# CONCEPT OF ENVIRONMENTALISM IN INDIA: ANALYSIS

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## ABSTRACT

The world's environmental problems gave rise to the environmental movement known as environmentalism. It covers ideas on the origin and root causes of environmental issues, ethical perspectives on how we should treat the environment, and initiatives to define and build an ecologically friendly society. Between those who value nature for human well-being and others who adopt an ecocentric perspective and feel that nature has worth, there is a fundamental moral disagreement among environmentalists. How to define and create an environmentally sustainable society and how doing so relates to other political goals are the fundamental concerns of environmental political theory. The research's first section, which supports this philosophy, looks at how environmentalism evolved in pre- and post-colonial India. The present state of environmental legislation and environmental protection trends are listed in the section that follows.

**Key words:** environment, nature, judiciary, sustainable development, pollution.

## I.    INTRODUCTION

The usage of natural resources and numerous battles and disputes over social justice or human rights fundamentally gave rise to the environmental movement in India. On the other hand, there are movements that are focused on a particular issue, such dam construction or logging. The emphasis is on an alternate development paradigm at the opposite end. Analysing environmental movements in India in terms of their material, political, and ideological settings has been one attempt to comprehend the nature of these movements. This strategy contends that disputes over natural resources form the foundation of the environmental movement. The movement's political framework refers to the participation of action organizations in the mass mobilization of those impacted by environmental degradation. The ideological expressions of the movement are analysed by describing different ideological strands of Indian environmentalism. Another attempt has been made to analyse the nature and style of the environmental movement in India using a categorization system for conflicts over the use and management of natural resources. According to this schema, three different conflicts over natural resources serve as a backdrop for the environmental movement in India. The first kind of conflict involves the rights of various social groups to environmental resources. The second goal of environmental activism is to influence official policies that govern how environmental resources are used. The third kind of conflict addresses ecological issues related to development, particularly the aspect of relationships between people and nature, and challenges the preeminent development paradigm. These conflicts are all focused on various natural resources, including land, water, forests, and air.

## II.    EVOLUTION OF ENVIRONMENTALISM IN INDIA

The religious and cultural traditions of India are strongly ingrained in its environmental ethos. Indian culture has always emphasized the value of nature, as seen by customs like tree worship, river reverence, and ethical rules for sustainable living. For instance, songs celebrating the sacredness of nature and the interdependence of all living things may be found in the Rigveda, one of the earliest holy writings. Other religions that promote environmental responsibility and respect for all living forms include Hinduism, Buddhism, Jainism, and Sikhism. Many festivals incorporate acts of environmental protection, and sacred rivers like the Ganges and Yamuna are worshipped. These cultural and religious ideals have significantly influenced India's conservation philosophy. Major environmental problems were present in India throughout the colonial era. The natural resources of India were heavily exploited by British colonial rulers, which resulted in habitat devastation, deforestation, and resource depletion.

Conflicts between local groups and the colonial administration resulted from the Indian Forest Act of 1878, which initiated regulatory efforts. By establishing a number of regulations that were lacking during the ancient age, they made significant contributions to maintaining India's natural system. In response to Lord Dalhousie's message, the Indian Forest Law was enacted. In a Memorandum on the Conservation of Forests released in 1855, Lord Dalhousie suggested treating teak as public property and rigorously controlling its usage. For creating the Indian Forest Department, the government nominated Dietrich Brandis Inspector General of Forests in 1864. Brandis saw educating people in conservation sciences and establishing a legal structure as ways to protect the trees. After that, in 1864, Brandis established the Imperial Forest Service. In 1878 and 1927, the Forest Law of 1865 underwent two revisions. The 1878 Forest Law divided woods into three categories: reserve, protection, and village forests. The best woodlands were referred to as "reserve forests," and the locals were not permitted to take anything from them unless it was permitted by law. The town's or the protected area's woodlands provided the people with access to wood. Communities that depended on the forest were affected by the Indian Forest Act of 1927. The legislation's punishments and guidelines had the dual objectives of strengthening government control over state forests

and reducing public usage of forests. Rules were made stricter, and the department received police authority. To put into practice the 1884 forest policy, the Forest Act of 1927 was passed. The Indian government did not pass the Forest Act until 1935. A Provincial Parliament was established in 1935 by the British Parliament through the Government of India, and the province of forestry was added to the list of subjects covered by the Provincial Parliament. Following that, several provinces implemented their own legislation to control woods. The majority of these statutes fell under the 1927 Act. The British periodically issued several more ordinances when they were in charge of India.

i. The Coastal Nuisance (Bombay and Kolaba) Act, passed in 1853, is India's first statute enacted to regulate water pollution. The British for British India approved India's first environmental protection law with this legislation. This Act was created to control how trash from various industries operating in Bombay (now Mumbai) and Kolaba districts was discharged into their coastal areas.

ii. The Eastern Gas Company Act of 1857 imposed limitations on the Eastern Gas Company's ability to pollute the environment. For contaminating water and continuing to do so at a rate of Rs. 500 per day, Eastern Gas Company was fined Rs. 1000. One of the earliest regulations to address water contamination was the Oriental Gas Company (OGC) Act.

iii. Madras (Chennai) was in charge of looking after the wild elephants' preservation. The law-imposed penalties for offenders of the embargo as well as a general prohibition on the killing of wild elephants. The Elephant Preservation Act was passed six years later, in 1879, and this is when the first attempt by the central government was made. The Wild Birds Protection Act, passed by the federal government in 1887, forbade the ownership or sale of recently killed or caught wild birds during the designated breeding season. A more thorough legislation for protecting the environment and animals was adopted by the national government in 1912. The Hailey National Park Act of 1936, which established the Hailey (now Corbett) National Park in Uttar Pradesh, is perhaps the first comprehensive piece of law to safeguard wildlife and its ecosystems.

iv. One of the most significant laws that established extremely harsh punishments for environmental crimes under the Criminal Code was the Criminal Procedure Code of 1893. If the disruption had a negative impact on the general public, criminal punishment might be carried out under the category of harassment in Sections 133 to 144 of Chapter XII of the Criminal Procedure. Since it is presumed that the general populace is impacted by environmental degradation, it also covered environmental contamination.

## A. The environmental direction of postcolonialism:

Our understanding of environmental challenges and the connections among colonialism, environmental exploitation, and indigenous knowledge has been greatly influenced by postcolonialism as a critical theory and intellectual movement. The complicated and sometimes tense relationships between colonial powers, postcolonial states, and the environment are highlighted by postcolonial environmentalism. In order to generate more sustainable and equitable futures, it highlights the necessity of environmental justice, acknowledging indigenous knowledge, and decolonizing environmental rhetoric and policy.

i. The Chipko Movement, also known as the Chipko Andolan, was a prominent environmental movement that started in the early 1970s in the Indian state of Uttarakhand (formerly a portion of Uttar Pradesh). The term "Chipko" in the local language means "to hug" or "to cling to," and the movement was so named because it was common practice for local people, mostly women, to hold and encircle trees to stop loggers and contractors from felling them. The movement's mobilization was greatly aided by the well-known environmentalist Sunderlal Bahuguna. Gaura Devi, a villager, is often attributed with starting the campaign when she embraced a tree that was going to be cut down in the Mandal village.

ii. The Kerala state in southern India saw a strong environmental conservation effort in the 1970s and early 1980s called the Silent Valley effort. This campaign intended to stop a proposed hydroelectric dam project from harming the Silent Valley, a rare tropical rainforest. The well-known agricultural scientist and environmentalist Dr. M. S. Swaminathan was instrumental in bringing attention to Silent Valley's ecological importance. Renowned ornithologist Salim Ali backed the cause as well. In 1984, Silent Valley was designated a national park, and because of its extensive biodiversity, it eventually gained UNESCO World Heritage Site designation. Similar conservation initiatives were sparked by the movement, which emphasized the value of protecting environmentally vulnerable areas.

iii. Jungle Bachao Andola: A substantial environmental movement known as "Jungle Bachao Andolan" (Save the Forests Movement) emerged in the Indian state of Assam in the late 20th century. In order to defend indigenous groups' rights and preserve the region's forests, this movement tried to increase public awareness of these issues. The campaign succeeded in getting the government to act to stop illegal logging, save forests, and acknowledge the rights of indigenous tribes. It emphasized the significance of locally driven conservation initiatives and the necessity of striking a balance between environmental protection and local residents' rights and means of subsistence.

iv. Narmada Bachao Movement: Known as the "Save the Narmada Movement," the Narmada Bachao Andolan (NBA) is one of India's most well-known and persistent social and environmental initiatives. The building of the Sardar Sarovar Dam on the Narmada River in western India was at the core of it, which started in the middle of the 1980s. The NBA tried to address a variety of social, environmental, and humanitarian concerns associated with the dam project under the direction of social activist Medha Patkar and several grassroots groups. The NBA's main worry was that the construction of the dam would result in the widespread eviction of populations, notably the native Adivasi people. Many were supposed to be moved without receiving the required rehabilitation or compensation. Concerns regarding the dam's ecological effects, such as the flooding of productive farmland, the destruction of aquatic habitats, and the possibility of earthquakes in the area, were expressed by activists. Concerns regarding the dam's ecological effects, such as the flooding of productive farmland, the destruction of aquatic habitats, and the possibility of earthquakes in the area, were expressed by activists.

v. Tehri Dam Conflict: The Mullaperiyar Dam Dispute, also known as the Theri Dam Conflict, is a protracted conflict between the Indian states of Kerala and Tamil Nadu about who should have ownership, control, and responsibility for the Mullaperiyar Dam, which is situated in Kerala but serves Tamil Nadu's requirements. Because the dam project is being developed in an earthquake-prone location and people believe it would cause the submersion of forest areas along with Tehri city, this

movement was started by the locals in the 1980s and 1990s. Despite the protests, police protection is maintained as the dam is built, and Sunderlal Bahuguna is left for dead. Bahuguna ceased his haste after confirming that the project had received official clearance, although development is still ongoing.

vi.    Delhi Protests: In 2018, several protests against reforestation in South Delhi were held after 14,000 trees were felled. It was Chipko's movement again with 1,500 people hugging trees and shouting anti-government slogans at Sarojini Nagar.

vii.   Aarey Forest Demonstrations: For the Mumbai Metro Line 3 (Colaba-Bandra-SEEPZ corridor), the Mumbai Metro Rail Corporation Limited (MMRCL) proposed building a car shed near Aarey Milk Colony in 2014. Aarey is a lush region with a substantial amount of green cover, including a deep forest and several native species. Due of its ecological significance, it is frequently referred to as the "lungs of Mumbai". The term "Aarey Forest Demonstrations" is a string of environmental activism and demonstrations that took place in Mumbai, India, particularly in 2019, in response to plans to build a metro vehicle shed. In 2019, demonstrations over the removal of 2,500 trees from Aarey Forest, a vitally essential location for the Mumbai Metro Rail Corporation, resulted in the arrest of about 29 persons. After several protests, the Supreme Court ordered the release of the activists and refused permission to cut down more trees.

## III.    THE CURRENT ENVIRONMENTAL TRENDS IN INDIA

Unquestionably, one of India's most serious environmental issues is air pollution. India is home to 63 of the world's 100 most polluted cities, with New Delhi being the capital of the planet with the poorest air quality, according to the World Air Quality Report 2021. The main causes of air pollution in India include vehicles, industrial waste, cooking smoke, construction, burning of crops, and energy production. In recent years, the government of the capital of India has put severe controls on air pollution. One of these is the odd rule, or traffic management, which prohibits the use of public roads on odd and even days except for private automobiles whose registration numbers finish in odd days. The National Capital Region (NRC) has also outlawed the use of coal as a fuel in home and commercial units as of January 2023. The greatest consumers of coal, however—thermal power plants—are exempt from the moratorium. India's AQI is still on a perilous track despite efforts to reduce air pollution, as the World Air Quality Report amply demonstrates. In addition to being highly polluted, the nation's rivers are also unsafe for human consumption in roughly 70% of cases. Indian water bodies are severely contaminated as a result of the illegal dumping of raw sewage, sludge, and waste into rivers and lakes. The scenario is only made worse by the virtually total lack of pipe design and a subpar waste management system. Fortunately, the state has started to address the issue by making improvements to water quality, sometimes with the assistance of regional companies. Building water treatment facilities that use methods like flocculation, skimming, and filtering to remove the most hazardous substances from the water is one option. In Panjrapur, Maharashtra, one of the biggest factories in the nation has the capacity to replenish more than 19 million cubic meters of water daily, enough to supply 96 million people with clean water.

The development of several treatment facilities around the nation is another strategy the government is exploring to encourage water conservation and industrial water reuse. Between 2016 and 2019, Chennai, a city in eastern India, had a rise in water collection from 36,000 cubic meters to 80,000 cubic meters.

 A strategy to reuse treated sewage was finally introduced in 2019 by Gujarat, a state with a population of over 70 million people, with the goal of considerably reducing the Narmada River's usage. The project intends to build 161 water treatment facilities around the nation, providing clean water to the building and industrial sectors. With the second-largest population in the world—nearly 1.4 billion—the production of 277 million tons of municipal solid waste (MSW) annually is not surprising. The government said in 2020 that starting on July 1, 2022, it will prohibit the production, sale, distribution, and use of single-use plastics. A hundred or more Indian cities will also be transformed into smart cities. Even though the project is still in its early stages, social actors are completely altering the long-term vision of solid waste management through smart technologies and awareness campaigns to motivate the neighbourhood to take part in creating a new framework for collection and collection. systems for disposal.

The loss of biodiversity is the last issue on the list of environmental issues in India. The Himalayas, the Western Ghats, Sundaland (which includes the Nicobar Islands), and the Indo-Burmese region are the four primary biodiversity hotspots in the nation, locations where a considerable number of animal and plant species are endangered by human settlement. India has already lost approximately 90% of its land area in four hotspots, the last of which has been the most severely affected, according to 2021 research by the Centre for Science and Environment (CSE). India's ambitious climate objectives may depend on reforestation, but some believe the nation is not doing enough to prevent the destruction of this vital natural resource. The Indian government suffered a setback when it refused to sign the COP26 commitment to end deforestation and agree to reduce methane emissions, despite having decided to add an additional carbon sink of 2.5 to 3 billion tons of $CO_2e$ by 2030 by increasing the number of forests and trees. Concerns over the trade's potential impact on small businesses in the area, the sizeable country's agricultural industry, and the significance of cattle to the rural economy all played a factor in the decision. However, India's first goal should be to stop and reverse deforestation considering the enormous impact that these efforts have on biodiversity.

## IV.    ANALYSIS

Development and the environment go hand in hand and none can be abandoned in favor of the other. On the other hand, both are crucial for a brighter future for us. In such a case, it is the responsibility of the Supreme Court and the Supreme Courts to properly handle these issues; only then will we be able to fulfill our objective of guaranteeing that a developing nation is free of pollution for our future generations. The location of the industry is another issue that has to be addressed. When considering the happiness and health of

the population, it is preferable that a harmful industry not be situated in or close to a large number of residential areas. It makes reference to Principles of State Policy Articles 48A and 51A(g). Natural resource management has long been a key component of the concept of "sustainable development," which emphasizes that the right to growth must not jeopardize the potential of natural resources. Because the majority of the environmental issues considered by the Supreme Court today were the outcome of public interest litigation (PIL) under Articles 32 and 226 of the Indian Constitution, it is also crucial to safeguard the environment. According to the World Commission on Environment and Development, "a new approach is needed in which all countries accept a development goal that integrates production with the conservation and improvement of natural resources, and that integrates both to ensure adequate livelihoods and equitable access to resources."

We already know that no trade or company destroys flora and fauna or people in the name of basic rights, notwithstanding reports that these industries or enterprises occasionally act in ways that affect aquatic life, flora, fauna, and human health. In light of this, one can only hope that judges would play a crucial part in promoting sustainable development policies that will safeguard the environment and aid the growth of the Indian economy.

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