

Policy Planning and Legal Assessment of Energy and Environment Related to Smart City: An Indian Perspective

Bishnanand Dubey

*School of law and Constitutional Studies, Shobhit University, Gangoh, Saharanpur
E-mail: bishu.dubey@gmail.com*

Abstract

India is the second most populated country in the world facing the severe pollution problems due to outgrowth of population. The waste, especially the solid waste has severe impact on human as well as on environmental health. Indian constitution has mentioned the rights and need of clean environment in articles 21, 38, 247 and 47. Although plans have been announced for the development of smart cities in India, there are lacunae in the regulatory framework relating to the development of smart cities. Municipal solid waste (management and handling) rules, 2000, and National Environment Policy, 2006 are few regulations that discuss the solid waste management. It is usual to discuss and propose the policy framework for the smart city in its planning stage. The general understanding is technology, planning and management play significant role in development of the smart city. Smart and optimum utilization of land resources makes the city life more comfortable and enjoyable. Smart design of direct and ancillary rights regarding the land, optimum energy and water usage, and efficient environmental preservation and governance builds the groundwork for transition of current cities to smart cities.

This study focused on the existing policies, legislation and common law framework related to these identified subjects that vary from one state to another in a comparative way. A thorough interpretation of legislation provision given by the higher courts and the common law is also provided. Finally, a comprehensive assessment and evaluation of existing policies and legislative framework on identified subjects in view of a smart city is given. It may conclude that the Law and Policy Interventions as well as Institutional Integrations are required for developing charter of rights for a smart city.

Keywords: Sustainable development, Smart City, Environmental Legislation & Policy, Policy Planning & Framework.