Achieving Sustainable Developmentin India through Environmental Policies

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Abstract

Environmental policies in India have been evolved considerably over the past three decades. The policies have been responsive to the emerging concerns of both local and global origin. Policies have covered a wide-range of issues such as air and water pollution, waste management, biodiversity conservation (The Policy Statement for Abatement of Pollution, 1992; The Forest Policy, 1988). However, the policies have traditionally been aimed at environmental protection and geared towards responding to local issues. India faces challenges in economic development, which is to be met from limited resources; with minimum externalities and in presence of an uncertain climate. One of the approaches to overcome this challenge is through the path of sustainable development (SD). Policy entrepreneurs, focusing on the sustainable development agenda, would find more favour with the policy makers and the climate action plan would be favourably inclined to its logical conclusion. We need to stick to this basic philosophy and create a long-term solution framework to this effect. India is a complex, stunningly diverse country replete with seeming contradictions. It has a strong education ethic, yet also massive poverty and illiteracy. It is the world's largest democracy, yet weak implementation of laws and corruption are widespread.

Key words: Environment, Sustainable development, Biodiversity, Conservation, Mitigation

Introduction

Environmental policies in India have been evolved considerably over the past three decades. The policies have been responsive to the emerging concerns of both local and global origin. Policies have covered a wide-range of issues such as air and water pollution, waste management, biodiversity conservation (The Policy Statement for Abatement of Pollution, 1992; The Forest Policy, 1988). However, the policies have traditionally been aimed at environmental protection and geared towards responding to local issues.

The paper aims to discuss underlying India's response to the extant and emerging environment issues which provides the basis for integrating environmental concerns into policies of various sectors. This paper, against the backdrop of the policies around the environment sector, tries to

identify the drivers behind changes in the climate change concerns onto the policy agenda by analysing the secondary source material.

India faces challenges in economic development, which is to be met from limited resources; with minimum externalities and in presence of an uncertain climate. One of the approaches to overcome this challenge is through the path of sustainable development (SD). Exclusive climate centric focus would lead to huge mitigation and adaptation costs whereas a sustainable development pathway results in lower mitigation costs, besides creating opportunities to realize co-benefits without having to sacrifice the national agenda of enhancing social and economic development. Sustainable development is the underlying development paradigm within which the climate action plan is operating and need to be sustained in the future. Policy entrepreneurs, focusing on the sustainable development agenda, would find more favor with the policy makers and the climate action plan would be favorably inclined to its logical conclusion. We need to stick to this basic philosophy and create a long-term solution framework to this effect. India is a complex, stunningly diverse country replete with seeming contradictions. It has a strong education ethic, yet also massive poverty and illiteracy. It is the world„s largest democracy, yet weak implementation of laws and corruption are widespread.

Legislative Framework

The present legislative framework is broadly contained in the umbrella Environment Protection Act 1986, the Water (Prevention and Control of Pollution) Act, 1974, the Water Cess Act, 1977, the Air (Prevention and Control of Pollution) Act, 1981. The law in respect of management of forests and biodiversity is contained in the Indian Forest Act, 1927, the Forest (Conservation) Act 1980, the Wild Life (Protection) Act, 1972; and the Biodiversity Act, 2002. . There are several other enactments, which complement the provisions of these basic enactments. The present national policies for environmental management are contained in The National Forest Policy, 1988, the National Conservation Strategy and Policy Statement on Environment and

Development, 1992, Policy Statement on Abatement of Pollution, 1992, Some sector policies such as the National Agriculture Policy, 2000 National Population Policy, 2000 and National Water Policy, 2002 have also contributed towards environmental management. All of these policies have recognized the need for sustainable development in their specific contexts and formulated necessary strategies to give effect to such recognition. The National Environment Policy seeks to extend the coverage, and fill in gaps that still exist, in light of present knowledge and accumulated experience. It does not displace, but builds on the earlier policies.

Drivers Behind Changes in the Climate Change Concerns

Across the political spectrum of the country there has been recognition of the vital role natural resources play in providing livelihoods, and securing life support ecological services. In this perspective a need for a comprehensive policy statement has been evident for some time in order to infuse a common approach to the various sectoral and cross-sectoral, including fiscal, approaches to environmental management. As our development challenges have evolved and our understanding of the centrality of environmental concerns in development has sharpened, there is also a need to review the earlier objectives, policy instruments, and strategies. This dynamic requires an evolving and flexible policy framework, with a built in system for monitoring and review, and where necessary, revision. Sustainable development concerns in the sense of enhancement of human well-being, broadly conceived, are a recurring theme in India's development philosophy. The present day consensus reflects three foundational aspirations: First, that human beings should be able to enjoy a decent quality of life; second, that humanity should become capable of respecting the finiteness of the biosphere; and third, that neither the aspiration for the good life, nor the recognition of biophysical limits should preclude the search for greater justice in the world.

National Environment Policy

For this to occur there is a need for balance and harmony between economic, social and environmental needs of the country. India also plays an important role in several significant international initiatives concerned with the environment. It is a party to the key multilateral agreements, and recognises the interdependencies among, and transboundary character of, several environmental problems. The National Environment Policy (NEP) is also intended to be a statement of India's commitment to making a positive contribution to international efforts. The National Environmental Policy is a response to our national commitment to a clean environment, mandated in the Constitution in Articles 48 A and 51 A (g), strengthened by judicial interpretation of Article 21. It is recognized that maintaining a healthy environment is not the state's responsibility alone, but also that of every citizen. A spirit of partnership should thus be realized throughout the spectrum of environmental management in the country. While the state must galvanize its efforts, there should also be recognition by each individual - natural or institutional, of its responsibility towards maintaining and enhancing the quality of the environment. The National Environment Policy has been motivated by these considerations and is intended to mainstream environmental concerns in all development activities. It briefly describes the key environmental challenges currently and prospectively facing the country, the objectives of

environment policy, normative principles underlying policy action, strategic themes for intervention, and broad indications of the legislative and institutional development.

Green Economy for Sustainable Development

A green economy values and invests in natural capital. Ecosystem services are better conserved, leading to improved safety nets and household incomes for poor rural communities. Ecologically friendly farming methods improve yields significantly for subsistence farmers. And improvements in freshwater access and sanitation, and innovations for non-grid energy (solar electricity, biomass stoves, etc) add to the suite of green economy strategies, which can help alleviate poverty. A green economy substitutes clean energy and low carbon technologies for fossil fuels, addressing climate change but also creating decent jobs and reducing import dependencies. New technologies promoting energy and resource efficiency provide growth opportunity in new directions, offsetting "brown economy" job losses. Resource efficiency becomes a driving proposition – both energy and materials use – be it in better waste management, more public transportation, green buildings or less waste along the food chain.

Regulations, standards and targets are important to provide direction. However, developing countries must be allowed to move at their own speed, respecting their development objectives, circumstances and constraints. Developed nations have a key role to play in building skills and capacity in developing countries, and in creating international market and legal infrastructure for a green economy. Enabling conditions have to be managed and adequate finance provided for successful transitioning to a green economy, but both are eminently achievable. Environmentally and socially harmful subsidies are a deterrent, and they should be phased out.

In select circumstances and over defined periods however, rational use of subsidies can facilitate the transition to a green economy. Taxes and other market-based instruments can be used to stimulate the necessary investment and innovation for funding the transition. And while the scale of financing required for a green economy transition is large, it can be mobilized by smart public policy and innovative financing mechanisms.

A green economy can generate as much growth and employment as a brown economy, and outperforms the latter in the medium and long run, while yielding significantly more environmental and social benefits. Of course, there are many risks and challenges along the way. Moving towards a green economy will require world leaders, civil society and leading businesses to engage in this transition collaboratively. It will require a sustained effort on the part of policy makers and their constituents to rethink and redefine traditional measures of wealth, prosperity and well-being. However, the biggest risk of all may be remaining with the status quo.

Pathways to Sustainable Development

A strategic policy agenda that integrates greening of a range of key economic sectors takes advantage of synergies and promotes long-term growth by mitigating scarcities. Policies that focus only on individual sectors will not benefit from linkages between them. Energy and GHG emissions reduction is a strong example where increasing the use of renewable energy on the supply side is reinforced by energy efficiency measures in key sectors, such as buildings, transport and manufacturing. Additional forestland can positively affect agriculture production and rural livelihoods by improving soil quality and increasing water retention. Integrating recycling and remanufacturing operations can reduce the need for expanding waste management, allowing investments in that sector to concentrate on areas such as waste to energy. Water demand is highly linked to energy use, and the reverse is also true.

This holistic approach is also something emphasized by ShaZukang, Under-Secretary-General for Economic and Social Affairs and Secretary-General of the UN Conference on Sustainable Development, who recently visited India: "By definition, sustainable development is about integration among the three pillars: social, economic and environmental and ensuring their consistency. But in practice, this is not easy because our problems and challenges do not specialize. At Rio+20 there is a need to practically bring these three pillars together, so countries are confident that the social agenda, the environmental agenda and economic agenda are mutually reinforcing." Zukang also drew attention to another crucial point: the obvious discord between the "Global north" and the "Global south" which still persists – a reason why the consensus that the countries reached on sustainable development 20 years ago, is yet to be fully realized.

According to the World Bank, "India has strong environment policy and legislative framework and well-established institutions at the national and State level". Furthermore, democratic countries with strong public participation are often considered best at identifying and reacting to environmental problems. And, India's growing prosperity is leading to "an increase in public demand for better environmental quality from the growing and increasingly assertive urban middle class, as demonstrated by drastic measures to improve air quality in Delhi, which now has the largest compressed natural gas-driven public bus fleet in the world". Despite the advantages of a functional democracy in the sense of holding regular elections, India lacks other widespread mechanisms for public participation. Poverty is one encumbrance to having a large, vocal public effectively able to make its needs known; combined with this is a lack of technological infrastructure. Moreover, "barriers of distance, language, literacy, and connectivity - all the factors of particular relevance to India due to the remoteness of many habitations, multiple languages, and significant illiterate population - can also prevent full participation". In addition, corruption (often

in the form of kickbacks to government officials) is seen as strongly hindering the implementation of environmental policies. According to one commentator, "Indian democracy permits great freedom of activity and association, and the pursuit of different ideas and interests. But rules and laws in this democracy are violated, or manipulated, perhaps as often as they are obeyed" . Thus, the tension is growing between increased demands for environmental protection and lack of implementation. The World Bank sees a "growing dissatisfaction with the state of environmental management in India by an increasingly vocal, active and impatient 'green' constituency. Some successes notwithstanding, the situation on the ground is considered inadequate by a broad variety of stakeholders. Much of the problem is credited to weak implementation of laws and regulations".

One crucial instrument of environmental policy is Environmental Impact Assessment (EIA) which analyses the likely impact of various actions on the environment. EIAs originated in the United States in 1969 and have become one of the most successful legal mechanisms for protecting the environment globally. At the heart of EIA is public participation, the belief that local people know best their own needs and understand the impact of environmental degradation upon their lives. With its democratic traditions, India would seem well poised to enact EIA. Yet, local participation is limited; furthermore, like China, India's short-term economic growth often depends on ineffective local enforcement of environmental laws. In practice, economic growth is often seen as trumping environmental concerns. Still, India has strong basic laws in place protecting the environment. Following the Bhopal disaster of 1984, when more than 2,000 people died and tens of thousands were injured by the accidental release of poisonous gas from a pesticide plant, the country enacted new environmental laws. In 1986, the Environmental (Protection) Act aimed at "protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution". In 1994, the Ministry of Environment and Forests (MoEF), India's main environmental agency, enacted EIA to strengthen environmental protection. Initially, protection was weak, failing to cover numerous activities such as deforestation and waste disposal and lacking in public participation. The law has been amended, however, to strengthen these areas.

Conclusion:

Complicating matters is that India has often proved unable to enforce environmental policy through government institutions, leading to litigation as a primary means of enforcement. In 1985, the Indian Supreme Court ordered the closing of limestone quarries that were harming the water supply, setting a strong precedent. Consequently, "In most countries, the courts have been viewed as a last resort in resolving environmental conflicts. In India, however, it has often become the first resort because of the perceived inabilities or lack of political will of the regulatory agencies to enforce environmental laws and regulations". Another alternative used in India is informal

regulation in which social pressures, such as negative media coverage or direct community action, enforce local environmental goals. Mechanisms of informal regulation include "demands for compensation by community groups, social ostracism of the polluting firm's employees, the threat of physical violence, and efforts to monitor and publicise the firm's emissions/discharges". Such tactics, while they may catch some of the worst offenders when it comes to local pollution, are obviously piecemeal. They do not offer a substitute for an effectively policed governance regime.

India's current environmental policy advocates local solutions that strong local governances and practices will tackle justice and environmental issues simultaneously. Yet, in a globalized world such solutions, while laudatory, can only be partial. Global technology sharing, for instance, is crucial, but localities will often resist new technology. The paradox is that economic growth should provide a growing population with an improved standard of living, yet environmental stress needs to simultaneously lessen. Social expectations regarding quality of life are certainly important, yet, given India's dilemma, these must be implemented in concert with technological change.

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