

ENVIRONMENT LEGISLATION

What is Environmental Legislation

Environment legislation is the collection of laws promulgated to specifically govern various aspects of the environment like air, water, forest, wildlife, etc. Environmental legislation may be either national or international.

National environmental legislations are in the form of Acts, Rules, Regulations, etc. In the international arena, it is concise in Conventions, Treaties, Protocols, etc.

The Water (Prevention and Control of Pollution) Act, 1974

The Water (Prevention and Control of Pollution) Act, 1974 was enacted to prevent and control water pollution and maintain or restore water health in the country. The law was amended in 1988. The Water (Prevention and Control of Pollution) Cess Act was enacted in 1977 to provide for the levy of taxes on water used by persons engaged in certain types of industrial activities. Under the Act, it was levied to augment the resources of the Central and State Commissions to prevent and control water pollution. The law was last amended in 2003

The purpose of enacting the Water Act is to prevent and control water pollution in India. Pollution means the contamination of water, or the alteration of the physical, chemical, or biological properties of water, or the discharge of sewage or commercial sewage or other liquids, gases, and solids (whether directly or indirectly) into the water, or as apposite to cause a nuisance or harmful to public health or safety or domestic, commercial, industrial, agricultural or other lawful uses or the life and health of an animal or plant or aquatic tissue.

The Air (prevention and control of pollution) Act, 1981

The Act aims to control and prevent air pollution in India, and some of its main objectives are:

- Prevent, control, and reduce air pollution.
- To provide for the establishment of boards to enforce the law at the federal and state levels. Central Pollution Control Board (CPCB) and State Pollution Control Board (SPCB) were given the responsibility.

It is stipulated that air pollution sources such as internal combustion engines, industries, vehicles, and power plants shall not contain particulate matter, lead, carbon monoxide, sulfur dioxide, nitrogen oxides, or volatile organic compounds (VOCs) or other toxic substances exceeding specified limits. It empowers state governments to designate air pollution areas.

The Noise Pollution (Regulation and Control)

These rules stipulate the necessary conditions to reduce noise pollution and allow the use of loudspeakers or public address systems during cultural or religious celebrations at night (between 10:00 p.m. and midnight).

Here are the key features of the Amendment:

- Loudspeakers, sound systems, or amplifiers should not be used at night except in enclosed spaces such as auditoriums, meeting rooms, community halls, banquet halls, etc., or during public emergencies.
- Noise levels at public spaces where loudspeakers or public address systems are being used should not exceed 10 dB or 75 dB of the area's ambient noise standard, whichever is less.
- No horn should be used in the residential area except during an emergency.
- Sound emitting construction equipment will not be used at night.

Environment Protection Act 1986

The Environment Protection Act, 1986 is an Act of the Indian Parliament. It was passed in May 1986 and went into effect on November 19, 1986. The Act is largely regarded as a response to the Bhopal gas spill. The Act was enacted by the Government of India in accordance with Article 253 of the Indian Constitution, which authorises the union government to establish legislation to give effect to foreign agreements made by the country

Main Provisions of the Environment Protection Act

The Environment Protection Act allows the center to take all actions deemed fit for the protection of the environment.

1. Under this act, protection of the environment against all forms of pollution is covered, including air, water, soil, and noise.
2. The Centre can carry out various activities and programs to further environmental protection.
3. The discharge or emission of environmental pollutants by industries will be regulated by safe standards, set by the Centre.
4. Any citizen, except the authorized government officers, can file a complaint regarding a breach of any of the provisions of the EPA.
5. Restrictions on certain locations for the establishment of a business or personal property can be imposed under this act if they seem to endanger the environment.
6. Under this act, samples of air, water, or soil from any place can be tested and analyzed by the authorized party.
7. The discharge of hazardous pollutants beyond safety standards by any individual or organization makes them liable for punishment and even a complete ban on their activity.

8. Management of hazardous substances should be done as per the regulatory norms of the government.