



**ENVIRONMENT PROTECTION:  
INDIAN ENVIRONMENTAL LAWS  
AND THE NEW CHALLENGE OF  
COVID-19 PANDEMIC**

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**Abstract**

Since time known, man has utilized the nature and its resources in a highly exploitative form. This fact often arises in our consciousness and since decades, in every era and every continent globally, scholars, politicians, government and to that matter science have time and again published various reports, agendas, bilateral-multilateral meetings to tackle the environmental crisis and make the world a better place for the future. Today, the Covid-19 global pandemic that has shattered the world's economy, general living and has made everything come to a halt, has again forced us to re-think, realize and decide our actions and steps that we urgently need to start working upon, in order to avoid such global crisis situations in the future.

Post-pandemic, this is possible only through the collaborated efforts of the nations of the world, and with a dedicated intention to change our policies, legal framework and efforts towards securing and protecting our environment. Even though challenges are many, but as it has been said "The Ultimate Measure of Man is not where he stands in moments of comfort and convenience, But where he stands at Times of Challenge"<sup>1</sup>

**Keywords:** Environment Degradation, Human Exploitation, Rethink-Restore, Collaborated Efforts, Sustainable

Development, Change in Policy and Framework.

**1. INTRODUCTION:**

We know the answer to the Question: "What is Environment Protection?" since a long time now. There has been formulation of domestic and international policies, frameworks, guidelines, treaties, summits, agreements, judgments by the Apex Courts as well as special tribunals pertaining to environmental aspects, not just in India but in every other nation of the world. Also, it is quite astonishing that, it is not only us, due to the so-called 'Indian-easy attitude', but the same problem persists in every other and 'more developed' and well equipped technological economies of the world. The two questions that need to be analyzed are:

**1. What have been our historical scenario and the current framework?**

**2. How Covid-19 pandemic has brought a new challenge and the need to shift our efforts globally?**

Environment Protection is not a new challenge and need in front of us. There has been formulation of several specified acts, guidelines through legislature, institutions have been set up to guide and formulate environment protection policies and act as a watch dog for its implementation. The Courts from time and again, have guided and ordered the lethargic government officials and institutions to realize the need of securing environment and working on the same dedicatedly and has taken cognizance of any failure by any institution or body for the same. However, it is still not achieved truly and the problem still persists due to non-seriousness and unawareness among the

<sup>1</sup> Martin Luther King Jr., *Strength to Love* (1963)



general public, corruption and back-door entry routes in institutions and ways of exploitation of loopholes in laid down codes of law.

Often it is felt that, there are institutional drawbacks, lack of cognizance and building up of proper-effective principles to deal with the problem of protection and improvement of environment and natural habitat, especially when we take India's outlook. However, it is to note that even the Father's of the Indian Constitution, realized the fact that, India is a nation of cultures and traditions, which has insights of protecting and worshipping, mother nature since ancient periods, and which still today, can be felt and seen more closely in the tribal areas and by analyzing the life of tribal community in India.

Also, the Indian Courts from time to time, have given land mark judgments that have built the framework on which the environmental protection policies and guidelines have been formulated, institutions have been setup to ensure their compliance and general principles have been incorporated in order to ensure liability to the offenders. It is important to get a note of the developments and cognizance that the judicial courts, especially the guardian of the constitution of India has taken from time to time, in order to come up with the drawbacks and loopholes in our current scenario, which needs to be improved for the future.

## 2. Historical Developments in Indian Environmental Protection:

<sup>2</sup> AIR 1987 SC 1109, 1987 SCR (2) 223

<sup>3</sup> Ins. By the Constitution (Forty-second Amendment) Act 1976, sec. 10 (w.e.f. 3-1-1977)

There have been several instances when the guardian of the constitution, The Supreme Court of India has come with amendments, incorporation of principles and taking cognizance of the need of protecting and sustaining the environment for the future, and in times of non-compliance with the provisions, have imposed penalties and directions for the same to both Individual and the State. In **Sachidanand Pandey V. State of West Bengal & Ors**<sup>2</sup>, the apex court made a settled law that, whenever a problem / issue pertaining to ecology will be brought before the court of law, then the court shall bear in mind, **Art. 48-A**<sup>3</sup> and **Art. 51 A (g)**<sup>4</sup> of the Constitution of India, which specifically provide that "The State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country" which has been incorporated within the Directive Principle of State Policy and "to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures" which has been incorporated in Fundamental Duty of the citizen of India, respectively.

In **T. Damodar Rao & Ors V. Special Officer, Municipal Corporation, Hyderabad**<sup>5</sup>, the Apex Court held that the use of land by Income Tax Department and LIC was illegal and contrary to law and issued mandamus restricting respondents from raising any structure on the questionable land, incorporating that environment pollution and its spoliation is slowly poisoning and polluting the atmosphere, should also be regarded as a violation of Art.21 of the Constitution of India.

<sup>4</sup> Ins. By the Constitution (Forty-second Amendment) Act 1976, sec. 11 (w.e.f. 3-1-1977)

<sup>5</sup> AIR 1987 AP. 171



In **M.C Mehta & Anr. Etc V. Union of India & Ors. Etc**<sup>6</sup>, popularly known as Delhi Gas Leak case/ Oleum Gas Leak Case, a historical judgment that brought in picture the basics of environment protection standards and doctrines which are:

- a. **Public Liability-** The Apex Court, arrived on the notion of granting remedial relief, in case of a proved infringement of a fundamental right U/Art.21, and widened its ambit by including power to award compensation as well as considering environmental aspect under it. Also, added a liability in Tort Law, for harms caused by pollution.
- b. **Principle of Absolute Liability-** This doctrine made, the industries engaged in hazardous activities, absolutely liable for the harm caused and this made several changes in the liability aspects and compensation to be provided to the affected person.
- c. **Deep pocket Principle-** It is an idea, that the risk and liability of a hazardous activity should be borne by the person who is economically in a good position. Also, it is quite worthy to note that, after the Oleum Gas Leak case and later, The Tragic Bhopal Gas Leak Case<sup>7</sup>, amendments were made in The Factory Act of 1948<sup>8</sup>, which incorporated a new chapter- 'Hazardous Industries' and later, **The Public Liability Insurance Act of 1991**, was passed with the motive –“An act to provide for public liability insurance for the purpose of providing immediate relief to the persons affected by accident occurring while handling any hazardous substance and for

matters connected therewith or incidental thereto”<sup>9</sup>

In **Municipal Council, Ratlam V. Shri Vardhichand & Ors**<sup>10</sup>, The apex court held that in case of Public Nuisance, the presence of Sec.133, Criminal Procedure Code of 1973 must be felt and any contrary opinion is contrary to the Law<sup>11</sup>, and also provided that the plea of lack of funds by a public body shall not be entertained by the courts and the government, in order to present a mockery of statutes and provisions in front of the public. In **Rural Litigation and Entitlement Kendra, Dehradun V. State of Uttar Pradesh & Ors**<sup>12</sup>, wherein the petitioners filed a writ petition against the Limestone mining operations in the Doon Valley, which lead to heavy deforestation, landslide calamities and water shortage. The Apex Court ordered closing down of these mining operations in the valley and highlighted the concepts like- “Right To Breath” and “Sustainable development”. Following the order, a reforestation program was also conducted with the help of local villages and civil society groups in the valley.

Many a times, a common problem arises as to when and how shall the industries and their operators shall know that the industry or work engaged is causing or has started causing environmental degradation and harming the environment. Also, it is necessary that before one can come up with solutions to tackle the problem, one needs to get to know the cause and reason behind the

<sup>6</sup> 1987 AIR 965, 1986 SCR (1) 312

<sup>7</sup> Union Carbide Corporation Etc. V. Union of India Etc., 1992 AIR 248, 1991 SCR Supl (1)251.

<sup>8</sup> The Factory Act, 1948 Act No. 63 of 1948 1\* [23<sup>rd</sup> September 1948]

<sup>9</sup> The Public Liability Insurance Act, 1991 Act No. 6 of 1991 [22<sup>ND</sup> January 1991]

<sup>10</sup> 1980 AIR 1622, 1981 SCR (1) 97

<sup>11</sup> Municipal Council, Ratlam V. Shri Vardhichand & Ors available at <https://indiankanoon.org/doc/440471/> (Accessed on July 4, 2020)

<sup>12</sup> 1985 AIR 652, 1985 SCR (3) 169



aforesaid problem. Thus for the same, “**Environment Impact Assessment**” came into picture. This was evolved in, **Indian Council for Enviro-Legal Action Etc V. Union of India & Ors. Etc**<sup>13</sup>, where the Court identified that “**Precautionary Principle**” and “**Polluter’s Pay Principle**”, are the two important pillars and concepts to be recognized in order to achieve sustainable development, take measures in advance by taking precautions and cognizance of the damage that is likely to cause to the environment and in case of such damage, harm to the environment, not only compensation is to be awarded, but also the Cost of Restoration, is borne by the polluting industry or person. Also, in one of the cases, pertaining to the same principles, the court demarked a specific time limit to formulate coastal management plans by the coastal states and banned industrial and construction activity within 500 meters of high tide lines. In **M.C Mehta V. Union of India**<sup>14</sup>, which popularly came to be known as “**Ganga Pollution Case**”, E.S. Venkatarajah J<sup>5</sup> while taking cognizance from the issues highlighted by the petitioner over the pollution of the river Ganga, due to the trade effluents of large industries, on the bank as well as the sewage of towns and cities nearby have lead to a potential degradation of the water body, for which the court directed, the industries to develop appropriate treatment plants before discharging them and secondly, ordered of closing various tanneries in Jajmau, Kanpur and mandated the consent to be taken from state pollution control board before such establishment and the others could be allowed only after they kept the plants in sound condition. Also, through

another writ petition filed in, **M.C Mehta V. Union of India & Ors**<sup>15</sup>, popularly known as “**Taj Trapezium Case**”, concerns were highlighted over the toxic emissions from industries like Mathura refinery, iron foundries, glass and chemical industries, hampered and were damaging the marble by coating it with a yellowish appearance. The court, after taking cognizance of the seriousness of the matter, due to the reputation of the Taj, as a UNESCO world heritage site, it ordered reallocation of several industries outside the trapezium, banning of coal and coke based industries, ordered industries to switch over to CNG, directed the U.P pollution control board to take note of the polluting industries and also directed the government, to allocate funds for maintaining the greenery around Taj.

**Order For Environmental awareness and Education-** In **M.C Mehta V. Union of India & Ors**<sup>16</sup>, in which the following directions were given by the Honorable Court:

- a. Cinema Theaters shall advertise at least two slides containing information and messages on environment, free of cost and failing to do so, shall result in cancellation of their license.
- b. The Television Industry and All India Radio shall broadcast information to spread awareness for environment in national and regional languages with a view to educate people of their social obligation towards the environment.
- c. Environment was made a compulsory subject to be taught till senior secondary level from the academic session of 1992 and University Grants Commission (UGC), also introduced the subject in higher education too.

<sup>13</sup> 1996 AIR 1446, 1996 SCC (3) 212

<sup>14</sup> 1988 AIR 1115, 1988 SCR (2)530

<sup>15</sup> 1987 AIR 1086, 1987 SCR (1) 819

<sup>16</sup> Writ Petition (Civil) No. 860 of 1991 (22<sup>nd</sup> Nov. 1991)



‘Public Trust’ is a concept which provides that, the state or the government shall protect the resources and property of the public or for common utilization of all, and shall not use the same of any commercial or beneficial purpose of its own. In context of the same, the apex court in, **M.C Mehta V. Kamal Nath & Ors**<sup>17</sup>, evolved the concept of public trust in environmental aspect and provided expressly, the State’s duty to protect and act in furtherance of public trust doctrine in India also, thus quashed the lease granted to the motel on the banks of river Beas and the approval of Ministry of Environment and Forest was cancelled. Also, the court ordered that the Himachal Pradesh Government shall restore the area in its natural condition, and ordered the motel to pay compensation through costs of restoration of the environment.

### 3. A Brief Overview of Indian Environmental Law:

In broad terms, the Indian environmental laws and framework of policies and institutions seek to:

- a. Protection of the environment.
- b. Reverse Climatic Changes.
- c. Achieve Zero Carbon Economy.

#### A. General Protection

The infamous, Bhopal Gas Tragedy<sup>18</sup>, was the turning point in India’s environment outlook wherein the need was felt of a comprehensive and generalized legal code and legislation that acted as an umbrella consisting in harmony, the connectors for various previous specific pollution control

legislations like the Air Act and the Water Act. For the aforesaid purpose, **The Environment Protection Act**<sup>19</sup> was enacted with the objective – “An Act to provide for the protection and improvement of environment and for the matters connected there with”. Under the act, Pollution Control Boards (PCBs) were established at the central and state level in order to prevent, control and foresee environment pollution in India.

Also, **The National Green Tribunal** (NGT) was established under the National Green Tribunal Act<sup>20</sup> with the objective – “An Act to provide for the establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto”.

#### B. Specific Protection and Attention

While considering specific attention to be given to the different kinds of pollution, that tend to happen on a daily routine and that to the matter of fact, at a very increasing level, various acts, legislations and regulations have been formulated from time to time with their own objectives and aims to be accomplished. For instance, in order to tackle the Problem of ‘Air Pollution’, the apex court has regarded –The Fundamental Right to breathe in a clean and safe environment under the purview of Art.21 of the Constitution of India. For the same, **The Air (Prevention and Control of Pollution) Act**<sup>21</sup> with the objective- “An act to provide for the

<sup>17</sup> (1997) 1 SCC 388

<sup>18</sup> Union Carbide Corporation Etc. V. Union of India Etc., 1992 AIR 248, 1991 SCR Supl (1)251.

<sup>19</sup> Act No.29 of 1986 [23<sup>rd</sup> May 1986]

<sup>20</sup> Act No. 19 of 2010 [2<sup>nd</sup> June 2010]

<sup>21</sup> ACT No. 14 of 1981 [29<sup>th</sup> March 1981]



prevention, control and abatement of air pollution, for the establishment, with a view to carrying out the aforesaid purposes, of Boards, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith”.

Also, for another drastic and significant problem of tackling and preventing water pollution, especially in a country like India, which such multi-utilization of the water bodies in rural-urban-industrial-domestic and every other sector, the following steps were taken:

1. **The Water (Prevention and Control of Pollution) Act<sup>22</sup>** - The act was brought with the objective- “An Act to provide for the prevention and control of water pollution and maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith”.
2. **Ganga Plan of 1986** – The said plan was launched, with the main objective to improve the water quality by Interception, Diversion and treatment of domestic sewage and prevent toxic and industrial chemical wastes from identified grossly polluting units entering into the river.
3. **National water policy** –The first policy was adopted in September, 1987 which was reviewed and updated in the year 2002 and later again in the year 2012. The policy seeks to establish a standardized national information system with a network of data banks, resource planning and recycling for providing maximum availability, impacts of

projects on human settlements and environment, regulate exploitation of ground water, settling water allocation priorities.

4. **Other Significant measures** –Coastal Regulation Zones under the Environment Protection Act, in order to manage and prohibit industrial and other activities in the coastal zones and nearby coastal areas. Secondly, establishment of Godavari Water Disputes Tribunal and Krishna Water Disputes Tribunal, in order to tackle interstate water allocation and distribution controversy.

In respect of Forest and Wildlife management, conservation and enhancement in different parts of India, various enactments were formulated for the same, from British-Raj period to Post-independence. A significant view was also taken that, India has been a country of religious culture and heritage, which has derived many of its ancient norms, traditions, festivals, procurement of daily essentials and various other things from the natural habitat as well as many wildlife entities have been part of the religious traditions since decades. The foremost was the enactment of **Indian Forest Act<sup>23</sup>** which was incorporated during the British regime with the objective – “An Act to consolidate the law relating to forests, the transit of forest-produce and the duty leviable on timber and other forest produce”. Post independence, two significant legislations were passed, firstly, **Wild Life Protection Act<sup>24</sup>** with the objective – “An Act to provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental securities of the country”. It

<sup>22</sup> ACT No. 06 of 1974 [ 23<sup>rd</sup> March 1974]

<sup>23</sup> Act No. 16 Of 1927 [ 21<sup>st</sup> Sept. 1927]

<sup>24</sup> Act No. 53 of 1972 [9<sup>th</sup> Sept. 1972]



has provided schedules which give varying degrees of protection. The aforesaid Act was amended in the year 2002 and which came into force in 2003, made punishments and penalty of offences under the Act more stringent. Second, **Forest (Conservation) Act<sup>25</sup>** which came into force with the objective – “An Act to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto”. Later amendments were made in the Act by way of the Amendment Act of 1988 and later in the year 1992, which made provisions for allowing some non-forests activities in forests, without cutting or by limited cutting with prior approval from the central government.

### C. Tackling Modern Environmental Problem.

The Word **WASTE** has been the most common as well as at the same times the most difficult problem to tackle with in this today's world. Surely this can also be regarded as one of the very significant reasons behind degradation of environment. Although various enactments and legal rules, protocols have been formulated over the years, yet this problem not only persists but at the same time continues to rise at a very higher rate. In India, in order to ensure safe and effective disposal and handling of various wastes emerged from different industries, many enactments were formulated like, Batteries (Management and Handling) Rules 2001, Hazardous Waste (Management and Handling) Rules 2003, Construction waste Rules 2016.

Also, in the context of wastes, it is important to highlight a new form of wastes that is

rapidly expanding in this modern-technological oriented world, especially from last 3 decades or so, is the problem of “**E-waste**”. It is the waste generated from disposal of used Electrical & Electronic Equipments (EEE's) in all forms like Temperature exchange equipments- Refrigerators, AC's etc.; Screens and monitors; Large and Small electronic equipments and other small IT and Telecommunication equipments. Also according to an UN Report<sup>26</sup> the projected amount of E-waste to be generated by the year 2025 and 2030 stands 65.3 Mt and 74.7 Mt respectively, if it tends to go at the current rate. Another important fact that is to note, is that this E-waste is not only the sole outcome of the modernized developed societies of America and Europe only. The same report provides that in the year 2019, Asia produced the highest amount of E-waste of 24.9 Mt, followed by America – 13.1 Mt and Europe – 12 Mt.

Today about only 15 to 20% of this E-waste is taken up and documented for proper recycling and disposal. The larger portion of 80 to 85% ends up to be dumped, traded or recycled through non-environmental ways and many of the portion left is even left over as it is without any disposal. This E-waste not only occupies a larger portion to be treated with, but also releases about 95 Mt of CO2 equivalents in the atmosphere, about 50 tons of mercury and 70 to 75 kilotons of plastics every year. However, such waste is highly valuable as it contains several precious metals that can be recycled and reused. The Raw materials that is generated through E-waste stands to be valued around 55 to 60 Billion \$ USD, however with the current lack

<sup>25</sup> Act No. 69 of 1980 [25<sup>th</sup> Oct. 1980]

<sup>26</sup> United Nations, Report: *UN Global E-waste Monitor* (2020)



of framework, only about 15% of this can be recovered with the sound and planned disposal networks. This is one of the Key Areas that needs to be worked upon, as the consumption and production of electronics is likely to only go up in the future.

#### **4. The New Challenge of Covid-19 Pandemic on Environment:**

Since, the emergence of the pandemic and its disastrous effects throughout the world, we often find that, more emphasis is being laid to the economical and political aspect, rather than sociological and environmental face of it. Be it the formal statements of various nations of the world, financial infuses by government and industries, or discussions being undertaken by people in daily routines, one finds very less emphasis on the fact that, “The Pandemic has reminded us that how vulnerable our modern advance society are”. From environmental point of view, it is to realize that it is more than illness of human beings and citizens of various nations, rather than it depicts the symptoms of the ailing health of our planet. Also, this pandemic has once again stressed us to realize the fact that, human dysfunction relationship with the nature has caused such a wider disease. It is to note that many studies and accounts of the past experiences provide scientifically that 75% of diseases that are transmitted to human beings are from animals, that is the branch of ‘Zoonotics’.

The Pandemic has made us realize a very ironical fact that, “the disease carrying pathogens have no adherence to Man-made boarders”, and thus just addressing Local-Domestic problems and finding solution to them will work no more. It is time that collaborated efforts needs to develop where not only the nations of the world via their

official governments should only take the efforts, but also civil societies, industries and people at their personal level must realize the need for an overall global change in protection, improvement and sustainment of environment for the future.

The problem continuous to lie because of “Non-Acceptance” and “Lack of Self Realization” by the citizens, institutions and other machineries of the states until and unless, a formal-directive order in terms of judgments is delivered by judicial institutions highlighting their concerns over the increasing cases of pollution, deterioration of ecology, and acts that have lead to degradation of the natural face of nature. Secondly, the problem which persists and everyone can feel and see around them, yet they ignore it at all and adapt it in their normal routine of life is not raised or highlighted by Non-governmental organizations or self-research groups, and that too only those issues which get extremely highlighted through media agencies or popular public figures, get a little bit of attention. In India, one can truly relate the aforesaid, by realizing that the government of the states as well as the central government does not intend to work on their own unless the NGT or The Supreme Court of India, interfere in the matter and direct them to work upon the same subjects.

However, the Pandemic has come up with certain specific things that need new introduction and focus must be laid on its achievement for the purpose of attaining sustainable development and a better greener economy and ecology for the future. Some of them, which need to be developed in environmental aspects, are:



1. The Need to conduct a new study for the inter-relationship between Pollution & Health.
2. Develop an Easy Accessible platform for every citizen, to provide data and information regarding environment and pollution, their duties and effects of the work done, like the one developed during the Pandemic.
3. The need to deliver promptly on International Agreements, agendas, summits and form a new Blue print for a new economic-ecological-societal green future.
4. Signify the role of inducting financial stimulus of investments into the environment sector by the government as well as the business institutions, as well as at the personal level as was introduced and done during Covid-19.
5. Collaborated Efforts of the nations is must with the dedication as shown by the nations of the world during the Pandemic.
6. Shift from Traditional methods in every field of daily routine to more innovative, creative methods by using technology as a medium.

**5. The Need for Global Collaboration:**

**A. Role of United Nations Environment Program (UNEP)**

In these changing and vulnerable situations, the role of UNEP has increased by two-fold. It shall stand firm in solidarity with the billions of people who are suffering by the impact of the pandemic and at the same time develop a notion for the future that the Virus requires strong environment response in the present as well as in the future times.

The foremost and new problem in terms of environment stands with the **“Personal Protection Equipment and Medical Waste Disposal”**. Medical wastes, equipments and other new challenges have emerged in front of us which not only is worsening the current scenario by spreading the infection, but at the

same time there is requirement to ensure the proper disposal of the wastes in the future by evolving effective methods of disposal of such wastes. Another issue is to develop alternative channels of **“Global Conferences”**, in order to continue and carry on global environment plans and initiatives during such tough times too. We often find the collaboration of nations and their active participation in trade and other economic matters; however when it comes to develop new ways and innovations for environment assessment and goals, the lack of such dedication and commitment still fumbles.

Also, **“Future Proofing Sustainable Recovery”** and sustainable development is the only possible way and this shall only be possible when environmental response plans and policies are given the importance they deserve.

**B. Shift from Sustainable Development to Sustainable Development Plus (+):**

Since a very long time now, UNEP has highlighted its Goals that the nations of the world shall work upon and tend to achieve in the near future. In a short glance, these are: National Planning, Monitoring of Plans, Systematic tackling of Issues, Prohibiting Trade of Plants and Animals, Greener Technological Development, Policy planning, Infusion of Finances, Building up collaboration and partnership, Capacity Building, Improve Soil and Water cover, Safe guard the oceans, Reduce pollution and waste, Boost renewable energy, Increase resource efficiency, Combat climatic change and maintain a Healthy Ecosystem, the Ultimate Deadline which is of **year 2030**. Among these, in the current scenario more emphasis is needed on the following:



1. **Climatic Action-** It is no doubt that Climatic Alteration and change is directly related to the spread of such global pandemic, and that too it results in long term effects. The same which has not been able to implement effectively is the lack of true and dedicated commitments. The future lies upon our commitment of **“De-carbonization of Planet”** which shall be enforced seriously and ways must be developed to achieve the same. Also, climatic change is not only linked with increased pandemics and diseases but also other global threats of devastating natural calamity, famine and other economic security. Today, this can be checked by proper planning, shifting to greener renewable energy sources from traditional fuels, developing effective and greener waste of waste disposal rather than Land-dumping and Ocean dumping methods. Also, Trade shall play an important aspect, by making it more climates resilient and implement the policies of **“Global Green New Deal”**<sup>27</sup> effectively in the future.

The Green New Deal was commissioned by the UNEP in 2008 which aimed to address climatic change and economic inequality that includes many reforms and public work projects. It called for governments to allocate financial stimulus and funding to green sectors and provided the following objectives- a. Economic Recovery, b. Poverty eradication, c. Reducing carbon emissions and ecosystem degradation.

A significant role shall be played in **“Climate Change Conference COP26 of 2021”**, which is scheduled to be held in Glasgow, Scotland. The conference will set to incorporate the 26<sup>th</sup> Conference of Parties to the United Nations Framework Convention

on Climate Change (UNFCCC), which was postponed by the Covid-19 Pandemic this year but the same shall play a vital role in **“2030 Agenda for Sustainable Development”**.

2. **Securing Life on Land-** Unprecedented destruction of natural forest cover and biological habitat of flora and fauna on land is a significant and very crucial matter to be dealt with. Matters like such have not been given dedicated commitments in the past as well as in the current scenario too, which has eventually lead increased human-animal interaction due to which such pathogens are likely to spread easily in both livestock and human beings. Also, since the areas of protection are very vast, the singular efforts of just the formal institutions won't work. Rather collaborated and harmonious efforts of civil societies, industries and government shall put their best to ensure the same.

Such wastes and garbage is not only produced by the industries in the form of trade effluents and sewages, but the equal contribution of garbage is drawn out from every household too that ultimately leads to destruction of the Biodiversity of the ecology on the land. Also, in order to ensure that the land we live-in does not get converted into a dumping site, various policies, channels and guidelines need to be implemented and post implementation, serious working needs to be done. In the same context, UNEP is dedicated and committed to support countries to ensure outcome at **“UN Biodiversity Conference of Parties (COP15)”** to the Convention of Biodiversity (CBD) which has been postponed to 2021 due to the Covis-19 Pandemic.

<sup>27</sup> UNEP Sustainable Development, Report: *The Green Economy Initiative* (2009)



CBD COP 15 will review the achievements and delivery of the CBD's Strategic Plan for Biodiversity 2011-2020.

3. **Securing Life below Oceans** – The decline and degradation of natural marine, coastal and freshwater ecosystem has resulted in Increased Ocean Warming, Rise in Water Level, Ocean Acidification and Widespread Harm to the Aquatic Biodiversity. The general idea that ‘World War 3 shall happen due to the crisis of water’ is today taken lightly in many parts of the world, however we have accounts of many countries that have already ran out of their water resources. Instances of increased number of Dead-zones in the marine areas are the result of these major 3 reasons- a) Ocean Dumping, b) Toxic-industrial waste discharge, e) Human exploitative functioning.

There is a need to shift towards “**Sustainable Blue Economies**” that has been defined<sup>28</sup> by the World Bank (WB) as “The sustainable use of ocean resources for economic growth, improved livelihoods, and jobs while preserving the health of ocean ecosystem”. Later, for which in the year 2018, Sustainable Blue Economy Finance Principles were provided in order to provide a guiding framework for infusing finances towards a sustainable blue economy achievement in the future. The same was developed by the European Commission, WWF, the World Resource Institute and the European Investment Bank. A major initiative came amid this critical time, where the “**UN Ocean Conference 2020**” was co-hosted by the governments of Kenya and Portugal, with the major objective to stress upon science-based

innovative solutions that shall result in a new approach towards global ocean protection and restoration.

4. **Responsible Consumption and Production**- Since a very long time, unsustainable production and consumption has ultimately lead to decline in resources and increased environmental issues. UNEP is currently working and seeks to enhance its efforts with the nations of the world towards recovery policies, investment infusions and planning of a strategic planned framework with the help of conducting various studies towards the needs and demand-supply of the people, in order to ensure sustainable and effective efficient utilization of resources and at the same time, reduction and disposal of wastes emerging post production.

C. **Prioritizations and Add-ups in Indian Context** – In Indian approach towards environment protection and achieving sustainable development for the future, first few steps can be taken initially by developing our current plans and goals which shall be fruitful in the near future as well as can give long term benefits if implemented positively. Some of these can be summed up as:

1. India's land geographical area consists of at least 1/3<sup>rd</sup> of High Quality Forest Cover, which signifies highly valuable and variety of resources that can be derived out of them. Attention needs to be laid upon the sustainment and plantation of trees and herbs with various qualities like *Bael*, *Nageshwar*, *Neem*, *Amla*, others that have medicinal as well as consumption qualities.
2. Frequent scientific studies are required that analysis regional balance between Humans-

<sup>28</sup> The World Bank, available at: <https://www.worldbank.org/en/news/infographic/2017/06/06/blue-economy> (Visited on: July 06,2020)



wild animals-nature, in order to assess the damage, proneness likely to damage as well as ways to conserve and sustain resources of the nature.

3. Changing patterns and methods of framing system, by laying more emphasis on organic farming, technologically driven innovations of micro-irrigation and disposal of the left over after crop harvesting. This is the most common problem faced in North-India especially during the winters and harvesting periods when the various grain states, engage in burning of *parali* (straw) that eventually chokes the air.
4. Development of Infrastructure patterns and change in township planning, shifting towards smart cities as well as development of Rural-India. Also, such a development shall be adhering to the carrying capacity in a safe and sustainable way that should be estimated before the commencing of the project.
5. A need also arises; to spread and adopt the traditional Indian cultures that seek to worship the Mother Nature for its benefits and at the same realize its true significance as a way of protecting the environment. India has always been the land of culture and traditions since ages and the connection between humans and nature is well established, this needs to be promoted in our modern society.

### 6. CONCLUSION.

Once again, we all have been reminded that our efforts have lacked to a significant extent towards protection of the environment and restoration of the damages caused. Today they need to be multilateral in terms of not only restoring what we have damaged, but also changing our commitments from Domestic based solutions to Global-collaborated dedications. Post-Covid-19

Pandemic has made us realize that despite looking only towards the economic and political effects on it on the nations of the world, equal stress must be drawn upon its environmental face and to accept the fact that the pandemic is has shown us the true sign that how vulnerable is our modern societies are and how this is not just a concern of human health, but at a larger scale it depicts the symptoms of our ailing planet. It has also made us realize that, pathogens or such global crises don't adhere to the man-made borders. Deterioration of environment and giving non-importance to any one part or nation of the world, will not only effect that only nation, but will ultimately lead to contamination and crisis throughout the globe.

The future depends upon our actions and dedicated commitments of not only one or two machineries of state now; rather the efforts of civil societies, industries, and personal level dedication from inner conscious is much needed apart from formulation of new policies and framework to achieve the goal of sustainable development, greener economy, zero carbonized planet, restoration of ecology and tackling of pollution and wastes globally. Post-pandemic, the role of global platforms, agreements and international conferences shall surely play a vital role in developing and strictly following the deadline goals set by them. Mahatma Gandhi has rightly said "The world has enough for everyone's needs, but not enough for everyone's greed", hence protection and sustainment of environment can be truly achieved in future, it only demands our global efforts that require actions to be undertaken from today itself.

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