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## **ARAVALI CONSERVATION: A LEGAL REVIEW**

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### **Abstract:**

Aravali the gem of Rajasthan, the Aravali Range is one of the oldest mountain range in the world it acts as a natural barrier against desertification from the Thar Desert and supports biodiversity, recharge of groundwater and the most important that it is the superhero of nature who keeps the climate cool and under control. This article will examine the various laws and regulation implementation for the conservation of nature's own air conditioner "Aravali" with some arguments, challenges, protection act and many more on this will actually contrast with the urgent need to Revival Aravali not only on the behalf of the ecological aspects of conserving the Aravali Range but also to highlight how the government had cooperated by some strong laws and rules to Revival Aravali. We conclude that the study on Aravali Range conservation is very beneficial and a very urgent need as it is the oldest barrier of nature climate of this desertified area.

**Key words:-** Aravali Conservation, Pollution, Climate, Mining, Environmental Protection, Legal Provisions

### **Introduction**

Aravali is one of the oldest mountain range throughout the world situated in middle of the great desert of Rajasthan which stretches across Haryana Delhi and Gujarat. Devine aspect that Aravali is not only a mountain range but also it acts as a natural barrier against desert expansion. It maintains climate and provides livelihood to its inhabitants but nowadays a vast increase in human activities such as mining, deforestation and urbanization have post serious threats to this fragile ecosystem. In response to this Indian government had launched many legal protection laws to save the great mountain range Aravali. In this article we are having a light on these rules and loss in brief. Some of the key laws are: Environment protection Act 1986, Forest conservation act 1980, Wildlife Protection Act 1972 and many more. This article Aims

to study the legal Framework governing Aravali conservation in India along with its effectiveness and arguments.

## **1. Significance of the Aravali range:**

Aravali plays a very important role in maintaining and protecting environment in several ways such as:

### **1.1 Maintains groundwater levels:**

The Hills of Aravali Range help in rainwater absorption which recharges groundwater and supports agriculture.

### **1.2 Natural Barrier Against Desert Expansion**

The Aravali hills serve as a protective wall that restricts the spread of the Thar Desert towards the eastern parts of Rajasthan, thereby maintaining ecological stability.

### **1.3 Climate Regulation**

These hills play an important role in shaping local weather conditions by influencing rainfall and maintaining **balanced** temperatures in surrounding areas.

### **1.4 Biodiversity Hotspot**

The region is rich in biodiversity, supporting a wide range of plant and animal including many indigenous varieties that enhance ecological diversity.

### **1.5 Water Conservation**

The Aravali Range contributes to groundwater replenishment and sustains nearby rivers, lakes, and streams, which are vital for regions facing water scarcity.

### **1.6 Soil Erosion Prevention**

The vegetation cover across the hills helps hold the soil together, thereby minimizing soil erosion and preventing land degradation.

### **1.7 Air Purification**

The forests in this region help in filtering pollutants from the air, leading to improved air quality and a healthier environment.

## **2. Threats to the Aravali Range**

Nowadays due to a vast increasing human activities Aravali Range is in danger. Activities such as:

### **2.1 Illegal Mining and Quarrying**

Unregulated extraction of minerals is one of the most serious threats to the Aravalli hills. Mining activities break down hill structures, destroy vegetation, and leave the land barren. This not only damages the natural landscape but also reduces the ability of the region to support wildlife and maintain ecological balance.

### **2.2 Deforestation and Habitat Loss**

Large-scale cutting of trees for agriculture, fuel, and urban expansion has significantly reduced forest cover. As a result, natural habitats are shrinking, forcing wildlife to migrate or perish. This loss of vegetation also weakens the ecosystem and reduces biodiversity.

### **2.3 Urbanization and Encroachment**

Rapid expansion of cities like Gurugram and Jaipur has led to construction activities in and around the Aravalli region. Encroachment into forest areas disturbs the natural environment, fragments habitats, and increases human-wildlife conflict.

### **2.4 Soil Degradation and Desertification**

With the removal of vegetation and excessive land use, the soil becomes loose and vulnerable to erosion. This leads to declining soil fertility and accelerates desert-like conditions, especially near the Thar Desert.

### **2.5 Water Scarcity and Declining Groundwater**

The degradation of the Aravalli hills affects their natural ability to recharge groundwater. As forests disappear and land is disturbed, water retention decreases, leading to falling groundwater levels and drying up of local water bodies.

### **2.6 Climate Change and Pollution**

Rising temperatures, irregular rainfall, and increasing pollution are further stressing the Aravalli ecosystem. Industrial waste, dust from mining, and urban pollution degrade air and

water quality, making the environment more fragile.

### **3. Legal frameworks for the protection of the Aravali Range**

#### **3.1 Forest Conservation Act 1980**

This law is implemented to restrict the use of designated forest land for non forest activities such as mining, infrastructure, and many more which harms Aravali and environment. The Forest Conservation Act, 1980 was enacted to conserve forest resources and came into force on 25 October 1980. It ensures that forest land is not diverted for non-forest purposes without prior approval from the central government. In the context of the Aravalli Range, this Act plays a crucial role in preventing illegal mining, construction, and deforestation. It helps maintain ecological balance by preserving forest cover, protecting wildlife habitats, and preventing soil erosion. The law also promotes afforestation and sustainable use of forest resources, which is essential for maintaining the fragile ecosystem of the Aravallis.

#### **3.2 Environment Protection Act 1986**

Beneath this law the ministry of environment issued the Aravali notification 1992 this prohibits new industries, mining, and cutting of trees in some specified regions such as Haryana and Alwar. The Environment Protection Act, 1986 was enacted by the Government of India in the Bhopal Gas Tragedy (1984) to strengthen environmental governance. It came into force on 19 November 1986. This Act gives wide powers to the central government to take necessary measures for protecting and improving environmental quality. Under this Act, the Aravalli Notification of 1992 was issued to regulate activities in ecologically sensitive areas of the Aravalli hills. It restricts deforestation, industrial expansion, and mining in selected regions, especially to prevent land degradation, desertification, and loss of biodiversity. The Act also allows authorities to impose penalties and close down units that violate environmental norms.

#### **3.3 Punjab Land Preservation Act, 1900**

This act aims to restrict the falling of trees and the use of land in ecologically sensitive hilly tracts in places such as Haryana. The Punjab Land Preservation Act, 1900 (PLPA) was introduced during British rule and is still applicable in regions like Haryana. Its primary objective is to prevent environmental degradation by regulating land use in hilly and sensitive areas. Under this Act, the government can declare certain areas as “protected,” where activities like tree cutting, grazing, quarrying, and construction are restricted. In the Aravalli region,

PLPA has been widely used to control deforestation and protect soil from erosion. It also helps in conserving water resources and maintaining ecological stability in semi-arid regions.

### **3.4 Mining Moratorium 2025-26**

The court had frozen the grant of new mining leases till any comprehensive management plan is finalized by the Indian Council of Forestry Research and Education for sustainable mining. The mining moratorium for 2025–26 reflects judicial intervention aimed at protecting the Aravalli ecosystem from excessive exploitation. Courts, including the Supreme Court and National Green Tribunal (NGT), have taken strict steps in recent years to regulate mining activities. This temporary ban ensures that no new mining leases are granted until a scientifically sound and sustainable management plan is prepared. The involvement of institutions like the Indian Council of Forestry Research and Education (ICFRE) ensures that future mining, if allowed, follows strict environmental guidelines. The moratorium helps in restoring degraded land, controlling air and water pollution, and safeguarding biodiversity in the Aravalli region.

### **3.5 Eco sensitive zones**

The court notified protection around regions like national parks and within the Aravali across to one metre. Eco-Sensitive Zones (ESZs) are buffer areas created around protected regions such as national parks and wildlife sanctuaries to minimize human impact on fragile ecosystems. These zones are notified under the Environment Protection Act, 1986 by the Ministry of Environment, Forest and Climate Change. In the Aravalli region, ESZs help regulate activities like construction, mining, industrial operations, and deforestation near ecologically important areas. The objective is to act as a “shock absorber” that protects biodiversity, wildlife habitats, and natural resources from external pressures. Restrictions within these zones vary depending on the level of sensitivity, ensuring a balance between conservation and sustainable development.

### **3.6 Aravali green wall project 2023-25**

It's a ambitious government plan to create a 1400 km long and 5 km wide Green Belt to prevent the spread of Thar Desert and also to restore the degraded Land by 2030. The Aravalli Green Wall Project is a large-scale environmental initiative launched by the Government of India to combat desertification and ecological degradation. It aims to develop a continuous green buffer stretching across states like Gujarat, Rajasthan, Haryana, and Delhi. The project focuses on

afforestation, reforestation, and restoration of degraded forest land using native plant species. By strengthening the natural barrier of the Aravalli hills, it helps in preventing the eastward expansion of the Thar Desert. Additionally, it contributes to improving air quality, increasing groundwater recharge, and enhancing biodiversity. The long-term goal is to achieve ecological restoration and climate resilience in the region by 2030, aligning with India's environmental sustainability targets.

### **Judicial interventions in Aravali conservation:**

#### **MC Mehta v Union of India (2004) 12 SCC 118**

In this case supreme court introduced the principle of absolute liability holding Industries strictly responsible for environment damage and help to regulate harmful activities in fragile regions like the Aravali. This landmark judgment by the Supreme Court strengthened environmental law in India by introducing the concept of absolute liability, which means that industries engaged in hazardous activities are fully responsible for any damage caused, without any exceptions. This principle goes beyond earlier laws and ensures stricter accountability. In the context of the Aravalli region, it has played a significant role in controlling industrial pollution and discouraging unsafe practices. It also empowered authorities to take strict action against violators, ensuring better protection of ecologically sensitive areas. Further in MC Mehta v Union of India the court directly addressed illegal Mining in the Aravali Hills and imposed a ban on mining in certain areas to prevent ecological degradation.

#### **TN Godavarman Thirumulpad v. union of India, (1997) 2SCC 267**

In this case supreme court strict measures were enforced to protect forest and regulate non forest activities, strengthening conservation efforts. In subsequent rulings, the Supreme Court took direct notice of illegal mining activities in the Aravali Hills, especially in states like Haryana and Rajasthan. The court imposed bans and restrictions in vulnerable areas to prevent further environmental damage such as deforestation, air pollution, and loss of biodiversity.

### **The latest decision of the supreme court relates to definition of Aravali**

In the case of T.N. Godavarman, SMW C No. 10/2025 Supreme Court considered how the Aravali Hills should be properly defined for effective environmental protection. In its judgment dated 20 November 2025, the Court accepted a uniform standard under which any landform having at least 100 metres of elevation would be treated as part of the Aravali system, mainly to ensure consistency in regulation and to control mining activities. However, this approach

soon attracted criticism, as it risked leaving many smaller hill formations outside legal protection, thereby weakening ecological safeguards. Recognizing these concerns, the Court took the rare step of staying its own judgment in December 2025 and continued the stay in January 2026. This decision temporarily suspended the earlier ruling, restored the previous position, and directed a fresh expert review to develop a more balanced, practical, and scientifically reliable definition

### **Gaps between law and practice in Aravali conservation.**

Obstacles in implementation of laws related to Aravali conservation are:

- 1. Weak enforcement:** After having laws for Aravali protection there is a lack in implementing them such as Environment protection Act 1986. Although several strong laws exist, their proper implementation remains a major challenge. Weak monitoring systems, shortage of staff, and lack of strict action against violators reduce the effectiveness of these laws. As a result, illegal activities like mining and deforestation continue in some areas despite legal restrictions.
- 2. Corruption and mining Mafia:** People are doing mining without having any legal permit for it due to corruption. Illegal mining networks often operate due to corruption and lack of transparency in administration. These groups bypass legal procedures and continue extraction activities, causing serious environmental harm. This not only damages the Aravalli ecosystem but also weakens trust in governance and law enforcement.
- 3. Overlapping jurisdiction:** Multiple authorities such as forest department, state government etc have control over the same area, leading to confusion and weak implementation of laws. The presence of multiple governing bodies with overlapping powers creates confusion regarding responsibility and accountability. Poor coordination among departments often leads to delays in decision-making and ineffective enforcement. This administrative complexity becomes a major hurdle in protecting the Aravalli region efficiently.
- 4. Lack in awareness:** People are not aware about environmental laws and less participation in conserving Aravalli. Public awareness plays a crucial role in environmental protection, but in many areas, people are not fully informed about conservation laws and their importance. Limited participation from local communities reduces the effectiveness of conservation efforts. Increasing awareness through education and community involvement can significantly improve protection measures.

- 5. Development pressure:** Demand for lands, housing, and infrastructure is increasing near Aravali which creates a pressure on government for a good economic growth. Rapid urbanization and population growth in nearby cities such as Delhi, Gurugram, and Jaipur have significantly increased the demand for land and infrastructure. This creates constant pressure on authorities to allow construction, road expansion, and real estate development in and around the Aravalli region. While economic development is important, unplanned expansion can lead to deforestation, habitat destruction, and ecological imbalance. This makes it necessary for the government to strike a balance between development needs and environmental conservation through sustainable planning and strict regulation.
- 6. Legal Loopholes:** Weakness in laws that allow individuals to bypass legal restrictions without violating law directly. Certain gaps and ambiguities in environmental laws make it possible for individuals or organizations to exploit them for personal benefit. Section 19 of EPA, 1986 which provides that a citizen cannot file a complaint in court against polluters without giving a 60 days prior notice. Another section 24 of the Act which provides that where a alternate punishment is there in any legislation which has a lower punishment, the provisions of EPA does not apply there. These loopholes may arise due to unclear definitions, lack of proper monitoring, or outdated provisions in legal frameworks. As a result, activities that harm the environment, such as illegal construction or mining, may continue under technical compliance. Strengthening legal provisions, closing these gaps, and ensuring strict interpretation of laws are essential steps to improve the effectiveness of conservation efforts in the Aravali region.

### **Conclusion:**

The Aravali Range represents a safeguard for Northern India playing a key role in preserving ecological balance, regulating climate and supporting diverse life forms. Although important laws like the Environment Protection Act 1986 and many more have been enacted their effectiveness is often limited in practice therefore there is an urgent need for stricter implementation of laws and better coordination among authorities. Public awareness is also very important. Protecting the Aravali Range is very essential for maintaining ecological balance not only for environmental sustainability but also for safeguarding the well being of present and future generations. The Aravali Range is one of the oldest mountain systems in the world and serves as a natural barrier against desertification from the Thar Desert. Its forests help in maintaining air quality, conserving water resources, and supporting rich biodiversity.

However, increasing human activities and weak enforcement of laws continue to threaten its existence. Therefore, along with strong legal frameworks, active public participation, sustainable development practices, and continuous monitoring are necessary to ensure long-term conservation. Protecting the Aravalis is not just an environmental concern but a responsibility towards future generations.

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