

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:3577
ANSWERED ON:29.07.2009
ENFORCEMENT OF ENVIRONMENTAL LAWS
Maadam Shri Vikrambhai Arjanbhai

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether some eminent environmentalists have expressed their concern over the poor enforcement of various environmental laws in the country including Gujarat;
- (b) if so, the details thereof alongwith the extent of their implementation/enforcement by the States;
- (c) whether the Union Government has conducted any review of the enforcement of environmental laws;
- (d) if so, the details thereof including the dates on which such reviews were conducted alongwith the outcome thereof; and
- (e) the strategy adopted by the Union Government for compliance of the environmental laws by all the concerned?

Answer

MINISTER OF THE STATE (INDEPENDENT CHARGES) IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH)

(a) & (b): Some civil society groups have expressed concern over the enforcement of various environmental laws in the country. For example, some groups have expressed concern over the implementation of Biological Diversity Act 2002, especially relating to composition of some Committees set up by the National Biodiversity Authority (NBA) established under the Act, which had representatives with conflict of interest. All such committees have been reconstituted to ensure that the members do not have any potential conflict of interest.

(c) to (e): The umbrella legislation for protection of environment is the Environment (Protection) Act, 1986. Under the Environment (Protection) Act, 1986, various rules and notifications have been issued. The review of the statutes and rule is undertaken by this Ministry in consultation with various stakeholders from time to time depending on the experience gained in the course of their implementation. For example, the Environment Impact Assessment Notification was initially framed in January, 1994 and was last amended on 14th September, 2006. The Noise Pollution (Regulation and Control) Rules, 2000 were framed in November, 2000 and were subsequently amended in October, 2002. The Bio-Medical Waste (Management and Handling) Rules were framed in 1998 and were amended in the year 2000 & 2003. The Hazardous Wastes (Management and Handling) Rules were framed in 1989 and were superseded by the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

These statutes and rules are being enforced through the Central Government, State Government, Central and State Pollution Control Boards, National Biodiversity Authority and State Biodiversity Boards. These agencies periodically hold meetings to review the enforcement of the environmental laws.