

- Hazardous Waste Management Rules/Hazardous Chemical and Substance Rules (1989) applies to the hazardous waste arising out of the operation for ships, wastewater, and exhaust gases and radioactive wastes.
- Environment Protection Act (1986) provides for the protection and improvement of the environment.
- The Public Liability Insurance Act (1991) provides for immediate relief to the persons affected by accidents occurring while handling hazardous substances.
- Forest Conservation Act (1980) provides for the conservation of forests and matters connected therewith.

The first industry specific Minimum National Standards (MINAS) were introduced in 1976 for limiting toxic effluent and emissions. General and industry specific standards are now available and are as strict as those imposed in North America or Europe.

New projects require environmental clearance either from the state, central government, or both; and, industrial units must spend a predetermined percentage of total project costs on pollution control equipment.

The Confederation of Indian Industry has produced *Indian Environmental Legislation: Guide for Industry and Business*, a comprehensive book detailing all environmental legislation and regulations pertaining to businesses in India plus schemes for financial assistance. Published in January 1995.

3.1.2 Compliance

With over 200 enactment's in place to govern pollution control in India, ensuring compliance is a complex task. Enforcement is done primarily on a command and control basis and lies in the hands of the state and municipal authorities, and is not uniform across the nation. Typically it involves ad hoc plant closures, which are often quickly reversed for political reasons.

The annual environmental audit statements required in law often have limited credibility. However, there have been some efforts by the PCBs and other government agencies to enforce the law, with a focus on 17 industry sectors, including chemicals and petrochemicals, that are believed responsible for about 80 percent of India's industrial pollution.

The Supreme Court plays an important role in enforcing compliance. It has ordered the installation of air pollution control equipment and the closure of polluting firms. The Court has also directed industries to move from Delhi to adjoining states in an effort to reduce the effects of pollution on the local population. It is important to note that the cases before the Supreme Court are generally based upon the fundamental duties described in the Constitution and not on environmental legislation.