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National Seminar

on

**IPR Management in Biodiversity Conservation:
Implications of Access Benefit Sharing, TRIP/CBD
and Biodiversity Acts**

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Laws and Policy Framework for Environmental Protection

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Abstract

'Environment' is a very cosmic term. As said by Barbara Ward "We have forgotten how to be good guests, how to walk lightly on the Earth as its other creatures do". The environment is at risk from a variety of sources of harm, mostly of human origin. In order to tackle this problem, it is important that we develop strategies for modifying human behavior towards environmentally benign practices and away from environmentally damaging ones. Environmental law has developed in response to materialize acquaintance and concern over issues impacting the entire world. Law has been described as "A way of regulating human ethics". In India, Environmental law is governed by the Environment Protection Act, 1986. This act is constrained by the Central Pollution Control Board and the numerous State Pollution Control Boards. Apart from this, there are also individual legislations specifically portrayed for the protection of Water, Air, Wildlife, etc. Such legislations constitute:-

- The Water (Prevention and Control of Pollution) Act, 1974
- The Water (Prevention and Control of Pollution) Cess Act, 1977
- The Forest (Conservation) Act, 1980
- Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983
- The Biological Diversity Act, 2002 and the Wild Life Protection Act, 1972
- Batteries (Management and Handling) Rules, 2001
- Recycled Plastics, Plastics Manufacture and Usage Rules, 1999
- The National Green Tribunal established under the National Green Tribunal Act of 2010 has jurisdiction over all environmental cases dealing with a substantial environmental question and acts covered under the Water (Prevention and Control of Pollution) Act, 1974.
- Water (Prevention and Control of Pollution) Cess Rules, 1978
- Ganga Action Plan, 1986
- The Forest (Conservation) Act, 1980
- Wildlife protection Act, 1972
- The Public Liability Insurance Act, 1991 and the Biological Diversity Act, 2002. The acts covered under Indian Wild Life Protection Act 1972 do not fall within the jurisdiction of the National Green Tribunal Appeals can be filed in the Hon'ble Supreme Court of India.
- Basel Convention on Control of Transboundary Movements on Hazardous Wastes and Their Disposal, 1989 and Its Protocols
- Hazardous Wastes (Management and Handling) Amendment Rules, 2003

Keywords: Environment, Laws, and Legislations

Introduction

Environment is the key creation on earth for living things. Ecology is thus "the science of planetary housekeeping" so building on these annotations, environmental law¹ can be said

to be the law of planetary housekeeping. It is established with the aim of protecting the planet and it people from activities that upset the earth and its life sustaining capacity.