

# PROTECTING URBAN ENVIRONMENTS: ROLE OF LOCAL BODIES IN INDIA

---

By Prof. Prabhat Kumar Datta

---

**T**he need for protecting natural environments was realized by human beings in the earliest phases of human history as is evident from certain ancient texts. In India, for example, the voice for protecting environments was heard in the hermitage of the old saints who lived in forests. But the fact remains that it was industrial revolution which brought the issue into the limelight as it started causing far greater damage to natural environments. It was naturalist John Evelyn who complained about the 'hellish and dismal' cloud over London in 1661 as a result of air pollution from coal-burning. The current concerted global concern for protecting environments as an integral part of the agenda of sustainable development for mankind is a relatively recent event in the sense that

the Stockholm Conference followed by Rio Summit highlighted the issue and its disastrous effects on human life.

Urban centers are more prone to environmental degradation because urbanization and industrialization go hand in hand. Globally speaking, the journey of urbanization began in the West; although we find traces of the emergence of urban centers in ancient India and elsewhere (such as in mainland China and non-indigenous Japan). At around 6000 years ago, farming villages bordering the Mesopotamian river valleys grew into the world's first cities. These urban centers probably felt the sting of pollution which was a problem of many kinds that continued through, for example, the western part of the world. Needless to say, the last few decades



have witnessed large scale urbanization the world over. We might argue this, in Popperesque fashion, to be but a continuation of history.

The present century is regarded as the century of urbanization in developing countries. It has been calculated that 80 per cent of the urban increase in the next two decades will occur in developing countries. It is argued that as a result of this, the world's urban environmental problems will shift towards developing countries in the sense that the expansion of cities would bring with it different kinds of pollution which will trigger environmental degradation. As Asia is the largest habitat for urban populations in developing countries it has to draw up effective plans and formulate appropriate strategies to face this challenge.

It may be mentioned that the introduction of externally induced Structural Adjustment Programmes (SAPs) in almost all Asian countries including India has worsened the situation because it seeks to achieve growth in poorer countries through their integration in the world economy. This opens up endogenous markets to developed capitalist countries. SAPs enable the latter to make intensive use of the natural resources of the former for commerce. In its report on the study of environmental relations in three countries, Ivory Coast, Mexico and Thailand, World Wide for Nature noted in 1992 that 'the development strategies pursued by them created high levels of environmental degradation and generated unnecessary waste and loss of natural wealth.'<sup>1</sup>

Against this backdrop, my article examines how Indian urban local

government is responding to the new challenge of protecting environments. It needs to be mentioned that in urban areas, environmental questions in developing countries have to be viewed from two dimensions: namely natural environments and community environments. However, until 1976 there was no constitutional requirement in India to protect and improve environments. India was a participant in the Stockholm Conference where it was decided that all the participating countries would take steps to enact necessary legislation if required. This was the backdrop against which the Forty Second Constitutional Amendment inserted a new Article (48A) in the Constitution of India which runs thus:

"The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country."

This amendment also required all the citizens of India to protect and improve natural environments including forests, lakes, rivers and wildlife as well as to have compassion for all living creatures. Significantly, this amendment lists urban forestry, the protection of urban environments and the promotion of ecological aspects as functions of urban local bodies. Thus this amendment is very comprehensive and seeks to deal with the issue by involving not only the state but also the citizens who have to bear the brunt of it. This double edged strategy adopted in a Parliamentary Act speaks of the serious concern of the Indian people about the protection of environments in general and urban environments in particular. Thus protection of environments is now a



mandatory agenda of the Indian state backed by parliamentary legislation. While this makes for a good beginning, one can only expect results when public laws like Article 48A are supported by necessary administrative and political actions.

It is significant to mention here that the Indian judiciary has been playing a very positive and active role in this regard. The apex court in the country has explained that the right to life guaranteed by the Constitution includes the right to enjoy unpolluted air and water. The apex court ruled in another case that environmental issues were to be given utmost priority by the courts in India. It has been observed in another decision by the state level highest court

that the right to life encompasses within its ambit the protection and preservation of environments, ecological balance, freedom from air and water pollution, and the sanitation of natural environments without which life cannot be enjoyed.<sup>2</sup>

India's urban local governance received a new lease of life in 1992 following a landmark constitutional amendment, namely, the Seventy Fourth Constitutional Amendment. This Amendment is historic in the sense that it defines urban local self-governing institutions as the institutions of self government and identifies the basic function of the local government as an instrument of planning for economic development and social justice. The

detailed functions of the local government have been laid down in the schedule attached to this amendment. The 12<sup>th</sup> Schedule in the amendment lists matters like urban forestry, protection of environments and the promotion of ecological aspects as one of the key functions of these local bodies. It is now widely held that only the provision of urban infrastructures is not enough for the development of sustainable cities. There has to be new concern for urban environmental management coupled with the understanding of linkages between infrastructures, productivity and environmental health. The



perspective of the architects of the Amendment about environments is reflected in other entries in the schedule, which focus on public health, sanitation, conservancy, solid waste management, slum improvement and so on. An example of this can be seen in the next paragraph.

In 2001, in pursuance of the Habitat Agenda adopted in Istanbul in 1996, the Government of India launched what is known as the Good Urban Governance Campaign. The Campaign includes inter alia the following elements which have great significance for urban environments:

- a. create community awareness on cost-effective technologies and to bridge the gap between technology and community;
- b. identify local bodies who have produced practices that work at city levels;
- c. encourage cities to prepare annual environmental status reports through multi-stakeholders' consultation processes;
- d. laws/rules/regulations specific to cities should try to facilitate effective implementation strategies;
- e. participatory mechanisms should be structured in a way that gives them legal entity and administrative power;
- f. and care has to be taken for the proper management of solid waste.

The biggest threat that urban natural environments face is pollution which has assumed alarming proportions due to a number of factors, namely, the reluctance on the part of the industrialists and other offenders to employ pollution control, poor maintenance of

automobiles and the use of low quality fuel, overcrowding and congestion, dearth of effective legislation, administrative laxity, and the lack of awareness about the significance of environments in human life. As most of these problems are serious and deep-seated it seems that local governments which are not very strong in countries like India (despite constitutional sanction) are not competent to confront the issue effectively. The union-state, its constituent units and local government outfits should work together to meet these challenges. This kind of partnership can go a long way to creating the necessary objective conditions for effective action in respect to the protection of natural environments – especially in urban setting.

In India, another aspect of environmentalism, namely, the management of community environments is a critical issue because of the existence of slums where living conditions are shockingly bad. While slum development has for long been an agenda of the Indian state, the fact remains that the sprawling slums and sub-human living conditions of the inhabitants therein continues. Slum development and shoring up the capacity for slums to care for community environments is still a matter of great concern. Some recent initiatives of the Government of India for improving the infrastructures in slums and improving the livelihood of the slum population focus on community participation. In order to enlist community participation, attempts have been made to create and support community structures. It is necessary to make use of these structures for improving environments in the



community. But the problem remains that there is a lack of awareness about the need for healthy environments – especially in populations which face the real possibility of starvation or preventable sickness leading to death.

While environmental degradation in and around slums is aided and abetted by illiteracy and ignorance, local governments have failed to make a significant dent in this matter presumably because environmental concerns are still not part of the larger agenda of poverty amelioration at the level of the local government. A study on the dynamics of community environmental management in India's West Bengal slums has indicated that there are certain structural constraints on the improvement of environmental practices in slums. These include unemployment, extreme poverty, large heterogenous communities, absence of tenurial rights in slums, and the absence of external support organizations among other matters. From the community side, the major constraints to better environmental management practices include the absence of communal exchange networks, weak community-based cooperative institutions, unequal division of labour within households, non-participation of women in decision-making processes, presence of vested interests, and the relatively short duration of stay by individuals in slums. The author of that West Bengal study suggests that the pressing requirement for sustainable environmental improvement at the community level is the provision of basic services and the enhancement of livelihood opportunities through a bottom up process of community organization building.<sup>3</sup>

While the above suggestion is meaningful, it needs to be followed up by the introduction of new training modules in the training curriculum for locally elected representatives in order to sensitize them about the need for effective environmental management at the community level. Individuals in slums cannot often work regularly because the unsanitary conditions in the slums make them sick. They have right to life guaranteed by the Constitution. The State and the citizens of the country are duty bound to ensure that individuals in slums can enjoy their life. I reason that advantaged individuals have to teach them and help them practice how to lead a good life with concern for the environments. We need a new crop of local governors in urban India which is tuned to the idea of protecting environments as a part of good urban governance. They should be familiar with new environmental practices the world over and should be able to adapt them to their own local situations.

#### Notes

\* The author is Centenary Professor of Public Administration, Department of Political Science, Calcutta University, West Bengal, India

1. David Reed (Ed.) *Structural Adjustment, Environment, and Sustainable Development*, Earthscan, London

2. Rajiv Dhawan, 'The Wealth of Nations Revisited' *Seminar*, m August (2000)

3. Chandan SenGupta, 'Dynamics of Community Environmental Management in Howrah Slums', *Economic and Political Weekly*, May 22, 1999

