

## POLLUTION, ITS EFFECTS AND NEED OF POLLUTION CONTROL

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### ABSTRACT

*History could be a witness to the actual fact that the person has been endlessly struggling continuously to manage his environment so on improve his well being. This capacity of the person increased considerably following the commercial, scientific and technological revolutions. The spread of diseases like the insect, rodent, water and food borne infections which at only once couldn't be attributed to the most causes of death morbidity has been practically controlled. All this has been kept away from affecting the natural environment surrounding the person. But because the time passed, new problems started coming to the forefront and resulted in disbalancing the character. The population explosion, affluent society with unlimited wants, increased radiations, the automobiles, greater energy use, increased food production needs and a few other related developments are accountable for creating the imbalance. There's growing evidence in many parts of the planet of "dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies harmful to the physical, mental and social health of man. It absolutely was this background which helped the signing of the Stockholm Declaration of 1972 which for the primary time drew the eye of the globe community for preservation and protection of human environment. the chief purpose of this study is to spot a number of the key issues, forces and factors that are central to the answer of the matter of protection, conservation and management of environment; to analysis the trends in pollutants quality distribution; to look at critically the assorted laws managing the control of pollution-, to judge the efficacy and adequacy of the prevailing laws in combating the environmental degradation; to look at the national policy concerning environmental protection; to check the role of the judiciary in respect to environment protection legislation and its interpretation and lastly, to judge the implementation process of laws regarding environmental protection.*

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**Keywords:** Pollution, Consumption, Management, Sustain, Human, Destruction, Ecological.

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### Introduction

Today, we are concerned with a special reasonably threat that lurks on our surroundings. This threat is the direct results of massive industrialisation, mechanisation, motorisation and chemicalisation of agriculture. These processes have resulted in poisoning the air, the rivers and also the soil itself. Perhaps, the limitless demands of the person and his consumption patterns have made him to forget the very fact that human life is sustained by air, food and water. In fact, man is polluting his life sustaining supply of those necessities at a way faster speed. Today many of the world's cities are plagued with smoke or other reasonably pollution. Pollution which is sometimes related to industrial growth and urbanization is filling the air with poisonous gases, smoke, smog, and radiation. This not only endangers men and animal life but also seriously affect vegetation on earth. Major rivers and lakes in the world are so alarmingly polluted that these have rendered the standard of water unfit for human consumption and have also affected aquatic life. The excessive use of artificial fertilizers, poisonous sprays, insecticides, pesticides and weedicides haven't only contaminated and spoiled the standard of soil but have robbed vegetables, fruits and grains of life sustaining minerals and vitamins.

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We are indiscriminately cutting forests, denuding lands, destroying vegetation resulting changed weather, causing droughts, floods and extinction of rare species of plants, animals and birds. We are ruthlessly extracting minerals and indiscriminately processing our ores causing, except their depletion, air and pollution. We are damaging even the 'Ozone' layer which may be a vital protection of our earth. Thus, the environmental degradation has reached a stage that threatens to destroy not only the environment but the mankind together with it. With our air unfit to breathe, our water unfit to drink, several many species of animals and birds threatened with extinction and hundred more already destroyed, plant communities disrupted, forest cover shrinking, population exploding, environmental problems have assumed new dimensions. The most thrust of the current study is to present an integrated and systematic approach of environmental law together with evaluations of the varied problems related to the management strategies. Though each chapter of this study might not tend to be self contained and comprehensive in itself thanks to enormity and variety of the topic but an endeavour has been to take care of an unbroken link throughout.

### **Environmental Pollution**

Pollution comes from the Latin word Pollutes which implies defiled. The concept of pollution has come to play an important part in environmental law, for it forms the place to begin for regulation of the act of pollution and for determining the liability for damages caused by the act of pollution. Despite its legal significance it's a stark undeniable fact that 'pollution may be a word whose precise meaning in law (particularly in International law) isn't easy to discern.' Hence, no precise or complete definition of environmental pollution exists in law. We discover diverse descriptions resting on subjective and objective judgments in legal literature defining pollution to explain different levels and styles of man induced changes in the plants. For example, environmental pollution has been expressed as 'deliberate or accidental contamination of the environment with man's wastes,' or as "a matter in the wrong place at wrong time and in wrong quantity;" or "anything released into environment which impairs or degrades it." Alternatively, it's been defined to 'include in it overuse and misuse of resources.' Objective definitions are provided, for instance, McLaughlin defines pollution as "the introduction by man into any part of the environment of wastes matter or energy or surplus energy which so changes the environment as directly or indirectly adversely to affect the chance of men to use or enjoy it." By and enormous, such diverse descriptions only emphasis different viewpoints. There is clearly a typical consensus on one aspect of pollution and it's the final belief that pollution is necessarily caused by man either directly or indirectly. Thus, we will say that environmental pollution is the unfavourable alternation of our surrounding, wholly or largely as a by-product of man's action, through direct or indirect effects of changes in energy patterns, radiation levels, chemicals, physical and biological conditions so on harmfully affect the standard of human life, cause effects on other animals and plants, and cultural and aesthetic assets.

The major environmental concerns of India are pollution resulting from industrial development; pollution from domestic and industrial effluents sound pollution from scientific and technological developments; wearing away, deforestation, desertification and loss of wildlife due to imprudent and unplanned use of land and resources; and ugly landscapes, populated area, and city slums resulting from a burgeoning population. Thus, India's environmental problems unlike the developed countries are more complex and peculiar. However, the fundamental point that must be emphasised here is that the majority of environmental problems that we face today are man created and hence any protective measure designed to safeguard and improve the standard of environment must be man centered.

### **Main Causes of Environmental Pollution**

The problem of environmental pollution, we face today, may be a complex consequence of forces connected with various interrelating factors. There are clearly variety of divergent and conflicting views of what can be the essential factors underlying the environmental crisis. No single cause will be considered because the root reason behind environmental Impairment. However, the subsequent causes might be discovered because the generally underlying factors though each of those too can be operating simultaneously and their balance may vary from place to position and thru time. They are

- **Population Growth:** An Intimate relationship is found between human number (population) and environment. The impact of any human group on environment is often conceptually resolved into three factors. Population, affluence i.e. material aspects of per capita consumption of products and resources and technology of production. The increment is directly related with more resource consumption. So as to satisfy the increasing demands and expectations of the

increasing population, enormous pressure is placed on the earth's finite resources. The ensuing result's depletion and despoliation of resources and generation of more and more wastes which should be disposed of in to the environment.

- **Increased General Affluence and Economic Growth:** The affluence (i.e. material aspects of per capita consumption of products and resources) is a crucial think about man-resource-environment relationship. It's the increasing per capita demand of rich which is absorbing the expansion in out-put of products and services in the developed and developing countries and cause misuse or overuse and pollution of resources, for the affluence unmatched to the mandatory resource consumption and not motivated by human requirements produce tendency to waste material and energy. Surprisingly, affluence factor though, having a good impact on environment, is seldom talked about. On the opposite hand, poor and therefore the poverty often get blamed for the destruction of environment. The notion that poverty or the poor destroy the environment most, is but partially true. It's true that poor cause damage to environment. But the chunk of destruction by the poor is just too small as compared to the damage caused by the rich. Poor destroy environment only to satisfy their basic needs of survival under compulsions when other resources are either not available to them or the available ones are beyond their economic or paying capacity. Per capita consumption of resources by the poor is fairly small as compared to it of rich.
- **Nature of Modern Technology:** The character of productive technology in recent years is closely associated with the environmental crisis. Commoner maintains that 'sweeping transformations of productive technology since war II productive technologies with intense impacts on environment have displaced less destructive ones. This factor has been largely chargeable for the generation of synthetic and non-biodegradable substances like plastics, chemical nitrogen fertilizers, synthetic detergents, synthetic fibres, big cars, petrochemical and other environmentally injurious industries and 'disposable culture.' Thus, environmental crisis is the inevitable results of a counter ecological pattern of productive growth. Ecologically benign technologies did and do exist but they're not utilized, for they're considered inconsistent with the short term interests of personal profit maximisation.

#### **India's Concern for Environmental Protection**

For the higher management of its natural resources, the correct protection and conservation of the environment for well being of our future generation, the upkeep of a correct balance between the economic development and therefore the consequential environmental degradation, the government of India has framed a National Policy on Environment Protection. Here an endeavor is created to stipulate the fundamentals of the national policy additionally because the regulatory mechanism developed for implementing the identical. It should be got wind here that in pre-1970 era India didn't have a well framed policy for safeguarding the environment. The UN conference on Human Environment held at Stockholm, in 1972 proved a turning point in drawing our national concern for safeguarding the environment. In pursuance of the Stockholm mandate, India was constrained to line up a National Committee on Environmental Planning and Coordination (NCEPC) in the Department of Science and Technology. Thus, NCEPC was established as an apex advisory body all told matters referring to environmental protection and improvement. The committee was to plan and coordinate while the responsibility of execution remained with the varied ministries and agencies of the government. The Committee was assisted by the Department of Science and Technology and an office of Environmental Planning and Coordination was founded under the supervision of the Chairman of the Committee. However, the committee couldn't discharge its functions properly because it didn't receive the required cooperation from the government. The overriding policy concern for environmental protection has also been emphasised in our national policy for socio-economic development. The Sixth, seventh and eighth Five Year Plans now specifically emphasis sound environmental and ecological principles in land use, agriculture, forestry, wild life, water, air, marine environment, minerals, fisheries, renewable resources and human settlement. In 1992, the government of India has framed two policy documents for abatement of pollution and conservation of national resources. It's been emphasised that the polluters should pay money for the pollution and control arrangements.

#### **Legislative for Pollution Control**

Regarding the legal response to environmental protection, the legislations enacted during the pre independence era, more particularly, the Indian legal code and therefore the Criminal Procedure Code contained some provisions for abatement of pollution. Except for this, there have been many

statutes which also governed the sphere. However, the sole thing that was absent was environment consciousness and hence these scattered provisions couldn't be put an excessive amount of use. Despite a flurry of legislations during the past years and National Policy on Environment, the reality remains that these regulatory measures have didn't combat environmental degradation. Therefore, the fundamental questions that have arisen for determination in the present context are: whether the legislative measures designed to regulate and abate environmental pollution have succeeded in achieving the objectives of the national policy on environment; whether the prevailing mechanism for pollution control must get replaced by a more practical one; whether there exists a spot between the formulation of policy and implementation of legal controls; whether our existing environmental policy is fool proof or some modifications are required; whether the criminal sanction theory has proved effective in deterring the polluters from polluting the environment^ whether the prosecutorial strategies have achieved the specified results; whether our laws regulating pollution control needs a radical overhauling J to what extent the pollution control Boards established under the Water Act and also the Air Act are able to discharge their functions effectively under these laws? What precise role the judiciary has played in protecting and safeguarding our environment? These questions must be answered to safeguard environment.

### Conclusion

The consequences of the results of environmental degradation are too numerous. The adverse effects range from social and economic to ill effects on the security of human health and biological life, adverse impact on ecosystems, weather patterns and aesthetic quality of environment. The results also range from short term to long run effects which don't seem to be immediately apparent. The loss which accrues from a number of the adverse impacts can't be assessed in terms of money. The insidious effects caused by low level pollution absorbed into the body over a protracted period of time or the cumulative effects are hard to quantify. The gaps and uncertainties in our knowledge about the environmental disruptions and ill effects of the many of the pollutants make the task of regulation and standard setting a fancy and difficult one. Despite existence of Environmental Policy, the constitutional mandate of environmental protection, flurry of legislations and administrative infrastructure of implementation, the actual fact remains that problem of environmental pollution still remains a good explanation for concern in our country. The unabated deterioration of environmental quality most vividly reflects the failure of the sooner environmental policy and of the legislative and administrative initiatives taken to enhance or conserve environment. Failure to attain desired results even after over 20 years of adoption of environmental protection measures reflects incompatibility of the policy resolutions and also the legal mechanism. Prudent environment management is that the need of hour. Sound environment management which essentially involves optional allocation of finite resources between different possible uses, is so complex that suggesting any particular solution wouldn't in itself be self sustaining. However, some suggestions regarding planning and for improvement of legal moreover as enforcement mechanism could also be given here which if operationalised may prove relevant and viable to minimize the pollution problems.

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