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Review Article

Environmental and Wildlife Protection Legislations in India: A Critical Analysis

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Abstract

All human endeavours to prevent the extinction of wild animals fall under the category of wildlife conservation. It entails the prudent management and preservation of untamed species within their natural habitat. Natural actions have caused the extinction of certain species. The human race has benefited from human progress throughout history, but wildlife has suffered as a result. The development of highly advanced weaponry, industry, urbanisation, and even population growth have all contributed significantly to the depletion of our abundant resources. The activities that we consider to be indicative of human progress include hunting, forest cutting, draining marshes, and damming rivers for industrial use and irrigation. The natural habitats of our wildlife have been severely diminished by these activities, and many species are now threatened or on the edge of becoming extinct.

In India, environmental protection is governed by fundamental law. The Indian constitution protects everyone's right to live in a clean environment free from pollution. Rules and regulations may require a lot of effort to implement and enforce, even if they are sound. Because of how carelessly humans utilise the environment, the sustainability of the Earth is in jeopardy. Therefore, protecting the ecosystem is crucial. As a result, every nation creates rules in addition to guidelines to protect its distinctive national environments. Our religious and cultural traditions place a high value on wildlife. There is much to be desired in the way we treat animals, especially numerous endangered species. It is recognised that protecting wildlife is nearly necessary for animal survival as well as animal well-being. Long after independence, environmental concerns about the flora and fauna came to light due to the growing loss of animals. This article addresses the judicial involvement in biodiversity and wild life conservation, as well as the measures for protecting wildlife that are established in numerous laws and citizens' constitutional mandates.

Keywords: Environment, Sustainability, Legislation, Wildlife.

INTRODUCTION

The French verb "environner," which means "to encircle," is where the word "environment" first appeared. It includes all biotic and abiotic factors that have an impact on human existence. All of the flora and animals are considered biotic, or living, components, whereas water, sunlight, air, climate, and other elements are considered abiotic. The man-

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made environment is made up of constructions like highways, parks, bridges, gardens, buildings, and more, whereas the natural environment is made up of components like air, water, lakes, trees, and mountains.

The human environment has undergone significant change as a result of the advancement of science, technology, and ever-expanding industry. The equilibrium between human life and the environment was weakened as a result of their upsetting the eco-laws. There were also countless more issues that had an impact on the ecosystem. Pollution, however, is seen as the most pressing issue. With the Stockholm Declaration, the conversation about environmental preservation or pollution reduction officially began today. It may perhaps have originated during India's British Raj. This is untrue; a careful examination of the development of environmental law reveals that ancient Asian literature is full of directives for protecting the environment from deterioration. Hindu holy texts, such as the revered Vedas, Puranas, and Upanishadas, provide a treasure of awareness regarding the interrelationships among man as well as the natural world, besides our inherent responsibility to it. The literature of the Vedas is full of poems advocating for pollution avoidance as well as environmental preservation. The solar energy, plants, and wildlife were revered in mythology, folklore, art, culture, and religion. Scriptures like as the Vedas, Upanishadas, and Puranas highlight the significance of preserving an ecological equilibrium.[1]

Fouling of water was a sin visited with penance of out casting fine, etc.[2] According to Arthshastra[3], a person who threw animal carcasses—such as those of cats, dogs, mongooses, or snakes—into a city would be punished with three panas. He was fined fifty panas if the carcass was that of an animal, such as a corpse, cam mule, or ass. The Mahabharata forewarns us that, although it only takes a few to corrupt and produce pollution, many diseases could affect the entire population.[4]

When Chanakya mentioned vikriti, or pollution, he alerted the populace to the dangers of contaminated water and air.[5] Similarly, the verse "Do not make mischief in the earth"[6] appears in the Holy Quran. Water baptism is a symbol of purity for Christians. Buddhism's core principles of ahimsa, or non-violence, and simplicity are crucial for the preservation and protection of the environment's resources.

Following Black's Law Dictionary, the definition of environmental law stands as, "A collective body of rules and regulations, orders and statutes, constraints and allowances that are all concerned with the maintenance and protection of the natural environment of a country".

The emergence and expansion of environmental law in India may necessitate a brief historical review of environmental laws at a global level[7], especially those that have impacted the recent evolution of Indian environmental law.

According to Section 2(a) of Environment Protection Act, 1986[8], environment consist of "*Water, Air & Land and the inter-relationship which exists among and between Water, Air and Land & Human Beings, other Living Creatures, Plants, Micro Organisms & Property*".

A legal framework made up of tenets, guidelines, rules, and laws established by various local, national, and international entities is known as environmental law. Its goal is to safeguard in addition to preservation of the environs while ensuring that it is suitable for the current and upcoming human civilizations.

A Focus on Environment, Animals, and Humans

The study of environmental harm, crimes, laws, and injustices; the sources of these crimes and injuries; and the different animals or plants which are sufferers of environmental harm are all covered in the area of green criminology. In contrast to traditional criminology, which focuses primarily on offenders, victims, and street crimes, it was developed as an alternative. The multitude of behaviours that damage ecosystems and the diversity of life on Earth are not examined by traditional criminological techniques. In contrast to most traditional criminologists, green criminologists think that all living creatures, including different species and entities, have inherent rights to life and protection from harm. Because green criminology recognises ecosystems and non-human creatures as sentient entities with rights and interests, it opens up possibilities to examine subjects that are not within the scope of traditional criminology.[9] The nature and efficacy of environmental legislations, regulations, besides their implementation; the procedures those control the foundation and implementation of environmental rules; in addition to environmental policing are just a few examples of the research topics that may be involved in these issues, which are usual from a criminological viewpoint in some respects. Defining terms like crime (also called green crime) and harm (sometimes called green harm) is a key component

of both traditional and green criminology practices. These basic definitional issues are also encouraged to be taken into consideration in any assessment of the old-fashioned criminological conception of criminality. Like their traditional counterparts, green criminologists look into the root causes of green crimes and harms as well as how they impact society both locally and globally. By doing this, green criminologists also demonstrate their concern for the differences in legal protection and susceptibility to green crimes that exist between racial and/or socio-economic groups.[10]

Because it emphasises humans as both criminals and victims of crime, traditional criminology is primarily anthropocentric, or human-centered. However, other animals like domestic, wild, as well as farm grown faunas along with the environmental parameters viz. soil, air, water, and vegetations are included in the perspective of green criminology. Moving away from a purely anthropocentric perspective, green criminology takes a broader understanding of who can be a target of crime or damage.

A Focus on Crime

A viewpoint on crime known as "green criminology" refers to activity that is considered unlawful, such as that which is forbidden by the Criminal Code or by regulatory statutes like the Environmental Protection Act. In addition to examining legal violations, green criminology also examines who violates the law and how the legal system handles these violations. Green criminology is a critical viewpoint that highlights the part power plays in defining the laws and the people who are seen to have broken them.[11]

DEVELOPMENTAL PHASES OF ENVIRONMENTAL LEGISLATION IN INDIA

For the most part, India relied on a combination of tort laws, criminal laws, water and forest restrictions, and specialised legislation to address environmental protection issues before the Stockholm Conference of 1972.

However, the Stockholm Conference brought environmental protection concerns to the attention of the world, and India was not an exception.

There was no distinct provision in the Indian Constitution of 1950 that addressed the preservation or enhancement of the environment, as it was not expressly included in the document. However, in response to the Stockholm Conference besides a emergent public consciousness of environmental degradation as well as ecological imbalances, the Upper house of India enacted the historic 42nd Constitution Amendment Act, 1976.

"Protect and improve the environment and to safeguard the forests and wildlife of the country," states Article XVII of India's Constitution as the state's obligation. Each and every one of us is required by law to "guard and develop" the natural environment. The Directive Principles of State Policy and the Fundamental Rights both make mention of the environment.[12]

The Department of Environment was established in our country in 1980 to achieve the goal of ensuring the environmental welfare of the country. The Ministry of Environment and Forests was founded in 1985. The provisions of the constitution are legally supported via acts, rules, and notices. Two important articles—Articles 48-A and 51-A(g)—to preserve as well as enhance the environment were included in this 42nd Amendment. It brought certain modifications to the Constitution's Seventh Schedule. 48-A. Preservation and enhancement of the natural environment, as well as the protection of wildlife and forests.

"The State will work to safeguard and enhance the environment, as well as the country's forests and animals".

"51-A.[13] *fundamental duties- Every Indian citizen shall be required to: (g) to have compassion for all living things and to preserve and enhance the natural environment, including forests, lakes, rivers, and wildlife.*

Seventh Schedule: List III, Concurrent List: 17-A. Forests 17-B. Protection of wild animals and birds."

Accordingly, numerous items from State List II were relocated to List III (Concurrent List), giving Upper house the authority to frame legislation addressing environmental concerns viz. controlling population, forests, wildlife, family planning, and so forth. In order to standardise the law throughout the country, such changes were necessary.

The international duties of India and its constitutional framework both underscore the need to protect the environment and responsibly utilise natural resources. Every Indian citizen has an obligation of preserving and enhancing natural environment, that consist of rivers, water bodies, as well as forests, under Part IVA of the Constitution (Article 51A-Fundamental Duties).

As per Part IV of the Indian Constitution (Article 48A-Directive Principles of State Policies), State is obligated to ensure the protection of the country's forests, wildlife, and environment.

Section III of the Indian Constitution guarantees fundamental rights to which every person is integrally authorized basically because of being human being. These civil rights are crucial for the personal growth of each and every individual. "*Right to environment is also a right without which growth of person and fulfilment of his or her full potential shall not be attainable. Articles 21, 14 and 19 of this section have been utilised for environmental protection*.[14]"

Article 21 of the constitution states that no one may be deprived of their life or personal freedom until a legal procedure has been followed. Article 21 has been interpreted liberally on numerous occasions since the Supreme Court's decision in *Maneka Gandhi v. Union of India*.[15] The fundamental right to life is provided by Article 21. Ensuring an environment free from contamination and disease is essential to everyone's right. A healthy environment is a fundamental component of the right to live in human dignity. *Rural Litigation and Entitlement Kendra vs State* was the case that initially established the right to live in a healthy environment as guaranteed by Article 21 of the Constitution.[16] Because of worries about the ecosystem and ecological balance, the Supreme Court of India ordered to stop excavation (illegal mining) in accordance with the ecology (Protection) Act, 1986. This is the first case of its sort in the country.

ENVIRONMENTAL LEGISLATION IN INDIA

In India, there are laws designed to protect the environment and regulate how individuals have interaction with their surrounding environment. Environment related laws are intended to protect the environ and offer rules that are aimed at the responsible usage of resources of the nature. Environmental laws in India serve as to remind who is entitled to exploit natural resources as well as in which circumstances, in addition to preventing harm to the environment. Three important environmental legislation are the Conservation of Forests and Wildlife Act of 1972, the Environment (Protection) Act of 1986, besides others.

One essential element of sustainable growth is the preservation of the environment. It is difficult to have development without adequate environmental preservation. Growth cannot be sustained without the support of stringent environmental regulations. Moreover, one of the objectives of the Environment (Protection) Act of 1986 is sustainable development. Its aims as well as intentions may simply be attained via sustainable development as charted in Article 21 of the Act.

India prides a comprehensive exhibition of environmental regulations, some of which comprise:

The Law	Overview
The National Environment Appellate Authority Act of 1997	Imposed with the intention of adjudicating petitions pertaining to restrictions imposed on regions in which specific companies are obligated by the Environmental Protection Act to implement safety measures.
The National Environmental Tribunal Act of 1995, besides its 2010 Amendment	Decided to provide compensation for harms resulting from actions involving dangerous materials. Damage to people, property, and the environment is included in this. This Act's main objectives include the prompt and efficient handling of issues pertaining to environmental safeguard along with the preservation of natural resources, enforcement of environmental rights, besides the provision of assistance and compensation to individuals affected.
Biomedical Waste (Management and Handling) Rules of 1998	Rationalizes the collection, disposal, and segregation of biomedical waste generated during healthcare-related operations.
The Environment (Siting for Industrial Projects) Rules, 1999	Offers thorough guidance on how to choose appropriate locations for industrial amenities, with a focus on environmental preservation throughout project execution.
The Municipal Solid Wastes (Management and Handling) Rules, 2000	Includes an effective solid waste management system that handles the collection, handling, transportation, preservation, and disposal of garbage by local government agencies.
The Batteries (Management and Handling) Rules, 2001	Control the gathering and recycling of spent lead-acid batteries to address managing of battery waste and its environmental impact.
The Noise Pollution (Regulation and Control) (Amendment) Rules, 2010	Establish clear guidelines to minimise noise pollution and restrict the use of loudspeakers during religious or cultural events that take place at night.

The Law	Overview
The Air (Prevention and Control of Pollution) Act, 1981	Limit as well as avoid air contamination by designating limits for various air pollutants and granting the Central Pollution Control Board as well as State Pollution Control Boards the ability to carry them out.
Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA)	Acknowledges and accords habitation and forest rights to Scheduled Tribes that have made their home in forests for many generations, as well as Other Traditional Forest Dwellers (OTFDs). It places a strong emphasis on ecological harmony, biodiversity protection, and balanced resource use.
The Forest (Conservation) Act, 1980	This Act protects forests and their ecosystems by prohibiting conversion of forest land for commercial or agricultural use and imposing restrictions on conversions to forest areas.
The Wildlife Protection Act, 1972	To restrict hunting of numerous species and manage wildlife preservation initiatives in order to protect India's fauna, flora, and birds.
The Water (Prevention and Control of Pollution) Act, 1974	Legislated to safeguard against along with manage pollution of water.
The Ozone-Depleting Substances (Regulation and Control) Rules, 2000	Control the use of chemicals causing ozone-depletion (ODS) and minimise their use while promoting responsible management.
Coastal Regulation Zone Notification, 2018	In addition to addressing sea level rise brought on by global warming, this rule ensures balanced advancement and protects coastal biodiversity while enhancing local livelihoods.
Energy Conservation Act, 2001	Energy efficiency by establishing standards for appliances and equipment and encouraging energy conservation via certificates
The Biological Diversity Act, 2002	Its main goals were to stop the theft of biodiversity, maintain environmental diversity, in addition to defending the rights of local harvesters.
National Green Tribunal Act of 2010	Enacted to establish the National Green Tribunal (NGT) as a specialised court with a clear focus on addressing issues related to pollution and environmental harm. NGT establishment in 2010 was motivated by the objective of offering legal and administrative remedies to anyone affected by environmental harm. The NGT's primary objective is to expeditiously and effectively handle cases pertaining to the administration of environmental legal claims, forest conservation, environmental protection, and resource preservation. NGT is associated with the civil cases under seven acts having environmental connections viz: 1. Water (Prevention And Control Of Pollution) Act, 1974 2. Water (Prevention And Control Of Pollution) Cess Act, 1974 3. Air (Prevention And Control Of Pollution) Act, 1977 4. Forest Conservation Act, 1980 5. Environmental Protection Act, 1986 6. Public Liability Insurance Act 1991 7. Biological Diversity Act, 2002 Wildlife Protection Act, 1972 and Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) are excluded from NGT rules.
The Wildlife (Protection) Act, 1972	Outlines the legal basis that protects India's wide range of wildlife, including its many animal, plant, and bird species. It classifies species into six schedules, each of which offers varying degrees of protection, and has jurisdiction over the entire nation. Schedule I and Part II, which offer the highest level of protection and impose harsh penalties for violations, are particularly significant. Schedule V classifies some creatures, such as common crows, fruit bats, mice, and rats, as pests and permits their unrestricted hunting, while Schedules III and IV provide protection for these species with less severe penalties.
The Wildlife (Protection) Amendment Bill of 2021	The goal of the proposal, which the Ministry of Environment, Forests, and Climate Change submitted to the Lok Sabha, is to broaden the range of species protected by the law and align it with global obligations, such as the Convention on International Trade in Endangered Species of Wild Animals and Plants(CITES). Important components of the measure include creating Standing Committees in State Boards of Wildlife; reducing the number of major divisions in wildlife schedules from six to four; and adding Wildlife Management plans for national parks covered by the Wildlife Act. The Chief Wildlife Warden's consent is now required for these tactics, enhancing protection for designated regions.

The Law	Overview
Compensatory Afforestation Fund Act, 2016	Passed in order to oversee the money raised for compensatory afforestation, which up until that point had been overseen by the non-official Compensatory Afforestation Fund Management and Planning Authority (CAMPA).

JUDICIAL REFRENCES

In ***Wild Life Protection Society, Hyderabad v. State of A.P.***[17] The petitioner became aware of the report concerning the murder of a 13-month-old tigress at the Nehru Zoological Park, as well as the killing of other wild animals and the removal of their body parts, such as their nails, skin, eyes, tails, etc., and asked the court to issue an order creating a special enforcement and vigilance cell under the supervision of C.B.I. and to file a thorough report regarding the purported incident. Under the plan for developing National Parks and Sanctuaries, the State Government filed a thorough counter affidavit demonstrating that sufficient measures had already been taken for the protection of wild animals and that the Central Government had already released sufficient funds to the State Government for effective enforcement of the provisions of the Wild Life (Protection) Act, 1972. In view of the circumstances the Court declined to issue any further direction.

In the case of ***Tilak Bahadur Rai v. State of Arunanchal Pradesh***[18], The nature and aggressiveness of the animal will be taken into consideration while determining whether or not the accused killed the animal in self-defense. Therefore, it cannot be stated that the accused was performing any crime before shooting the tiger that charged at him, and the killing of the tiger was deemed justified in this case because it was done in self-defense and good faith.

In ***Chief Forest Conservator (Wildlife) v. Nisar Khan***[19], A licence to conduct business as a trader of captive-bred birds had been given to the appellant. Because he would not be able to continue his business of raising captive birds without hunting, which includes catching birds, the licencing authority denied his application to renew his licence for the upcoming year. The Wild Life (Protection) Act, 1972's sections 9 read with section 2(16) forbid the business of breeding birds in captivity by obtaining them by capturing, and the Supreme Court ruled that the licencing body had properly refused to renew the licence.

It has been held in ***State of Bihar vs. Murad Ali Khan***[20] that hunting is prohibited by the Wildlife Protection Act's Section 51(1). The accused in this instance shot and killed an elephant in Range Forest and removed its tusks, according to a written complaint the Range Forest Officer filed with the magistrate's court. Even though the police were still investigating the same offence, the magistrate ordered that the accused be served with legal notice.

In some circumstances, such as when it's necessary for self-defense, hunting wild animals is acceptable. An important consideration in determining whether the accused killed the animal in self-defense or not is the kind and size of the animal.

In ***Trilok Bahadur vs. State of Arunachal Pradesh***[21], 12The question of whether the accused acted in self-defense was debated. The petitioner, who was a sentry in Changlai camp, saw a tiger while on duty, according to the case's basic circumstances. To his Commander, he reported the same. His Commander consequently gave him the command to fire two or three rounds into the air. Rather than running away, the tiger approached him and tried to attack him. The accused was forced to shoot the tiger. The tiger perished as a result. According to Wildlife Protection Act section 51, the Deputy Commissioner sentenced the accused to six months of simple jail. The High Court received a Criminal Revision in this context. Determining whether the accused killed the tiger in self-defense or while hunting was the central question before the court. The Court noted that in that particular situation, the animal's ferocity would be significant.

Salman Salim Khan and the blackbuck poaching case[22]

In September 1998,SalmanKhan and several other actors, including Saif Ali Khan, Tabu, and Sonali Bendre, are said to have gone on a hunt for two blackbucks in the Rajasthani village of Kankani. The event took place while"Hum Saath Saath hain" was being filmed. Members of the Bishnoi community filed the complaint on October 2, and on October 12, the actor was placed under arrest.

But on October 17, Salman was freed on bond, and a trial court found him guilty of the charges in 2006. He was charged under the Widlife (Protection) Act, found guilty, and sentenced to five

years in prison with a fine of ₹25,000. The actor subsequently appealed the trial court's ruling to a sessions court, which sustained the punishment and upheld the trial court's 2007 ruling. The actor was additionally accused of two additional incidents of blackup and Chinkara deer poaching, which occurred in Mathania and Bhawad villages, respectively.

After that, the Rajasthan High Court heard the matter, and in 2013 it delayed his sentence. The actor was cleared of all accusations after the court delivered its final decision in the case, which has been heard since then.

The Bhopal Case: Union Carbide Corporation v. Union of India (1990)[23]

In this case, the court determined that a business must fully and strictly compensate every individual affected by an accident if it engages in an activity that is inherently hazardous or dangerous and someone is injured as a result of an accident occurring during the operation of such a dangerous or naturally unsafe movement—such as the escape of poisonous gas. Liability does not apply to this risk. Consequently, the Supreme Court set a new standard for unlimited liability devoid of any exclusions.

Vellore Citizen's Welfare Forum v. Union of India (1996)[23]

The polluter pays principle is an essential component of sustainable development, as the Apex Court has recognised.

In Almitra H.Patel vs. Union of India, (1998)[24]

In the Wadehra case, the Supreme Court upheld that Delhi, the capital and oldest city of India, is among the most polluted cities in the world. The governmental organisations responsible for maintaining the environment and controlling pollution have not been able to provide a clean and safe environment.

PRINCIPLES OF ENVIRONMENTAL LAW

Precautionary principle: When there are significant risks to our health related issues or the environmental parameters and there is conflicting science based evidence, decision-makers can take preventative action by using the precautionary approach. It initially appeared in the 1970s and has subsequently been included in several international environmental treaties.

Prevention principle: This idea makes it possible to start taking early environmental protection measures. It's important to prevent damages from happening in the first place as well as to restore them once they have already happened. It implies that prevention is preferable to repair.

Polluter's pay principle: In environmental law, the "polluter pays" theory has dominated thinking since the early 1970s. It basically means that individuals who create pollution ought to pay for the expenses associated with controlling it to avoid harming the environment or public health.

Sustainable Development: A strong emphasis on environmental preservation is necessary to achieve sustainable development, as stated in the Rio Declaration and other international accords. This view, which emphasises the critical involvement of environmental economics within the pursuit of balanced advancement as well as the defence of human rights, has been reiterated by the Indian judiciary on numerous occasions. The most often referenced section of the Indian Constitution pertaining to environmental legislation and the evolution of both humans and ecology is Article 21.

Furthermore, the majority of the responsibility for comprehensive environmental policy and action within their respective domains will fall on municipal and federal governments. It should primarily be believed that--

- A crucial instrument for resolving conflicts among the demands to develop along with the preservation as well as enhancement of the environmental parameters is rational planning. Planning is necessary for urbanisation and human settlements in order to minimise negative environmental implications along with and maximise positive socio-economic, as well as environmental outcomes for all. Projects that were intended to promote racism and colonialism must be abandoned in this regard.
- All nations, especially the developing ones, should encourage scientific explorations in addition to environmental development, domestically as well as internationally. To help solve environmental problems, it is necessary to support and encourage the free flow of current scientific knowledge and experience. Environmental based innovations for the developing nations should be

mode accessible which will stimulate their widespread diffusion and not imposing any economic burden on them.

- All nations, large and small, should approach international issues pertaining to environmental preservation and enhancement in a cooperative manner and on an equitable basis. Adequate regulation, avoidance, decrement along with eliminating the negative environmental impacts due to different exercises conducted in all spheres require cooperation via bi or multilateral schemes or other justified initiatives; this must be done while taking due account of each State's sovereignty and interests.
- All States' environmental policies should support, not impede, the current or future developmental prospect of developing nations, they shouldn't stand in the way of improving living conditions of every living being. States as well as international organisations should take the necessary actions to come to a consensus regarding the potential economic consequences, both domestically and globally, of implementing environmental regulations.
- Careful planning or management, when necessary, is required to protect the earth's natural resources—which include the air, water, land, flora, and wildlife as well as particularly representative examples of natural ecosystems—for the benefit of both the current and future generations.
- Given that wildlife and its habitat are currently seriously threatened by a number of unfavourable conditions, man has a specific duty to protect and manage them. Planning for economic development must consequently prioritise the conservation of nature, particularly wildlife.
- In areas where the rate of population growth rate or thickly concentrated population are likely to have a negative impact on the environment and impede development, demographic policies that respect fundamental human rights and are deemed appropriate by the relevant governments should be implemented.
- In order to contribute to economic and social growth, science and technology must be used for the common good of humanity as well as for the detection, avoidance, and control of environmental dangers as well as the resolution of environmental issues.
- For expanding the foundation for an informed opinion as well as reliable & safe behaviour by individuals, businesses, and communities in protecting and improving the environment in its full human dimension, environmental education is crucial, both for the younger generation and adults, with special attention to the impoverished. Additionally, it is critical that mass communication channels refrain from worsening environmental conditions and instead promote educational information about the need to enhance environmental conditions in order to prevent mal-development in all spheres.
- In order to improve environmental quality, the responsibility of organising, overseeing, or managing each of the nine environmental resources belonging to each State must fall to the appropriate national authorities.
- Keeping in mind that standards that must be decided nationally or that the international community may agree upon as criteria, it will always be important to take into account the value systems that are prevalent in each nation and the extent to which standards that are appropriate for the most developed nations but may be inappropriate and have unjustified social costs for developing nations are applicable.
- Human beings have basic right to equality, livelihood, and sufficient freedom conditions in an environment that supports a life of dignity and well-being. He also has a sacred obligation to preserve and enhance the environment for both the present and the future generations. This is why policies that support or uphold colonial oppression, racial segregation, discrimination, apartheid, and other types of oppression, as well as foreign dominance, are abhorrent and ought to end.
- Resources for environmental preservation and improvement should be made available, taking into consideration the unique needs and circumstances of developing nations, as well as any costs that may result from their inclusion of environmental safeguards in their development plans and the requirement to provide them with additional international technical and financial assistance for this purpose upon request.
- Since both economic and ecological processes must be taken into account, stability in prices

and sufficient profits for primary commodities and raw materials are crucial for developing countries' environmental management.

- Social and economic growth is crucial to guaranteeing that humans live and work in a suitable environment and to establishing the conditions required for raising the standard of living on Earth.
- States are required to make certain that international organisations work in a coordinated, effective, and dynamic manner to conserve and enhance the environmental attributes.
- States should take all rational precautions to prevent substances that pose a risk to human health, endanger marine life and living resources, destroy infrastructure, or obstruct other lawful uses of the sea from polluting the seas.
- States are sovereign and have the authority to use their own resources as per environmental policies, as well as the obligation to ensure that activities under their control or jurisdiction do not harm the environment of other States or areas outside of their borders, in accordance with the United Nations Charter and the fundamentals of international law.

  States must work together to advance international law pertaining to liability and damages for victims of pollution and other environmental harm caused by activities inside their respective states' borders or under their control.
- States should approach their developmental planning with a coordinated and integrated strategy in order to ensure that development is compatible with the need to protect and improve the environment for the benefit of their population. This will lead to a more rational management of resources and an improvement of the environment.
- The ability of the planet to create essential renewable resources needs to be preserved and, when possible, enhanced or restored.
- The earth's non-renewable resources must be used in a way that protects against the risk of their depletion in the future and guarantees that the rewards of such use are shared by all people.
- The impacts of nuclear weaponary along with all other systems of mass devastation must be spared from man and his surroundings. States must to endeavour to expeditiously arrive at a consensus within the pertinent international forums for the abolition and total obliteration of these armaments.
- The worst way to address the serious issues caused by environmental deficiencies resulting from underdevelopment and natural disasters is to accelerate development by providing significant amounts of financial and technological support to developing countries to supplement their own efforts, as well as any necessary timely assistance.
- To prevent major or irreversible harm from being done to ecosystems, the release of heat and poisonous or other compounds in amounts or concentrations that are greater than what the environment can handle to make them harmless must be stopped. Support should be given to the rightful battle of the peoples of weak countries against pollution.

Concerns in enforcement of environmental regulations in India

The primary obstacle encountered in the implementation of environmental regulations in India is associated with inadequate cooperation amongst government entities. Manda & Ben Dhaou (2019) contend that in addition to the institutions' low capacity, the government does not oversee their tools, technology, or arrangements. Another problem is corruption among the ministers with senior positions. Industrialists are breaking environmental laws without consequence and without upholding the regulations that govern their operations. On the other hand, it is also true and this is a significant point—that the lack of knowledge and education among individuals and the need for funding are making it difficult to put legislation into effect (Campos & Reich, 2019). People are not concerned about future days and are busy figuring out the present. India's biggest problems are scarcity of money, no far for future and ignorance of what lies ahead. The overall list of concerns to implement environmental legislations in India may be listed as:

- Lacking stringent implementation
- Inadequate wealth
- Complex as well as overlapping regulation
- Deferrals in proceedings
- Lacking audience involvement
- Weak EIA practices
- Corruption

- Insufficient fund sanctions
- Uneven execution
- Reduced community sensation
- Excess interfering government

CONCLUSION

There are currently over 200 federal and state laws addressing various environmental concerns. It is true that there are challenges associated with enforcing more laws. Therefore, for effective enforcement in India, a comprehensive and integrated environmental protection law is required. However, it is insufficient to enact the laws. Effective, prompt, and efficient enforcement of these laws depends on everyone in society adopting a positive attitude. The intended outcomes of the Environment Protection Laws have not materialised. Therefore, it is essential to establish the Environment Courts, which will include one judge and two technical experts in environmental science, in order to efficiently and effectively execute these laws. These courts ought to be permitted to use summary procedures in order to handle matters quickly. On a need-based basis, these courts may first be established at the state and federal levels before being expanded to the district level. It would be best to limit the provisions to one appeal in order to deter lengthy litigation. The courts should only overlook misrepresentation and technical errors in order to strictly enforce environmental legislation. PIL has allowed the Courts to have more jurisdiction. The Apex Court has been crucial in periodically instructing the administrative officers to take the required actions to make the environment better. Not legislation from above, but social awareness from below is what we need since no law is effective until voluntary engagement occurs. To raise public awareness of environmental issues, free slide shows in local languages should be shown at movie theatres and on television. In addition, environment studies will henceforth be required at the high school and college levels under a graded system, per the Supreme Court's directive, in an effort to raise public awareness. Ultimately, everyone—individuals, groups, and corporations—must take responsibility for the environment's protection and the maintenance of the natural equilibrium. Article 51-A[g] of the Indian Constitution enshrines it as a fundamental duty and social obligation.

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