

# ENVIRONMENT GOVERNANCE AND UNSUSTAINABLE HUMAN LIFE

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## ABSTRACT

*“Environmental Governance is concerns with management and administration of Natural environment within purview of state authority and provision to take legal action against violators. Decline of environment’s quality reasoned for suffering for human life. Hence state plays the key role in enhancing sustainable environment. There are many constitutional provisions to safeguard the natural environment and maintain the clean and hygienic cities provision and provide basic life sustaining facilities to all citizen of country. Indian government focus on Millennium Development goal and successor of goals is sustainable development goal are basically focused on sustainable environment and sustainability of climate and minimize the climate change impact. various international organizations and the international NGOs are working to minimize the impact of global warming and provide financial and technical support to developing countries to minimize carbon emissions and achieving net zero goal”*

**KEYWORDS:** *Environment Governance, Human life, Sustainability, Cconstitutional Provisions, Statutory Act.*

## INTRODUCTION

The Environment is the surrounding in which we live and get life-sustaining commodities. It is endowed with richness of, verities of flora and fauna, diverse species, and different geographical regions. With the advent of the modern state system, the government governs all the spheres of human and society by providing welfare policies, employment, security, and safety. But the war, violence, and conflict over natural resources impacted the distribution of the pattern of ecology. Therefore, the biodiversity of the planet earth effects badly, and the imbalance among the natural resources invoked the intense race for capturing of scared resources. The Ecosystem functioning also declines in a century. Sometimes, the Modern lifestyle is also a responsible factor. Because consumerism and individualism inculcate the feeling of maximum use of limited resources. Subsequently, Global climate changes happened and intense calamities arise, which are human-induced or natural-resultant. Environment conservation is the duty of government Simultaneously responsibility of society. Discourage the supply-sided economy towards to demand-oriented economy so the effective resource management possible through the economy of scale and return to scale.

## EVOLUTION OF ENVIRONMENTAL GOVERNANCE

Environmental governance, as a field of study and practice, has evolved over time from the international conferences on the human environment and biodiversity to the development of international laws and agreements. The landmark Stockholm Conference in 1972 laid the foundation for

international cooperation on environmental issues, leading to the establishment of the United Nations Environment Programme. Subsequent conferences, such as the Rio Earth Summit in 1992 and the Paris Agreement in 2015, have further shaped environmental governance by setting targets and commitments for countries to address climate change and other environmental challenges. In addition to conferences and agreements, the development of environmental governance has also been influenced by scientific research, technological advancements, and the engagement of non-governmental organizations and civil society. The emergence of new issues, such as the depletion of the ozone layer, deforestation, and plastic pollution, has prompted the international community to continuously adapt and strengthen environmental laws and governance mechanisms. Looking ahead, the ongoing evolution of environmental governance will require continued collaboration among nations, sustained support for scientific research, and innovative approaches to address emerging environmental challenges. As we move towards a more interconnected and interdependent world, effective environmental governance will play a critical role in preserving the planet for future generations. in addition to traditional forms of governance, there is a growing recognition of the need for context-specific, nonstate-driven, consensual, and voluntary alternatives to hierarchical and regulatory-oriented governance (Sampford, 2002). These alternative forms of governance, such as network governance and "new instruments" of environmental governance, can complement and enhance traditional approaches by fostering collaboration, innovation, and inclusivity in decision-making processes. Furthermore, addressing the complexity and multiscale reality of

environmental challenges requires holistic and integrated approaches to governance.

There are the following programmes established by UNEP.

1. Convention on the control of international trade of endangered species of wild fauna and flora, Washington, 1973.
2. Convention on migratory species, Bonn, 1979.
3. Vienna Convention for the protection of the Ozone layer, Vienna, 1985.
4. Montreal protocol on substances that deplete the Ozone layer, Montreal, 1987.
5. Basel Convention on the control of transboundary movements of hazardous waste and their disposal, Basel, 1989.

The world conservation strategy (WCS) was prepared in 1980 by the International Union for conservation of nature and natural resources (IUCN), UNEP and World-Wide Fund for Nature (WWF), UNSECO, and Food and Agriculture Organization (FAO).

It emphasizes three major objectives:

- maintenance of ecology for human lives.
- Preservation of biodiversity.
- Employee nature and natural resources on a sustainable basis.

Encourage, Natural governance-related endeavors had been done and have been doing persistently. Like as World Constitution for Nature, 1983. World commission on Environment and Improvement (WCED), 1989 concern with the pioneer for maintainable improvement broadly known as the Brundtland report. The technique of Caring for Soil:

a technique for feasible living, 1991 through the facilitated endeavors of IUCN, UNEP, and WWF once more. UN conference on Environment and Advancement "Soil Summit" 1992 was concern with the socio-economic measurement of advancement and Plan 21 came into presence and give a component within the shape of arrangements, plans, programs, and rules for national governments to implement the standards contained within the Rio statement. In expansion, two legitimately authoritative traditions were opened for signature at the Rio summit. It was (a) The Tradition on natural differences and (b) The Joined together Countries System Tradition on Climate Alter (UNFCCC). In this way, to nonstop correction of Soil summit objective, the Kyoto Convention was embraced on 11 December 1997. The destinations of this convention were to

diminish nursery gasses (GHG) outflows per concurred person targets suitable to state capacity. By and large, these targets include up to a normal 5 percent emanation diminishment compared to 1990 levels over the five a long time 2008-2012 (the to begin with commitment period). In 1989, the Worldwide Environment Office (GEF) by the World Bank allow concessional credits to creating states to progress their capacity to ensure the biodiversity of locales through worldwide innovations and logical approaches. UN Commission on Economical Advancement (CSD) was built up by the Common Get together in December 1992, beneath the umbrella of the Financial and social board (ECOSOC), to take after up on the appropriation of the Rio Statement and Plan 21. It has its claim little secretariat and a gathering of agents. Assist, on 1 June 2000, the primary assembly of the Worldwide Ecclesiastical Environment Gathering received an action-oriented Malmo Statement that made a difference in setting up the natural plan for the 21st century. It emphasized the significance of natural compliance, requirement, and obligation. World Summit on Feasible Advancement summit (2002) took put 10 a long time afterward the Soil summit in Rio de Janeiro, 1992. So, it was too casually known as "Rio+10" but weak and non-binding nature kept on fall apart the environment. Within the expansion of the Kyoto convention, in Doha, Qatar, on 8 December 2012, the Doha revision to the Kyoto convention was received for a moment commitment period beginning in 2013 and enduring until 2020. Be that as it may, the Doha alteration has not however entered constrain; a add up to of 144 rebellious of acknowledgment are required for section into drive of the alteration.

The environmental governance picked up the elements of enforceability from above mentions international endeavors and making policy flexible to change according to various state capacity. Internationally, the world order is arranged according to developmental basis so the categorized as developed, developing, and underdeveloped state system. Although, the National government of different countries adopts the policy framework which gives them optimal use of the productive capacities without damaging the natural environment severally. Because, due to Globalization, the mobility and movement of resources and population created an imbalance in a natural setting and excessive exploitation of regional resources and impact the Human rights of specific regions. Subsequently, further deterioration of survival supporting conditions because of various kinds of pollution like Air, Noise, Water, and Land, etc. The National government indulged in formulating policies related to environmental protection and wildlife conservation and preserving the biodiversity of the planet for sustainable growth and development.

## ENVIRONMENTAL GOVERNANCE IN INDIA

The mission of UNESCO is to promote the global identification, conservation, and preservation of natural and cultural heritage that is deemed to be exceptionally valuable to humankind. As a result, this value was reflected in the 1972 Convention for the Protection of the World Cultural and Natural Heritage, an international treaty that served as a foundation for the establishment of future environmental laws and policies. India is among the select few nations worldwide whose constitutions have made environmental preservation and enhancement a fundamental principle. Despite this, since the constitution's adoption in 1950, several improvements to living standards have been accomplished. Articles 47, 48, and 49 of the Indian Constitution, which encouraged the state to raise the standard of life, promote public health, and preserve historical sites and monuments, may have served as the model for early environmental legislation. Later, the 42nd Amendment Act incorporated legally obligatory clauses, such as the state's obligation and the residents' duty to preserve the rural environment. "The state shall endeavour to protect and improve the natural environment and to safeguard the forest and wildlife of the country," according to Article 48A of the constitution. However, Article 51A(g) explicitly addresses the basic obligation to protect the environment. It states that "it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, and wildlife and to have compassion for living creatures." The state's environmental obligation to enhance public health is covered by Article 47 of the Indian Constitution's DPSP. Following this, the Indian Supreme Court mandates that the state maintain a clean environment in accordance with Article 21, which guarantees the right to life and stipulates that no one may be deprived of their life or liberty other than in accordance with a legally established procedure.

The right to life is violated when living conditions gradually deteriorate and when environmental degradation causes insidious poisoning of the atmosphere. Aside from this, the environmental administration has its roots in the national environmental protection movements and agitations of the 1970s, for which the 1972 Stockholm conference is credited. A national committee on environmental planning and coordination was established by the Indian government. The primary duty of the 14-member committee, who were chosen from a variety of environmental management specialties, was to counsel and suggest to the Central Government ways to improve the environment. A committee known as the Tiwari committee was established by the federal government in January 1980 with the mandate to suggest administrative and legislative frameworks for ensuring efficient environmental regulation. As a result, on

November 1, 1980, the Department of Environment was established. The agency was tasked with overseeing and controlling environmental contamination in addition to serving as an administrative and coordinating body. However, the department changed its name to the Ministry of Environment and Forests in 1985, and it became the highest authority in the Central Government, in charge of organizing, promoting, and coordinating all environmental and forestry-related initiatives.

The National Committee on Environment Planning and Coordination ordered the establishment of environmental boards at the state level. Later on, these boards were reorganized into environmental departments. Central and State Pollution Boards represent yet another category of establishments. The Water Act of 1974 was the legislation that initially created these boards. Following the passage of The Air Act in 1981, these boards were required to keep an eye on both air and water pollution. The boards have relished their ability to cut off water and energy to the offending industry. They may also start a lawsuit by bringing a complaint before the judge. However, they lack judicial authority and are unable to hold environmental violators accountable.

The Central Pollution Control Board (CPCB), a statutory organization, was constituted in September 1974, under the Water (Prevention and Control of Pollution) Act, 1974. Further, CPCB was entrusted with the powers and functions under the Air (Prevention and Control of Pollution) Act, 1981. It serves as a field formation and also provides technical services to the Ministry of Environment and Forests.

There are following policies and acts concerning to environment.

- *The Factories Act of 1948* required all factories to make effective arrangements for waste disposal and empowered state governments to frame rules respecting their jurisdiction.
- *River Boards Act of 1956*- River boards established are empowered to prevent water pollution of interstate rivers and work as dispute redressal institutes.
- *The Prevention of Cruelty to Animals Act, 1960*: To prevent cruelty against animals.
- *Wildlife (Protection) Act, 1972*: To protect wild animals and birds, particularly rare and endangered species.
- *Water (Prevention and Control of Pollution) Act, 1974 (amended in 1988)*: To prevent the discharge of industrial effluents into water bodies, rivers, and ensure proper treatment of sewage.
- *Forest (Conservation) Act, 1980*: To protect forest resources and provide for the expansion of forest land in India.

•*Air (Prevention and Control of Pollution) Act, 1981*: To control air pollution and frame measures of compliance for clean air. The 1987 amendment strengthened the enforcement machinery and introduced stiffer penalties for violators.

•*The Environment (Protection) Act, 1986 (a result of the Bhopal Gas Tragedy of 1984)*: To prevent and protect against future mishaps and ensure strict regulation of the Act's guidelines.

•*National Forest Policy, 1988*: Concerned with the maintenance of environmental stability through the preservation, prevention, and restoration of the ecological balance that has been adversely affected by the serious depletion of the country's forests. The policy addresses relentless pressures arising from the ever-increasing demand for fuelwood, fodder for animals, and timber; inadequacy of protection measures; diversion of forest lands to non-forest uses without ensuring compensatory afforestation and essential environmental safeguards; and the tendency to view forests as revenue-generating resources.

•*The National Environment Tribunal Act, 1995*, for the speedy disposal of cases arising from environmental accidents and provides strict liability for damages.

•*The National Environment Appellate Authority Act (NEAA) 1997*, is a quasi-judicial body empowered to hear appeals against environmental issues.

•*The Recycled Plastics Manufacture and Usage Rules 1999*, prescribe guidelines for plastic use and disposal measures.

•*The Government of India formulated the Ozone-Depleting Substance (Regulation) Rules 2000*, to take strict action against activities that harm the ozone layer of the atmosphere and encourage greenery and the reduction of CFC gases from the atmosphere.

•*The Noise Pollution (Regulation and Control) Rules 2000*, came into effect. These rules prescribe ambient air quality standards regarding noise for industrial, commercial, and residential areas and identify 'silence zones.'

•*Biological Diversity Act 2002*, supports the biodiversity of Indian states and protects traditional biodiversity areas of India.

•*National Environment Policy 2006*, supports achieving the goal of a clean and green environment.

•*The National Green Tribunal (NGT) was established through the National Green Tribunal Act 2010*. The tribunal has the authority to inquire into and investigate environment-related problems and concerns and ensure the proper settlement of the township in accordance with compliance with greenery measures necessary for a decent environment.

Altogether the policies and acts are so much for the protection and conservation of the environment. Further development of administrative capacity going on through strengthening Governance pattern with help of civil society organizations working in the field and making people aware about their surrounding environment and inculcating the feeling of attachment with nature. The Central government also adopts a positive attitude and formulated policies that comply with sustainability measures of environmental elements. So that the continues use of environmental resources without compromise with future generations.

### ISSUES OF ENVIRONMENTAL GOVERNANCE

Governance is conception about the effective management of affairs of the state and implementation of policies through the legal support mechanism. Therefore, all public policy has three major dimensions needed to satisfy during the formulation of the policy.

1. Socio-economic dimension
2. Politico-cultural dimension
3. Ecological dimension

Therefore, Environmental governance complies with the purview of socio-economic criteria. Under this, the biodiversity assessment and accounting are done to monitor the regional native flora and fauna and critical examination of non-native species, which become, the reason for the extinction of local ecology and biodiversity. Despite this, cultural relativism also manipulates the resource management like in certain geographical areas the tribal have sufficient legal autonomy over nature so the outsider intervention in specified areas leads to exploitative behavior towards these tribal populations. Consequently, migration and losses of diversity occur and social movements and political agitation for recognizing the issues done in a rhetorical sense, but political survival become major agenda for political parties, and actual problem positioned in secondary priority. Therefore, environmental governance compromise everywhere. so that, there is the following Issue in environmental governance.

- The strict standard measures could not adopt by the national government because of the economic logic of power.
- Replacement of natural forestry and essential crops with the commercialization of forestry and agricultural produced, impacted soil fertility, soil erosion, and land barren.

- The food crisis occurs in different regions of the world and changes in food-habit also marginalized the available food security.
- Excessive Use of high yield varieties (HYV) seeds and chemical fertilizers are responsible for toxicity in the food chain.
- Organic productivity loses its importance due to exponential population growth.
- Human-induced effort to build dam and barrage to fulfill the need for energy leads to the man-made crisis in various places like the sudden release of water from barrage cause the floods in low terrain.
- Human-induced change impacts biodiversity.
- Low budget allocation to environmental portfolio less effective technology and mechanism adopts for management of natural resources.
- Licensing policies for minerals extraction allocates to politically protected groups. therefore, they consciously violate Environmental laws and policies.
- Disposal of E-waste, Bio-waste and Radioactive waste also become a major problem for developing countries and deemed as the dumping yard for developed countries. So, the natural water bodies get toxicity and water-borne diseases become health care issues.
- Non-cooperation and non-participation from the public also compromise the effectiveness of governance.

The global institutional mechanism and international interdependence provide support to effective governance and financial aids to implement the environment policy locally, nationally, Internationally, and globally. But the rapid growth of urban centers and cities creates a problem for rural areas and agricultural lands are shrinking considerably. Food insecurity, hunger, and poverty increased day by day. So, the people are helpless and compelled to change their food habits become *omnivore* and harnessing the maximum of the available resources. The protection of biodiversity and endangered species of the animals and birds through the cooperative endeavor of state, civil society, and public. Environmental education must be teaching to every child so they can further sustain the diversity of the planet as being responsible citizens.

#### CHALLENGES IN ENVIRONMENTAL GOVERNANCE

The administrative capacity of the state varies because of the lack of numbered trained officials in the field and diversion of resources, machinery, and human at a different

location. Here, in India, forest services are under the purview of all-India services so the official is always rotating frequently through transfer, promotion, deputation. Subsequently leads to a flexible attitude of public servants over the policies and laws. The lower rung of administrative hierarchy involved petty corruption which is underlook by higher authority and sometimes the grand corruption also associated with higher officials for personal gains caused severe ecological damage, and delays in disciplinary action due to political nexus and connection leads to further violation by officials rather than compliance of laws in General. In the tribal areas of India rampant exploitation of mineral resource and forest goods. The lack of political will of the political parties also creating hurdles in the implementation of effective environmental laws. National priority focused on the development and growth of industrial cities and townships which adversely affect the environment and ecology of the country. Urbanization leads to the land requirement for residential and commercial purposes. consequently, deforestation is happened legally or illegally. Yet, State machinery could not able to handle the issues. Urban-rural gaps go wider and the natural geography is altered through machine and technology. Subsequently, rural natural geography and agricultural economy are impacted by urban artificial geography and industrial economy. The migration of the rural population towards the urban center, due to, economic pull-factors and push-factor leads to the decline of the Agroecosystem. Cash crops become a new Agriculture pattern and agricultural land become new political agenda. The natural environment suffers from these sudden changes, animal habitations also distorted by urbanization and industrial affluents impaired quality of water bodies. The entrance of Toxicity in the food chain criticalized the health of all living creatures and human beings. The use of chemical fertilizer caused incurable diseases like cancer, hormonal imbalance, PCOD issues in girls, etc. Therefore, governance of the natural environment in the time of globalization become most complex challenges ever faced by humanity. Global climate change requires collective and cooperative effort to sustain various kinds of life on earth. Somewhere the local issues replicate the global problem. Henceforth, Effective public accountability is a prerequisite for protecting India's environment and the environmental human rights of all Indians.

#### CONCLUSION

Nowadays, Environmental governance requisite for the overall development of humans and society. Proper implementation of environment policies needs to take elements of good governance like transparency, accountability, quick redressal mechanism and optimum utilization of resources and legality to actions, enforcement of penalties, and active

participation of civil society and people in the field of environment. International partnership and technology exchange and advancement of scientific approaches to deal with environmental issues and global climate change. Protection of endangered species and conservation of biodiversity of regions become an important part of national interest. Better resource management techniques and better administrative staff provide genuine effort towards the sustainability of the environment. International organizations and the Indian government also emphasize to minimize the carbon emission and achieving net zero and focusing on renewable energy resources so we can harness the carbon free fuel and solar energy for electricity generation instead of Coal, wood, hydro- power plants and nuclear power generation plants.

#### DECLARATION OF CONFLICTING INTERESTS

The Author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

#### FUNDING

The author received no financial support for the research, authorship, and/or publication of this article.

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