

Causes, Effects And Control Methods Of Environment Degradation In India

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Abstract: Environment plays a vital role in the survival of human beings as it consists of all those things and set of conditions which directly or indirectly influence the development or growth and quality of life of individual organisms.ⁱ Despite of the fact, human are in very hurry to exploit the environment in the quest of making their life more comfortable and easy. Excess human intervention has adversely affected environment. Rapid population growth, globalization, industrialization and infrastructural developments are the causes of exploitation of natural resources which put strain on natural resources resulting in the degradation of our environment which compelled the legislature to frame the laws to protect the environment as it is the effective instrument to bring the change in the society. Thus, the aim of paper is know the concept of environment, its degradation, the factors responsible for the degradation of environment, what is the role of law and policies in safeguarding environment.

Keyword: Environment, degradation, human intervention, law and policies

The term environment is derived from French word 'environ' which means to surround or encircleⁱⁱ. It is literally associated with the conditions and surrounding by which one is surroundedⁱⁱⁱ. Carlyle is considered as first one to coin the term environment in South of Scotland in the year 1828^{iv}. Environment is the surrounding in which living and non living being grow and interact whereas ecology deals with the specific study that how such being grow and interact. It is the study of relationship or interaction between organism and surrounding.^v It is a surrounding where living being such as human, and biodiversity like animal, fungi, plants etc survive and non-living component such as soil, water, air, land exist. It is the aggregate of biotic and non-biotic components^{vi}. It deals with the inter- relationship exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property^{vii}. Environment can be divided into 4 parts Lithosphere, Hydrosphere, Atmosphere, and Biosphere. Lithosphere consists of land (rock and soil) and relates to tectonic plates. Hydrosphere relates to water bodies like sea, river, etc. and consists of 70 percent of earth's surface. Atmosphere is a mixture of gases, like nitrogen, oxygen, carbon dioxide etc. The atmosphere is divided into various layers first known as the troposphere (11km) second called stratosphere (50km) also the region of ozone layer and next mesosphere and thermosphere. The term Biosphere was coined by Geologist Edward

which refers to place where life exists. It consists of all living matter, the biomass or biota which extends from the polar ice caps to the equator.

Environment is indispensable for existence and growth of human being and other living creatures but human himself has become responsible degradation of the environment. Environmental degradation is the deterioration of environment through depletion of resources such as air, water, soils the destruction of ecosystem and the extinction of wild life^{ix}. There are various human activities which are adversely affecting environment. For sake of better and comfortable life style, he himself exploits the natural resources. The rapid growing population and economic development is leading to a number of environmental issues in India because of uncontrolled growth of industrialization, urbanization, massive intensification of agriculture. Major environmental concern are forest and agriculture degradation of land and resources.^x

Following are some factors responsible for degradation of the environment:

- Growth in human populations has increased demand for ecosystem input, such as fresh water, soil fertility which increased pressure on the capacity of natural ecosystem. Attenborough considers overpopulation as a multiplier of all other environmental problems According to him, it is plague on the earth which need to be controlled at priority basis^{xi}.
- In India urbanization is occurring at a quicker rate in India. Lack of opportunity for gainful employment in villages and the ecological stress in leading to an ever increasing movement of poor families to town. Such fast and spontaneous extension of urban areas has brought about debasement of urban condition.
- Overconsumption of resources has outpaced the sustainable capacity of the ecosystem^{xii}. It can be measured by ecological footprint. The New York Times stated that the inhabitant of the developed nation of the world consume resources like oil and metals at a rate almost 32 times greater than those of the developing countries .
- Industrial revolution has brought about new sense in the form of technology in the modern period in developing countries impact on the environment and damages our world in many ways.
- Deforestation, expanding agriculture, hunting and unplanned tourism have also cause a deterioration of natural habitats^{xiii}. Uncontrolled use of pesticide, herbicides, in agriculture is misbalancing the environment^{xiv}. Underground water is being contaminated from unregulated mining metallurgical process, included untreated sewage.

Environmental pollution such as air, land and water pollution is the result of human interference in the environment. The consequence of such degradation is that the future generation face hunger, thirst, disease and disaster. It directly and indirectly contributes many constituents of human, one of the major consequences of human`s action in climate change. Around the globe there are such alteration, to which no none is prepared. Glaciers are melting, which can lead to drying up of rivers, such as Ganga, and besides of melting constantly causes elevation of the sea level. Another problem is depletion of ozone layer. It protect us from ultraviolet radiation, and the major cause of ozone layer depletion is emission of chlorofluorocarbons and by continuous use of different chemical dispose in soil leading to barren of land, and the fossils that are burned for energy

usually come back into the earth in the form of acid rain which has high concentration of sulphuric acid and nitric acid and has many ecological impact on lakes aquatic environment. disposal of waste into rivers and water system by industries is an environmental hazard through pollution, and technology also contribute to depletion of resources the development and usages of technology is contribute to increases industrial activity that requires raw material from natural resources such as timber, wild animals, and usages of chemicals to enhance fertility is an environmental exploitative. The climate sensitive vectors borne disease are likely to be emerging due to climate change and environmental change.

To save the humanity from the scourge of environment degradation for which human himself is responsible, legislature and government took stand. Various laws and policies are framed by the legislature as well as government respectively. Apart from it, judiciary also took the initiative where legislature and government failed to implement their laws and policies effectively.

❖ Constitutional Framework

Constitution put a fundamental obligation on individual as a fundamental duty and on the state as a directive Principles of State Policy to protect, improve and conserve the environment. So, Constitution itself guarantees for the protection of environment. Though there was no express provision in this regard at the time of the commencement of Constitution of India.

- Article 21 gives right to life which was extend to right to healthy environment through the interpretation by the judiciary in various judgments.
- Article 253 gives power to union to enact any law in order to implement the treaties or convention at international level. Water Act, Air Act as well as Environment protection Acts etc. are the result of this article .
- Article 246 gives power to state and union both to enact any law on subject which fall under concurrent list and for the national interest.
- Article 47 imposes obligation on state to improve the standard of living of a citizens by giving them basic facilities which includes right to have healthy environment.
- Article 19(1) (g) prevent the citizen to practice such trade and business which affect the environment or hazardous for environment.
- Article 32 and 226 gives fundamental right to approach the Supreme Court and High court respectively for violation of their rights. Express provision relating to environment protection has been added in the year 1976.
- Articles 48-A¹ and 51-A(g)² were added in the chapter directive principle and fundamental duties. This 42nd Amendment added Article 48-A to the Directive Principles of State Policy.

¹ The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country

² "It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures."

❖ Legislative Framework

The following Acts and Rules are framed by legislature to protect environment from the degradation-

- The Water (Prevention and Control of Pollution) Act, 1974
- The wild life protection Act, 1976.
- The Municipal Solid Wastes (Management and Handling) Rules, 2000
- The Air (prevention and control of pollution) Act, 1981
- The Public Liability Insurance Act and Rules 1991 and Amendment, 1992 .
- The Public Liability Insurance Act and Rules 1991 and Amendment, 1992 .
- The Biomedical Waste (Management and Handling) Rules, 1998 .
- The Environment (Siting for Industrial Projects) Rules, 1 999.
- The Municipal Solid Wastes (Management and Handling) Rules, 2000.
- The Biological Diversity Act, 2002

❖ Governmental framework

Government also took initiatives to safeguard environment. Various policies ,programmes and schemes are launched by the government to preserve and conserve the environment. Such are as follows:-

- Nagar Van Udyan Scheme: to develop one forest city in class I city to create awareness about plants and biodiversity.
- Swacch Bharat Abhiyan: to make the reality of vision of Mahatma Gandhi to clean India. It is to recover resources of utilization by way of recycling.
- Project Tiger: to protect and restore the habitat of tiger whose number were decreasing rapidly. The project was launched to increase their number
- National Wetland Conservation Programme: to conserve and make acute use of wetlands in the country, in order to prevent the area from its further degradation.
- Green Skill Development programme: to create awareness among the youth to develop skills and gain experience to conser and protect the green of nature.
- Ecoclub: Develop the requisite skills of observation, research, survey, documenting, study, and reasoning for environmental conservation through a variety of activities. To impart knowledge to school children, through hands-on-expertise
- Swachh – Nirmal Tat Abhiyaan: To keep beaches safe and make people aware of the value of coastal habitats – in Beaches across ten states / UTs.
- Himalayan Research Fellowships Scheme: to create a young pool of trained environmental managers, ecologists & socioeconomics.

❖ Judicial framework

Judiciary played the crucial role in protection of environment. It has also developed the control method for environment degradation in the following case:

- **Rural Litigation Case**^{xv}

The judiciary held that the fact is not ignored that industrial development is essential for the economic growth of country but it can be done at the stake of life of the people. So balance must be maintain between them. Authorities must consider this fact while granting lease.

- **M.C. Mehta Case(1987)**^{xvi}

The court held that industries are important to improve the quality of life but it is also keep in mind that if not set u cautiously it can be dangerous for human life. Court recognised the healthy environment as a pubic right and held company liable for damages as the company was set up in the densely populated area and manufacturing dangerous chemical the effect of which is many people lose their life.

- **M.C. Mehta Case(1988)**^{xvii}

The court held that it is mandatory for industry to have an arrangement for the proper disposal of waste discharging from the industry as such water is responsible for the cause of various water borne disease and causes danger to environment too. In the case court recognises the healthy and clean environment as fundamental right.

- **Charan Lal Sahu case**^{xviii}

The court held that wholesome environment is fundamental right recognised under Right to life under Article 21. It gave the victim of Bhopal Gas leak equitable and timely compensation.

- **M.C. Mehta Case (1996)**^{xix}

The petition was filed against the construction activities of one company named Span Motors private Ltd. The court upheld the doctrine of public trust and held that bank of river is public property it cannot be turned into private property .The company was granted lease at place which was ecologically fragile. So court ordered the company to pay damages and also not to discharge their untreated effluents in the river.

Thus, the primary cause of environmental degradation in India are attributed to rapid growth of population in combination with economic development and overuse of natural resources and also the impact of technology in various fields in science, medicine and space research etc. Environmental protection is not only the concern of environmental law but it has been directly linked with human rights policy. Right to clean and healthy environment is now been recognised as the basic human right. Various law, rules and regulations took initiatives to prevent the environment from its degradation. Apart from such initiative judiciary has also develop the control method for environment degradation. The need of hour is to strict implementation of these regulatory framework and to create positive attitude among among public that it is not only the responsibility of government but its our responsibility too to protect it from its degradation and give our future generation a sustainable environment.

- ⁱ Shukla and Chandel,(2000)Plant Ecology and Soil Science,S chand & Company New Delhi P. 2
- ⁱⁱ <https://www.etymonline.com/word/environment>
- ⁱⁱⁱ <https://www.merriam-webster.com/dictionary/environment>
- ^{iv} [/compass.onlinelibrary.wiley.com/doi/abs/10.1111/j.1741-4113.2012.00922.x#:~:text=At%20this%20pivotal%20moment%20of,Lowlands%20of%20Scotland%20in%201828](https://compass.onlinelibrary.wiley.com/doi/abs/10.1111/j.1741-4113.2012.00922.x#:~:text=At%20this%20pivotal%20moment%20of,Lowlands%20of%20Scotland%20in%201828)
- ^v <https://www.esa.org/about/what-does-ecology-have-to-do-with-me/>
- ^{vi} <https://www.canr.msu.edu/resources/biotic-abiotic#:~:text=Biotic%20and%20abiotic%20factors%20are,as%20water%2C%20soil%20and%20atmosphere>
- ^{vii} Section 2(a) of The Environment (Protection) Act, 1986 available at https://www.indiacode.nic.in/bitstream/123456789/6196/1/the_environment_protection_act%2C1986.pdf
- ^{viii} <https://www.oxfordlearnersdictionaries.com/definition/english/environment?q=environment>
- ^{ix} DOI:10.26832/aesa-2020-edcrs-01
- ^x Dr. Senthil kumar et.al.,Role of Indian Govrenmentto protect the sustainability –An overview,ACADEMICA volume 2 issue 8 2012 available at https://www.researchgate.net/publication/334987844_Role_of_Indian_Government_to_Protect_the_Environment_Sustainability_-_An_Overview
- ^{xi} https://shodhganga.inflibnet.ac.in/bitstream/10603/302308/4/04_chapter1.pdf
- ^{xii} <https://en.wikipedia.org/wiki/Overconsumption>
- ^{xiii} <https://www.conserve-energy-future.com/causes-and-effects-of-environmental-degradation.php>
- ^{xiv} <https://www.omicsonline.org/open-access/causes-consequences-and-preventive-measures-of-environmental-degradation-116887.html>
- ^{xv} Rural Litigation & Entitlement Kendra, Dehradun v. State of U.P. & Ors 1985 AIR 652, 1985 SCR (3) 169
- ^{xvi} M.C. Mehta & Another vs. Union of India & Others & Shriram Foods & Fertilizer Industries & Another v. Union of India & Others 1987 AIR 1086, 1987 SCR (1) 819
- ^{xvii} M.C. Mehta vs Union Of India & Ors 1988 AIR 1115, 1988 SCR (2) 530
- ^{xviii} Cahran Lal Sahu v. Union of India AIR 1988 SC 17
- ^{xix} 1996 SCC (4) 750, JT 1996 (6) 129