

Full length Research Paper

A Study on Environment Protection Act and its Implementation across the Country

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Abstract

The term environment is complex to define. In common phrasing it connotes atmosphere, but legally, it has a diverse definition altogether. Not only does it include air, water, food, sunlight, the living creatures etc. but also embrace the natural forces that enclose an individual. Environment is of essential value as it fulfills a number of necessities of life and can also be termed as the life support system. The research paper highlights that the procedural aspects of Environment Protection Act (EPA) and their implementation across the country differ significantly

Keywords: Environment Protection Act, Environment Law, Pollution

Introduction

Environment Protection Act, 1986 is an Act of the Parliament of India. In the wake of the Bhopal Tragedy, the Government of India enacted the Environment Protection Act of 1986 under Article 253 of the Constitution. Passed in March 1986, it came into force on 19 November 1986. It has 26 sections. The purpose of the Act is to implement the decisions of the United Nations Conference on the Human Environments they relate to the protection and improvement of the human environment and the prevention of hazards to human beings, other living creatures, plants and property. The Act is an “umbrella” legislation designed to provide a framework for central government coordination of the activities of various central and state authorities established under previous laws, such as the Water Act and the Air Act (Wikipedia, 2016). India is facing an alarming situation in environmental condition in present day. India ranks the sixth largest and second fastest growing producer of Green House Gases (GHGs) in the world. Three of India’s largest cities are considered among world’s 10 most polluted cities. Nearly 12 years since the disastrous Union Carbide Chemical leak in Bhopal and after 5 years of economic resurgence, environmental awareness is high, titled GREEN – India (Growth with Resource Enhancement of Environment and Nature) (IEA, 2015).

A report by TERI (Tata Energy Research Institute) focusing on the state of the Indian natural resources and environmental pollution was released recently. According to the study, India is losing at least 10 % of its natural income due to environmental degradation. The study of the report reveals that, the availability of fresh water declined by two-thirds. The water requirement of major water consuming industries such as agro based, refineries, petrochemicals, fertilizers has grown 40 times but these are not yet treating the huge waste water generated. Indoors and out door air pollution result in the nation almost 2.5 million premature deaths. The total sewage generation from the urban centers has grown six times in the last 60 years (TERI, 2003).

Concern Of Degradation In India’s Planning: More than two decades ago the United Nations’ conference on the “Human Environment” in Stockholm (1972) drew attention to the government and people of world to the increasing evidence that our activities were producing deleterious effects on the natural and man-made environment, and creating serious risks for the survival and well-being of people themselves and also to provide the basis for international cooperation, to meet this new challenge of the 20th century. India is the first country, which has provided for the protection and improvement for the environment in its constitution and has taken several steps in planning and policies to overcome the environmental problems. If we go to back we can have the idea that there is an evolutionary process in India’s planning from the beginning. After the formal independence the Planning Commission of India prepared the first documented plan in 1952 under the chairmanship of the then Prime Minister of India. The main objective of this plan was to raise the living standard of people and to increase the National Income and Per capita Income by 20% and 17% respectively and open revenues for all people. But in the first and second plan there were no concrete steps for environmental degradation. Only few scattered forest and soil conservation policies were undertaken. The Forest Policy Revolution act of May 12,

1952, suggested maintaining one thirds of its total land area under forests. In the third 5-year planning it was proposed not only to intensify some of the programs initiated under the first and second plans, but also to put special emphasize on more intensive forest and soil conservation programs. Steps were taken both for utilization of forest resources as well as to protect the forests. Different afforestation programs and river valley projects were in focus. The fourth 5-year plan showed no new dimension in environmental concern. Only some few forests policies and programs were merged with Animal Husbandry and Fisheries section. Fifth plan also goes to same direction. There were no such new areas. Only some few forestry programs had taken place. But in this plan emphasize was given to improve urban environmental condition basically in the slum areas (Freedman et al. 2000). Concern of environmental problem made its first footsteps in the 6th five-year planning. For the first time, in India's planning there was separate provision for environmental degradation. Steps were taken for water pollution, air, noise and land pollution separately. Though plans and programs in the field of soil conservation and public health forests and wild life protection, industrial hygiene etc. had been in existence in India for many decades, but the first formal recognition of the need for integrated environmental planning was made when the Govt. of India constituted the National Committee on Environmental Planning and Coordination (NCEPC) in 1972.

This review paper was undertaken with an objective to; To study the Environment Protection Act and its characteristics as well as To study the Environment Protection Act and its implementation across the country.

Materials and Methods

Research Methodology

Stratified random sampling method has been adopted to pick the samples from various domains. The respondents come from industries, NGOs, Government organizations etc. which are involved in the areas associated to environment and its allied areas. A sample of 200 has been adopted to fetch the responses with regard to Environment Protection Act. After collection of responses, standard deviation has been calculated to check the variation among data sets. Further, chi square test as well as Pearson Correlation coefficient has been applied to check the hypotheses and corresponding correlation between operational variables.

Data Analysis

Out of 200 respondents, there were 8% students, 10% housewives, 68% Service Class individuals and 14% Business Class individuals. Half of the students have strongly agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country, whereas half of the students have agreed with the statement. 60% of the housewives have agreed with the statement while 40 % of the housewives have no idea about the laws and its implementation of procedural aspect of Environment Protection Act. 44.1 % service class respondents have strongly agreed about more laws and less implementation of procedural aspect of Environment Protection Act in the country; whereas 32% have agreed, 3% have disagreed and 21% service class respondents have no idea of EPA.

Table 1: Cross Tabulation of occupation and EPA Implementation

Occupation			There are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country				Total
			Strongly Agree	Agree	Undecided	Disagree	
Student	Count		8	8	0	0	16
	%		50.0%	50.0%	0.0%	0.0%	8.0%
Housewife	Count		0	12	8	0	20
	%		0.0%	60.0%	40.0%	0.0%	10.0%
Service	Count		60	44	28	4	136
	%		44.1%	32.4%	20.6%	2.9%	68.0%
Business	Count		8	16	4	0	28
	%		28.6%	57.1%	14.3%	0.0%	14.0%
Total	Count		76	80	40	4	200
	%		38.0%	40.0%	20.0%	2.0%	100.0%
Chi Square Value = 26.21			Pearson R = 0.005				

29% business class respondents have strongly agreed regarding laws and its implementation of EPA; whereas 57% respondents have agreed and 14% respondents have no idea about this issue. The value of Karl Pearson coefficient of correlation is 0.005 which concludes that there is a positive correlation between Occupation and Procedural aspects of EPA. Calculated value of χ^2 for 12 degrees of freedom at 5% level of significance is 26.21 and tabulated value of χ^2 is 11.34. Since calculated value of chi-square is greater than tabulated value therefore null hypothesis is rejected or it can be concluded that procedural aspect of Environment Protection Act (EPA) and their implementation across the country differ significantly. Out of total respondents, 48% individuals stay in urban areas, 18% stay in rural areas and rest 34% individuals stay in semi urban areas. 54% of urban area people have strongly agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country; whereas 29% have agreed with the statement and 17% have no idea about the issue.

Table 2: Cross Tabulation of Residential Area and EPA Implementation

		There are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country				Total	
		Strongly Agree	Agree	Undecided	Disagree		
Residential Area	Urban Area	Count	52	28	16	0	96
		%	54.2%	29.2%	16.7%	0.0%	48.0%
	Rural Area	Count	12	8	16	0	36
		%	33.3%	22.2%	44.4%	0.0%	18.0%
	Semi Urban Area	Count	12	44	8	4	68
		%	17.6%	64.7%	11.8%	5.9%	34.0%
Total		Count	76	80	40	4	200
		%	38.0%	40.0%	20.0%	2.0%	100.0%
Chi Square Value = 51.62			Pearson R = 0.252				

33% of the rural area masses have strongly agreed with the statement while 44 % of the respondents have no idea about the laws and its implementation of procedural aspect of Environment Protection Act and 22% have agreed with the issue. 12% of semi urban area masses have strongly agreed about more laws and less implementation of procedural aspect of Environment Protection Act in the country; whereas 65% have agreed, 4% have disagreed and 12% individuals have no idea of EPA. The value of Karl Pearson coefficient of correlation is 0.252 which concludes that there is a positive correlation between Residents and Procedural aspects of EPA. Calculated value of χ^2 for 8 degrees of freedom at 5% level of significance is 51.62 and tabulated value of χ^2 is 7.344. Since calculated value of chi-square is greater than tabulated value therefore null hypothesis is rejected or it can be concluded that procedural aspect of Environment Protection Act (EPA) and their implementation across the country differ significantly.

Table 3: Cross Tabulation of Nature of Industry and EPA Implementation

		There are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country				Total	
		Strongly Agree	Agree	Undecided	Disagree		
Nature of Industry	Factory	Count	24	44	12	4	84
		%	28.6%	52.4%	14.3%	4.8%	42.0%
	Judiciary/ Legal Department	Count	0	8	0	0	8
		%	0.0%	100.0%	0.0%	0.0%	4.0%
	NGO/ Social Worker	Count	24	0	4	0	28
		%	85.7%	0.0%	14.3%	0.0%	14.0%
	Academic	Count	0	8	0	0	8
		%	0.0%	100.0%	0.0%	0.0%	4.0%
	Department engaged in Policy Formation	Count	0	8	0	0	8
		%	0.0%	100.0%	0.0%	0.0%	4.0%
	Others	Count	28	12	24	0	64
		%	43.8%	18.8%	37.5%	0.0%	32.0%
Total		Count	76	80	40	4	200
		%	38.0%	40.0%	20.0%	2.0%	100.0%
Chi Square Value = 93.61			Pearson R = 0.005				

Out of total respondents, 42% belongs to factories, 12% belongs to academics, Judicial/Legal areas and departments engaged in policy formation (4% each), 14% belongs to NGOs and rest (32%) of the respondents belong to other category of industries. 29% factory individuals have strongly agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country, whereas 52% have agreed, 5% have disagreed and 14% have no idea about the issue. All the respondents who belong to Judicial/ Legal departments, Policy Formation as well as academics have agreed on the issue. 86% respondents from Non Government Organizations have strongly agreed with the more laws and less implementation of procedural aspect of Environment Protection Act whereas 14% are undecided about this issue. 44% respondents from other type of industry have strongly agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act, whereas 19% individuals have agreed and 38% respondents have no idea about EPA and its implementation. The value of Karl Pearson coefficient of correlation is 0.005 which concludes that there is a positive correlation between nature of industry and Procedural aspects of EPA. Calculated value of χ^2 for 20 degrees of freedom at 5% level of significance is 26.21 and tabulated value of χ^2 is 31.41. Since calculated value of chi-

square is greater than tabulated value therefore null hypothesis is rejected or it can be concluded that procedural aspect of Environment Protection Act (EPA) and their implementation across the country differ significantly.

Table 4: Cross Tabulation of Age and EPA Implementation

Age			There are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country				Total
			Strongly Agree	Agree	Undecided	Disagree	
< 20	Count		0	8	0	0	8
	%		0.0%	100.0%	0.0%	0.0%	4.0%
20-30	Count		16	20	12	0	48
	%		33.3%	41.7%	25.0%	0.0%	24.0%
30-40	Count		12	20	20	0	52
	%		23.1%	38.5%	38.5%	0.0%	26.0%
40-50	Count		48	28	4	4	84
	%		57.1%	33.3%	4.8%	4.8%	42.0%
50-60	Count		0	4	4	0	8
	%		0.0%	50.0%	50.0%	0.0%	4.0%
Total	Count		76	80	40	4	200
	%		38.0%	40.0%	20.0%	2.0%	100.0%
Chi Square Value = 55.84			Pearson R = -0.122				

Out of total respondents, 42% belongs to the age category of less than 20 years, 24% belongs to 20-30, 26% belongs to 30-40, 42% belongs to 40-50 and rest 4% belongs to age group of 50 to 60 years. All the respondents of less than 20 years have agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country. 33% respondents in age group 20-30 have strongly agreed upon the EPA issues, whereas 42% have agreed on the issue and rest 25% has no idea about implementation. 23% respondents in age group 30-40 have strongly agreed, 39% have agreed and rest of the respondents have no idea about laws and implementation of procedural aspect of Environment Protection Act. 57% respondents in the age group 40-50 have strongly agreed on the concern, whereas 33% are agreed, 5% have no idea and 5% respondents have disagreed that there are more laws and less implementation of procedural aspect of Environment Protection Act. In the age group of 50 to 60, half of the respondents have agreed on the issue and rest has no idea. The value of Karl Pearson coefficient of correlation is -0.122 which concludes that there is a negative correlation between age and Procedural aspects of EPA. Calculated value of χ^2 for 16 degrees of freedom at 5% level of significance is 55.84 and tabulated value of χ^2 is 31.41. Since calculated value of chi-square is greater than tabulated value therefore null hypothesis is rejected or it can be concluded that procedural aspect of Environment Protection Act (EPA) and their implementation across the country differ significantly.

Table 5: Proposed Relationship

	Proposed Relationship	Results
1	Procedural aspect of EPA and its implementation - Occupation	+ve, Rejected
2	Procedural aspect of EPA and its implementation - Residential Area	+ve, Rejected
3	Procedural aspect of EPA and its implementation - Industry type	+ve, Rejected
4	Procedural aspect of EPA and its implementation - Age	-ve, Rejected

Summary of results for Hypothesis I

The three variables “Occupation”, “Residential Area” & “Industry Type” are positively correlated with Procedural aspect of Environment Protection Act and its implementation across the country. Whereas, the variable “Age” is negatively correlated with Procedural aspect of Environment Protection Act and its implementation across the country. On the basis of Chi square results, it can be concluded that procedural aspects of Environment Protection Act (EPA) and their implementation across the country differ significantly.

Conclusion and Recommendation

Half of the students have strongly agreed that there are more laws and less implementation of procedural aspect of Environment Protection Act (EPA) in the country whereas all the housewives have agreed that they have no idea about EPA. Further, positive correlations have been identified among Procedural aspect of EPA and its implementation with respect to occupation, residential area as well as industry type. An awareness campaign should be planned with the help of NGOs and other Government agencies; which can uplift the existing level of awareness among masses.

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