

## Environmental Protection Policies-An Approach To Legal Framework And Sustainable Development

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**Abstract:** For more than 45 years, EPA has focused on its mission of protecting human health and the environment by protecting the air we breathe, the water to enjoy and drink and the land to live. Every step along the way has been supported by science. Science and technology have served as the Agency's foundation to uphold the nation's landmark environmental statutes. Along the way, the Agency has continually honed its research to ensure that the information, innovative tools, and technical solutions EPA delivers match the real-world environmental and public health challenges faced by states, tribes, and communities.

**Keywords:**Environment,EPA,public health

**1.Introduction** Even before Indian independence in 1947, several environmental legislations existed but the real impetus for bringing about a well- developed framework came only after the UN Conference on the Human Environment. Under the influence of this declaration, the National Council for Environmental Policy and Planning within the Department of Science and Technology was set up in 1972. This Council later evolved into a full-fledged Ministry of Environment and Forests in 1985 which today is the apex administrative body in the country for regulating and ensuring environmental protection. After the Stockholm Conference, in 1976, Constitutional sanction was given to environmental concerns through the 2nd Amendment, which incorporated them into the Directive Principles of State Policy and Fundamental Rights and Duties. Since the 1970s an extensive network of environmental legislation has grown in the country.

The pollution control boards (CPCB Central Pollution Control Board and SPCBs State Pollution Control Boards) form the regulatory and administrative core of the sector. A policy framework has also been developed to complement the legislative provisions. The Policy Statement for Abatement of Pollution and the National

Conservation Strategy and Policy Statement on Environment and Development were brought out by the MOEF in 1992, to develop and promote initiatives for the

protection and improvement of the environment. The EAP (Environmental Action Program) was formulated in 1993 with the objective of improving environmental services and integrating environmental considerations in to development programmers'. Other measures have also been taken by the government to protect and preserve the environment. Several sector-specific policies have evolved, in the present paper efforts has been taken to give an approach for legal policy framework and it's use for sustainable development.

### 1.1 Institutional framework for the study

Strengthening enforcement and compliance systems has become a subject of particular interest in the context of designing policies that can stimulate sustainable development and economic growth. Recent discussions have shown the need to promote better understanding of the incentive structures facing firms and the need to provide governments with approaches that can optimize their expenditure on assuring environmental compliance.

Asian Environmental Compliance and Enforcement Network. Established in 2005, AECEN works to promote improved compliance with environmental legal requirements in Asia through

regional exchange of innovative policies and practices. Composed of national and sub-national environmental agencies, the objectives of the Network are to:

Promote the development and implementation of improved environmental policies, laws, regulations and institutional arrangements;

Strengthen practitioner capacity through specialized training and skills development; and

Facilitate regional sharing of best practices and information on strategies for strengthening compliance and enforcement.

OECD Compliance Assurance Program. A Conference on Economic Aspects of Environmental Compliance Assurance organized in December 2004 in Paris within the framework of the OECD Global Forum on Sustainable Development facilitated a dialogue between OECD countries and transition and developing economies on designing optimal enforcement strategies and tools that can maximize environmental benefits and minimize costs to the regulators and regulated community.

U.S. EPA and World Bank Studies. The MOEF requested that this rapid assessment complement recent comprehensive efforts by the U.S. Environmental Protection Agency (U.S. EPA) and the World Bank in evaluating environmental compliance and enforcement and institutional reforms in India. The present report attempts to provide further insights into challenges in ensuring effective environmental compliance and enforcement. Both U.S. EPA and the World Bank are AECEN partner organizations, and contribute expertise and resources in supporting members in developing and implementing pilot activities.

**2 Objective and Methodology of the Study:** The objective of this rapid assessment is to help India to define priorities to address its key challenges in

environmental compliance and enforcement and lay the groundwork for potential pilot activities that could be carried out under the aegis of AECEN.

The study followed the AECEN methodology which was also used to prepare similar rapid assessments for Vietnam, the Philippines, and Sri Lanka. In preparing the assessment, a team of consultants, including experts from The Energy and Resources Institute (TERI, India) worked with the CPCB and selected state pollution control board (SPCB) officials to assemble the information via a survey questionnaire and follow-up interviews.

The questionnaire was designed to identify program strengths and weaknesses, priority reform areas and opportunities for strategic interventions in eight principal areas:

Legal enforcement authority;

Institutional arrangements and capacity building;

Compliance monitoring: policies and procedures on inspections, self-monitoring and permitting;

Enforcement response;

Compliance assistance and data management;

**Economic and other incentive-based instruments;**

Indicators to evaluate program success; and

Public participation in environmental compliance and enforcement.

Participating states were Gujarat, Maharashtra, West Bengal, Andhra Pradesh, Uttar Pradesh, Himachal Pradesh, Jammu and Kashmir, and

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