1. SUBJECT: Strengthening environmental regulatory regime

Having regard to the fact that:

(i) India’s environment has been rapidly deteriorating, and its environmental regulatory regime weakened in the name of ‘development’ and ‘ease of doing business’;

(ii) Proposals and steps taken by the government in the last 5 months have violated the principle of non-regression (i.e. not weakening existing regimes), and in a period in which effective public participation has been impossible;

(iii) These steps have also violated the country’s environmental and sustainability commitments under numerous international agreements, triggering a reprimand from the UN secretar General;

(iv) There is clear scientific evidence that pandemics like COVID19 originate in the destruction or over-exploitation of natural ecosystems;

(v) The push for large scale commodification and financialisation of nature and natural resources, e.g via policies like the Draft National Fisheries Policy 2020, will exacerbate alienation and privatisation of commons and adversely impact food security and livelihoods of traditional nature-dependent communities.

This House urges upon the Government to:

(i) Withdraw clearances given to mining, industrial, and infrastructural projects in ecologically and culturally sensitive areas in the last 5 months, and auctioning of coal mining blocks;

(ii) Withdraw the draft EIA notification 2020, and begin widespread consultation to draft a comprehensive environmental regulatory regime, coordinated by a team of independent people with substantial environmental expertise (including from local communities), formed in consultation with the Parliamentary Standing Committee on S&T and Environment, and including a thorough, participatory review of experience of the existing EIA notification;

(iii) Put a moratorium on diversion of natural ecosystems for mining, industrial, and infrastructural/development projects (other than very small ones necessary for community basic needs), till such a regulatory regime is in place;

(iv) Assess India’s commitments under international agreements relating to environment, and take legal and programmatic steps to fulfil these;

(v) Place ecological sustainability at the centre of all planning, budgeting, and programmes related to development, rather than being considered an externality or a formality for clearance purposes.

2. SUBJECT: Eliminating pollution

Having regard to the fact that:

(i) Citizens in India are facing horrendously high levels of pollution (air, water, noise, soil, food), causing all kinds of ailments and prematurely killing millions of people;

(ii) There is serious inequality in who causes the problem and who is most badly affected, a situation of grave ecological injustice;

This House urges upon the Government to:

(i) Take urgent steps to reduce, eliminate, and replace sources of pollution, such that over a 10 to 15 year period, the quality of air, water and soil is brought to levels safe for human and other animal use; this includes substantially replacing private with public transport and harmful chemicals with safe substances, eliminating sources of noise, and treating all wastewater before discharging into waterbodies;

(ii) To enable the above, substantially revise the National Clean Air Plan, and amend the Water and Air Acts, and relevant notifications under the Environment Protection Act, increasing the autonomy of all pollution control and monitoring institutions under them, ensuring transparent procedures for appointing independent chairs and members; also specify ambient water quality standards for different uses and a statutory process for publicly determining the
most beneficial use for each water body, thereby setting effluent discharge permits for all activities in the catchment.

3. SUBJECT: Tackling the climate crisis

Having regard to the fact that:

(i) India stands to lose enormously from the climate crisis largely caused by the global North, but is itself adding to it by continued use of fossil fuels, chemical agriculture, and other such activities;

(ii) In this, there is serious inequality in who causes the problem and who is most badly affected, with the latter also marginalised in decision-making, perpetuating a situation of grave ecological injustice;

This House urges upon the Government to:

(i) Review and revise India’s national climate action plan, with widespread participation of communities on the ground likely to be most affected (especially their marginalised sections such as women, children, landless, dalits and adivasis), civil society organisations, and other independent experts, with a view to making it more robust and impactful through substantial upward revision of goals for mitigation and adaptation, specific target for emission peaking, significantly reducing elite demand for power, reorienting the national energy policy away from fossil fuels, large hydro and nuclear towards decentralised renewable energy, and prioritised actions to help climate refugees;

(ii) Take steps for environmental justice and a just transition that include reparation and wealth redistribution from elites and rich populations that have caused much of the problem, including the increasing millions hit by more severe climatic disasters, to marginalised sections who are facing the brunt of the crises, including through climate and ecological taxes on the rich.

(iii) South Asia being one of the two most climate vulnerable regions in the world, and our climate and environmental security being inextricably intertwined with our ecological connections to our neighbours, revitalize regional cooperation mechanisms like SAARC with a strong environmental focus, and enable continuous dialogue with all neighbours on achieving ecological security and peace in the region.

4. SUBJECT: Regenerating, restoring, conserving natural ecosystems and wildlife populations

Having regard to the fact that:

(i) Natural ecosystems are facing severe degradation and several wildlife species are endangered, especially due to massive intrusions into habitats by ill-conceived ‘development’ projects;

(ii) Local communities have been systematically disempowered from governing such ecosystems and co-existing with wildlife, and often forcefully evicted;

(iii) Regulatory regimes relating to protecting such ecosystems and wildlife have been systematically weakened, such as the CRZ notification 2019 that was passed despite huge public opposition, or the bypassing of the Wild Life Protection Act in clearing ‘development’ projects inside protected areas;

This House urges upon the Government to:

(i) Regenerate and conserve natural ecosystems (including forests, coastal & marine, grassland, wetland, desert and mountain areas) over at least a third of India, enabling local communities that live amidst them to govern and sustainably manage them, including as Community Conserved Areas; (ii) Pass a comprehensive natural ecosystem conservation policy, and promulgate conservation and community governance laws for all ecosystems; this incudes a new Forest Policy that prioritises decentralised decision-making, local livelihoods, integrated conservation and sustainable use, and transparent and accountable regulation; a new Indian Forest Act that is in consonance with the FRA and PESA, making the forest bureaucracy accountable to local communities; and similar laws for coastal and marine, wetland, grassland, desert and mountain ecosystems. (iii) Stop eviction and dispossession of communities in the name of wildlife conservation, militarisation of project tiger areas, conversion of agricultural lands near protected areas into tourism resorts, and afforestation (including through the use of CAMPA funds) on lands communities depend on; (iv) Recognise the rights of nature as a Constitutional right, building on the traditional respect that all traditions in India have accorded it, using recent court judgements recognising the rights of Ganga, Yamuna and animals, but with elaboration of what such rights would mean, and clear guidelines on how this would involve respect to all cultures, and not affect fundamental livelihoods and food security of nature-dependent communities.

5. SUBJECT: Strengthening self-governance and self-reliance through village and town assemblies

Having regard to the fact that:

(i) Local self-governance is a core component of the Constitution, including through the 73rd and 74th Amendments and related laws, but that in both spirit and letter, this has hardly been achieved;
This House urges upon the Government to:

(i) Fully empower institutions of local self-governance, including gram sabhas, area/ward sabhas, and other relevant customary, to be part of all decisions affecting their lives, including planning and budgeting processes, through appropriate revisions of panchayat laws (or others relevant to Schedule 5 and 6 areas and states with special constitutional status), laws recognising community rights (including through the ecosystem and rights related legislation suggested above), and through legally mandatory prior informed consent; (ii) Support such institutions to build capacity and to generate resources, building on traditional or local community ecological knowledge, for the above, in a manner that ensures full representation of marginalised sections to ensure social justice; (iii) Enable local, self-reliant economies, through all relevant schemes and programmes including MNREGS, using local and new skills and resources, catering first and foremost to local basic needs, and building larger trade on this (rather than undermining it); through such measures, significantly reduce distress rural-urban migration, and enable workers who have gone back home in COVID times to stay on if they want to with the security of dignified livelihoods; (iv) Pass a framework law, flowing from the 74th Constitutional Amendment, spelling out the goals and structure of decentralised democratic urban governance empowering urban local bodies (ULBs) like neighbourhood assemblies/area sabhas; require state laws to be amended accordingly, including autonomous control of ULBs over local water bodies, green spaces, setting of green taxes, municipal public transport, and accountability of para-statals like water supply and sewerage boards to ULBs; (v) In all of the above, ensure central participation of the most marginalised sections, including women, children, landless, ‘disabled’, adivasis, and dalits; and of youth.

6. SUBJECT: Improving Flood Management

Having regard to the fact that:

(i) The flood prone area and flood damages per year has been going up, in spite of all the structural and non structural efforts, projects and expenditure for flood management. (ii) There is no accountability or legal regime governing reservoir operation during flood season in India and there are increasing instances when reservoirs, due to wrong operations, have been increasing rather than decreasing the flood disaster impacts; (iii) Most of the embankments have gone past their expiry dates and maximum damages happen when they breach and their breach frequency is going up; (iv) The changing rainfall pattern is making floods more frequent, also increasing the intensity of floods, but our flood management is not responsive to that reality. This House urges upon the Government to: (i) Bring operation of all reservoirs of live storage capacity over 50 Million Cubic Meters under the proposed Dam Safety Act with updating of rule curves & emergency action plans keeping in mind...
updated river cross sections and carrying capacity assessments in the downstream area; similarly, the annual embankments maintenance should be a legal requirement; draft dam safety act should also be amended to bring it under independent authority; (ii) Bring flood forecasting under an independent agency for flood management, whose mandate should include rivers, reservoirs and areas; (iii) Ensure environmental clearance and hydrological impact assessment for any intervention in any river/river basin; (iv) Ensure an effective and transparent flood relief mechanism and timely disbursement of National Disaster Relief Fund and State Disaster Relief Fund; (v) At the end of each flood season, issue a report about what happened with respect to flood disasters, reservoirs, embankments and disaster management, through independent assessments that will also recommend fixing accountability.

8. SUBJECT: Improving Urban Water Management

Having regard to the fact that: (i) Urban water footprint is increasing and demand for more and more water from outside urban areas is increasing. (ii) The entire urban water sector is operating in policy vacuum, the National Water Policy has little place for it, and the Smart City Program does not even define a water smart city; (iii) The incidence of disastrous urban floods is increasing, with not only big metros but even smaller cities like Jaipur, Dehradun also facing catastrophic floods, most of them being human made disasters; (iv) Urban areas need to consider rain as a resource and need to be fully geared to use it maximally to meet urban consumption needs. This House urges upon the Government to: (i) Urgently bring out a National Urban Water Policy in a consultative way, driven by a committee of independent minded persons; this should also define a water smart city, including right to water and equitable water distribution, and steps like consumer accessible water flow metres in homes and offices; (ii) The policy should drive towards use of the rain to the maximum possible extent within the city through rainwater harvesting, groundwater recharge (avoiding any pollution risk), local water storages, promotion of water recharging pavements, rooftops and campuses, ensuring decentralised sewage treatment and recycling; (iii) Ensure that a city gets water from external sources only after exhausting all the local options mentioned above; (iv) Enact legal measures for urban drainage and floodplain; and enable every city to have its flood forecasting and disaster management authority.

Also read

JAN SAROKAR - PEOPLE'S POLICY FOR POST COVID-19 TIMES, AUGUST 2020

and PRESS RELEASE BY JANTA PARLIAMENT (nnnn nnnnn) 18 AUG, 2020