

Today's Topic



<https://t.me/vishnuiasmentor>



<https://www.youtube.com/channel>

Environment (Protection) Act, 1986

Notes for civil services preparation



UPSC

General Studies

Environment (Protection) Act, 1986

Overview: The **Environment (Protection) Act (EPA)** was enacted in 1986 with the objective of providing the protection and improvement of the environment

- It **empowers the Central Government** to establish authorities charged with the mandate of preventing environmental pollution in all its forms and to tackle specific environmental problems that are peculiar to different parts of the country.
- The Act is **one of the most comprehensive legislations** with a pretext to protection and improvement of the environment.

Constitutional Provisions:

- The EPA Act was enacted under **Article 253** of the Indian Constitution which provides for the **enactment of legislation for giving effect to international agreements**.
- **Article 48A** of the Constitution specifies that the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.
- **Article 51A** further provides that every citizen shall protect the environment.

Salient Features of the EPA Act

- **Powers of the Central Government:** The Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment in coordination with the State
 - The Central government is also empowered to:
 - **Plan and Execute a nation-wide programme** for the prevention, control and abatement of environmental
 - **Lay down standards for the quality of environment** in its various aspect.
 - Lay down **standards for emission or discharge of environmental pollutants** from various sources.
 - The **restriction of areas** in which any industries, operations or processes or class of industries, operations or processes shall/ shall not be carried out subject to certain safeguards.
- The Central Government may **appoint officers under this Act** for various purposes and entrust them with the corresponding powers and functions.

- The central government as per the Act has the power to direct:
 - The closure, prohibition or regulation of any industry, operation or process.
 - The stoppage or regulation of the supply of electricity or water or any other service.
- **Restriction on Pollutant Discharge:** No individual or organization shall discharge/emit or permit to discharge/emit any environmental pollutant in excess of the prescribed standards.
- **Compliance with Procedural Safeguards:** No individual shall handle or shall be caused to handle any hazardous substance except in accordance with the procedure and without complying with the safeguards, as prescribed.
- **Powers of Entry and Inspection:** Any person empowered by the Central Government shall have a right to enter (with the assistance deemed necessary) at any place:
 - For the inspection of compliance of any orders, notifications and directions given under the act.
 - For the purpose of examining (and if required seizing) any equipment, industrial plant, record, register, document or any other material object may furnish evidence of the commission of an offence punishable under this Act.

International Conventions for Environment Protection to which India is a Signatory

- The **Montreal Protocol to the Vienna Convention** on Substances that deplete the Ozone Layer,
- **Basel Convention** on Transboundary Movement of Hazardous Wastes, Rotterdam Convention, 1998.
- **Stockholm Convention** on Persistent Organic Pollutants (POPs).
- UN Framework Convention on Climate Change (UNFCCC), 1992.
- **Convention on Biological Diversity, 1992**
- UN Convention to Combat Desertification, 1994

