

VPM's B. N. Bandodkar College of Science (Autonomous), Thane

Report on National Seminar on 'Legal Protection and Improvement of the Environment: Challenges and the Way Forward'

DATE: 24th February, 2024

A National Seminar on 'Legal Protection and Improvement of the Environment: Challenges and the Way Forward' was organized by IQAC of Thane Municipal Council Law College in association with IQAC through the Department of Environmental Science and Department of Biodiversity Wildlife Conservation and Management of B. N. Bandodkar College of Science (Autonomous) and VPM's Polytechnic, Thane on Saturday, February 24th 2024 at VPM's Thorale Bajirao Peshwa Sabhagruha, Thane. This seminar was sponsored by Maharashtra Pollution Control Board.

The morning began with a traditional lightening of the lamp and Saraswati Vandana followed by the inaugural session at the hands of Dr. Mahesh Bedekar, Dr. Mrs. Madhuri Pejavar (Former Dean, University of Mumbai), Honorable Justice Shri. U. D. Salvi (Former Judicial Member, NGT), Dr. Vijay Kulkarni (Honorable Expert Member, NGT) along with Dr. Srividhya Jayakumar (I/C Principal, VPM's TMC Law College), Dr. Vinda Manjramkar (I/C Principal, B. N. Bandodkar College) and Dr. D. K. Nayak (Principal, VPM's Polytechnic College)

In the Convener's address Dr. Srividhya Jayakumar explained the theme of this seminar. She assured that this seminar will enlighten all of the participants about different laws and litigations in environment protection. This was followed by a welcome address by Dr. Mrs. Pejavar who elaborated on various activities of B. N. Bandodkar College. She mentioned the efforts done by the college in conserving Thane Creek, the largest creek in Asia.

Session I

Honourable Justice Mr. U. D. Salvi's inaugural speech reverberated across the hall as he underscored the crucial role played by the legal system in protecting our environment. Dr. Vijay Kulkarni, a renowned expert member of National Green Tribunal (NGT), then delivered a thought-provoking keynote speech on 'An Introspection for More Effective Environment Adjudication'. His words sparked lively conversations about improving legal frameworks for environment protection. This was followed by a vote of thanks by Dr. D. K. Nayak.

Session II

Panel Discussion on "Current Trends and Practices in Environmental Litigation"

Second session was a Panel discussion featuring prominent members of the National Green Tribunal (NGT) Bar Association shedding light on 'Current Trends and Practices in Environmental Litigation'. They offered valuable insights into navigating the legal landscape. The NGT, established in 2010 with its headquarters in Delhi, has been at the forefront of delivering justice to environmental activists and addressing ecological concerns. One significant historical reference made during the session was the initiation of environmental action post the Bhopal gas tragedy in 1984, which subsequently led to the enactment of the Environmental Protection Act of 1986. This act is structured into seven statutes, each addressing different facets of environmental protection such as air and water quality.

It was highlighted that cases pertaining to environmental issues, once brought before the NGT, could directly proceed to the Supreme Court. This streamlined process has made the NGT a pivotal institution in addressing social and environmental concerns swiftly and effectively. Additionally, the discussion shed light on various tribunals established to deal specifically with environmental matters. Key cases discussed during the session included a significant landfill and environmental violation case in Goa, which raised apprehensions regarding the efficacy of enforcement mechanisms by authorities. The NGT was identified as a crucial body capable of monitoring authorities and ensuring compliance with environmental protection laws.

The panellists emphasized the importance of utilizing the NGT as a platform for addressing cases against corporate entities involved in environmental violations. They outlined the procedural aspects of filing cases with the NGT, which include e-filing without the need for physical documents or petitions. Additionally, hearings are conducted via video conferences, streamlining the process and minimizing logistical challenges.

Financial implications were also discussed, with a nominal fee of INR 1,000 required for filing petitions with the NGT. The session outlined various limitations associated with filing cases, including time constraints under Sections 14 for 6 months and under section for 5 years of the regulations. Furthermore, a 30-day probation period was mentioned as part of the process. A noteworthy initiative discussed during the session was the Paravaran Suraksha Manch, which provides a formula through which Pollution Control Board authorities receive funding to address environmental issues in specific areas. This highlights the collaborative efforts between regulatory bodies and local communities to tackle environmental challenges effectively.

Dr. Nitin Wagh conducted a **paper presentation** on aquaculture and its environmental impact. He specifically focused on shrimp hatcheries, farms, feed mills, and processing facilities. His research highlighted the negative consequences of fish water aquaculture on marine biodiversity. Dr. Wagh emphasized the urgency of addressing these impacts for the sustainability of aquatic ecosystems. He discussed the existing national regulatory framework governing fisheries in India, including the Indian Fisheries Act of 1987 and the Coastal Aquaculture Authority (CAA) Act of 2005. He also mentioned a proposed amendment bill in 2023 for potential updates to these regulations. In terms of international law, Dr. Wagh referred to regulations set forth by different bodies, such as the Seafood Import Monitoring Program in the United States. He highlighted the importance of maintaining comprehensive records for designated foods to ensure public health. Dr. Wagh proposed strategies for mitigating the environmental impacts of aquaculture, including the use of technology for monitoring and enforcement, the development of new regulatory frameworks, stakeholder coordination, raising farmer awareness, and compliance with regulatory standards.

Session III

Speaker I: Environmental Governance Opportunity of Synergy of Science and Laws - Emerging areas of Remediation.

Ajay Deshpande, Honourable Former Expert Member of the National Green Tribunal (NGT), delved into the intricate intersection of law and science concerning the enforcement of environmental regulations. His discourse centered on the pivotal role of environmental governance, the evolving landscape of remediation, and the jurisdictional purview of the NGT.

Environmental Governance: Deshpande commenced with an overview of environmental governance, delineating its hierarchical levels – international, national/state, and local. He underscored the significance of research-based initiatives at the international level, particularly in addressing global phenomena like climate change-induced plastic pollution. At the national and state levels, Deshpande elucidated the framework of acts, rules, and policies governing environmental regulation. Additionally, he emphasized the crucial role of local cooperation in tackling region-specific environmental concerns. Deshpande elucidated the theoretical underpinnings of environmental governance, highlighting concepts such as Common Pool Resource Governance.

Trending Regulations: In a dynamic regulatory landscape, Deshpande elucidated recent trends such as regulations targeting general pollution and endeavours to integrate environmental facilities with management practices. He also discussed the evolving paradigm of environmental jurisprudence and highlighted the compensatory measures mandated by the government and NGT to address environmental infringements. Noteworthy among these were innovative regulations focusing on environmental standards, specialized financing for environmentally sustainable initiatives, and various economic incentives and subsidies aimed at promoting environmental stewardship.

NGT Jurisdiction: Dr. Deshpande provided insights into the jurisdictional ambit of the NGT, particularly under Section 17, which pertains to restitution of property damage and the environment. He elaborated on the parameters utilized by the Central Pollution Control Board (CPCB) to calculate environmental compensation using the formula $EC = P_i \times N \times R \times S \times L_f$

Environmental Restoration: Dr. Deshpande acknowledged the formidable challenges inherent in ecological and environmental restoration efforts. He outlined various approaches to restoration, including service-to-service, value-to-value, and value-to-cost approaches. However, he underscored the challenges associated with adhering to international standards, the proportional cost of restoration vis-à-vis cleanup efforts, and the imperative of devising mechanisms to monitor environmental damage over time.

Speaker II: Mr. Amit Yadav, Asst. Professor, MCC College

Topic: Solid Waste Management in India: A Bird's eye view

Mr. Amit Yadav in his session provided a comprehensive overview of the waste management program in India, highlighting the laws, challenges and stakeholders involved in the process. Key points discussed included the Flamingo Wildlife Sanctuary, the dumping ground in Mulund and the alarming issue of methane release from dumping grounds leading to fires. The speaker also emphasized the progress made by certain regions like Chhattisgarh, which achieved 100% waste treatment in 2001.

One of the focal points of the discussion was the legal framework governing waste management in India. The Environmental Protection Act of 1986, Hazardous Waste (H&M) Rules, 1989 (revised in 2016 – Management and Transboundary Waste), Municipal Solid Waste (H&M) Rules, 2000 (revised in 2016), Swachh Bharat Mission launched in 2014, Plastic Waste Management Rules 2016, Construction and Demolition Waste Management Rules 2016, Battery Waste Rules 2016 and E-Waste Rules 2016 were cited as crucial legislation in this regard. Additionally, the concept of Extended Producer Responsibility (EPR) and Producer Responsibility Organizations (PROs) as part of the circular economy model were explained. He Highlighted the major waste-generating cities in India, the speaker mentioned Delhi's Ghazipur, Okhla, and Bhaswar, with the Municipal Corporation of Delhi (MCD) producing a staggering 11,332 tonnes of solid waste per day. Mumbai's Deonar was also discussed as a site with significant waste generation, producing 6400 tonnes of waste daily. The Mumbai City Action Plan aims to close Deonar by 2025 due to its legacy waste issues.

The presentation delved into the stakeholders involved in waste management programs, emphasizing the role of local urban bodies as the ultimate implementers. NGOs were mentioned for their efforts in tying up with local authorities for beach clean-ups and other initiatives. The importance of cleanliness ratings was underscored, with Surat cited as one of the top-ranking cities in terms of cleanliness. Session III was hosted by Dr. Urmila Kumavat, Coordinator of the department of BWCM and EVS.

Session IV

Speaker I: Mr. Meet Ashar, Animal Rights Advocate and Activist.

Topic: Forest and Wildlife Conservation

Mr. Meet Ashar emphasized on the importance of protecting wild species and their habitats for their survival. He highlighted the need to prevent wildlife from being killed indiscriminately and poached, as well as the significance of wildlife conservation in maintaining food chains and ecosystem balance.

He also addressed the reality of wildlife conservation efforts in India, the controversial aspects of wildlife management policies, such as the allowance of killing animals to settle human-wildlife conflicts under the Compensatory Afforestation Fund Management and Planning Authority (CAMPA). Additionally, he brings up instances where government officials have suggested drastic measures, such as killing all tigers in the Wynad region and advocating for a certain number of tiger deaths in Madhya Pradesh. Furthermore, the speaker raised concerns about the introduction of African cheetahs into India, questioning whether they can survive in different climatic conditions and habitats than those they are accustomed to. Finally, the speaker posed a thought-provoking question: does the Wildlife Protection Act truly support wildlife conservation when the government is issuing orders to kill animals? This question prompts reflection on the effectiveness and ethical implications of wildlife conservation efforts in light of government policies and actions.

Speaker II: Mr. Prashant Manurkar- Quality Safety Expert, Corporate industry.

Topic: Importance of Energy Conservation for Sustainable Development with special reference to Energy Conservation.

In this session Mr. Prashant Manurkar, discussed various aspects of energy conservation and its importance for sustainable development. He covered topics such as different forms of energy, sustainable energy, efficiency, conservation, energy management, global energy reserves, energy cost reduction and energy-saving tips.

Sustainable energy was emphasized as a key aspect of conservation, focusing on using less energy, improving efficiency through technology and investing in renewable energy for the future. Mr. Manurkar differentiated between efficiency and conservation, highlighting that efficiency focuses on the equipment or machinery being used and involves using technology that requires less energy to perform the same function. Conservation, on the other hand, focuses on the behavior of people and includes any behavior that results in the use of less energy.

VPM's B. N. Bandodkar College of Science (Autonomous), Thane

Energy management was also discussed, covering renewable and non-renewable energy sources, sector-wise consumption, greenhouse gas effects and global warming. The speaker provided information on global energy reserves as of 2002, including coal, oil, and gas reserves and estimated how long these reserves could last like Global coal reserves 9,84,453 million tonnes; 1047.7 thousand million barrels of oil; 155.78 trillion cubic meters of gas; World oil and gas reserves are estimated to last 45 years respectively and Coal is likely to last a little over 200 years.

The importance of energy conservation was emphasized, noting that 60% of resources have already been consumed so far and 85% of raw energy comes from non-renewable sources, which may not be available for future generations. The Energy Conservation Act of 2001 was mentioned as a regulatory measure to promote energy conservation which came into force on 29th September 2001. Energy cost reduction strategies were provided, including simple monitoring techniques such as switching off lights and fans when not in use, adjusting air conditioning settings and maximizing the use of daylight. Additionally, energy-saving tips were given, such as replacing light bulbs with CFLs, unplugging electronics when not in use, adjusting thermostats, and using ceiling fans instead of air conditioning. Session IV was hosted by Ms. Surabhi Walavalkar Thosar, Assistant prof. at the department of BWCM and EVS.

Valedictory Session: Ms. Nilakshi Sagvekar, Senior Management Executive, Corporate Industry.

Topic: Lifestyle Changes and Corporate social Responsibilities in Conserving Energy

In the valedictory address, Ms. Nilakshi Sagvekar discussed various aspects related to energy conservation, corporate social responsibilities (CSR) and lifestyle changes aimed at conserving energy. She covered the following points.

Energy conservation is an important focus, with the use of renewable energy sources being a key strategy. Energy audits were recommended to improve efficiency, with preliminary and detailed methodologies mentioned in the context of CSR activities. ESG consists of environmental, social, and governance considerations. Several companies, such as Merico, Tata Power, and Reliance Industries Limited, have CSR initiatives for energy conservation. Investing in green energy stocks in 2024 offers benefits like portfolio diversification, reduced carbon footprint, and government incentives. Seventeen companies and start-ups, including BEXWELL Enterprises and Terracon Ecotech, are leading energy conservation in India. The Energy Conservation (Amendment) Bill, 2022 emphasizes using non-fossil sources of energy in residential sectors. Lifestyle changes, like using LED lights and adopting energy-efficient habits, are recommended for energy conservation.

The Seminar was concluded with a 'Vote of Thanks' given by the Co-convener Dr. Vinda Manjramkar, I/c Principal, BNB Science college.