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LEGAL FRAMEWORK GOVERNING ECO-SENSITIVE ZONES IN INDIA: CHALLENGES IN IMPLEMENTATION

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ABSTRACT

India is one of the mega diverse nations of the world which supports over 8% of the global biodiversity in the 2% of the total land area¹. These eco-sensitive zones aim to minimize human activities that could potentially degrade the environment while promoting sustainable development and conservation efforts. Ecologically sensitive zones (ESAs) are established to protect areas of environmental significance from anthropogenic activities. The purpose of declaring of Eco-Sensitive Zones around national parks and sanctuaries was to create some kind of "Shock Absorbers" for the protected areas. They are also supposed to act as a transition zone from areas of high protection to areas involving lesser protection. The paper focuses on the laws and regulation in declaration of the "Eco- Sensitive Zones". The need for the laws and strategies to conserve the Eco System and also to deal how the development and conservation can co-exist. At present, there are legislations to regulate and punish the environmental crimes but still there should be serious awareness to be created in the minds of the people to curb the exploitation of natural resources. The study identifies the challenges in implementation of Eco-sensitive zones notification in India such as bureaucratic delays, developmental pressures, lack of enforcement and implementation systems, lack of coordination among authorities, and conflicts between conservation and local livelihood interests, prioritizing economic and developmental interests and also to assess the administrative and Judicial system's role in enforcing Ecologically sensitive area management regulation and the challenges faced in their implementation.. The paper concludes that India possesses an effective legal framework for the protection of Eco-Sensitive Zones, successful implementation, stringent monitoring mechanisms, and local public participation are essential for ensuring ecological sustainability and balanced environmental governance.

¹ <http://www.envfor.nic.in/sites/default/files/protected-area-network.pdf>

Keywords: Eco-sensitive zones, Implementation, Anthropogenic activities, Environmental governance, Environmental protection.

1. INTRODUCTION

Eco-Sensitive Zones (ESZ) is the areas designated to protect the biodiversity and conservation of natural habitats for specific species. Eco-Sensitive Zones (ESZs) are often referred as Eco-Friendly Zones or Ecologically Fragile Areas which represents area around ecologically significant sites like national parks, wildlife sanctuaries and protected areas. ESZs establish a buffer zone which helps in mitigation from adverse impacts caused from anthropogenic activities in the vicinity of ecologically sensitive areas. It aims to minimize the conflict between man and nature and reduce forest depletion and ecological imbalances, regulating and managing specific activities, ESZs are declared with the aim of creating some protected areas, especially around natural parks and wildlife sanctuaries. It comprises regions that are deemed eco-fragile zones and are subject to laws, such as those that are 10 km from the borders of national parks and wildlife sanctuaries.

The main objective of ESZs is to maintain integrity between conservation efforts, sustainable development and wellbeing of local communities around ESZs and their associated biodiversity. Ecologically Sensitive Zones are notified by the Central Government through the Ministry of Environment Forests and Climate Change under the Environment Protection Act 1986. Ecologically Sensitive Areas (ESAs) have been identified and notified by the Indian Ministry of Environment & Forests (MoEF) since 1989. Notifications declaring areas as ESAs are issued under the Environment (Protection) Act 1986². It plays a significant role in environmental governance in India.

The purpose of creating Ecologically Sensitive Zones is to maintain the ecological balance and biodiversity in different regions of the country where the natural environment of the habitat of animals is facing a threat due to the rapid increase in various development projects. These developmental activities have led to the depletion of forest lands and affect their natural growth due to increased pollution. The areas reserved for the survival and growth of natural flora and fauna must be protected from human intervention by building a protective boundary around them.

Despite the existence of a legal framework governing ESZs, their implementation continues to

² The Official Website of Ministry of Environment, Forest and Climate Change, Government of India, <https://moef.gov.in/moef/index.html>

face several hurdles, including developmental activities, administrative inconsistencies, inadequate participation of locals, and conflicts between conservation and economic interests. In this context, the present paper examines the legal framework governing Eco-Sensitive Zones in India and critically analyses the challenges associated with their implementation.

2. LEGAL FRAMEWORK GOVERNING ECO-SENSITIVE ZONES IN INDIA

2.1 CONSTITUTION OF INDIA, 1948

The constitution of India originally did not contain any direct provision for Ecology and Environment while it's making. At the time of framing of constitution wildlife and their natural habitat were very important as renewable natural resources for economical purpose but ecological concept was not developed.

Article 21 of the Constitution which deals with the right to life and personal liberty was not of much help in the beginning as it was given a very restricted and narrow meaning. This Article runs as follows as No person shall be deprived of his life or personal liberty except according to procedure established by law³. But in due course of time, the problem of pollution and environment started drawing attention of environmentalists. In the year 1972, United Nations Conference on Human Environment and Development at Stockholm was held. In that conference the following two resolutions were passed which are known as the Magna Carta of our environmental law:

- (a) Man has the fundamental right to freedom, equality and adequate conditions of life in an environment of quality that permits a life of dignity and well-being; and
- (b) Man bears a solemn responsibility to protect and improve the environment for present and future generations.

This paved way for the enactment of environmental legislation India.

2.2 PROVISIONS FOR PROTECTION OF ENVIRONMENT

42nd AMENDMENT, 1976- SCHEDULE VII

In 1976, through Constitution (42nd amendment) Act, Article 48A was inserted in the Directive Principles of state policy as Part IV and an Article 51A (g) was incorporated in Fundamental Duties as Part IVA for direct control over ecological degradation. Through this amendment Forest, wild animals and birds were transferred from List II to List III-concurrent list in entry

³Shukla VN, The Constitution of India. EBC PUBLISHING.2022

17A and entry 17B. Later, the legislative powers were decentralized by 73rd and 74th constitutional amendment to municipality, Panchayat and other local governments and Article 253 provides power to union to legislate laws on environment and ecological issues for whole or any part of territory in India⁴.

ARTICLE 48 –A (Responsibility of the State)

Article 48-A of our Constitution states that the State "shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country," outlining the State's responsibilities with relation to environmental protection.

ARTICLE 51-A (g) (Responsibility of the Citizen)

The Citizen's Responsibilities According to Article 51-A(g) of our Constitution, which states: "It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, and wildlife and to have compassion for living creatures," environmental protection is a fundamental responsibility of every Indian citizen.

2.3 PROVISIONS IN THE ENVIRONMENT (PROTECTION) ACT, 1986 AND ENVIRONMENT PROTECTION, RULES, 1986

The Environment Protection Act is an important legislation that provides for coordination of activities of the various regulatory agencies, creation of authorities with adequate powers for environmental protection, regulation of the discharge of environmental pollutants, handling of hazardous substances, etc. The Act provided an opportunity to extend legal protection to non-forest habitats ('Ecologically Sensitive Areas') such as grasslands, wetlands and coastal zones⁵.

SECTION-3 OF ENVIRONMENT (PROTECTION) ACT, 1986

The section the Section 3(2)(v) of the Environment (Protection) Act 1986 (EPA) gives power to "The Union Ministry of Environment and Forests to take all measures that it feels are necessary for protecting and improving the quality of the environment and to prevent and control environmental pollution. To meet this objective, the Central Government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards."⁶

⁴ Bakshi PM, Kashyap SC. The constitution of India. Universal Law Publishing. 2012.

⁵ Sengar. S.Dharmendra, Environmental law Published by Prentice-Hall of India Pvt. Ltd (2007)

⁶ Myneni, S.R.; Environmental Law, Hyderabad: Asian Law House, 2013

SECTION-5 OF ENVIRONMENT PROTECTION, RULES, 1986

The section 5 of The Environment (Protection) Rules, 1986 states that “The Central government can prohibit or restrict the location of industries and carrying on certain operations or processes on the basis of considerations like the biological diversity of an area (clause v) maximum allowable limits of concentration of pollutants for an area (clause ii) environmentally compatible land use (clause vi) proximity to protected areas (clause viii)”

2.4 NATIONAL WILDLIFE ACTION PLAN (2002-2016)

The National Wildlife Action Plan (NWAP) 2002-2016, indicates that "Areas outside the protected area network are often vital ecological corridor links and must be protected to prevent isolation of fragments of biodiversity which will not survive in the long run. Land and water me policies will need to except the imperative of strictly protecting ecologically fragile habitat and regulating use elsewhere. The Action Plan also indicates that "All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act, 1986⁷. Considering the constraints communicated by the states, the proposal was re-examined by the National Board for Wildlife in its 2nd meeting held on 17 March 2005 and it was decided that the 'delineation of eco-sensitive zones would have to be site specific and relate to regulation, rather than prohibition, of specific activities'. The decision was communicated to all the State Governments for compliance vide letter dated 27th May 2005.

The protected area categories are supported by the plan: "community reserves," which will enable greater local community participation in protected area management through customary or cultural conservation practices, and "conservation reserves," which refer to corridors connecting protected areas. Corridor areas under protection are probably going to be included in these new protected area classifications. The Plan delineates the necessity of voluntary village relocation and rehabilitation within protected areas, as well as a number of proposals aimed at addressing the requirements of local populations residing beyond protected areas. The Plan prioritizes the creation of efficient compensation mechanisms while acknowledging the need to lessen human-wildlife conflict. One of its main goals is to restore deteriorated ecosystems that are not inside protected zones.⁸

⁷ <http://moef.gov.in/moef/division/forest-divisions-2/eco-sensitive-zone-esz/introduction-2/index.html>

⁸ MOEF. National wildlife action plan (2002.2016). New Delhi: Ministry of Environment and Forests, Government of India. 2002.

2.5 WILDLIFE CONSERVATION STRATEGY, 2002

Declaring the eco-sensitive zones is necessary to improve the sanctity of protected areas, strengthen the buffers and corridors surrounding the network of protected areas, and counteract the detrimental effects of industrialization and unplanned development in and around protected areas. Given this context, the Indian Board for Wildlife adopted the "Wildlife Conservation Strategy-2002" at its XXI meeting on January 21, 2002. One of the action points in this strategy called for notifying lands that fall within 10 km of National Park and Sanctuary boundaries as eco-fragile zones under the Environment (Protection) Act, 1986.

The Central Government has adopted a new strategy for conservation and protection of the wildlife of the country. The highlights of the Strategy, 2002 are Wildlife and forests shall be declared priority sector at the national level for which funds should be earmarked. Law enforcement agencies must ensure that those engaged in poaching, illicit trade in wildlife and wildlife products, destruction of their habitat, and such other illegal activities are given quick and deterrent punishment. We should fully tap the potential in wildlife tourism and at the same time take care that it does not have adverse impact in wildlife and protected areas. The revenue earned from increased tourism should be used entirely to augment available resources for conservation.

Protecting interests of the poor and tribals living around protected areas should be handled with sensitivity and with maximum participation of the affected people. They should have access to the minor forest produce, in the forest outside of national parks and sanctuaries. Employment and means generation for these people is crucial for maintaining symbiosis between the forests, wildlife and the people. People should be encouraged to take up afforestation and conservation in new areas. While strengthening protective measures against traditional threats to wildlife, we should also respond to newer threats such as toxic chemicals and pesticides. There should be greater governmental as well as societal recognition and support for the many non-governmental organizations engaged in wildlife conservation.

2.6 THE INDIAN FOREST ACT, 1927

The main objective of the Indian Forest Act (1927) securing exclusive governmental control over forests in order to satisfy the demand for timber. The groups that lived in the forests had historically owned the majority of these unclaimed properties. The Act appropriated the authority to replace or abolish customary rights, established state ownership, and restricted its use. Three types of forests are made possible by the Act: protected, village, and reserved forests. The most protected of these types of forests are reserved forests. In restricted forests,

no rights may be obtained other than by inheritance, grants, or agreements with the government. There are fines or jail sentences associated with felling trees, grazing livestock, harvesting forest products, quarrying, fishing, and hunting. Many states have passed forest statutes that are identical to the Indian Forest Act, albeit with some amendments, despite it being a federal law⁹.

2.7 THE FOREST CONSERVATION ACT (1980)

Deforestation deteriorates the environment and creates ecological imbalances. The nation has been experiencing widespread worry due to the extensive deforestation that has been occurring. The Forest Conservation Act, which was introduced in 1980 and amended in 1988, was designed to curb the rapid deforestation that was permitted under the Indian Forest Act for the purposes of agricultural and other development projects. The Act required previous federal government consent for logging, de-reservation of reserved forests, and the use of forestland for uses other than forest products. This strong law has mostly stopped state administrations from releasing forestland for non-forestry uses and engaging in indiscriminate logging. The federal government did not develop a system to reimburse state governments for lost revenue from wood cutting at the same time that it imposed such severe limitations. This anomaly has caused significant resentment within state governments, which has led to growing demand to weaken the Act's restrictive provisions. It has also increased pressure for land due to a growing population. As of right now, the Indian Supreme Court has ruled that forestland cannot be released for non-forestry uses without first receiving permission from the federal government.

2.8 THE BIOLOGICAL DIVERSITY ACT, 2002

India is a party to the United Nations Convention on Biological Diversity of 1992. The Provisions of the Biological Diversity Act are in addition to and not in derogation of the provisions in any other law relating to forests or wildlife. Under the act section 37 explains the Biodiversity heritage sites.

Areas that are distinct, ecologically fragile ecosystems with rich biodiversity that include any one or more of the following: high endemism, species richness, rare, endemic, and threatened species; keystone species; species of evolutionary significance; wild ancestors of domestic/cultivated species or land races or their varieties; historical prominence of biological components represented by fossil beds; and having cultural or aesthetic values are referred to

⁹ Singhar Samant Ashutosh. The Indian Forest Act, 1927 and Forests in India. Notion Press Publishing (2019)

as Biodiversity Heritage Sites (BHS).

Biodiversity is closely linked to ecological security. Loss of biodiversity and bioresources show an increasing trend mainly due to human activities. Therefore, it is necessary to instill and nurture conservation ethics in the community. Fortunately, the local communities in Meghalaya have been traditionally displaying a remarkable degree of conservation ethics and values in the sphere of natural resources management. Declaration of Biodiversity Heritage Sites is a welcome step which will exhibit the conservation ethics and values practiced by these societies to the wider world. Such declaration will help them renew their commitment to conservation besides acting as a model for other communities to follow. This is a small but important step that a community can take towards protecting the environment and ensuring sustainability of bio-resources across generations. BHS declaration marks the voluntary participation of communities in protection and conservation of biodiversity which helps in expanding the reach of conservation¹⁰.

3. INTERNATIONAL CONVENTIONS

3.1 UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT, STOCKHOLM, 1972

The United Nations Conference on the Human Environment held in Stockholm in 1972 is a turning point in the global environmental movement. In conjunction with the growing awareness of the interdependence of human societies and nature, the conference brought together world leaders to address pressing environmental problems and introduce principles guiding international action. The Stockholm Declaration was born as an important document at its core, which expressed a vision of sustainable development and emphasized the need for environmental management for current and future generations. As a major shift towards global environmental cooperation, the conference laid the foundation for subsequent international agreements and initiatives aimed at protecting the planet and promoting harmony between humanity and nature¹¹.

- Climate change was initially addressed with emerging scientific evidence during the UN General Assembly in 1968.

¹⁰ Biodiversity Heritage sites, https://wiienvs.nic.in/Database/bhs_8650.aspx

¹¹ United Nations Conference on the human environment, Stockholm 1972, United Nations, <https://www.un.org/en/conferences/environment/stockholm1972>

- A research study in 1967 provided concrete estimates of global temperature based on CO₂ levels, predicting a nearly 2°C increase in global temperature with a doubling of CO₂ from the existing levels.
- The concept of the Stockholm Conference, also known as the “Swedish Initiative,” originated in Sweden.
- The United Nations Conference on the Human Environment in Stockholm took place from June 5th to 16th, 1972, marking the inaugural global gathering on planetary environmental issues.
- The theme, “Only One Earth,” underscored the urgency of addressing environmental challenges.
- A total of 122 countries participated in the conference, aiming to establish a collective governance framework for the planetary environment and natural resources.
- The Stockholm Declaration and Action Plan for the Human Environment emerged from the conference.
- The Stockholm Declaration, adopted by 70 out of 122 participant countries, consisted of 26 principles that initiated a dialogue between developed and developing nations, emphasizing the interconnectedness between development, poverty, and the environment.
- The Action Plan encompassed three primary categories, further divided into 109 recommendations, focusing on a Global Environmental Assessment Programme, environmental management activities, and international measures to support assessment and management efforts at national and international levels.
- The three dimensions of the conference included an agreement among countries not to harm each other’s environment or areas beyond national jurisdiction, the formulation of an action plan to study threats to Earth’s environment, and the establishment of the UN Environment Programme (UNEP) as an international body to foster cooperation among nations.

3.2 UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT (UNCED), RIO DE JANEIRO, 1992.

The United Nations Conference on Environment and Development (UNCED) convened in Rio de Janeiro in June 1992 to promote economic development, reduce poverty, and preserve and

protect the earth's ecological systems¹². The Earth Summit, as the conference became known, led to: the creation of new institutions for sustainable development, including the United Nations Commission on Sustainable Development; the signing of two new environmental treaties—the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity; and the adoption of the Rio Declaration on Environment and Development, Agenda 21, and the Statement of Forest Principles¹³.

3.3 UNITED NATIONS CONVENTION ON BIOLOGICAL DIVERSITY, 1992.

The United Nations Convention on Biological Diversity, informally known as the Biodiversity Convention, is a multilateral treaty opened for signature at the Earth Summit in Rio de Janeiro in 1992. It's an important document for sustainable development. It is under the purview of the United Nations Environment Programme. India has ratified the Convention as well. In 1994, India ratified it.¹⁴

- The Biological Diversity Act of 2002 was passed in order to implement the Convention's obligations.
- In 2003, the government formed the National Biodiversity Authority (NBA) to carry out the Act's provisions. The NBA is governed by statute.

Goals of the Convention on Biological Diversity:

- Conservation of Biological Diversity
- Sustainable use of the components of the Bio diversity
- Fair and equitable sharing of benefits arising from the genetic resources

3. JUDICIAL APPROACH TOWARDS PROTECTING ECO-SENSITIVE ZONE

4.1 T.N. Godavarman Thirumulpad v. Union of India¹⁵

This case is a landmark in Environmental Jurisprudence. This case was filed for delineation and regulation of Eco-Sensitive Zones (ESZs) surrounding National Parks and Wildlife Sanctuaries across India. The Supreme Court reiterated prohibited the mining activities within 1 km range of eco-sensitive zones and there is no uniform ESZ, the boundaries

¹² United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 3-14 June 1992, United Nations, <https://www.un.org/en/conferences/environment/rio1992>

¹³ UN Conference on Environment and Development – UNCED, IISD Earth Negotiations Bulletin, <http://enb.iisd.org/negotiations/un-conference-environment-and-development-unced>

¹⁴ Home, Convention on Biological Diversity, <https://www.cbd.int/>

¹⁵ 2023 SCC Online SC 502

determined on the basis of ecological needs. The court recognized the local people of the protected areas to safeguard their livelihood. In this case, Supreme Court emphasized on ecological conservation and expanded forest protection and also directs for the continuous monitoring of the Eco-sensitive zone. This helps to strengthen the protection around forest and protected areas.

4.2 Goa Foundation v. Union of India¹⁶

This case is a prominent judicial decision pertaining to the protection of Eco-Sensitive Zones (ESZs) in India. The petition was filed before the Supreme Court of India against the illegal iron ore mining and to protect the environment from degradation caused by developmental and commercial activities. This judgment played a significant role in strengthening environmental governance and implementation of ESZ regulations in India. The Court nullified all the illegal mining and instructed that a minimum Eco-Sensitive Zone of 10 kilometers must be maintained around protected forests, national parks, and wildlife sanctuaries until final ESZ notifications are issued by the government. The Court additionally remarked that illegal developmental activities near protected areas may cause irreversible environmental degradation and negatively impact wildlife habitats and ecological balance. The judgment strengthens the Indian environmental jurisprudence by declaring the precautionary principle and sustainable development principle as integral parts. Additionally, the judgment promoted more stringent control of environmentally degradation activities close to protected ecosystems and contributed towards the effective implementation of the Environment (Protection) Act, 1986.

5. CHALLENGES IN IMPLEMENTATION ECO-SENSITIVE ZONES

No mandatory rule for establishing ESZ:

India only recently implemented a mandatory rule for maintaining the ESZ surrounding its protected region, as a result of ideological disagreements between the national and state governments.

Conflict between centre and state:

The Indian constitution maintains a concurrent list, which allows both the state and federal governments to make judgments that could put them in conflict of interest, regarding the "forest" subject to such regulations.

¹⁶ (2014) 6 SCC 590

Issues in determining boundary:

Some stakeholders are also concerned about determining the boundary in the case of marine / aquatic PAs, where identifying the permanent boundary of the national park and sanctuaries is complex due to alteration in original boundaries over time, making ESZ boundary demarcation questionable.

No provision has been made for reserve forests:

There is no provision for reserve forests which also have significant protection values. It is a well-known fact that several of these reserve forests are also undermining pressure, which significantly impacts their original values.

Considering an Indigenous concern:

There are a number of indigenous communities residing in the forest region, and the implementation of this rule will put their lives in danger. Therefore, appropriate amendments must be made to guarantee that their way of life is not impacted. Thus, it can be understood that the recent judgments were not made in haste but rather based on several facts and conclusions. However, there is a need for a few amendments to ensure inclusiveness.

Identification of the eco-sensitive zones:

Mandatory execution of ESZ for each National Park and Sanctuary can be done, but there is a need for proper identification of all the issues related to ESZ.

Balancing development and environment:

While development is necessary, it should not be done at the expense of forest degradation and interest of all the stakeholders have to be balanced.

Focus on regulation rather than prohibition:

It was decided that the delineation of eco-sensitive zones would have to be site-specific and relate to regulation, rather than prohibition, of specific activities. The primary goal was to regulate certain activities near National Parks and Wildlife Sanctuaries to reduce the negative impacts of such activities on the fragile ecosystems surrounding the protected areas¹⁷.

¹⁷ Eco-sensitive zones - ministry of environment, forest and ..., <http://moef.gov.in/wp-content/uploads/2017/06/1> Guidelines for Eco-Sensitive Zones around Protected Areas.

Consultation and Collaboration:

Besides that, it should also be taken into consideration that India is a state union, and any decision made by the executive, Judiciary, or legislature will not be widely implemented until it receives unanimous approval from all states. A consultation meeting among all states, the central government, and the judiciary is necessary before the execution of the recent judgment, so that genuine concerns raised by state governments can be appropriately addressed, reducing future conflicts.

Taking an Indigenous concern into account:

Several indigenous communities live in the forest area and implementing this rule will jeopardize their lives, so there is a need for proper amendment to ensure that their lives and livelihoods are not affected. Thus, it can be understood that the recent judgments were not made in haste but rather based on several facts and conclusions. However, there is a need for a few amendments to ensure inclusiveness

6. CONCLUSION AND SUGGESTION

Eco-Sensitive Zones plays a pivotal role in environmental governance as a protective system for preserving ecologically sensitive ecosystems surrounding protected areas such as national parks and wildlife sanctuaries. Constitutional provisions, environmental legislations, policy measures, and judicial activism together contribute towards the regulation and protection of eco-sensitive zones in India. The Environment (Protection) Act, 1986 established the legislative framework for ESZs, which shows the Indian legal system's dedication to environmental protection, ecological sustainability, and biodiversity conservation.

The notification of Eco-Sensitive Zones plays a major role in regulating man-made activities such as mining, industrialization, large-scale construction, deforestation, and pollution, which results in serious threats to biodiversity and ecological balance. Eco-sensitive zones reduce the impact of developmental activities on protected ecosystems and not only contribute to environmental conservation but also to sustainable development and climate impact.

Despite having the legal and regulatory framework still the implementation of ESZ regulations continues to face challenges. Bureaucratic delays in notification processes, lack of implementation and enforcement mechanism, political pressure, prioritizing economic interest

and developmental activities rather than ecological balance, lack of coordination between central and state authorities and inadequate monitoring have considerably affected the effectiveness of ESZ governance in India which results in environment degradation and destruction of sensitive ecosystems.

Therefore, there is an urgent need to strengthen the governance and implementation mechanisms relating to Eco-Sensitive Zones in India. The government must ensure rigorous enforcement of environmental laws, consistent notification of ESZs, transparent regulatory procedures, and effective environmental monitoring systems. In decision making processes, participation of local communities, scientific experts, and environmental stakeholders should take part for the betterment of the environmental governance. In conclusion, stringent legislation and policy framework are crucial for ensuring environmental protection and sustainable development for present and future generations.

5.1 SUGGESTION

- a) Awareness should be created in the minds of the people about Environmental Degradation and importance of the Eco Sensitive Areas. It should opt for systematic strategies that incorporate conservation, sustainable development and local community involvement to prevent biodiversity loss.
- b) A Separate fund should be created for the Welfare of the Traditional dwellers who lost their lands and livelihood.
- c) The inclusion of the forest people in conservation and biodiversity efforts and in the Efforts to propagate their cultural way of dealing with land and forests are noteworthy
- d) Regular scientific assessments and monitoring programs should be implemented to track changes in biodiversity and ecological health.
- e) There should be different sets of norms for each Ecologically Sensitive Area category depending on a combination of their ecological value, threat levels and conservation status.