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DIGITAL RESOURCES

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ENVIRONMENTAL SCIENCE AND ENGINEERING

UNIT NO 4.5

**ISSUES INVOLVED IN
ENFORCEMENT OF
ENVIRONMENTAL LEGISLATION**

SCIENCE & HUMANITIES



ISSUES INVOLVED IN ENFORCEMENT OF ENVIRONMENTAL LEGISLATION.

There are number of environmental laws in the form of Acts for safeguarding our environmental quality. But we cannot implement it strictly, still we are losing our wildlife and natural resources. There are so many drawbacks and problems in implementing environmental legislations.

PROBLEMS IN ENFORCING THE LEGISLATION:

The following are problems in enforcing the legislations:

- We have not archived the target of bringing 33% of our land cover under forest.
- We lose our wildlife continuously.
- The rivers are now opened to sewer.
- The air flows in towns are badly polluted.
- There are many drawbacks in our environmental laws and in their implementation

MAJOR ISSUES RELATED TO THESE LEGISLATION:

DRAWBACKS OF THE WILDLIFE PROTECTION ACT, 1972.

- i. Since this act has been enacted just as a fallout of Stockholm conference held in 1972, it has not included any locally evolved conservation measures.
- ii. The ownership certificates for some animal articles (like leopard and tiger skins) often serves as a tool for illegal trading.
- iii. Since Jammu And Kashmir has its own wildlife Act, hunting and trading of many endangered species, prohibited in other states, are allowed in J and K.
- iv. The offenders of the act are not subjected to very harsh fines. It is just a fine of Rs 25,000 or imprisonment for upto 3 years.

DRAWBACKS OF THE FOREST (CONVERSATION) ACT, 1980

- i. This act just transfers the powers from state to centre to decide the conversation of reserve forest lands to non-forest areas.
- ii. The power has been centralized at the top, local communities have been completely neglected from the decision - making process regarding the nature of forest area.
- iii. The tribal who lived in the forest were totally dependent on forest resources. When they are stopped from taking any resources from there, they involve in criminal activities like smuggling, killing, etc.,
- iv. This law is concentrated on protecting the trees, birds and animals, but is less concentrated on poor people.
- v. The forest – dwelling tribal communicating have a rich knowledge about the forest resources, their importance and conservation. But their role and contribution are not acknowledged.

DRAWBACKS OF POLLUTION RELATED ACT:

- 1) The power and authority have been given only to central government with little of power to state government. It hinders effective implementation of the act in the states.
- 2) The penalties in the act are very small when compared to the damage caused by the big industries due to pollution.
- 3) A person cannot directly file a petition in the court.
- 4) Litigation, related to environment is expensive, since it involves technical knowledge.
- 5) For small unit it is very expensive to install Effluent Treatment – Plant.
- 6) The position of chairman of the boards is occupied by political appointee. Hence it is very difficult to implement the act without political interference.

ROLE OF CENTRAL AND STATE POLLUTION CONTROL BOARDS:

Central and state pollution control boards take many steps to control pollution.

FUNCTIONS OF CENTRAL BOARD:

- 1) Its advises the central government regarding the prevention of pollution.
- 2) It plans for the prevention and control of pollution.
- 3) It lays down standards for the well water and air.
- 4) It establishes labs for the analysis of the air and water samples.
- 5) It provides technical assistance and guidance to state boards and sponsor research regarding water, air pollution.
- 6) It identifies areas or industries causing air pollution.
- 7) It encroaches industries to recycle and reuse the wastes.
- 8) It also advises the industries to treat waste water and gases with modern technology.
- 9) Central and state boards emphasize to use “Clean technology” by the industries to reduce pollution.

ROLE OF NGO IN ENVIRONMENTAL PROTECTION

Non-government organisation is a people's organisation, it can be a real force for the protection of the environment in any community. The success of India's environmental programmes depends mainly on the awareness and consciousness of the people. The followings are some environmental organisations in India.

- 1) Voluntary organisations help the government in local environmental issues and interact at grass root level.
- 2) The NGO, "mahila mandals", creates awareness amongst the women of remote villages to educate them and help them to become healthy and economically self – dependent.
- 3) Narmada Bachao Andolan was organised by Medha Patkar.

- 4) Kerala Sastra sahitya parishad, centre for Science and Environment (CSE). The report as per CSE on permissible limits of pesticides in the cola drinks sensitized the public all over the country.
- 5) Bombay Natural History Society (BHNS), Madras Naturalists Society (MNS), Chennai, World Wide Fund for Nature (WWF), India is some of the NGOs taking many steps for the environmental protection and health.
- 6) Chipko movement works for the conservation of trees by Darjole Gram Swarajan Mandal in Gopeshwar.
- 7) NGOs also act as an action group.

PUBLIC AWARENESS

Our environment is presently degrading due to many activities like pollution, deforestation, overgrazing, rapid environment, each and every one must be aware about our environment problems and objectives of various environmental policies at national and local levels.

OBJECTIVES OF PUBLIC AWARENESS:

- 1) To create awareness among people of rural and city about ecological imbalances, local environment, technological development and various development plants.
- 2) To organise meetings, group discussion on development, tree plantation programmes, exhibitions.
- 3) To focus on current environment problems and situations.
- 4) To train our planners, decision – makers, politicians and administrators.
- 5) To eliminate poverty by providing employment that overcome the basic environmental issues.
- 6) To learn to live simply and eco – friendly manner.

METHODS TO CREATE ENVIRONMENTAL AWARENESS

Environmental awareness must be created through formal and informal education to all sections of the society. The various methods that are useful for raising environmental awareness are discussed here:

1) Environmental awareness in Schools and Colleges:

Environmental education must be imparted to the students in schools and colleges.

2) Through Mass – Media:

Media like Radio, TV, and Cable network can educate the people on environmental issues through Cartoons, Documentaries, Plantation Campaign, Street plays.

3) Cinema:

Film about environmental education should be prepared and screened in the theatre compulsorily. This film may be released tax free to attract public.

4) News Papers:

All the newspapers as well as magazines must publish the environment related problems.

5) Audio – NB Visual media:

To disseminate the concept of environment, special audio – visual and slide shows should be arranged in all public places.

6) Voluntary Organisations:

The services of the voluntary bodies like, Rotary club, NNC, NSS, should be effectively utilized for spreading the environmental awareness.

7) Traditional techniques:

The traditional techniques like folk plays, dramas, may be utilized to spread environmental messages to the public. These techniques attract the rural people very much.

8) Arranging Competitions:

Story writing, essay writing and painting competitions on environmental issues should be organised for students, as well as for the public. Attractive prizes should be awarded for the best effort.

9) Leaders appeal:

Political leaders, cine actors and popular social reforms can make an appeal to the public about the urgency of environmental protection.

10) Non – Government Organisations (NGOs):

Voluntary organisation can help by advising the government about some local environmental issues. Also, they can be effective in organising public movements for protection of environment through creation of awareness.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

EIA is defined as a formal process of predicting the environmental consequences of any development projects. It is used to identify the environmental, social and economic impacts of the project prior to decision making.

OBJECTIVES OF EIA:

- 1) To identify the main issues and problem of the parties.
- 2) To identify who is the party.
- 3) To identify what are the problems of the parties.
- 4) To identify why are the problems arise.

BENEFITS OF EIA:

- 1) Cost and time of the project is reduced.
- 2) Performance of the project is improved.
- 3) Waste treatment and cleaning expenses are minimised.
- 4) Usage of resources are decreased.
- 5) Biodiversity is maintained.
- 6) Human health is improved.

PROCESS OF EIA (OR) KEY ELEMENTS OF EIA:

The key elements are used in the process of EIA are:

- 1) Scoping
- 2) Screening
- 3) Identifying and evaluating alternatives
- 4) Mitigating measures dealing with uncertainty
- 5) Issuing environmental statements.

- 1) Scoping:** It is used to identify the keys issues of the concern in the planning process at an early stage. It is also used to aid site selection and identify any possibility alternatives.
- 2) Screening:** It is used to decide whether an EIA is required or not based on the information collected.
- 3) Identifying and Evaluating Alternatives:** It involves knowing alternative sites and alternatives techniques and their impacts.
- 4) Mitigating Measures Dealing with Uncertainty:** It reviews the action taken to prevent (or) minimize the adverse effects of a project.
- 5) Environmental Statements:** This is the final stage of EIA process. It reports the findings of the EIA.