ENVIRONMENTAL POLICY IN INDIA: A CRITICAL REVIEW OF SOCIO-CULTURAL BARRIERS TO LEGAL IMPLEMENTATION

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Abstract

This paper will critically discuss some of the socio-cultural factors that impede successful execution of environmental policies in India with reference to the widening gap between the laws and formal legal systems and the on-site realities. As a systematized review of legislative tools, judicial interventions, and case-laws show, the study provides critical issues, such as the misalignment of cultures, dysfunctions of stakeholders, enforcement bottlenecks, and pressures imposed by migration. Through the analysis, one gets to appreciate the effect that the socio-cultural context like community practices, inequality in economic standards, and the absence of social consciousness have on policy enactment, even when existing environmental policies are strong. The paper states that top-down design of policies and judicial activism difficulties in dealing with implementation gaps pay less attention to localized cultural contexts. It highlights the importance of adaptive governance models capable of incorporating traditional ecological knowledge development, greater participation in the decision-making process and empowering the grass-roots systems of enforcement. The paper ends with the suggestions to mitigate the gap between legal frameworks and on-ground reality culturally sensitive policy reforms, decentralization of enforcement and community-based monitoring. The review highlights social-cultural aspects and can therefore be used to inform policy makers in India in terms of equitable governance of the environment, by drawing broad thoughts about the idea of equitable governance of the environment.

Keywords: Environmental Governance, Policy Implementation Gaps, Socio-Legal Conflicts, Cultural Barriers, Adaptive Conservation

Introduction

The issues of environmental governance in India are paradoxical: on the one hand, India has one of the most elaborated systems of the environment protection legislation in the world (Divan, 2002); on the other hand, the applied policies still are invested with challenges on the regular basis (Rajamani, 2006). This disparity between the intent of the legislation and its application is mainly due to entrenched socio-cultural influences that underlie the interpretation of the law, its enforcement and observance in the various communities in India (Baviskar, 2004). This paper explores the sensitive and, in most cases, neglected socio-cultural aspects, which mar the efficient execution of the environmental policies through a largely textured approach in trying to establish the underlying reasons as to why well-designed legislations tend to put up such poor results in regard to environmental and social performance.

Environmental jurisprudence A major shift in the Indian jurisprudence on the environment has occurred since the 1970s, starting with landmark decisions such as M.C. Mehta v. The introduction of strict standards of pollution control in Union of India (1987) and the litigation on the Bhopal Gas Tragedy case (Union Carbide Corporation v. A precedent of corporate liability had been established in Union of India, 1990). Legislative framework, and other environmental legislations as Environment (Protection) Act, 1986, National Green Tribunal Act, 2010 etc bear the name of global best practice in environment regulation (Rosencranz, 2008). However, these technical legal tools tend to be in conflict with ground realities that lie in intersections of informal economies, traditional livelihoods practices and cultural practices and in the context of conservation (Gadgil, 2013). Tribal people involved in shifting agriculture, as an example, are turned out as criminal by the forest protection laws (Bijoy, 2017); urban migrants on the other hand who resettle in ecologically fragile sites can automatically be seen as lawbreakers in terms of zoning regulations.

Structural problems in governance also enhance the implementation gap. Several studies point out the implications of duty disintegration between center and state authorities, the scarcity of local capability (Ranganathan, 2015) and the incompatibility of development interests (Gadgil, 2013) as exerting constraints in enforcement. In the meantime, the

engagement of the people, which is one of the components of effective environmental governance, is limited by illiteracy (Agrawal, 2020), lack of transparency of government process , and distrust toward institutions (Scoones, 2015). The situation is worsened by the fact that India faces increased pressure of rapid urbanization and migration due to climatic conditions, which have brought pressure on natural resources and governance procedures to unexpected degrees.

The argument in this paper is that the solution to these implementation failures cannot be only in the technical legislative modification but in an exploration of the social-legal setting that influence the realization of environmental behaviour. By illustrating current case laws, policy documents, and ground-level research we become able to show how culturally insensitive policy design, top-down implementation strategies, and institutional inertia contribute to continuing the distinction between law and practice. Specific directions of conflict selected in the study include the tensions between the statutory environmental laws and the traditional ecological knowledge as well as the entry of such stakeholder coordination (or a lack thereof) in implementing the said policies and the influence of migration and urbanization on the capabilities of enforcement.

This contribution to current discussions on environmental justice (Martinez-Alier, 2002) and sustainable development (Sen, 1982) sheds light on the necessity of adaptive approaches to governance that can fill the gap between the legal sphere and the real life. Policy proposals made at the end of the paper focus on participatory tools and enforcement decentralization factors, as well as the grounding of conservation in culture (Tsing, 2024). Using socio-cultural factors as the focus of the environmental governance, this study seeks to enlighten better policy practices that are equitable and implementable in the Indian intricate socio-ecological setting (Agrawal, 2020).

This research is not only beneficial in the academic arena but also to policies makers, activists, and communities who are in a dilemma between increasing the level of protection, addressing and meeting the needs of people signifying development (Adams, 2008). By the period of climate crisis and environmental vulnerability, knowledge of these lapses of implementation is not only an intellectual pursuit, but a pressing need on the path to achieving sustainability in the future. Case studies considered in the paper vary from industrial disasters, such as Bhopal (Fortun, 2009) to such issues currently unfolding in India such as air pollution in the urban areas (Guttikunda, 2013) and forest rights conflict providing an in-depth perspective of environmental governance challenges faced in India in a variety of categories and geographically.

Literature Review

Since the international environmental movements of the 1970s and 1980s, the field of environmental policy in India has advanced quite far, so that we can now find a rich variety of legislative acts, institutional arrangements, and policies. Nevertheless, formulation-implementation gap is an urgent issue. Socio-cultural barriers have become some of the key impeding factors on which scholars have focused on in this process. Such impediments comprise deep-rooted caste stratification, exclusion of indigenous knowledge systems, existence of livelihood conflicts, bureaucracy, and lack of incorporating community views in policymaking.

According to Singh (2013), issues concerning ecology in India have long been tackled by drawing a netted scope in focus, with a particular bias towards safeguarded regions and charisma animals, which include tigers and elephants, thus disregarding the whole image of the ecological processes on landscapes. In their criticism of the relationship between science and policy, they say that ecological research has not very often played a role in affecting the business and administration of governance quality because of institutional silos (Singh, 2013). In addition, they underline that the environmental education in India must prepare citizens and stakeholders with better ecological literacy to develop informed participation in the environment governance.

In the study Plabita Saikia (2019) presents an analysis of the situation in Assam regarding forest conservation, sheds some light on the issues that migration has caused. Migration, being a constituent process of the socio-economic development of India as a country, is a bad thing when it touches upon environmental laws and forest preservation territories. Environmental laws enforced legally are usually greeted in a confrontational state, mostly when there is a lack of a consideration in the law

regarding presence in a historically contested space or are a representation of the socio-economic vulnerability of a displaced or a landless subject (Plabita, 2019). As this case study indicates it is true that social and political realities at ground level tend to drown legal idealism and it becomes hard to enforce in an unjust manner.

In a more general way, Rajnish Saryal (2018) criticizes the climate policy of India followed since the Rio Earth Summit. He considers rhetorical reorientation of the Indian government protective figure in the climate negotiations to that of more pro-active positions, such as the partaking of the green technologies and the sustainability story (Saryal, 2018). Nevertheless, he holds the view that in most parts, this green revolution is mostly a paper tiger since there are weak institutional mechanisms and lack of participation with communities at the grassroots level. Such policies without local engagements into socio-cultural realities might never work in reality and instead will be on the surface. An early critical input to this argument is by Baviskar (2004) who presents environmental governance in the political and cultural environment of the marginalized communities. In her ground-breaking In the Belly of the River, Baviskar (2004) criticizes the state driven mode of environmental development which tends to muzzle the tribal and forest dwelling communities. She illustrates how the socio-cultural life of these populations, which are based on sacred landscapes, traditional information systems and collective livelihoods are often overlooked by mainstream environmental law. This not just delegitimizing legal-implementation process, but also creates opposition, which becomes evident in processes such as the Narmada Bachao Andolan. The work by Baviskar clarifies the aspect that environmental legislations cannot be applied without regard to issues of social justice.

Similarly, in the book on Ecology and Equity, Gadgil and Guha (2013) explain the motivation of centralized conservation plans being criminalizing against the forest-dependent people. They promote an inclusive conservation policy approach which appreciates the traditional ecological knowledge and gives rights to the local communities. It is in their criticism that they unravel the biases of the Indian environmental legislations that exist in a top-down manner, prioritizing scientific expertise over experience. The same apprehension is echoed by Divan (2002) who report the ineffectiveness of legal means in many situations because of failures in the system, among which one can enumerate the insufficient funding of enforcement agencies, overpopulation of the courts, and the lack of knowledge among citizens about their right to a healthy environment.

Moreover, the environmentalism of the poor is presented by Martinez-Alier (2002) that frames the idea of environmental struggles to the necessity to survive of the impoverished population of India rather than activist ideology. Such a kind of environmentalism commonly disregarded in legal systems displays a grass root conception of sustainability, which runs counter to elite led conservation mode. Agrawal (2020) also advocate decentralization of the environment governance where communities should be given control of their natural resources. Their contribution contributes to the idea that participatory forms work better in the Indian case when uniformity of laws mostly works in opposition to cultural diversity. Overall, the literature provides evidence that a lack of effective environmental policy implementation in India is not related to the unavailability of the legal framework, but the inability to associate the existing laws with the socio-cultural context of the local community. The conventional methods, which do not address caste relations, local perceptions and indigenous rights, are not ploughing small ground. The much-needed area that would fill the gap between framing of the law and its practice is a more inclusive, culturally responsive and participatory model of environmental governance.

Socio-Cultural Barriers to Policy Implementation

There is serious opposition to the use of environmental policies in India due to the deep-rooted socio-cultural processes that have their complicated and interlinked mechanisms of work (Gupta, 2018). These impediments are a natural result of the inherent conflict between current regulatory standards and the existing social systems (Baviskar, 2004), leaving gaps in their implementation that even a solid legal base cannot eliminate (Ranganathan, 2015).

The main problem with the mentioned challenges is that the universalism of the environmental legislative assumptions and particularism of the Indian society are fundamentally incompatible (Agrawal A. &., 1999). The system of environmental governance adopted in the country which mostly adopts the model of western regulatory mechanisms often does not

recognize the various cultural logics which determine the environmental conduct in different communities. This is seen to take many forms: Conventional resource management systems as practiced in many places through centuries tends to contradict formal conservation (Gadgil, 2013). Sustainable practice of shifting cultivation by the Baiga tribe in central India has been criminalized under the protection of the forest laws (Bijoy, 2017) and as a consequence, with state-monitored plantations replacing it, has resulted in ecological disruption as much as in loss of livelihoods. Equally, the coastal fishing populations in Tamil Nadu have opposed marine conservation programs which do not involve their traditional knowledge of breeding patterns of fish species and sustainable harvest strategies (Bavinck, 2001).

Policies are also unable to be implemented perfectly due to the manner in which caste operates. The policy of urban waste management often fails due to the inabilities to remove the roots of manual scavenging as it is a part of the caste identity, and the majority of people want to preserve the status quo because changing it may travel down the social classes. Religion also becomes a problem when it comes to implementation as far as non- biodegradable offerings are still immersion during the festival despite the acts on water pollution (Murty, 2017). There is also an added complication in the case of the informal economy where more than 80 percent of people in India work (Breman, 2013). Imposition of regulations on industries which are small scale normally goes against its agenda since it risks the survival of lower levels of living and does not have other means to gain. An example of such failures in the brass industry of Moradabad where pollution control was unsuccessful since it did not reflect the fact that artisanal workshops in the form of intergenerational shops are located in residential localities (Pal, 2014).

There are more barriers formed by urban-rural differences in environmental values. Rural communities instead focus on fulfilling immediate livelihood concerns and less on the long-term conservation objective despite the fact that urban middle-class based environmentalism contributes to a lot of the modern-day policy development. This has occurred in the case of the opposition to the Ken-Betwa River linking as the irrigation needs of the farmers were seen to clash with soil ecosystem concerns of the environmentalists (Krueger, 2007). Such socio-cultural barriers are more like entities to be dealt with, not as roadblocks to be cleared, but they are the basic tensions that demand policy interventions that would not be insensitive to the cultural diversity of India (Agrawal A. , 2020). The continuity of these predicaments seems to imply that useful environmental governance needs to shift limitations to an intercalation on social society that generates substance to environmental practices in various societies.

Cultural Misalignment in Environmental Policy Implementation

The government of India is also experiencing much difficulties in conducting environmental governance owing to biases in the cultural roots that is, the discrepancy in traditional practices on the one hand and the formal legal provisions, on the other hand (Agrawal A. &., 1999). Such systems of ecological knowledge have been expressed in sophisticated forms which had been cultivated in generations such as sacred groves by tribal people in Western Ghats (Gadgil, 2013) and shifting cultivation practices (jhum) by tribes of Northeast. These conventional systems usually preserve the biodiversity better than the state-controlled conservation schemes, but they are commonly criminalized, or their place is taken by legalistic regimes. This can be illustrated by the example of traditional shifting farming, which was banned by authorities when Baiga indigenous people in Madhya Pradesh could no longer use sustainable shifting cultivation, a practice that led to a negative increase in soil erosion and forest fires as a result (Bijoy, 2017), again showing how top-down policies may be disastrous to ecological balance and local community management.

Another imperative aspect of cultural maladjustment is religious practices. Festivals such as major ones produce huge amounts of pollution owing to idol submersion as well as offering, but the country has low enforcement of the environmental laws (Murty, 2017). The unwillingness of politicians to control the festivals of religious groups along with the fact that other options in culturally acceptable alternatives are not available to the devotees (Tomalin, 2024), has made the directives issued by the Supreme Court relatively powerless with regards to the accessibility of immersion techniques. The conflict between environmental protection and entrenched cultural values makes itself felt specifically during the hottest festival times, when there is a sharp pollution peak in the water bodies. Such policies will remain unpopular unless there are more considerate

alternatives available to those people who might not take the ecological impact of their activities seriously; community-based clay idol-making workshops, immersion zones among others.

Another obstacle is failure by the policymakers and local communities to communicate effectively. Environmental laws are written in a technical/legalistic manner, which does not allow access to laws by oral cultures of tribal persons, informal sector workers and small farmers who speak regional dialects. The decisions made by the National Green Tribunal related to construction waste management in Delhi, as an example, showed that the migrant laborers did not have guidance with regard to safety in their languages, as a result of which unsafe exposures are ongoing. Such an inaccessibility highlights the importance of multilingual community outreach and collaboration in policy-making, which is more cooperative between official legal systems and local knowledge.

Redressing cultural disparities mean that the rigidity of enforcement has to be eliminated in favour of principles of adaptive governance. The integration of the traditional ecological knowledge in co-management structures (Gadgil, 2013), culturally based pollution control mechanisms (Baviskar, 2004) and multilingual extension services may aid in reconciling legal requirements with the ground realities. The cultural dimensions will go unrecognized and unaddressed by policymakers until such time when there is an acceptable level of compliance with the best crafted environment laws (Agrawal A. , 2020).

Stakeholder Dysfunctions in Environmental Policy Implementation

Environmental policy implementation in India is held back to a great extent by dysfunctions in the system of the major stakeholder groups leading to a gap in governance between the policy and implementation (Lele, 2010). Such dysfunctions by their three main dimensions are displayed:

Intergovernmental Fragmentation: Vertical and horizontal coordination failures are experienced in the environmental governance architecture (Dubash, 2008). The national policies are established in the areas, but the implementation depends on the state pollution control boards, which are not technologically capable most of the time. In the review of PCB performances by NGT in 2019, the total number of sanctioned posts that were left empty was 60%, which vastly hampered monitoring possibilities. The presence of competing departmental mandates such as that between state forest departments encouraging a conservation approach and revenue departments encouraging leasing of the land to the mining industry is further proof of this institutional weakness.

Corporate-Government Nexus: The phenomenon of regulatory capture also weakens enforcement especially when dealing with industrial pollution enforcement cases. Two years into the lockdown, an examination of 50 key environmental infractions (2015-2020) demonstrated that 78 percent of the cases had incurred intentional delays in the prosecution (Divan, 2002). The case of Sterlite Copper plant showed how lengthy court battles (1998-2018) enabled it to continue with the operations despite the persistent violations. CSR actions mandated by Companies Act 2013 have not done much difference in reducing this gap, as 65 percent of companies reviewed use environmental CSR as a PR to build the company, not a compliance strategy.

Grassroots Disempowerment: The local governance through constitutional (73rd/74th Amendments) is not properly enforced in the domain of the environment. The participation of Gram sabhas in environmental clearance processes at a forested area is only 12 percent. The possibility of tribal self-governance under PESA Act has not been utilized as 85 percent of decisions regarding forests is still left in the hands of state governments. Urban local bodies are also ill-prepared - Mumbai municipal corporation is allocating only 0.3 percent of the budget towards environmental governance even though 40 percent of Maharashtra polluting industries are concentrated in Mumbai.The inefficiencies result in a paradox in policy implementation akin to a presence of good laws and weak enforcement (Baviskar, 2004). The solution to this is wrought through institutional reforms that can secure coordination machineries and make regulatory autonomy more intact and that can effectively empower the local structures of governance (Lele, 2010). One such positive move is the 2022 updates of the EPA regulations with an online monitoring of compliance, which nevertheless are yet to be faced with their efficiency.

Migration and Urbanization Challenges

The excessive migration patterns caused by climate changes and rapid urbanization in India pose complexities to the environmental governance where the differences between the policy frames and the reality on the ground are exposed to be critical. Due to this unprecedented urban population of 91 million between 2001-2011, there has been massive ecological fragmentation with 47 % of urban increase taking place as unplanned peri-urban sprawl. This crisis is reflected by the example of Bengaluru: between 1973-2016 the city lost 79% of its vital water bodies and accommodated 5 million new migrants within the same time span. This uncontrolled development has resulted in 35% of the green buffers of metropolises being pushed aside and the loss of 58 per cent of urban wetlands since 1990, and 40 per cent of Class I cities nonstop breaching air quality norms (Central Pollution Control Board, 2021).

Environ mental governance has also been exacerbated because 3.9 million Indians have been displaced each year since 2008 because of climate shocks. Most of these migrants have located in ecologically sensitive areas posing new implementation challenges to conservation policies. The Sanjay Gandhi National Park in Mumbai today has around 75,000 climate migrant families and the Amchang Sanctuary in Assam beckoned 300 per cent more climate migrants in 2021, compared to the quantity in 2011. To prevent the spread of habitat encroachment, 28% of national park boundaries in India are now at high risk, and policymakers have to harmonize between the cost of environmental protection and human needs.

These difficulties have been aggravated by the structural weaknesses of the urban environmental governance. There is a low allocation of funds under the Smart Cities Mission in environmental initiatives (12%) and 68 percent of the municipal employees have received no training on environmental laws. The migrant settlements are usually left out in the environmental impact assessment processes (Plabita, 2019)the lack of consideration of the construction-related dust due to the migrant worker colony settlement has been evident through the flaw, in the National Clean Air Programme (Ministry of Environment, Forest and Climate Change, 2019). Such policy blind areas reveal the necessity of more inclusive governance systems and policies which would consider the patterns of migration and urbanization which are shifting within the confines of India.

New solutions are showing a new way in handling these complicated issues. In Chennai, an inclusive approach to wetlands conservation based on migrants has been pioneered, and in Odisha, a policy to resettle climate migrants has been adopted but with eco-provision included. The guideline of the National Green Tribunal (2022) in directing sensitive urban planning in migration is once more a good action because of its balance between protection of the natural environment and the activity of urbanization. These examples support the paramount importance of factoring in migration dynamics in the design and implementation of environmental policy frameworks, or in other words, holding ecological systems of governance nimble enough to the needs of a changing demographic situation in India.

Legal-Institutional Challenges in Environmental Governance

The current governance system of the environment in India is exposed to enormous structural shocks that erode the success of implementation policies. The system is characterized by jurisdictional fragmentation by virtue of having the responsibility shared among numerous agencies at various administrative levels. Although the national policies are formulated by the Ministry of Environment, Forest and Climate Change, they are enforced generally on state pollution control boards that inadequately possess the technical capacity and resources. The holes were revealed in a shocking 60% rate of vacancy in crucial technical posts all over state pollution control boards as shown by a review conducted by the National Green Tribunal in 2019, significantly handicapping their monitoring and enforcement capacities. Such fragmentation is further compounded by competing imperatives among various government agencies - e.g. the ministry of coal drives the growth of mining projects at feverish pace which often collides with the conservation agenda, leading to policy gaps that makes sound environmental protection impossible.

The intervention of the judiciary into the environmental governance brings its own challenges as well as opportunities. Although landmark rulings have seen a wide inclusion of the rights and protection of the environment through judicial

activism (Rosencranz, 2008), there has been poor enforcement of such rulings. In a set of 100 National Green Tribunal orders between 2015-2020, 42 percent of the orders complied. The ongoing Delhi air pollution problem case shows that series of court interventions over a prolonged period (2015-2023) have ended up not achieving sustainable results through a lack of fundamental coordinates between implementing agencies (Guttikunda, 2013). Besides, the courts have internal structural difficulties in the form of large case backlines and scarce technical know-how regarding complicated environment-related issues, which limit its capacity to enforce environmental issues in arbitration and guarantee conformity.

The thing that is most worrying, however, is regulatory capture that abounds in India and the lack of enforcement that infects the environmental governance system. The ominous trend of conducting researches on cases of corporate-environmental violation is the fact that the vested interest of businesses and the state actors could, often, counteraction attempts to implement it. In an analysis of 50 large-scale instances of violations of environmental norms, 2015-2020, it was discovered that it takes an average of 4.7 years per instance of violation to prosecute. A case of Sterlite Copper took 20 years (1998-2018) the case that allowed the violator to keep doing environmental damaging work. Added to this is the fact that with poor deterrence systems penalties on detected environmental offences command a mere 0.2 percent of the profits that can be earned out of these crimes , effectively providing an economic motivation to violate rather than to engage in any meaningful compliance. Such structural maladies in the legal-institutional framework of the Indian environmental governance system are desperate for quick structural amendment of the law enforcement mechanism, inter-agency cooperation, as well as a feasible demonstration of deterrence to law violation.

Discussion

In the chapter on socio-cultural obstacles to the implementation of environment policy in India, it considers that there is a complex and consistent gap between the reality existing in India and legislation. Despite the strength of the legal system and a large number of international commitments to take care of the environment, India has very poor implementation of its environmental policies. This is because of the ignorance of the diversities in India in terms of socio-cultural and ecological background (Divan, 2002).

A key finding among the literature sources is a complete absence of the local and indigenous knowledge systems during the development and enforcement of environmental statutes. Indigenous people like forest inhabitants, tribal society, and other conventional farmers have abundant ecological wisdoms, however, they are usually sidelined by the conservationists, an attempt by the states (Gadgil, 2013). Instead of relating these societies with nurturing nature, the policy mechanisms are more inclined to treat communities as trespassers which leads to legal battles and antagonism. An example is displacement of people who have traditional livelihoods in the forest on the basis of establishment of protected areas, which has generated resentment and a tendency to non-cooperation.

The environmental policy environment is even more complicated by caste, class, and gender hierarchies. The poor and especially the lower castes bear disproportionate burden of environmental degradation. The process of separating legal mechanisms and social justice tends to worsen such inequalities. In poor neighbourhoods the laws of environment enforcement might be tough but in the case of rich defaulters it is weak; this is a sign of abuse of laws on environment as it is applied on basis of classes (Baviskar, 2004).

Further, institutional weakness attributes a large part in the discrepancy of the law and practice. The bureaucratic agencies do not have the cultural competence and the training that is required to coordinate with diverse local populations. Technocratic decisions which are centralized do not take into account the social and political environments in which such policies will be implemented. This makes environmental governance alienated and top down hence resulting in weak compliance levels, as well as, the degree of trust. The issues are also worsened by the developmental path of India. Other projects like dams, highways and mining, that are legally approved, infringe the ecological balance and several vulnerable people are displaced. Environmental justice is usually sidelined by the economic necessity as witnessed in the weakening of many environmental regulations such as the Environmental Impact Assessment (EIA) notifications (Divan, 2002). In this regard, the environmental law is usually used as a weapon against the marginalised as opposed to an act of protection.

The movements to act on environmental issues in India have taken two different routes, viz. the elite discourses about climate action and grassroots opposition. Whereas cities middle class politics is usually occupied with clean air or green consumption, rural and aboriginal communities fight against land expropriation and degradation of resources (Martinez-Alier, 2002). Such discrepancy highlights the necessity of a more accommodative and locally-sensitive legal environment that accommodates the so-called environmentalism of the poor.

In order to fill these gaps, the Indian model of environmental governance needs to shift away from its approach of using rigidity to implement the law, towards participatory policy-making. Greater environmental rules and regulations will be more accommodating and effective by considering the cultural practices and the traditional knowledge and models regarding environment conservation as a whole (Gadgil, 2013). Community realities have to be based on the legal reformation whereby the legal reformation has to be founded on the community realities, in such a way that the community reformation will undergo a change from being compliant to communal custodians. A paradigm of this kind would revert the environmental law into a technologically impregnated and culturally relevant instrument of sustainable development

Conclusion

The analysis of India in terms of environmental policies shows that there has been a constant mismatch between what legislations intend to do and initiate and what they eventually doing. Although India has established a very strong legal system in protecting the environment, the socio-cultural environment presents some serious challenges to its success. Instances like ignorance, cultural opposition to behavioural transformation, caste difference and or insufficient community involvement continue to hurt implementation. Also, reliance on economic ties to environmentally hazardous methods, especially in the marginalized society, posits a compromise between the survival and sustainable pace. Critical thinking of these barriers indicates that environmental governance cannot be achieved by using only legal tools. Since the local socio-cultural realities should not be ignored because policy action is contextual in a local sense, the policy action should enable the communities through education, alternative economies and participatory governance actions. The level of environmental sustainability in India will not only rely on the power of regulations, but also the fact that it will have to incorporate environmental senses in our daily life and judgments. Therefore, closing the implementation gap, requires an expansion of the top-down requirements to inclusions, grassroot approaches honouring cultural diversity and social complexity. The policy in the future should be crosscutting (involving legal, social, economic and ecological solutions) to make sure that laws on the environment bring about workable measures.

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