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| **ISO 14001** | **Indian Laws** |
| Voluntary environmental compliance program | Government-regulated command-and-control regime |
| Process oriented - Does not state requirements for environmental performance | Focus on both process and ultimate performance |
| Prescribes self-regulation | Prescribe precise requirements that organisations must abide by |
| More accommodative in nature – Organisations get to set targets and standards in a way that shall not get in the way of their easy operation | The Government is not concerned whether the legal requirements imposed on organisations comes in the way of the economic viability of their operations. |
| Mandates development and maintenance of standards | Develop standards and ask for compliance |
| Not mandatory | Mandatory |
| Motivation is the driving force | Fear of sanctions is the driving force |
| Self-certification is an option | Self-certification won’t make a difference once non-compliance is discovered. |
| Does not include health and safety | Include all such other dimensions |
| Applicable to all industries / organisations | Standards are set in an industry-specific manner. |
| Comes into play once the organisation has set up an EMS and has applied for certification. | Are involved from the very beginning - Companies are to obtain various consents from the authorities, such as consent to operate (CTO), consent to establish (CTE) etc. |
| Does not specify any standard – Organisations must set standards for themselves | Standard of requirements are established by way of various laws. For instance, Section 3 of the Environment Protection Rules, 1986 specifies various standards to be maintained by organisations. |
| Based on a Plan-Do-Check-Act cycle | Not based on such ideology – Provides for requirements under various heads |
| Based on commitment | Based on compliance |
| Calls for continual improvement | Does not impose continual improvement |
| Defining aspects and impacts and setting targets are requirements under ISO 14001 | No such requirement |
| Provides for the creation of an Environmental Management System (EMS) | No such provision under any Indian law |
| Once a company/organisation is ISO – 14001 certified, there is no mandatory provision for having the company audited until the certificate expires – Calls for internal auditing though. | Gives wide discretion to the Boards and other concerned authorities with such matters |
| Certificate valid for 3 years – must apply for renewal | Must comply with legal requirements at all times |
| Organisations must only keep legal requirements in mind while making their EMS | Must abide by the laws strictly |
| Organisations only need to commit to abide by the environmental laws – They can obtain the ISO 14000 certification by merely giving the commitment to abide and that means abiding at a later stage. | Must abide by the laws strictly |
| Non-compliance is not conducive to any sanction | Non-compliance may lead to various criminal and non-criminal sanctions |
| Only asks for a top-down approach in organisations where the commitment should begin at the highest level of management and then must be shared by all the employees in general | Provide for constitution of various bodies such as the CPCB and SPCBs and other such authorities to regulate and enforce environmental laws |
| Concerns one organisation at a time in that different organisations may have difference EMSs custom-tailored to suit their environmental compliance needs | Concerns all organisations at the same time – laws applicable to all in general |
| Private in nature | State involvement at all stages |
| Based on the system of certification by third parties | Abiding to laws won’t be followed by any such certification – However, non-compliance will lead to sanctions |
| Allows multiplicity of certifying authorities | State is wholly and solely responsible for law enforcement |
| The makers of the standard, that is the ISO are not directly involved | The state is the maker of laws, involved directly by one of other of its wings |
| Helps in corporate branding at an international level | Non-compliance with legal requirement shall tarnish the reputation of the organisation |
| ISO or any certifying agencies do not incentivise abiding by legal requirements | Government had launched schemes under which ISO-14001 certified companies could claim reimbursement to the extent of Rs. 75,000 |