

## **Features and objectives of The Environment Protection Act (1986): A Review**

**Hari Krishna Rajput**, Assistant Professor of Law, Parul Institute of Law,  
Faculty of Law, Parul University, hari.rajput90520@paruluniversity.ac.in

### **Abstract**

India 's constitutional structure as well as Indian foreign obligations represent the need to protect and preserve the environment and sustainable use of natural resources. The Constitution of section IVA imposes a responsibility on every citizen of India, including forests , lakes , rivers and fauna, to conserve and improve the natural environment as well as to display respect for living beings. In addition, Part IV of the Constitution of India mandates the State to work to conserve and develop the environment, and to preserve the country's forest and wildlife. Just before the Independence of India, many environmental protection laws existed. Nevertheless, only after the UN Human Environment Conference in 1972 was a National Council of Environment Policy and Planning set up by the Science and Technology Department to create a legislative body to deal with environmental issues, was the main impetus of enforcing a well-developed environment system. In the aftermath of the Stockholm Conference. Later the Council became a full-fledged Ministry of Forestry and Environment.

**Key words:** Environment, Protection, Human, India etc

### **Introduction**

The Environment Protection Act of 1986 (the Environment Act) guarantees that the atmosphere is preserved and strengthened. The Law on Environmental Protection provides a basis for long-term safety research, preparation and implementation and creates a mechanism for rapid and effective environmental response. A structure for the cooperation of the central and national governments set up by the Water Act , 1974 and the Air Act. It is an umbrella law. In compliance with s2(a) of the Environment Act, the word 'environnement' is very well known. This concerns the connection of water, air and ground, as well as other living things, plants, micro-organisms and properties of water , air and soil as well as human beings.

Under the Environment Act, the central government is required, through the emissions and discharges of pollutants into the air by any individual carrying out an industry or operation, to implement steps that are appropriate in order to preserve and enhance the quality of the

environment; to regulate the locations of industries; to manage hazardous waste and to protect public health and welfare. Occasionally, the Central Government issues notifications for environmental concerns or recommendations on environmental issues pursuant to the Environment Act in compliance with an Environment Act.

If the Environment Act or the laws or guidelines of that Law are breached, the violator will have a penalty of up to five years in jail or a fine of up to Rs 1000.000, or both, for any non-compliance or violations. Unless such a violation is repeated, an extra charge of up to Rs 5,000 will be charged for each day after the conviction for the first such failure or violation is passed. Furthermore the accused shall be charged with imprisonment for a term that can extend to 7 years if it persists for a period of one year from the day of the conviction.

### **Salient features of the Environment Protection Act, 1986**

All sources of pollution are protected by the Act: air , water , soil and noise.

- This sets acceptable standards for the presence in the atmosphere of specific contaminants.
- The use of dangerous materials shall not be prohibited unless the Central Government has given it prior authorisation.
- It helps the Central Government to delegate the laws of this Act to the authorities in various jurisdictions.

### **“Environmental Protection and Fundamental Rights**

- **The Right to a wholesome Environment:**

The Constitution states in Article 21 that 'no person shall be deprived of life, or person's rights, as laid down in the statute. The Limits of the

the right to a healthy environment that guarantees environmental security has been strengthened, the fundamental right to life and personal freedom guaranteed in the

The courts are therefore entitled to prohibit the overthrow of the environmental equilibrium in both State and citizen actions.

- **The Right to Equality:**

Article 14 of the Constitution states that 'The State shall neither deny fair treatment of persons before the law nor fair protection of laws.'

Policy policies that have an environmental impact can therefore be infringed by the Constitution.

- **Freedom to Trade:**

- Article 19(1)(g) states that it is a fundamental right of every citizen to carry on any occupation, trade or business. But Court had held that this right can be used with the due
- Consideration to environmental interest.”

**Objectives of Environment Protection Act:**

- To ensure environmental conservation and development and related issues.
- To enforce the decisions made in Sweden in June 1972 at the UN Human Environment Conference.
- to pass a general law on the conservation of the environment left open by current legislation. The new law was more limited in nature and concentrated mainly on a particular form of contamination and types of hazardous substances than general problems that were generally causing significant environmental risks.
- Coordination of operations under the current regulations of the different regulatory agencies
- Ensure the existence of an environmental protection authority or authorities and grant them special authority
- Providing the Central Government with the widest possible capacity to take environmental conservation and development steps.
- Provide a range of subordinate and delegated environmental impact assessment laws and coastal restrictions on hazardous material regulations,

- To prosecute those who place the human environment, protection and wellbeing at risk.

## **Conclusion**

Man has attempted to take it to a large degree and has succeeded in overcoming it. When efficiency degrades, concern about the environment has increased. This is evident from the increasing emissions, the loss of biodiversity, the loss of plant cover, the threats of incidents in the field, and hazardous chemicals in the atmosphere. While a number of other environmental laws were passed into the Indian legislature, but the Environmental Protection Act of 1986 covering all aspects, environmental issues and thus awareness of environmental regulations is said to be advantageous in particular.

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