

IMPACT OF LEGISLATIVE PRACTICES IN INDIA FOR ENVIRONMENT PROTECTION

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ABSTRACT

Today's world is under the serious threat of damaging effect of green house danger which is making the whole world warming and the thin layer of ozone is effecting the earth or haunts the earth. The problems which are faced by every country and which is damaging our entire environment need serious concern. These problems includes expansion of desserts, lowering down the area of forest, the expanding pollution on the surface including ground water, extermination of various species and indiscriminate use of natural resources, end of available natural resources are few of them. To achieve the object of sustainable development and safety of environment and to maintain the ecological balance, countries have to develop new strategies and devices. The research is undertaken with the object to suggest and put certain efforts for better protection of Environment of the globe. This fact cannot be ignored at all that the entire mankind and life of every creature in this earth completely depends upon the smooth functioning of the nature which gives us the supply of energy and nutrition's which are must for life support system and hence the man need to maintain a harmony with the nature which actually nourishes him and provide a basic human life. We some time forget that mankind is just a part of the nature and this at all not required for Nature. To protect humanity we have to preserve out nature. In this study we have accepted the fact that human being is just a very recent edition to livestock of the nature and having a very disruptive influence on the globe. This article has been undertaken with the object to review the steps taken for environment protection and what steps can be taken in future. The legislative aspect will be considered within the framework of laws applicable in India for environment protection. The research will go to be very helpful for the society and its welfare.

Keywords: Development, Environment, Preservation, Extermination, Pollution, Harmony, Species.

Introduction

The world is under the clouds today, the greenhouse effect is warming the earth and affects the ozone's erosion affecting life on earth, it hurts like ghosts. Due to the widgets of forests, dangerous pollution of superficial and groundwater, extinction of endangered species and individual use of excessive use and exhaustion of such problems are problems that have to face and solve every country in the coming years. The purpose of this study is to make some efforts to protect the human environment at national and internationally. The cause of this reason should be from the platform of international and regional organizations. Within the federal system from the borders of the state and the borders within the state, the citizens from the capital areas, cities, towns, industrial areas, from the villages to the beaches and the valleys. New strategy and equipment is developed in every direction by maintaining environmental protection and to continue sustainable development. In this study, we have considered the fact that as part of nature and life, mankind depends on the smooth operation of the natural system which ensures the supply of energy and nutrients, which is necessary for every purpose support system for this purpose Acne with nature. Which does it nationals and provides all the basic requirements of human life? Apart from this, it will also be taken care of that the poverty and population explosion is a big contribution to the environmental pollution. Who has been emerging as a serious problem of humanity

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today? In this study, for this purpose, we will review the efforts of international organizations for population control for poverty eradication. In this study, we will try to review the steps taken to ancient India in ancient India and find out the possibilities of increasing the protection of the environment in ancient India. In the modern legal framework for environmental protection in India, The purpose of each research is society and its welfare.

The Sustainable Development and Ecological Balances

Industrial development in modern times has created the problem of environmental imbalances in the world. Normally the industry and especially dangerous industries are constantly creating risk for the environment. Industrial activity of society, which is the sign of progress there is a cruel dilemma for modern man. On one hand, he cannot stop the speed of industrial progress, which is the indicator of development nor can he ignore the effects of such development on the protection and improvement of the environment. It brings clear struggle between the development and environment. It is necessary to reconcile in two competitive interests. The work of balance in the development and environment, the two important aspects of national life has been evolved in the famous case of R.L.&E and Centre Government. The court demanded the development of the right to stay in the healthy environment of people. In this case the Supreme Court has asked to stop limestone mines. In this case, the question taken for consideration was the only moment of great moment and importance for the people living in the Mussoories ranging, which were also Himalayas for the welfare of the common people living in the country. The court was appealed to prevent mining work. It is for the government and nation, not to the court, it is to decide whether the deposit amount should be exploited or to complete the industrial needs at the cost of environment and ecological ideas. Environmental pollution is not limited to a particular country or region. It is to lead and to lead the state and political boundaries, which is polluted to land, water, air, space. A legal, political and scientific battle has started on all the forums of international, regional and national organization to understand its influence on the incomparable results and life of environmental pollution. The legal battle has taken a new turn, internationally, which is the main purpose of restoring and reviving the ecosystem weak to satisfy human greed and selfishness. The Environment Act is a general law providing environmental protection. The lack of the left and the act left by the Water Act has been included. The definition of the environment under the Act is very broad, clear and covers the entire area of the environment. The immediate need of the worlds polluted today is to establish a consistent international legal system which is not only suitable for nature orders, but also prepare the environment of responsibility so that the continuous development becomes the highest purpose of every state.

Constitutional Provisions to Protect Environment

The Constitution has provisions like Article 39, Article 48, 49 which provide an indirect and tangential reference to the environment, they did not provide a comprehensive national agenda for protection and can serve the environment in its entirety. Along with them eminent jurist Prof. Upendra Bakshi remarked that the Constitution of India was "environmentally blind". The Constitution of India was amended in 1976 to include two important environmental provisions in the Constitution. Article 48 – A was included in Part IV of the Constitution, making environmental protection a part of the Directive Principles of State Policy. Article 48 – A directs the State to protect and improve the environment and to safeguard forests and wildlife. Article 51 – A (g) declares that it shall be the fundamental duty of every citizen of India to have compassion for living creatures, to protect and improve the natural environment including forests, lakes, rivers and wildlife. This is a significant leap forward in environmental management in India. Article 48-A obliges the state to make new laws and policies to protect the environment. Taking cues from the fundamental duty under Article 51A(g) and Article 21 "right to life", several Public Interest Litigations (PILs) were filed by Indian citizens. The temperature of the earth is increasing gradually. Glaciers are melting fast. The level of seas and oceans is rising which is causing destruction and destruction of many small seas and islands of the world. The existence of life on this earth is now at stake. The problem is so serious that it threatens to destroy the entire human civilization. In this social, economic and global spectacle, the Constitution of India is the supreme law of the land. It has various provisions to protect the environment. Public interest litigation has been used as an effective tool to control acts of environmental degradation. This method has covered every part of human life. We all know that the population of the world is increasing very fast and the consumption of natural resources is also increasing very fast. Earth's natural resources including air, water, land. Flora and fauna, and especially representative specimens of the natural environment, should be preserved by careful planning or management, as appropriate, for the benefit of present and future generations.

Right to Pollution Free and Healthy Environment

The proper pollution of the healthy environment is fundamental right under Article -21 of the Constitution of India. Indian Parliament and State Legislatives have made various laws for the safety and improvement of the environment. As it is believed that the clean environment is a basic requirement for humanity's existence and it cannot be ensured without ecological balance. Thus, this is the right to all because the existence of humanity depends on clean, healthy or pollution-free environment. The 1972 Stockholm conference also declared that "human beings have the fundamental rights of similar independence and life of the same conditions, in which quality of the quality of dignity and welfare in the quality of the quality." Participation of India is the fundamental authority in the III Constitution. (Article 12-35) does not have any direct impact on environmental erosion or ecological imbalance and these conditions are not mentioned, but the judicial decisions of India's highest court and state high courts have made significant contributions to a fundamental new and better approach. Protect the environment as a right. The courts, mentioning the environmental affairs, the rights of equality (Article 14), the right to life (Article 21), the right of freedom and the decisions based on them have been mentioned. There are many aspects of business, business, Occupation Art-19 (1) (g), healthy, pollution-free environmental rights. The safety of the environment under Article 21, 48-A and 51-A (G) is provided which is the fundamental rights of healthy and pollution-free environment, the state's constitutional responsibility and the security and improvement of nature is a fundamental right. All the citizens of India include duty. The environmentally Supreme Court has made it clear in many cases that the court also saw that this scheme is based on the constitutional policy of sustainable development, which should be applied ". The development of the principle of sustainable development is actually a welcome characteristic, but there should be a delicate balance between the need and its need, in which the environmental impact, keeping in mind the impact of the interpreters, and the emphasis on the need to pay attention. It is not possible; it is not possible to ignore the society that is the need for the society.

National Environment Policy and Environment Protection

NEP is a response to our national commitment to a clean environment, which is in the Article 48-A and 51-A (G) of the Constitution, which is reinforced by the judicial interpretation of Article 21. It is believed that it is not necessary to maintain healthy environment. There is a responsibility of the state alone, but also every citizen. Thus, the sense of partnership in the entire spectrum of environmental management in the country should be felt. While the state should proceed to its efforts, there should be a responsibility to maintain and increase the quality of the environment – by an institutional natural recognition – every person. The purpose of NEP is to prepare a guide to regulatory reforms, programs and projects for environmental protection and reviewing the law by the central state and local government agencies and to make law. The broadest subject of this policy is that the protection of environmental resources is necessary to ensure the well-being of all the most the good secure basis to survive, the people who have better livelihood is the livelihood of the survival instead of falling on the dependent people. Can resources are found. The policy also attempts to promote partnership between different stakeholders, such as public agencies, local communities, academic and scientific institutions. Investment communities and international development partners use their respective resources and powers for environmental management. The public should be educated to be able to create a notified option. Educating the civilians educating the environmental dangers, the lack of resources, and the actual value of natural resources and a high government priority will be a high government priority. Environment will be published on time. The affected citizens and non-governmental organizations play the role in environment monitoring and therefore allow them to recognize the regulatory system and identify their expertise where it exists and their commitment and vigilance will also cost effective. Access to the information has been successfully proved to enable public monitoring of environmental concerns for the public interest, that the responsible non-governmental organization and public enthusiasts can bring significant pressures to adopt quenching measures on pollutant institutions.

Conclusion

Environmental pollution is one of the world's biggest problems at this time. This is becoming a fast worse problem that is not necessarily necessary to address the environment for the environmental protection, but also for the safety of humanity. This pollution can be the result of the melting of the aging or polar ice cap. Many flood the area around the world. The government has taken several steps to protect the environment and have made various laws to protect the environment. The judiciary has also played an active role in protecting the environment. We will not only consciously make their non-realization of the environmental environment, but it will also understand their fundamental duty. If the

human civilization is to save from destruction, then pollution will have to stop. In the constitution, the problem will not be solved by adding provision or various laws, they must apply properly. People should be aware, law should be added and should be environmentally friendly. Awareness of environmental laws in society plays an important role in prevention and control of pollution at industrial and community level. Awareness is not included only awareness about environmental laws, but also involves environmental awareness. Education is required for pollution control and prevention. The role of education by increasing the successful techniques of environmental education can also be a positive effect on the management of fast-tensioned natural resources of the world. The Supreme Court has also given orders that environmental education should be provided at all levels including higher education in the formal system.

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