India is now among the most susceptible nations to climate change and environmental degradation, legal reform is necessary since human activity has no boundaries when it comes to the environment and nature, which contributes to climate change.

FUTURE SCOPE

The research means to search again. In this context this research paper also gives or provides the scope for some future work. This research explains the various environmental issues in context of or with special reference with the environmental laws. But even after the presence of laws related to environment the issues are present in the same manner. In this way the efficiency and the implementation of such laws are to be checked with the changes in time.

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