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Public policy and framework on environmental protection and sustainable development in India: An overview

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Abstract

The problem of environmental pollution has attained international dimension due to rapid industrialization and urbanization, increased population growth, and overexploitation of natural resources leading to disruption of ecological balances. The problem is more pronounced and significant for developing countries like India. In this context, a regulatory framework is necessary for protection of existing enriched environmental system and integration of environmental realities while making decisions on economic issues and activities related to urban growth. Development of a comprehensive environmental policy in India poses several challenges including regulatory framework covering all aspects of environmental protection, medication of existing legislation for better achievement of its objectives, and establishment of governing boards for implementation of the framed and modified legislation. Other concerns involve political, social, and economic compromises made for development of infrastructure utilizing eco-friendly technology, implementing our international obligations through national legislation and creating awareness on other environmental issues India completing 75 years of independence; it is prudent that we take stock of the evolution of the country's environmental policy. Public policy making which was earlier considered the select domain of officials and elected representatives is now being increasingly influenced by civil society, people's movements, academicians, practitioners and others (Weible *et al.*, 2012). In this context the study assessing the past and the present in policy conversation and identifying the influencing factors, the study attempts to provide deeper insights on India's environmental policy making.

Keywords: Civil society, evolution, environmental policy, public policy, and influence factors

Introduction

In public policy, environmental policy making is all the more complex and dynamic as diverse actors understand issues and form narratives in different ways (Ganguly, 2015) [44]. The objective of this study is analyzing the evolution of India's environmental policy post-independence, and also discern the drivers of change and also assessing the past and the present policy conversation and identifying the influencing factors, the study attempts to provide deeper insights on India's environmental policy making.

Influence Factors

Two international conferences on environment and development

1. Stockholm in 1972 and.
2. At Rio de Janeiro in 1992 have influenced environmental policies in most countries, including India. Many countries and international agencies have accepted the polluter pays principle, the precautionary principle and the concept of intergenerational equity as guidelines for designing environmental policies.

India adopted the 'socialist' pattern of society in 1954 as a framework for social and economic policies. This framework articulates that public policy decisions must enable the society to maximize social gain and not private profit. This framework also envisages a catalytic role for the State in the social and economic transformation of the country. The Constitution of India provides a number of Directive Principles of State Policy. Indian Five year Plans have also stressed goals such as rapid economic growth, employment generation, poverty alleviation and balanced regional development.

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Since June 1991 there has been a tilt in economic policy towards economic liberalisation and globalisation. The importance of sustainable development is also being stressed as an objective of public policy.

The problem of environmental pollution has attained international dimension due to rapid industrialization and urbanization, increased population growth, and overexploitation of natural resources leading to disruption of ecological balances. The problem is more pronounced and significant for developing countries like India. In this context, a regulatory framework is necessary for protection of existing enriched environmental system and integration of environmental realities while making decisions on economic issues and activities related to urban growth. Development of a comprehensive environmental policy in India poses several challenges including regulatory framework covering all aspects of environmental protection, medication of existing legislation for better achievement of its objectives, and establishment of governing boards for implementation of the framed and modified legislation. Other concerns involve political, social, and economic compromises made for development of infrastructure utilizing eco-friendly technology, implementing our international obligations through national legislation and creating awareness on other environmental issues. The Indian Government introduced two articles i.e., 48A and 51A in the Constitution of India in 1976 to tackle the issues of environmental pollution. While article 48A empowers the state to protect forest and wildlife of the country Article 51A gives powers to the citizens of the country for improvement and protection of the environment. Hence, the powers of the two articles combined as per the constitutional guidelines give sufficient power to both state and citizens for protection of the environment. In this context, the Environmental Protection Act was envisioned which subsequently led to enactment of different acts including Water (Prevention and Control of Pollution) Act, 1974; the Water (Prevention and Control of Pollution) Cess Act, 1977; the Air (Prevention and Control of Pollution) Act, 1981; the Environment (Protection) Act, 1986; Public Liability Insurance Act, 1991; the National Environment Tribunal Act, 1995; the Wildlife (Protection) Act, 1972; and the Forest (Conservation) Act, 1980. The enactments of the acts show that India had taken a definitive approach for environmental protection but the biggest lacunae observed was the enforcement of these acts strictly in case of reported violations. Hence, there is an immediate need to ensure proper enforcement of the constitutional mandate and other environmental laws as the effectiveness of those policies is diluted due to non-enforcement.

Objectives of the Research

1. To understand the historical background of policy making in urban areas and why policies are different in various urban area, to study major events led to rapid development and global impact.
2. To analyze various policies that supports global agendas like sustainability and security in India.

Methodology of the Study

The whole emphasis of research is based on a descriptive study. The study has been carried out with the help of both historical and analytical source the present work based only secondary data which include NNS data in various round and survey report, article, book, journal, news report and

web source its special focus on survey report in government data.

Scope of the Study

In this study of research paper the term scope and 'environment' is used in a holistic manner encompassing environment, forests, wildlife, biodiversity, natural disasters and climate change. Also, for the purpose of this paper, the word 'policy' is used in a broader sense to describe how information is converted into action through decision processes (Forrester, 1992) ^[42]. It includes policy, laws, judgments, guidelines, strategy and the like at the national level. Similarly, 'civil society' is referred to broadly as NGOs, social activists, community based organizations, academicians and their coalitions involved in policy advocacy and practice (Ganguly, 2015 and 2019) ^[44, 45].

Historical Perspective on Environmental Policies

First Phase (1947 to 1970)

In the first few decades after independence, India did not have comprehensive environmental laws barring a few, such as the Indian Forest Act, 1927 and the Factories Act, 1948. Although some laws touched upon issues of pollution, they had limited territorial reach and were largely unsuccessful in their enforcement (Gupta, 2014) ^[53]. This period saw the promulgation of the National Forest Policy in 1952 that proposed to increase the national forest cover to one-third of the geographical area of the country to check land degradation. It focused on government effort to increase the area under tree lands (now known as trees outside forests) by taking up planned a forestation with people's participation. Supply of timber and other types of forest produce for defence, communications and industrial purposes and sustained revenue generation was prioritized. It also highlighted the need to meet the growing needs of the local community for grazing, firewood and agricultural implements, but not at the cost of national interests. It cautioned against the practice of relinquishment of forest land for agricultural purposes by acknowledging the role forests play in provisioning fuel and timber and in protecting against dust storms, hot desiccating winds and erosion.

Second Phase (1970s and 1980s)

This was the era when the foundations of the policy and legal architecture of India's forest, environment and wildlife were laid. It was driven by multilateral 'environment diplomacy', a strong political commitment to conservation at the national level, a cognizance of the environmental issues of the 1970s, and triggered a paradigm shift in India's domestic environmental policy. The Indian constitution was amended and forest, environment and wildlife entered into this haloed space for the first time. Stringent forest and wildlife laws were enacted by the parliament leading to the protection of forest land and the creation of an elaborate network of protected areas for biodiversity conservation. Comprehensive measures such as the regulation of pollution, protection of the environment were also introduced during these decades.

International environmental diplomacy

The origin of the Indian environmental policy framework can be traced back to its preparation for the 1972 United Nations Conference on the Human Environment (UNCHE) in Stockholm (Divan and Rosencranz, 2001; Mandal and

Rao, 2007)^[30, 64]. It was the first world conference where the environment was the major issue, and its preparation was grounded in scientific knowledge and science diplomacy (Paglia, 2021)^[82]. The introductory phase for this conference prompted the mobilization of scientific research in several UN member states, including India. It led to the publication of a series of reports on the State of India's Environment by the erstwhile Planning Commission of India. These reports highlighted the anthropogenic pressures on the natural resources of the country which, before 1971, were largely unaddressed.

This conference marked a turning point in the evolution of India's environmental policy framework (Divan and Rosencranz, 2001; Gupta, 2014)^[30, 53]. To fulfill its commitment made at the Stockholm Declaration, India adopted the 42nd amendment to the constitution in 1976 bringing about two significant changes. Firstly, through articles 48A and 51A, issues related to environmental protection were incorporated explicitly for the first time as an obligation on the part of both the State and citizens (Mandal and Rao, 2007)^[64]. Secondly, the legislative jurisdiction over subjects such as 'forests and wildlife' was moved from the State list to the Concurrent list. This provided both the Central and the State government's legislative jurisdiction over these subjects, however, in case of a conflict; the Centre's decision would prevail. Complementary to these amendments were Articles 253, and 51(c) that empowered the Central government to pass environmental laws to meet the country's commitment to various multilateral environmental agreements and conventions. These amendments to the constitution further bolstered the centralization of environmental legislation in India. The 1970s and the 1980s also marked the establishment of environmental institutions in India. The preparatory activities for the UNCHE led to the establishment of the National Committee on Environmental Planning and Coordination (NCEPC) in the Department of Science and Technology in 1972 (Dwivedi, 2006; Gupta, 2014)^[35, 53]. This began with the creation of the Central and State Pollution Control Boards and Pollution Control Committees through the enactment of the Water (Prevention and Control of Pollution) Act, 1974. The NCEPC was the predecessor to what later the Department of Environment (DoE) became and eventually the Ministry of Environment and Forests in 1985 (Gupta, 2014)^[53].

Establishing a stringent conservation regime

In the early 1970s, when India's forests and wildlife were being over-exploited, the then prime minister, Indira Gandhi, laid the foundation for protecting the country's forests and wildlife (Rangarajan, 2006)^[87]. Her strong political commitment resulted in the enactment of stringent forest and wildlife laws, and the creation of an extensive protected area network for biodiversity conservation. During her regime, the Wildlife (Protection) Act, 1972 was enacted to establish protected areas and ban wildlife hunting. In 1973, Project Tiger was launched a flagship programme that established tiger reserves by setting aside large forest areas in varied ecosystems. Several national parks and wildlife sanctuaries were established in the country which ushered in the 'fortress' conservation regime (Brockington, 2002)^[20]. The exclusionary nature of this model was built on the principle that biodiversity conservation was best achieved in a people-free environment. However, this approach has been subsequently criticized for being exclusionary and socially

insensitive towards rights of the forest dwellers (Sarin, 2014)^[98]. The Forest (Conservation) Act, 1980, which regulated the diversion of forest land for developmental activities and made federal clearance mandatory, was landmark legislation during this period

Environmental protection and governance

The constitutional provisions and growing concerns of environmental issues in the 1980s also led to the enactment of several environmental laws (Chopra, 2017)^[23] that aimed to regulate pollution, usage and conservation of natural resources.

The Indian Environmental Movement

Another noteworthy driver that influenced and shaped the environmental policy space in India was the 'Indian environmental movement', an umbrella term that includes a multitude of nature-based 'local conflicts, initiatives and struggles' (Guha and Martinez-Alier, 1997)^[52]. The emergence of the movement can be traced back to the Chipko movement in the 1970s, often hailed as a trailblazer for several contemporary environmental movements in India (Guha, 1989; Guha, 2001)^[50, 51]. India has witnessed a wide range of nature-based environmental movements since the 1970s borne out of the conflicting interests over the protection, usage and control of natural resources. These are conflicts in defence of community rights over forest resources (Chipko, Appiko, Niyamgiri), fishery resources (Fisherfolk movement), conflicts over hydropower projects (Silent valley movement), to name a few. These movements characterised as the 'environmentalism of the poor' revolved around and were rooted in the environmentally unsustainable process of development and its impact on the resource rights and livelihoods of the marginalized communities. These movements were built upon the work and campaigns of the civil society (Narain, 2002; Chopra, 2017)^[74, 23].

Third Phase (1990s)

The promulgation of the National Forest Policy in 1998 coupled with an overlapping experimental phase of participatory forest management in few parts of the country commenced the 'politics of collaboration' between the local communities and forests (Hobley, 1996; Guha, 2001)^[56, 51]. This marked a change from the traditional exclusionary approach to a more collaborative and inclusionary one (Guha, 2001)^[51]. These experiments sowed the seeds for the launch of the national Joint Forest Management (JFM) programme in India in the year 1990.

Fourth Phase (2000-2010)

The first decade of the 21st century marked the scaling up of the participatory approaches and also the genesis of the rights-based approach (RBA) to development. In the year 2000, the environment ministry launched a new National Aforestation Programme with an objective to scale up participatory aforestation in the country in partnership with decentralized institutions such as the Forest Development agency at the forest division level and the JFMC at the village level (MoEFCC, 2021)^[68]. The JFM approach received central support, considerable donor interest, and scaled-up rapidly. By 2011, about 1, 18, 213 JFM committees were managing around 23 million hectares of forests (ENVIS, 2011)^[40].

Inclusive Biodiversity Policies: India's ratification to the Convention on Biological Diversity (CBD) was the gateway towards creating a formal, legal framework on the usage of biological resources the Biological Diversity Act of 2002 (BDA, 2002). The BDA 2002, in addition to stipulating provisions for commercial utilization of biological resources, also aimed at ensuring fair and equitable sharing of benefits and protecting the indigenous knowledge associated with it. To meet these objectives and the additional obligations under the Nagoya Protocol on Access and Benefit Sharing (ABS), the Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations (ABS) were framed a decade after the enactment of the BDA 2002. These guidelines provide a detailed procedure for the determination and sharing of benefits with local communities arising out of the use of biological resources obtained from India. While a prominently top-down and centralized approach guided the preceding biodiversity conservation legislations, the CBD paved the way for a more inclusionary, rights-based discourse that took into consideration the expertise offered by a diverse group of actors while formulating India's biodiversity policies (Ganguly, 2015) ^[44].

The National Environment Policy

A noteworthy introduction in 2006, through extensive consultations with a diverse group of experts from various ministries, government officials, industrial associations, civil society, academia, think-tanks and the public, was the National Environment Policy 2006 (NEP, 2006). It was introduced in response to the obligations under Articles 48 A and 51 A (g) and Article 21 of the Indian constitution. This policy aimed at filling the gaps that existed in previously established sector-specific policies on forests, agriculture, and water resources, to name a few. It was the first time that a policy for 'environment' was developed (Chopra, 2017) ^[23] with a multi-disciplinary engagement of stakeholders. It recognized the importance of mainstreaming environmental issues in developmental activities and emphasized the conservation of natural resources to sustain and secure the livelihoods of people dependent on them.

Enactment of the Forest Rights Act, 2006

Following a misinterpretation of the Supreme court's proceeding orders (Springate-Baginski *et al.*, 2009) ^[101], in May 2002, the Ministry of Environment and Forests issued notices to all states to evict 'encroachers' from forest lands. This led to a large-scale eviction of forest dwellers in different parts of the country, over lakhs of hectares.

Creation of the National Green Tribunal

The National Green Tribunal (NGT) was constituted as per the National Green Tribunal Act in 2010, as per the recommendation of the Supreme Court, Law Commission and India's environmental law obligations, as a specialised judicial body to adjudicate environmental cases in the country (Brara, 2018; Gill, 2019) ^[19, 46]. This tribunal was given the mandate to decide on issues emanating from seven environmental acts covering issues on water, land and air pollution, biodiversity and forest conservation. It has original jurisdiction, appellate authority and scientific backing for speedy and effective delivery of environmental justice (Tripathi, 2018; Gill, 2019) ^[105, 46].

The Fifth Phase (2010-2020): During this decade the

governance focus shifted on spurring the Indian economy and the imperative to create jobs by giving a fillip to the manufacturing sector through policy initiatives such as "Make in India", "ease of doing business" and the like. This was accompanied by measures to streamline forest and environmental clearances which were opposed by civil society groups (More, 2016) ^[71].

Several expert committees were constituted during this decade by the environment and forest ministry. The Gadgil committee was set up to identify ecologically sensitive zones in the Western Ghats in 2010 (Gadgil *et al.*, 2011) ^[43]. In 2012, the Indian Institute of Forest Management was assigned the task of revising the Net Present Value of the forests diverted for developmental projects (Verma *et al.*, 2014) ^[108]. The Chopra committee was constituted to assess the impact of hydroelectric projects following the 2013 Kedarnath disaster in the Himalayan state of Uttarakhand (MoEF, 2014). The recommendations of these expert committees to strengthen the conservation regime in fragile ecosystems such as the Western Ghats and the Himalayas and to enhance the NPV rates were not accepted by the Government. In 2014, the government appointed a High-Level Committee to review and propose amendments to India's environment, forest and wildlife laws. This step drew criticism for the limited time frame, absence of public consultation and a lack of subject matter experts in the committee (Bahree, 2014) ^[10]. Consequently, the report of the High-Level Committee was rejected by the parliamentary standing committee (Banerjee, 2015) ^[12]. In 2016, the Compensatory A forestation Fund Act was passed that laid down the forestation mechanism to compensate for the forests diverted for development purposes the rules to this Act, drawn up in 2018, set up a confrontational path between the government and forest rights and tribal groups. The *Gram Sabha* (village assembly) was not provided with any role in managing these a forestation projects (Aggarwal, 2018) ^[4] as the approval and execution of these projects was centralized, resulting in hegemony of the states' priorities over that of the local community.

With regard to JFM, after a decade of enthusiastic implementation, the central funding and donor support started waning and the National A forestation Programme was also wound up in 2021 (MOEFCC, 2021) ^[68].

The Institutional Framework for Environmental Management

The UN Conference on the Human Environment in Stockholm in 1972 is a landmark in the evolution of environmental policy in India. Preparations for India's participation in the conference acted as a catalyst in the formation of a National Committee on Environmental Planning and Coordination (NCEPC). The committee was the forerunner of the Department of Environment (DoE) which eventually became the present Ministry of Environment and Forests (MoEF). Its main job was to plan and coordinate with the actual implementation carried out by the various government ministries and agencies. There is another important set of environmental institutions in India that were established even before the DoE. These are the central and state pollution control boards (CPCB and SPCBs) initially created under the Water (Prevention and Control of Pollution) Act. Unlike MoEF, the pollution control boards are statutory bodies which main function is to monitor pollution and take the necessary measures to

improve air and water quality. In other words, their mandate is to implement and enforce the major pollution control laws. State pollution control boards are found in all states now. The central board coordinates the activities of the state boards as well as the federally administered union territories. Its role includes the compilation of data on air and water pollution, and more importantly to lay down ambient and emission standards for both air and water.

Legislation on Water Pollution

It was not till the 1970s that the federal government started enacting more wide-ranging and comprehensive environmental laws starting with the Water (Prevention and Control of Pollution) Act of 1974, which was notable for the degree of consensus between the centre and the states. Six states had passed resolutions in 1969 urging parliament to legislate on water pollution. By the time the Act came into force in 1974, a total of twelve states had joined the consensus in a remarkable instance of voluntary surrender of legislative authority to the central government.

Legislation on Air Pollution

The primary statute in this area is the Air (Prevention and Control of Pollution) Act of 1981. In direct contrast to the Water Act which was justified on the basis of decisions by sub national entities, the Air Act was based on the decisions of a supranational body, namely, the 1972 UN Conference on Environment. The Act is nationwide in its scope and states that had not set up pollution boards under the Water Act were now required to establish them.

The case for designing pollution / user charges for locally provided services such as drinking water supply, sanitation and solid wastes disposal is very strong. The 73rd and 74th constitutional amendments of 1992 assign the above subjects to the local bodies. Most local bodies do not have the resources to carry out the tasks. At present these services are either provided free or at rates independent of the volume and quality of the services. A user charge system will enable the local bodies to find resources to provide these services and also make them financially independent of state governments to some extent. The user charge system will also signal the users about the costs of the services provided by the local bodies.

In fact there is an enormous scope for converting the wastes into valuables products. Municipal wastes can be converted into manures; the wastewater can be recycled after treatment and so on. At present most municipal towns do not have sewage systems. A well-designed municipal sewage system with a facility for combined treatment of municipal wastewater and industrial wastewater would be beneficial to society because of economies of scale and economies of scope in the combined wastewater treatment.

Results and Discussion

India's post-independence environmental policy making journey can be segregated into five parts for ease of understanding. The first is the phase from 1947 to 1970 which we term as the initial years that saw the promulgation of the National Forest Policy of 1952. The second is the period from 1970-1990 when, backed by a strong political commitment, the foundation of India's environmental policy and legal framework was laid. This period also witnessed the emergence of several people's movements borne out of conflict over the usage and control of natural resources (Guha and Martinez-Alier, 1997) ^[52]. The third phase was

the decade of 1990 to 2000 that saw the emergence of participatory approaches and a collaborative partnership with the civil society in natural resource management, and a proactive judiciary addressing pressing environmental issues.

The fourth part is the period from 2000 to 2010 that saw the advent of rights-based approaches. The fifth part is the period from 2010 to 2020 which we refer to as the decade of standoffs between a strong state and a resilient civil society. In the following sections, we discuss the key milestones in India's environmental policy journey and also explore the influencing factors.

The pollution haven hypothesis which posits that investors from industrialized nations are attracted to developing countries with weak environmental laws has been a recurring theme in the literature on trade and environment, particularly in the context of competitiveness and environmental regulation. The basic question is whether differences in environmental standards and enforcement provide an unfair competitive advantage to some countries, and how this should be addressed. Similar questions could also be asked in the sub-national context for large federal countries: does inter jurisdictional competition for investment, both domestic and foreign, manifest itself through differences in environmental standards and enforcement? If so, how should national governments respond in what has been dubbed a "race to the bottom"? This paper attempts to address these issues by examining the legislative and institutional framework for environmental protection in the context of India's federal structure and the Indian experience with the so-called "race to the bottom" which describes the tendency of businesses to move to places where the wages are lowest and laws are weak?

The bulk of economic literature on federalism in India has focused on fiscal federalism. There has been little work in the area of environmental policy and its role in intergovernmental relations in India. To keep the paper focused, environmental problems related to natural resource degradation such as soil erosion, deforestation, biodiversity, or desertification are mentioned in passing, and are not dealt with explicitly. The regulatory regime for environmental protection in India is a picture of sharp contrast. The country has elaborate statutes and regulations on almost every conceivable area from hazardous waste to forests and wildlife. Yet, monitoring and enforcement capabilities remain weak. This segment examines the division of environmental policymaking between national, state, and local governments in India. Much of the discussion focuses on the *de jure* division rather than the *de facto* situation. However, since much of the latter follows from the former, it is important to understand how the division is supposed to work.

The Role of Local Governments

The division of responsibility between different tiers of government, including environmental matters is governed by the Indian constitution. The sharing of environmental policy formulation between the central, state and local governments reflects the manner in which the constitution was originally framed and the way in which it has subsequently been interpreted and amended. In this context, it should be kept in mind that the division of power *vis-a-vis* the environment between the centre and the states in India is simply a by-product of the overall devolution of power. The Indian constitution provides for a federal structure within

the overall framework of a parliamentary form of government. While states have some degree of autonomy, ultimate authority rests with the central government. For instance, the centre can create new states; alter the boundaries of existing states (Article 3) and under special circumstances, even take over their governance (Article 356). Part XI of the Constitution governs the division of legislative and administrative authority between the centre and states. Article 246 divides the subject areas for legislation into three lists: Union List, State List, and Concurrent List. The Union List comprises 97 subjects over which parliament has exclusive powers to make laws. Apart from defence and foreign affairs, the list also includes environmentally relevant subjects such as interstate rivers and river valleys, mines and minerals, oil fields, atomic energy, air traffic, and so on. The State List gives state government's exclusive jurisdiction over areas such as public health and sanitation, agriculture, land improvement and water management. Under the Concurrent List, both central and state legislatures can enact laws on subjects ranging from forests and wildlife to factories and electricity. In addition, the centre has the residual power to legislate on any subject not covered in the three lists (Article 248). The balance is tilted further in its favour by three additional constitutional provisions: (i) a central law on any subject in the Concurrent List generally prevails over a state law on the same subject (Articles 251 and 254); (ii) it can legislate in the "national interest" on any subject in the State List (Article 249), and (iii) it can also pass laws on state subjects if two or more state legislatures consent to such legislation (Article 252). In fact, two major environmental statutes in India, namely, the Air (Prevention and Control of Pollution) Act of 1981 and the Environment (Protection) Act of 1986 have been enacted under this very provision by citing the United Nations Conference on the Human Environment at Stockholm (1972). Similarly, the Biological Diversity Act 2002 and the National Green Tribunal Act 2002 were enacted in the wake of the UN Convention on Biological Diversity signed in Rio de Janeiro in 1992. In February 2012, the state of West Bengal was directed to draft a policy for wetlands by the Kolkata High Court after India became a signatory of the Ramsar Convention for protection of wetlands.

Conclusion

When the economy is being liberalised and globalised the environmental policy must also change. As the resources are limited and the central, state and local governments face severe budget constraints, cost benefit analysis of environmental laws and regulations should be made mandatory. Wherever feasible, greater reliance should be placed on the use of economic instruments for environmental protection because, if the instruments are well designed, they can signal the users of environmental resources about the social scarcity values of these resources and at the same time generate revenues to the governments. The government can also provide an enabling environment to community based organizations to participate in the management of local commons and in the enforcement of environmental laws and rules. The government must make a transparent and conscious assessment of the trade of between efficiency and equity in the matter of environmental policy. They require for conservation and sustainable use of natural resources to protect the environment and preserve the

natural resources of the country had been introduced in the constitutional, legislative, and policy framework with active intervention of judiciary in the earlier decades. After the UN conference on the human environment at Stockholm in 1992, a structured framework of environmental legislation was developed relating to environmental protection. In this context, the National Council for Environmental Policy and Planning was established as an authority for environmental protection under the Department of Science and Technology in 1972, which is presently known as the Ministry of Environment and Forest (MoEF). MoEF acts as an advisory body in all matters relating to protection of environment and its improvement, but the responsibility for execution remains with the various ministries and government agencies. The Government of India declared the Policy Statement for Abatement of pollution in 1992 which states "This statement declares the objective of the government to integrate environmental considerations in as is evident from this review, environmental policymaking in India is at the crossroads today, with multiple forces acting in different and often contested directions. Owing to the complex nature of this interaction between different actors, networks and institutions, it is difficult to predict the future course of India's environmental policy. Will the coming decades see a rise in the ease of doing business due to a dilution of the environmental norms, or a strengthening of decentralized rights-based community forest governance, or the growth of a centralized environmental regime; only time will tell to decision making at all levels."

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