INCLUSIVE GROWTH OF ENVIRONMENT THROUGH
SUSTAINABLE DEVELOPMENT

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ABSTRACT

Environment has supported and maintained life on earth since several decades and will continue the same in future also. But the existence of environment in future without degradation is possible only through sustainable development. That means sustainable development is a concept which refers to the process of socio-economic development through the judicious utilization of the natural resources, keeping in mind the needs of future generations. There are various reasons for environmental degradation and all of them can be solved and the complete protection of the environment can be ensured through massive public awareness programs and public participation.

So this paper is looking on the different strategies adopted through various legislations for an effective protection of environment. The strategies also may adopt through indigenous community knowledge, technology and adopting new innovative practices in everyday life. Moreover, modern science also has contributed to the sustainable development. The harmful effects of industrialization, different modes of pollution and deforestation etc. can be managed with help of modern technology. Therefore strong participation and partnership of government, industry, funding agencies, non-governmental organizations research and development are essential in this regard.

Nowadays there are several voluntary agencies in India to encourage the people to maintain a collective sense of sustainable development and empowerment and to demand certain rights for their upliftment. As the Earth Summit emphasized, the active participation of the NGOs for this purpose will generate cooperation between people at the grass root level in policy making for the sustainable growth. At lasts the paper discussing the importance of Environmental Impact Assessment before initiating any project which is prejudicial to environment.

KEYWORDS: Environment, Sustainable Development, Public Participation and Awareness, NGOs, MoEF, Community Knowledge, Innovative Practice, Environmental Impact Assessment

INTRODUCTION

"We are caught in an inseparable network of mutuality, tied in a single garment of destiny. All life is interrelated."

Dr. Martin Luther King Junior

The 1972 United Nations Conference on the Human Environment declared that "man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights--even the right to life itself." For the very existence and sustenance of life and for healthy, safe and quality living, there should be hygienic, natural and quality environment. So it is very essential to preserve and protect the environment from degradation in order to preserve the natural resources, maintain the ecological balance and to protect the right to life of human beings.

CAUSES OF ENVIRONMENTAL DEGRADATION

The increased economical and social activities due to scientific development, industrialization and urbanization etc. on one hand have improved the living standard of man but on the other hand, have brought environmental degradation. As far as India is concerned, the ancient Indian civilization was emerged and developed in relation to rivers. India's river system once was symbols of purity and life are now foul receptacles of sewage and toxic waste leading to loss of marine ecology, incidence of disease and death. Indian rivers carry five percent of the world's river water but five percent of all the sediments that go to the ocean. Besides, construction of barrages, dams and canals have drastically cut down the water flows with disastrous consequences.

The reasons for environmental degradation can be mainly divided into two.

- Social degradation and

- Economic degradation.

The social degradations include sewage- water pollution, solid-waste pollution, usage of chemical fertilizers, pesticides and insecticides in agriculture, poor waste management, poor sanitation, poverty and under development, illiteracy, nuclear weapons testing etc.

Whereas economic degradation can be treated as the main reasons for environmental deterioration. They are:-

- Population growth

- Industrialization

- Deforestation

- Urbanization

- Agricultural development

- Science and technology

- Quarrying

- Mining

- Stone crushing

- Relocation of hazardous/noxious industries etc.

Environment Problems as Source of Social and Political Conflict and Violence

The environmental degradation and its impact on people especially those affected have already traced. It is, therefore, not surprising that all most all the developmental / industrial ventures, be in the public or in private sectors, are met with stiff resistance. As for example the controversies over Sardar Sarovar Dam on Narmada, the Kankan Railways, the East-Coast Road, the Tehri Dam and more recently over TATA's proposed steel venture in Gopalpur, Orissa intensive shrimp farming along the entire coast, Enron project in Maharashtra etc. are but expressions of concern against possible deleterious impact on ecology and against dislocation . The protests also emphasize that all development projects must incorporate environmental and social concerns in the process of planning design and implementation.

It is a fact that community objections to development or policies that affect ecology or bio-diversity are essentially expressions of concern for livelihood. The process, nevertheless, helps preservation of precious natural resources. The problems of displacement, rehabilitation and resettlement are another major concern here.

The regulatory agencies of the Government are ill equipped to fight against pollution and other environmental problems. They are not involved in making industrial policy and they are both numerically and technically unable to enforce the laws against such environmental degradation.

INTERNATIONAL MEASURES

In the 1970s, it was realized that there were 'limits to growth' of natural resources. If growth continued unbridled at the then existing rates, it would exhaust the limited stock of natural resources of the earth, which will then limit the carrying capacity of the environment and marked as a global threat. So international community has responded to this fact and environmental protection and sustainable development concerns got high priority on the international agenda. On various occasions the highest officials of States participated in international conferences on environmental protection and development. The problems like ozone depletion, global warming, hazardous waste, atmospheric and marine pollution, conservation of natural resources, wildlife, biodiversity, wetlands etc. have been identified and serious discussions were held for a workable solution. This resulted in adopting more than 200 multilateral agreements dealing with different environmental problems.

The term sustainable development was first used in

- Cocoyoc Declaration[1], then in

- The Stockholm Declaration[2] , where the concept was given much importance.

- World Conservation Strategy of 1980.

- South Pacific Commission 1980[3]

- World Charter for nation 1982

- ASEAN Agreement 1985

- World Commission of Environment and Development 1987

- Brundtland Commission Report 1987

- Rio Declaration 1992[4]

- Earth Summit Plus Five 1997

- Kyoto conference (World Climate Conference)[5]

- Global Environmental Facility 1998 etc.

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[1] Cocoyoc Declaration on Environment and Development, 1970
[2] Stockholm Declaration in 1972
[3] The concept was also recognized by the General Assembly of UNO at the same time.
[4] Rio Declaration on Environment and Development 1992(Earth summit 1992)
[5] Kyoto Conference and Pact on Global Warming 1997

Thus in International levels so many conventions, Declarations and strategies were adopted to protect the environment through sustainable development. A development process that needs to be in harmony with the environment ultimately demands a new culture. Precautionary principles and polluter pays principles are the contribution of these measures which is very beneficial to the environment.

INITIATIVES IN THE NATIONAL LEVEL

India is one of the few countries of the world where the term "environment" finds special mention in the Constitution itself. Even though right to environment is not guaranteed as a fundamental right, it acquired the status of such a right through the extension and interpretation of Right to Life. Through various judicial pronouncements, the higher judiciary in India several times reiterated the position. There is also lot of Environmental legislations in India.

The National Committee on Environmental Planning and Coordination (NCEPC), set up in 1972, which was earlier the apex advisory board relating to issues of environmental protection. In 1980, a separate Department of Environment was constituted with a mandate to plan, promote and coordinate programs relating to the environment. A full-fledged Ministry of Environment and Forests was established in 1985 to look after environmental protection measures at the national level. The functions of MoEF include environmental policy formulation, implementation of environmental legislations, monitoring and control of pollutions, eco development, environmental research, training and awareness, wildlife protection, forest conservation etc.

Various other bodies like

- Central Pollution Control Board (CPCB)

- National Environment Appellate Authority (NEAA)

- National Biodiversity Authority

- Zoological Survey of India (ZSI)

- Botanical Garden of India (BSI)

- Indian Institute of Forest Management (IIFM)

- Indira Gandhi National Forest Academy (IGNFA)

- Forest Research Institute (FRI)

- Wildlife Institute of India (WII)

- Indian Council of Forestry Research and Education (ICFRE)

- National Environmental Engineering Research Institute (NEERI) etc. are some environmental institution dealing with environment and policy making process for effective measures.

INDIAN JUDICIARY AND ENVIRONMENT

Environmental deterioration could endanger life of present and future generations. Therefore, the right to life has been used in a diversified manner in India. It includes the right to survive as a species, quality of life, the right to live with dignity and the right to livelihood. In India, this has been expressly recognized as a constitutional right. The only silver

lining in the entire gamut of environmental legislation and enforcement has been the initiative and pivotal role taken up by the Courts in India especially the Supreme Court of India in laying down foundation of environmental jurisprudence.

In a series of cases brought through public interest litigations the Courts have taken upon themselves the task of expanding the article 21 of the Indian Constitution by interpreting that right to Life includes Right to live in a healthy environment. The judgment of the Andhra Pradesh High Court in Damodar Rao v. S.O. Municipal Corporation, Hyderabad, the Court ruled that the enjoyment of life and its attainments and fulfillment guaranteed by the Article 21 of the Constitution embraces the protection and preservation of natures gifts without which life cannot be enjoyed. The slow poisoning caused by environmental pollution should also be regarded as violation of Article 21. Expanding on the idea further , The Supreme Court of India in a case in respect of quarries in Dehradun observed that preservation of the environment and keeping the ecological balance unaffected is a task which not only Governments but also every citizen must undertake . It is also the social obligation and every citizen is reminded that it is his fundamental duty as enshrined in Article 51 A (g) of the Constitution.

In M.C. Mehta vs. Union of India involving gas leak in Delhi the Supreme Court not only widened the scope of Article 21 by including in it the protection of environment but also created a liability in tort for those harmed by pollution. It laid down the principle that industry carrying hazardous and inherently dangerous activities that are a threat to security of those living around it owed a strict and absolute liability and non-delegable duty to the community to ensure that no accident of occur. If accidents do occur the enterprise has an absolute liability to compensate those affected by it. The social cost for carrying on such hazardous activities for profit is a legal presumption that the industry will compensate.

In Environmental Awareness case, 1992 the Supreme Court issued directions for imparting environmental education and awareness in the country. This would include measures such as making environment a compulsory subject in schools, introducing environment as a subject in universities, ensuring programs on environment on television and radio.

In Delhi Vehicular Pollution case, 1994 the Supreme Court issued directions for the Union Government to control vehicular pollution.

C. P. Mukthi Sangarsh Samiti v. State of U. P., 1990 is another case where the Supreme Court reiterated that every citizen has a fundamental right to enjoy a quality of life. So the presumption is that, judicial mechanism is very strong in India in Environmental matters while legislative and executive machineries are not that much capable in handling the real environmental problems.

SUSTAINABILITY THROUGH PUBLIC PARTICIPATION

Sustainability can be adopted through several methods. Public participation is a very effective weapon in this regard. So awareness programs and exploitation of the knowledge of indigenous people etc. should go hand in hand. Some of the strategies are:-

- Community Knowledge

- Harness Technology

- Innovative Practices

- Cooperation and Partnership etc.

Community knowledge refers to the combined traditional and scientific knowledge. It is known that traditional knowledge is sustainable as it has evolved after thousands of years of observation and experience. This is a form of knowledge that interlinks and establishes a holistic relationship between man and nature. Although there are certain disadvantages, the importance of scientific knowledge and the development brought out through such knowledge could not be avoided. So it development is essential to formulate policies for sustainable development with the cooperation between scientists and holders of traditional knowledge which include local people and indigenous people. Harnessing technology is the term used to denote that, the technologies, even if detrimental itself should be modified and used for the developmental process in a sustainable way. In several countries the trends of manufacturing are shifting from standardized products and processes towards sustainable, holistic and more flexible processes. Moreover recycling and reuse of materials are methods by which energy and resources can be saved considerably. Innovation in the field of biotechnology, agro forestry and ethno forestry is another important contribution for sustainable development.

Agro forestry or social forestry is a practice where trees and agricultural crops are grown together. It is an integrated tree based land use system in which woods are deliberately mixed with agricultural, horticultural, pastoral crops and animal husbandry in the same unit of land which will maximizes the production capacity of land.

Whereas in ethno forestry, the creation, conservation, management and utilization of forests by the local/tribal people through traditional practices and folk beliefs. It involves the local knowledge for sustainable forestry and livelihood. The integration of this local knowledge and modern learning has become essential for sustainable development. Implementation of such innovative but traditional ideas at the community and group level requires strong and voluntary participation of the people.

ENVIRONMENTAL IMPACT ASSESSMENT IN INDIA

EIA is an exercise to be carried out before any project or major activity is undertaken to ensure that it will not in any way harm the environment on a short term or long term basis. Any developmental endeavor requires not only the analysis of the need of such a project, the monetary costs and benefits involved but most important, it requires a consideration and detailed assessment of the effect of a proposed development on the environment. The environment impact process was introduced with the purpose of identifying /evaluating the potential beneficial and adverse impacts of development projects on the environment, taking in to account environmental, social, cultural and aesthetic considerations. All of these considerations are critical to determine the viability of a project and to decide if a project should be granted environmental clearance. An EIA concentrate on problems, conflicts and natural resource constraints which might affect the viability of a project. It also predicts how the project could harm to people, their homeland, their livelihoods, and the other nearby developmental activities. After predicting potential impacts, the EIA identifies measures to minimize the impacts and suggests ways to improve the project viability[6].

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[6] ENVIRONMENT IMPACT
ASSESSMENT PROCESS IN INDIA
AND THE DRAWBACKS
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National Environmental Policy Act (NEPA) was formed in USA during 1970. This was the basis for the development of a mechanism which came to be known as Environmental Impact Assessment (EIA). Principle 17 of the Rio declaration states that –

"*EIA as a national instrument shall be undertaken for the proposed activities that are likely to have significant adverse impact on the environment and are subject to a decision of a competent national authority*"[7].

In India a major legislative measures for the purpose of environmental clearance was in 1994 when specific notification was issued under section 3 and rule 5 of the environment protection Act, 1986 called the "Environment impact Assessment Notification 1994".

The first step in seeking environmental clearance for a development project is to determine what statutory legislations apply to the particular project. The MOEF (Ministry of Environment and Forest) has brought out several notifications restricting the development of industries in specified ecologically sensitive areas. Environmental clearance for development projects can be obtained either at the state level or at the central level depending on certain criteria concerning the characteristics of the project. And Schedule- I of the Notification listed around 30 projects requiring environmental clearance from the Central Government. Actually the notification is environmental friendly and having different advantages, whereas certain drawbacks also can be pointed out here.

DRAW BACKS IN THE INDIAN SYSTEM

Even though some of the industrial set ups do not require EIA as per the statutory norms, they might involve certain technological processes which could be harmful to the environment, as a result of which such enlisted industries could have potential impacts on the environment and on public health. Exempting industries from the EIA requirements based on the investment value of specific projects is not acceptable. There are no specific studies conducted till now which demonstrate that environmental impacts are always inconsequential for projects under a given value. It is a well established fact that the small scale industries are contributing more pollution with respect to the major industry.

To clear a project, the developer may be required to undertake a preliminary Assessment. This involves sufficient research, review of available data and expert advice in order to identify the key impacts of the project on the local environment, predict the extent of the impacts and briefly evaluate their importance to decision makers. The preliminary assessment can be used to assist early project planning and it can serve as an early warning to the serious environmental problems that the project may cause.

Schedule – III of the EIA Notification provides for the composition of the expert committees.

It is being found that the team formed for conducting EIA studies is lacking the expertise in various fields such as Anthropologists and Social Scientists (to study the social impact of the project) or even wild life experts. Moreover there is a lack of exhaustive ecological and socio-economic indicators for impact assessment. Public comments are not taken into account at the early stage, which often leads to conflict at the later stage of project clearance. There is always a lack of reliable data sources. The secondary data is also not reliable. The data collectors do not pay respect to the indigenous knowledge of local people. The credibility of the primary data collected by the data collectors is doubtful.

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[7] The role for EIA was formally recognized at the earth summit held at Rio conference in 1992.

Last but not least, one of the biggest concerns with the environmental clearance process is related to the quality of EIA report that is being carried out. The reports are generally incomplete and provided with false data. EIA reports ignore several aspects while carrying out assessments and significant information is found to omit. Many EIA report are based on single season data and are not adequate to determine whether environmental clearance should be granted. All this makes the entire exercise contrary to the very intention of EIA.

CONCLUSIONS

Though the judicial process is fast emerging as an important forum to seek remedial justice in India against environmentally hazardous activity there is need to evolve an enlightened public opinion. Initiative of a handful of public spirited concerned individuals and groups and a watchful judiciary might have shaken the Government from apathy in implementing the laws while its own agencies slept. But the fact remains that legal and bureaucratic means cannot bring permanent solutions to human problems. Community incentives in dealing with environmental problems not only represent the best of democratic traditions in India but also suggest the direction that Government policy ought to decide how best to use and conserve the natural resources . In this context the right to access to environmental information will come under the category of fundamental human rights[8].

In the ultimate analysis, unless there is partnership with the public, none of the objectives of development will be fulfilled. A Government will be environment conscious to the same degree as its people. It is peoples' audit or concerns that alone will ensure the country's environmental survival. The greater the partnership between the people and the government, the greater will be the chances to sustainable development. China established Great Green Wall Project (trees were planted in 9 million acres) to save the country from environmental problems with the help, cooperation and contribution of local people. This can be treated as the most important public interference in environmental protection. African countries also engaged in similar activities to save their country from desertification.

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