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Environmental Policy and Sustainable Development in India: A Political Ecology Perspective on Environmental Governance

Anupriya M[1], Prof.D.Ramakrishnan [2]

[1]Ph.D. Research Scholar, Department of Political Science, Madurai Kamaraj University, Madurai, Tamil Nadu, India.

[2]Professor and Head, Department of Political Science, Madura Kamaraj University, Madurai, Tamil Nadu, India.

Abstract: Political ecology and environmental policy include the concept of **"**environmental governance," which promotes sustainability (sustainable development) as the most important element in controlling all human activities, including political, social, and economic activities. Environmental governance is a large and dynamic field that is expanding and rapidly evolving. In India, development is currently having an increasing impact on the environment. Particularly because of the need to maintain high economic growth, the challenge of halting the rate of environmental degradation is serious, and recognizing that the global environment is indivisible, environmental management has become more important. However, the 1972 United Nations Conference on the Environment marked a turning point in the evolution of humanity's relationship with the Earth and in global concern for the environment. In India, the constitution and government structure provide for the possibility of a multi-tiered environmental governance system, but this possibility has not been fully explored. Countries around the world have recognized the importance of enacting laws and policies to protect the environment. By this background an attempt is made to investigate the challenges and prospects of environmental governance in India and to highlight its importance. Further this study discusses the initiatives under the council's categories of global treaty commitments, transparency and accountability of sensitive ecosystems, conservation projects, water management, research, education and capacity building. However, environmental issues are increasingly appearing on the agenda of government, cooperation, non-governmental organizations and citizens. Hence this study makes an attempt to find out and analyses the functions of the major actors which have significantly contributed in shaping the environmental governance framework in India.

Keywords: Environmental Governance, Ecosystem, Indian Environment, Globalization

1. Introduction

India's approach to environmental governance has experienced a notable change over the last fifty years, transitioning from a limited regulatory system to a more intricate, multi-faceted framework that aims to reconcile ecological sustainability with economic growth. This transformation has been influenced by international environmental discussions, local political agendas, judicial activism, and the increasing acknowledgment of environmental concerns as crucial to human security and sustainable livelihoods. From initial laws focused on controlling pollution to modern policies prioritizing climate resilience, biodiversity preservation, and sustainable development, India's environmental governance has evolved significantly.

The structure of environmental governance in India comprises a complex network of laws, regulatory entities, and policy tools that function at national, state, and local levels. Important legislative frameworks like the Environment Protection Act, Forest Conservation Act, and Biological Diversity Act have established the groundwork for environmental regulation. Nevertheless, the efficacy of these governance mechanisms is often hindered by institutional challenges. These challenges include bureaucratic fragmentation, overlapping jurisdictions, weak enforcement capabilities, limited inter-agency coordination, and insufficient resources. Additionally, such issues are exacerbated by conflicting development objectives, where economic growth and infrastructure development

often take priority over environmental concerns.

In recent years, various factors such as globalization, decentralization, technological progress, and heightened public awareness have shaped the dynamics of environmental governance in India. The importance of non-state actors—including civil society organizations, local communities, and the private sector—has grown significantly in influencing environmental results. Approaches that promote participation in governance, community-based natural resource management, and the incorporation of traditional ecological knowledge have become crucial in tackling environmental issues. Meanwhile, India grapples with increasing environmental pressures like deforestation, pollution of air and water, the effects of climate change, and the loss of biodiversity. These challenges underscore the necessity for a more cohesive and flexible governance framework capable of effectively addressing complex and interconnected environmental problems. The idea of sustainable development has become increasingly important as a guiding principle, highlighting the necessity of balancing economic growth with environmental conservation and social fairness.

In this context, this study aims to analyse India's environmental governance by examining institutional challenges, the changing dynamics of governance, and the strategies needed for sustainable advancement. It seeks to investigate how current governance structures can be reinforced, how the policy framework can be made more consistent and inclusive, and how innovative approaches can improve environmental results.

Need of the Study:

Significant institutional, constitutional, and structural constraints impede India's environmental governance framework's ability to achieve sustainable development. Even though the Directive Principles of State Policy and Fundamental Duties include environmental protection, these clauses are nevertheless non-justiciable, which restricts their enforceability and usefulness. Despite the judiciary's expansion of the right to life under Article 21 to include a clean and healthy environment, these safeguards are mostly interpretive and do not have clear constitutional support. As a result, environmental protection in India is vulnerable to political interference and frequently relies on administrative discretion. Political and economic forces frequently compromise the independence and efficacy of regulatory organisations, especially at the state level.

Further, rather than forming through proactive and anticipatory governance, India's environmental legislation framework has historically developed in a reactive way, mostly in response to environmental catastrophes. This has resulted in antiquated policies that fail to appropriately handle new environmental issues including biodiversity loss, climate change, and cumulative ecological degradation. Given these worries, the main research challenge is to comprehend how institutional flaws, political dynamics, and structural limitations all work together to influence how environmental governance functions in India and to determine the reforms and tactics needed to move from a fragmented, reactive system to a more proactive, integrated, and sustainable governance framework. These difficulties are also made worse by the growing politicization of environmental decision-making. Ecological concerns are often subordinated to economic growth demands, leading to poor enforcement mechanisms, rushed environmental approvals, and reduced regulatory standards.

Review of literature:

Leelakrishnan in her article entitled, "Environmental law in

India", contends that the non's environmental laws have developed in a fragmented and reactionary way, leading to overlapping mandates, inconsistent standards, and ambiguous regulatory obligations.This hodgepodge of legi slationclaims that it frequently makes it difficult to implement policies coherently and adds to ongoing administr ative inefficiencies.

Dutta.R and Purohit.S in his article entitled, "The National Green Tribunal Act: A commentary". The authors of research article stress that although while the National Green Tribunal (NGT) was created to offer a specialized

process for environmental adjudication, the restrictions imposed by the parent statutes themselves limit its ability to operate. The NGT's potential impact is diminished by the fact that its jurisdiction is limited to a small number of "scheduled laws," which keeps it from tackling important issues like wildlife protection, more general forest governance, and emerging climate-related challenges.

Gill (2017) in his article entitled "Environmental justice in India: The National Green Tribunal" he is notes that functional executive agencies and a robust legislative framework are necessary for environmental courts to greatly increase access to environmental justice.

Even the most progressive courts find it difficult to convert their rulings into significant environmental results in the absence of institutional capacity, technical knowhow, and dependable enforcement mechanisms.

Research Methodology:

In order to investigate Environmental Policy and Sustainable Development in India: A Political Ecology Perspective on Environmental Governance, this study uses a qualitative and analytical research design. Government reports, environmental policy documents, legislative frameworks, and publications from important organizations like the Ministry of Environment, Forest and Climate Change, the United Nations Environment Programme, and the World Bank are the main sources of secondary data used in the study. Furthermore, scholarly publications and pertinent academic periodicals on environmental governance are thoroughly examined. The research looks at the institutional and structural aspects of environmental governance in India using thematic interpretation and document analysis. It focuses on highlighting important institutional obstacles, changing governance dynamics, policy gaps, and new trends in policy. The study creates a thorough grasp of governance mechanisms and their efficacy by critically integrating these sources. This methodology provides a thorough and critical assessment of India's environmental governance framework and aids in the development of well-informed, policy-focused plans for attaining inclusive and sustainable environmental advancement.

Definition:

Environment: Environment includes water, air, soil and physical properties and the interrelationship which exists among and between them and human beings, other living creatures, plants and microorganism. Environment is the sum of all external conditions affecting the life, development and survival of an organism (any form of animal or plant).

Environmental Governance: Environmental governance comprises of rules, practices, policies and institutions that shapes how human interact with the environment. It's process that links and harmonizes policies, institutions, procedures, tools and information to allow participation (public and private sector, NGO's, local communities) to manage conflict, seeks points of consensus, make fundamental decisions and be accountable for their action .

Global Environment Gsovernance:

Worldwide environmental governance at the international level is the culmination of all the organizations, financial mechanisms, policy tools, regulations, practices, and standards that govern the worldwide environmental protection activities. The 1972 United Nations Conference on the Human Environment (UNCHE) in Stockholm, Sweden, marked a turning point in the development of sustainable development. It approved an Action Plan on Human Development that examined the phrase "Pollution of poverty," which refers to the environmental issues that the impoverished face, such as a lack of sanitary facilities or clean water. The United Nations Environment Program (UNEP), which was established to take the lead in Global Environmental Governance (GEG) by coordinating environmental activities within UN agencies and serving as a catalyst for future initiatives, made a significant institutional choice.

Since then, there has been a flurry of activity in international environmental policy, leading to the emergence of numerous treaties, organizations and mechanisms. The organization, policy tools, funding sources, regulations, practices and standards that manage the worldwide environmental protection process are together referred to as global environmental governance. The current state of the world's environment reflects both the achievements and shortcoming of the introduction of environmental issues into the international agenda in the early 1970s. Environmental hazards are widely recognized and many initiatives have been launched worldwide to address them. The CEG system has outgrown its original purpose and design at the same time, in part due to the quite remarkable increase in awareness and activities.

The system's intrinsic inefficiencies, internal redundancies, and costly maintenance requirements have all had the paradoxical consequence of diverting attention from the most crucial CEG objective of all: enhanced environmental performance. Environmental degradation persists despite the CEG system's many accomplishments, including new treaties, increased funding, and a more active and engaged system than anyone could have predicted thirty years ago. In fact, because we are so knowledgeable about environmental conditions and processes, we also have a better understanding of the problems facing the global ecosystem.

India's environmental governance is at a critical juncture, when rapid economic expansion, growing environmen tal degradation, and a constitutional commitment to sustainable development converge.Over the last few decade s, India has developed a relatively dense legal and institutional architecture, which is anchored in the Directive P rinciples of State Policy, the Forest (Conservation) Act, the National Green Tribunal, and various sectorspecific missions such as the National Action Plan on Climate Change and the Green India Mission. However, the distance between policy formulation and on- the ground implementation remains large, generating ongoing concerns about institutional capacity, coordination and accountability in environmental governance.

Environmental Governance in India:

Evolution of environmental governance in India:

The development of environmental governance in India has been shaped by two significant international conferences: the one held in Stockholm in 1972 and another in Rio de Janeiro in 1992, focusing on Environment and Development. Numerous nations have adopted the "polluter pays" principle, the precautionary principle, and the idea of intergenerational equity as frameworks for creating environmental policies. Generally, policies are influenced by the country's research, cultural context, and political institutions.

Constitutional Amendments

The Constitution contained no mention of environmental protection until 1976. As a result, the Indian judiciary was likewise unfamiliar with the term environmental jurisprudence. This situation was altered by the 1976 42 Constitutional Amendment, which included Articles 48-A-5 and 51-A (g) to this "enviromyopic" article. The Court has created a body of "Green Constitutional Law" from the early 1980s to protect citizens' health from the harmful effects of environmental degradation. In contrast to the widely accepted idea of "strict liability" under the Rylands v. Fletcher standard, the Supreme Court established the standard of "absolute liability" for compensation to those affected by the accident in cases of industries engaged in hazardous or inherently dangerous activities in M.C. Mehta v. Union of India (Oleum Gas Leakage case). By reading it in conjunction with Articles 48-A and 51A (g), the Court has broadened the definition of "life" under Article 21 and enriched it to encompass environmental rights, stating: Article 21 safeguards the right to life as a basic right. The conservation and maintenance of the environment, ecological balance free from air and water pollution, and sanitation—without which life cannot be enjoyed—are all included in the enjoyment of life and its attainment, including their right to life with human dignity.

Environmental Governance: Institutions

Institutions of Environmental Governance at the national level in India, the parliament passes environmental laws and oversees matters based on the Ministry of Environmental, Forests, and Climate Change's (MoEFCC) recommendations and reports. The MoEFCC findings and recommendations are also used by Parliament to approve the annual budget for a variety of development initiatives, such as environmental conservation and natural resource management. MoEFCC is a specialized "Parliamentary Committee on Environment" made up of parliamentarians tasked with keeping an eye on how the government's environmental goals, programs, and initiatives are being carried out. Environmental governance is managed by a number of government departments and ministries.Environmental governance is managed by a number of government departments and ministries. The head of government's cabinet of ministers is primarily in charge of giving general direction and making sure that different plans, programs, and environmental regulations are carried out.

In India, there is a distinct department called the Department of Environment (DOE), which is led by a Director General and looks into the day-to-day enforcement of laws. DOE is the technical arm of the Ministry, offering technical advice to the ministry and for the enforcement of laws as well as the conservation of biodiversity and forests. The MoEFCC established the "Department of Forests," which is headed by the Chief Conservator of Forests.

Since the environment is a cross-sectoral concern, many sectoral ministries and departments are working on environmental issues. The Department of Fisheries, a subordinate body of the Ministry of Fisheries and Livestock, is responsible for enforcing rules that prevent fisheries depletion and conserving fisheries biodiversity. In a similar vein, the Minister-led Ministry of Water Resources is in charge of encouraging pollution-free businesses, among other things. Academics, civil society organisations, and the media are among groups that help the government with environmental governance. Right-wing organisations and advocacy groups. They serve as watchdog organisations, applying pressure to the government to guarantee sound environmental governance.

Environmental Governance: Process

Both centralized and decentralized environmental governance are possible. In a centralized, "top-down" approach, the government adopts plans and policies and makes decisions by consulting technocrats and bureaucrats from various government ministries and agencies. Conversely, "decentralized environmental governance" guarantees the adoption of plans and policies through grassroots consultation. Using a "bottom" approach, it is also referred to as "participatory environmental governance." To put it another way, development planning adheres to the Multi-stakeholder Integrated Sustainability Planning (MISP) approach. MISP is a novel idea that deviates from traditional development planning. It is an integrated planning strategy that involves several sectors and ecosystem components, or stakeholders, in the goal of sustainable development. MISP is a multidisciplinary program. In order to achieve a comprehensive and sustainable development, it incorporates economic, social, ecological, political, cultural, and spiritual aspects. Participatory planning incorporating the grassroots would provide "ownership" of the impacted individuals, project victims, and stakeholders in the planning process, which is essential for the efficient operation of environmental governance. Such a participatory planning method would guarantee that national governance takes into account the opinions and worries of the general public regarding industrial pollution, biodiversity loss, and environmental deterioration.

Institutional Hurdles in Environmental Governance:

Weak Enforcement and Regulatory Capture

The inadequate ability of Pollution Control Boards (PCBs), which are the main organisations in charge of overseeing and carrying out environmental regulations, to enforce them is a significant structural flaw in India's environmental administration. PCBs nationwide continue to struggle with a lack of contemporary monitoring

technologies, insufficient budget, and a scarcity of qualified staff despite their crucial mandate. Their capacity to monitor pollution trends, carry out routine inspections, and swiftly punish violators is greatly hampered by these institutional limitations. Additionally, because state governments have administrative responsibility over PCBs, they are susceptible to political pressure, particularly when it comes to significant industries or development initiatives. Limited autonomy, budget limitations, and antiquated technology infrastructure frequently result in regulatory capture, which compromises enforcement choices. Budget constraints, outdated technical infrastructure, and a lack of autonomy often lead to regulatory capture, which undermines enforcement decisions. Because of inconsistent, slow, or often nonexistent enforcement, even well-crafted environmental regulations become useless in practice.

Restricted Mechanisms for Public Participation:

With the exception of indirect channels like PILs, the majority of significant environmental laws do not give citizens the autonomous right to petition the courts. Direct access is restricted by the Water and Air Acts, which mandate that people file complaints with PCBs. Democratic involvement in environmental governance is weakened by this.

Insufficient Penalties and Deterrence

The insufficiency of statutory penalties, which are frequently disproportionately low as compared to the financial rewards firms obtain from breaking environmental regulations, is a persistent shortcoming in India's environmental regulatory structure. Many of the penalties imposed under legacy legislation, such the Water Act and Air Act, were created decades ago and have not kept up with the growth of industry, inflammation, or the extent of ecological damage. Because of this, polluting companies often internalise these fines as normal operating costs. Treating them more like a small expense than a significant obstacle. Because the advantages of breaking environmental regulations greatly exceed the small fines levied, this economic disparity promotes persistent non-compliance. The preventive objective of environmental laws is seriously undermined when strict disciplinary procedures are not updated or enforced, which reduces their ability to influence corporate behaviour and safeguard ecological systems.

Concerns about Climate and Biodiversity are not integrated:

India's environmental laws have a major systemic flaw. Due to its primarily pollution-centric focus, a number of new ecological issues are not sufficiently addressed. Important environmental laws like the Water Act, Air Act, and Environmental (protection) Act were created when industrial pollution was the main concern. As a result, there was little legislative attention paid to more general problems like ecosystem-based management, biodiversity conservation, and climate change adaptation. Despite being home to remarkable biodiversity and one of the most climate-vulnerable countries in the world, India's legislative framework lacks comprehensive mechanisms to integrate landscape-level conservation techniques, species protection, and climate resilience. Ecological sensitivity, cumulative effects, and long-term climatic hazards are not completely taken into consideration by Environmental Impact Assessment (EIA) methods, which are still mostly project-based. These gaps limit the system's capacity to adapt to the changing complexities of environmental governance by preventing the effective management of emerging environmental threats, such as climate-induced disasters, rapid habitat loss, and biodiversity decline, within the current statutory framework.

Techniques for Sustainable Environmental Governance:

The role of the government in environmental governance:

Depending on the central government's aims and commitments, the relevant government ministries and departments create, revise, and carry out sectoral plans and policies at both the macro and micro levels. The government's commitment also affects how the relevant government ministries and departments carry out MEAs.

The government must incorporate these accords into national plans, programs, projects, and legislation since it is a signatory to numerous global environmental agreements. Long-term plans such as Five Year Plans, Strategic Plans, Perspective Plans, sectoral Master Plans, policies, budget allocation, etc. require political commitment regardless of changes in the administration. In this sense, creating a "green constituency" is essential.

Coordination and Integration of institution:

Effective environmental governance in India, where numerous agencies function at various levels of government, depends on institutional integration and coordination. Policy discrepancies and implementation gaps are frequently caused by fragmentation and multiple mandates. Coherence in decision-making can be improved by fortifying coordination mechanisms, such as interdepartmental committees, consistent regulatory frameworks, and data-sharing platforms. Integrated techniques guarantee that environmental issues are in line with industries, urban growth, and agriculture. Additionally, grassroots policy execution is enhanced by vertical coordination between the federal, state, and municipal governments. In the end, efficient institutional integration encourages productivity, minimizes effort duplication, and supports long-term environmental results.

Encouraging Participatory Governance:

By guaranteeing inclusive and democratic decision-making, promoting participatory governance is crucial to bolstering environmental governance. It makes it possible for stakeholders, civil society, and local communities to actively participate in environmental planning, execution, and monitoring. Transparency and accountability are improved in India through procedures including community-based resource management, public hearings, and participation in the Gram Sabha. This strategy combines scientific methodologies with local knowledge to produce more context-specific and sustainable solutions. Additionally, participation increases residents' sense of ownership, which enhances adherence to environmental laws. In the end, it promotes fair, sustainable resource management and increases institutional effectiveness.

Strict Penalties and System of Compliance:

By guaranteeing that environmental laws are effectively enforced, a stringent penalty and compliance mechanism is essential to enhancing environmental governance. Strong deterrents against infractions are provided by clearly specified legal provisions, such as penalties, sanctions, and the closure of non-compliant industries. Frequent monitoring of environmental audits and inspections aids in identifying non-compliance and strengthens accountability. In India, compliance can be greatly increased by strengthening institutional capacity, reducing administrative delays, and implementing transparent digital reporting systems. In addition to preventing environmental deterioration, a strong enforcement framework promotes sustainable practices among stakeholders and businesses, enabling long-term ecological balance and responsible development.

Conclusion:

For India to achieve long-term sustainable development, environmental governance must be strengthened. Although the nation has made progress in creating thorough legal frameworks and interacting with international environmental conventions, execution is still a major obstacle. Progress is nevertheless hampered by issues like weak institutional capability, fragmented governance, and insufficient stakeholder participation.

India needs to concentrate on a number of important reforms in order to transition to a more efficient and future-ready environmental governance framework. First, environmental laws must be combined into a stronger, more cohesive legal framework that improves clarity and minimizes fragmentation. Second, more resources, increased independence, and cutting-edge monitoring tools are needed to fortify police agencies. Third, in order for citizens to actively participate in protecting environmental interests, meaningful public engagement should be promoted. Fourth, the uniformity and authority of environmental adjudication would be enhanced by extending the NGT's jurisdiction and elucidating its relationship with other courts. In order to develop a cohesive, coordinated, and

responsible environmental model, the judiciary, legislative, and executive branch must be more closely aligned. By putting these policies into practice, India will be able to move from having a lot of environmental regulations to real ecological protection and sustainability.

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