

BOOK REVIEW

Environmental Law And Policy In India: Cases, Materials And Statutes

By Armin Rosencranz, Shyam Divan and Martha L.Noble. (Bombay: Tripathi. 1991. xxviii + 555pp. INBN: 81-7118-036-1. Rs. 115)

NANDAN S.NELIVIGI*

This grandiosely titled book unambiguously does justice to the subject matter which it purports to cover. The systematic consolidation of the cases, extracts, articles, policy statements and statutes, give a fairly comprehensive picture about the current status and trend of environmental law and policy in India. The compilation is good enough to arm a lawyer with sufficient ammunition to wage a sound legal battle against a polluter, rich enough to sufficiently equip a social activist and simple enough to interest a student.

The introductory chapter pointedly focuses on the urgency of the environmental problem both in the global and the Indian context. The apparent stand-off between the developmental objectives and environmental protection is put in a proper perspective. The Brundtland Commission Report, the Royal Commission Report and others find their deserved place of honour in the arrangement.

A brief run-up of the constitutional provisions detailing the allocation of powers which have a bearing upon the environmental issues dealt with in chapter 3 is appropriately concise and informative as well. Similarly, chapter 4, dealing with judicial remedies and procedure, captures in a nut-shell, various theoretical as well as practical aspects of the Indian court-system. The role of public interest litigation in shaping the environmental law and policy is analysed in a scholarly manner.

What are the measures incorporated in the existing statutes to control pollution? Are they sufficient? Does the administrative machinery possess the necessary expertise and resources to enforce the pollution control measures? Is the judicial set-up suited to look into various complicated and technical aspects involved in cases of environmental pollution? What is the attitude of the Judges? How does one reconcile the conflicting interests of industries and those of a clean environment? Many such questions are extensively dealt with in separate chapters, devoted for each individual topic, namely, water pollution control, air pollution control, forests

* IV Year B.A., LL.B.(Hons.) N.L.S.I.U.

and wildlife, urban problems, dams, irrigation and hydro—electric power, regulation of hazardous substances and the Bhopal case. Discussion of the aforesaid questions with the latest case laws, many unreported, have been furnished.

The need for keeping the environment clean and healthy cannot be overemphasised. The most serious threat confronting the survival of humankind today is environmental pollution. Global warming and depletion of the ozone layer pose the imminent danger of an environmental catastrophe. The situation can be saved only by a concerted effort by the Governments, people and the industries all over the world.

Research in this area is of utmost value for one and all. It should be said to the credit of the authors that the questions raised and comments made by them at the end of every section are thought provoking and will challenge researchers. The book has been timely inasmuch as it has appeared at a moment when the need for environment education is being felt more than ever before. There is no doubt that the book will benefit everyone interested in the area.