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Q10

How can be the role of NGOs be strengthened in India for development works relating to protection of the Environment? Discuss throwing light on the major constraints.

UPSC Civil Services Mains 2015 · GS II · 12 marks · Governance and Policy

Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Core demand of the question

- Discuss the major constraints on NGOs in environmental protection work in India
- Show how their role can be strengthened for development that protects the environment

Revision summary

Environmental NGOs supply science, law and local voice that departments and EIA rituals often miss.

Main constraints are FCRA and funding, weak technical capacity, hostile politics, and consultation without consequence.

Strengthen them through speaking-order hearings, labs, BMCs, audited community works, smarter CSR, and para-legal volunteers.

Keep accounts clean; do not treat environmental speech as foreign politics.

Article 21 and Article 48A still bind the State; NGOs are partners and watchdogs, not a replacement ministry.

Introduction

Non-governmental organisations bring science, law and local voice to forests, rivers, air and wildlife when the State is thin or captured. India has used that energy from Chipko to modern EIA hearings. Constraints are legal, financial and political. Strengthening NGOs is part of environmental governance, not a substitute for the Ministry and the courts.

Body

Why NGOs matter for environment and development

- They map pollution and biodiversity that line departments miss, and they carry village knowledge into EIA hearings and into the National Green Tribunal.
- They translate the Environment (Protection) Act, 1986, the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972, and the Biological Diversity Act, 2002, into local watch.
- They run nurseries, watersheds, and awareness that a district office cannot staff; development with protection needs that extra pair of hands.

Major constraints

- FCRA registration, cancellations and a wide "political nature" test (see the 2010 Act as enforced in recent years) starve advocacy groups that oppose a dam, a mine or a port, even when the objection is scientific.
- Domestic funding is project-tied, **CSR** under the **Companies Act, 2013**, prefers planting photographs to long legal fights, and State grants can buy silence.
- **Capacity is uneven:** many groups lack labs, GIS and lawyers; a few national names carry most of the Supreme Court docket.
- Hostility of local elites, police cases for "obstructing development", and SLAPP-style litigation exhaust volunteers.
- EIA 2006 consultation can be a ritual; NGOs are heard and the clearance still issues, which teaches cynicism.
- Fragmentation and ego battles between groups let the project proponent shop for a friendly NGO and ignore the rest.
- **Data:** official pollution numbers are late; NGOs that generate their own figures are accused of being foreign-inspired, which is a political constraint dressed as method.

How to strengthen the role

- Give a statutory, time-bound hearing with speaking orders in EIA, coastal, and forest clearance, and fund independent laboratories that NGOs and gram sabhas can use.
- Separate FCRA compliance (accounts, no electioneering) from environmental speech; publish reasons when a green NGO loses foreign funds.
- **Use Biodiversity Management Committees** and People's Biodiversity Registers as the legal hook so that local NGOs sit inside the 2002 Act, not only outside the gate.
- Channel CAMPA, watershed and National Afforestation money through accredited community groups with audit, not only through contractors.
- Expand **CSR** and Income-tax exemption for long-horizon conservation, with a bar on using **CSR** to greenwash the donor's own violation.
- Train para-legal environment volunteers, on the legal-aid model, so that every eco-sensitive block has someone who can file an NGT application without flying in a Delhi counsel.
- Invite NGOs onto State Pollution Control Board consultative panels with conflict-of-interest rules, so criticism is inside the room before the consent to operate.
- Protect bona fide protest with police guidelines; punish violence, but do not treat every morcha as a foreign plot.

Development with protection

- Strengthened NGOs do not mean a veto on every road; they mean a record, an alternative alignment, and a rehabilitation plan that the district cannot hide.
- The State remains the duty-bearer under **Article 21** and **Article 48A**; NGOs are the necessary irritant and the necessary partner.

Flow diagram

Environment NGOs -> Knowledge law local watch
 FCRA money capacity hostility -> Weak role
 Fair FCRA real EIA BMC legal aid -> Stronger partner
 Knowledge law local watch -> Development with Article 21 protection
 Stronger partner -> Development with Article 21 protection

Conclusion

Constraints are FCRA chill, weak labs, ritual EIA, hostile policing and thin domestic money. NGOs can be strengthened by fair funding rules, real hearings, biodiversity committees, accredited community works, and legal-aid-style environment volunteers. Development that protects the environment needs that independent eye, not a silenced one.

Facts & figures

Article 48A and Article 51A(g)

Directive and fundamental duty to protect the environment; NGOs help citizens and the State perform that duty.

Environment (Protection) Act, 1986

Umbrella statute for pollution standards, EIA-related notifications, and many of the rules NGOs invoke.

Biological Diversity Act, 2002

Provides Biodiversity Management Committees and People's Biodiversity Registers as local statutory hooks for community and NGO work.

FCRA, 2010

Regulates foreign funds; strict enforcement is a major constraint on advocacy NGOs in the environment sector.

Companies Act, 2013 (CSR)

Schedules environmental sustainability as a CSR head; poorly designed CSR can fund plantations without supporting independent watchdog work.

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