

ENVIRONMENTAL LAWS - LEC 1

OVERVIEW OF INDIAN ENVIRONMENTAL LAWS:

ENVIRONMENT

- Derived from the French word "Environer", essentially referring to those external conditions that influence all living creatures.
- It probably includes "everything" around us - living and non-living. It is one of the widest concepts ever evolving in the 20th & 21st century.
- Legal community pushing to take environment into governance.
- There are 2 things that the law covers:
 - Stopping crimes (obvious)
 - Environmental issues like providing transport, adequate and quality water supply must be translated into the legal framework.
- The Environment (Protection) Act, 1986 defines it as:
Environment includes water, air and land and the inter-relationship which exists among and between water, air and land and human beings, other living creatures, plants, and micro-organisms and property.
- Initial law was passed in 1974 which focused more only on water, however, there was a need to broaden the view which happened in 1986.
- According to Environment (Protection) Act, 1986:
Environmental pollution means the presence in environment of any environmental pollutant.
- Environmental pollutant means any solid, liquid or gaseous substance present in such concentration as may be or tend to be injurious to the environment.
- Tsunamis and fires, etc may not be considered as pollutants as they are processes/events rather than substances.

WATER POLLUTION

- Water pollution means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or ~~other effluent~~ or any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may or is likely to create a nuisance or render such water harmful or injurious to public health or safety or domestic, commercial, industrial, or plants or of aquatic organisms.