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Environmental law is a developing branch of law in India. This growth is conspicuous by the remarkable activism on the part of judiciary and the legislature in the later part of the 20th century. The need to protect and improve the environment is so compelling and pressing for the survival of not only mankind but also of other life forms on the planet-earth that right to environment has emerged as a human right. The environment (Protection) Act, 1986 is watershed. The law generated a plethora of rules and regulations, a facilitated delegation of powers from the Central Government to the various agencies through the length and breadth of the country. In dealing with environmental cases, the courts discovered new dimensions for a healthy environment under the right to life in Article 21 of the Constitution.

The term 'environment' includes air, water and land and the interrelationship which exist among and between basic elements and human beings and other living organisms. Besides the physical and biological aspects, the "environment" embraces the social, economic, political, cultural, religious and several other aspects as well. It means the aggregate of all the external conditions and influences affecting life and development of organs of human beings, animals and plants. The term environment pollution refers to the deterioration in physical components brought in by manmade process to such an extent that it could not be set right by a self-regulatory mechanism of environment. The definition of the environmental pollutant includes solid, liquid or gaseous substance, heat energy, sound and nuclear radiation. Heat energy is a major pollutant in the vicinity of coal water discharges of thermal plants. Increase of ambient temperature of the receiving water body forms serious problem of thermal pollution. Sound is a propagation of pressure waves, excess of which is called noise pollution. Nuclear pollution radiates emission of nuclear radiation. Environment pollution increases from the deforestation and unrestricted development. Organisms can also be pollutants. Presence or absence of any particular organism in such numbers so as to destroy the ecosystem or food cycle causes pollution. In these days of genetic engineering, this can assume unexpected dimensions. Genetically Modified Organisms (GMO's) developed by the use of DNA (Deoxyribonucleic acid) technology to modify or alter the hereditary characteristics of genes may be harmful for human or plant life after their escape into the environment. There are some important factors which have participated a lot for environment degradation which are-

Urbanisation:

In *Almitra H. Patel V. Union of India*, (2002) 2 SCC 679, the Supreme Court has observed, "the historic city of Delhi is one of the most polluted cities in the world." The river Jamuna, the main source of drinking water supply is the free dumping place for untreated sewerage and industrial waste. There is no doubt that rapid industrial development, urbanization and regular flow of persons from rural to urban areas have made a major contribution towards environmental degradation. Citizen's Centre for Science and Environment in its 5th report "State of India's Environment" 1999 states that "India is facing a total collapse of the urban environment." While industrial cities like Ludhiana, Tiruppur are drowning in toxic wastes and industrial pollutions, non-industrial towns like Aligarh and Bhagalpur are swamped with domestic waste.

Industrialisation:

It is described as a major source of environmental pollution. Industrialization has deteriorated the environment. Use of atomic energy, kerosene, diesel, coal and other fossil fuels pollute the air. Industrial waste has become a major source of environmental pollution. Industrial product like iron and steel, plywood, sugar, soap, tobacco, rubber all need natural product as basic raw materials and these industries exhaust natural resources.

Population Growth:

Population growth can be a key variable driving environmental change. The growth of the world population and production combined with unsustainable consumption patterns places increasing stress on the life supporting capacities of our planet. These interactive processes affect the use of land, water, air, energy and other resources.

Deforestation:

Industrialization and growth in the population have directly resulted in deforestation. It has a hazardous effect on our environment. Forests are the vital sources for preserving our natural resources. Forests prevent floods and are useful in wild-life protection. Last one decade, we have been experiencing rise in temperatures due to deforestation.

Poverty:

Poverty reduces people's capacity to use resources in a sustainable manner. It intensifies pressure on the environment. Due to poverty, several problems like increasing demand for kerosene, fire wood, shortage of food and natural resources, accommodation, unsanitary condition in slum areas have come in the forefront. All these problems lead to environmental pollution and health problems. Eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, particularly for developing countries.

Deforestation, release of toxic substances on the land, throwing of unhygienic waste on earth, dumping of garbage, biomedical waste etc. causes land pollution. Excessive use of pesticides is also a source of land pollution as this affects the portability of water. Nuclear Plants and Atomic Tests Exposure to X-Ray radiation in hospitals is also a major health hazard. Disposal of nuclear wastes is extremely dangerous to the soil and vegetation cover. The Chernobyl Atomic Reactor incident and the Three-miles Island (1979) incidents have shown the harmful impact of radiation of human life, flora, fauna and the atmosphere. The control of air pollution necessitates the establishment of technical organization, control authority and possession of legal instruments. Technical organizations can under-take suitable techniques for proper control of the pollutants at source. The

controlling authority is necessary to see the effective enforcements of the technical and legal measures. The environmental problem assumed colossal importance with the transition from feudal system to industrial capitalism. Man's capacity to become master of his surroundings and his quest to enhance the quality of life has caused incalculable harm to human beings and environment. Atmosphere being a common heritage of entire mankind, it is the duty of all to preserve it. The charter of Economic Rights proclaims that "the protection, preservation and enhancement of environment for the present and the future generations is the responsibility of all States". Pollution has become the first enemy of mankind. Today the whole mankind is more afraid of pollution rather than the nuclear holocaust. Rapid industrialization, urbanization and population explosion in India has resulted in increased pollution. Man's ambition for limitless enjoyment and comfort has led him towards the exploitation of nature's wealth so indiscriminately and so shamelessly as to reduce nature's capacity for self-stabilization. In his zeal of development, rapid industrialization, fast growing, technological advances and population explosion, man ignored nature with result that ecological balance has been disturbed and in some place man's very existence is threatened. People must anticipate, prevent and attach the causes of environmental degradation.

Article 48A of the Constitution mandates that the state shall endeavour to protect and improve environment and to safeguard forest and wildlife. Under Article 51A it is the duty of every citizen to protect natural environment. India has passed large number of legislation. Which directly and indirectly relate to protection of environment. Law will remain in suspended animation unless the public becomes conscious of their rights and availability of various remedies for their enforcement. Our future strategies of energy planning must ensure that fossil fuels (Coal, Petroleum), which are non renewable resources are put to legitimate uses and the daily energy shortages are resolved through the efficient utilization of existing resources of energy.

It is a welcome sign that in the recent times there has been some public awareness and call for a clean environment. The primary responsibility for environmental protection must rest with each sectoral authority (Ministry, Department, Development, Agency, Corporate Body, Municipal Council, Village Panchayat, etc.) which would have to take account of environmental concerns in policies, plans, programmes, projects and legislation that come under their purview. The need of the hour therefore is development of new technology which would work in controlling, alleviating, intervening in the polluting processes to promote cleaner industry. The increasing urbanization, the steadily increasing quantities of municipal and industrial solid wastes, now need a more scientific approach towards handling and disposal of the solid wastes with the interests to protect the ecology today, the problem is not merely of conservation of whatever left of our environment but also of regeneration.

Development must go in harmony with environment: Of all things in the world, people are the most precious. It is the people that propel social progress, create social wealth, develops science and technology, through their hard work continuously transforms the human environment. Thus the issue of environment protection must revolve round the people. It must be people-oriented. Public vigilance and strict enforcement of pollution crimes and environment protection laws will go a long way in the conservation and regeneration of environment. We can meet the challenges only by redirecting the thrust of our development process so that the basic needs of our people are fulfilled by making judicious and sustainable use of our natural resources. Conservation, which covers wide range of concerns and activities, is the key element of the policy for sustainable development. Framing a conservation strategy is, therefore, an imperative first step. Development for the conservation ensures the sustainability of development for the present and in the future. The conservation strategy is to serve as a management guide for integrating environmental concerns with developmental imperatives. It is an obligation of each generation to maintain the productive capacity of land, air, water and wildlife in a manner which leaves its successors some choice in the creation of a healthy environment. The physical environment is a dynamic, complex and interconnected system in which any action in one part affects others. There is also the interdependence of living things and their relationships with land, air and water. Planning for harmonious development recognizes this unity of nature and man. Such planning is possible only on the basis of a comprehensive appraisal of environmental issues, particularly economic and ecological.