



# **FACULTY OF JURIDICAL SCIENCES**

**COURSE: LL.B.**

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# Lecture-19



## LECTURE 19: Scope and Objectives of The Environment (Protection) Act, 1986

### Introduction

Man has tried to take nature to a considerable extent and his endeavour to conquer nature has succeeded. The concern over the environment has grown as the quality is degrading. It has been evidenced by increasing pollution, the loss of biodiversity, loss of vegetal cover, growing risks of environmental accidents and also the harmful chemicals in the ambient atmosphere has possessed a threat to the environment.

Due to its growing risks, various legislations are being propounded by the government. Various Acts related to a specific type of pollution have been passed in the India legislature. The most important statute is the Environmental Protection Act, 1986, as it is the general legislation for the protection of the environment.

It was enacted under Article 253 of the Indian constitution and the expression in the say of environmental quality was taken at the United Nation Conference on the Human Environment held at Stockholm in June 1972. The government of India strongly voiced against the environmental concerns and further passed many Acts related to the environment.

### Objectives

The **Environmental Protection Act, 1986 (EPA)** was passed with the following objects:

- (i) It was enacted to implement the decisions which were made at the United Nation Conference on the Human Environment held at Stockholm in June 1972.
- (ii) Creation of authority for government protection.
- (iii) Coordinating the activities of various regulating agencies which is done under the existing law.
- (iv) The main task is to enact general laws for environmental protection, which could be unfolded in areas of severe environmental hazards.
- (v) Providing deterrent punishment to those who inculcate in endangering the human environment, safety and health.

(vi) The main goal for the environment should be sustainable development and it can be regarded as one of the goals for Environment Protection Act, 1986.

(vii) Sustainable development includes achieving the object and the purpose of the act as well as the protection of life under Article 21 of the Indian Constitution.

### **Scope and commencement of the Act**

The **Environment Protection Act, 1986** extends to whole India and it came into force on 19th November.

### **Section 2**

of the **Environmental protection Act, 1986 (EPA)** deals with some of the information about the definition of the Act and these definitions are as follows:

**“Environment”** the word environment includes water, air, land and also the inter-relation between their existence. It also includes human beings and other living creatures such as plants, micro-organisms and property.

**“Environmental Pollutants”** means any substance in solid, liquid or gaseous form which in consideration is injurious to the health of living beings.

**“Handling”** means any substance which is in the relation of being manufactured, processed, collected, used, offered for sale or like of such substance.

**“Environmental Pollution”** includes the presence of environmental pollutants in the environment.

**“Hazardous substance”** includes the substance or the preparation by which the physical-chemical property is liable to harm the human beings or other living creatures such as plants, microorganisms and the property.

**“Occupier”** is in the relation of factory or any other premises which means a person who has control over the affairs of it.

From the above definitions given the Environmental protection Act tends to cover a wide range of matters related to the environment protection.

