



Analytical Study of Positive and Negative Impacts on Environmental Protection and Public Interest

Dr. Ajay Krishna Tiwari¹

¹Academician and Economist.

Abstract

The purpose of the presented research paper is to study the decisions given from time to time. From these decisions to study the positive and negative effects on environmental protection and public interest. The environment is the environment around us, which surrounds us, in which we live. Our home Earth is the only Earth in the entire cosmic family that has life on it. Healthy life and a balanced environment are needed, but at present man is running in a blind race of development and He is polluting the environment by neglecting it. Causing global warming, holes in the ozone layer, terrible diseases, etc. problems are increasing.

Keywords: Environmental Protection, Public Interest, Healthy Environment, Healthy Life, Environmental Pollution, Water Pollution, Air Pollution.



Environmental protection
public interest



Healthy Environment
Healthy life



Environmental pollution
water pollution
air pollution

Positive and negative impacts on environmental protection and public interest

Preface

Man needs a clean and healthy environment for a healthy life. "Environment includes the area of all physical and biological substances and their mutual relations. The relationship between man and the environment there is close. As the pace of development progressed, he started using new technology. slowly in the name of human development became selfish and environmental pollution (water pollution, air pollution, soil pollution, felling of trees, nuclear pollution) went on increasing As a result, environmental protection has become one of the most serious and challenging issues of the 21st century. The problem has arisen.

The industrial revolution gave birth to pollution and the increasing population started destroying natural and other resources. Resources were exploited to such an extent that the life of the common man became difficult in the race to get everything. forests The destruction of the soil disturbed the season cycle, the rainfall started decreasing, famines started, and animal husbandry due to lack of fodder was Affected. Due to the imbalance of nature, the description got distorted.3 not only India but every country in the world wants to get rid of it and is trying for it. G-7 in Aquila, Italy from 8 to 12 July 2009 in the conference, the Indian Prime Minister Manmohan Singh said that "the problem of environmental There is big.

Objectives of environmental protection

The purpose of the presented research paper is to study the decisions given from time to time. To study the positive and negative effects of these decisions on environmental protection and public interest.

To study the judicial activism of the High Court in environmental protection. To study the decisions given by the High Court regarding environmental protection and the status of their implementation.

Research Methodology

Use of a historical, descriptive, and analytical study method for the presented research work to be done.

Provisions related to environmental protection and promotion in the Indian Constitution

Before 1976, there is no provision related to environmental protection and promotion in the Indian Constitution. Considering the problem of environmental pollution by the 42nd constitutional amendment in 1976.

Article-48(a) - Through this article, instructions have been given to the states concerning environmental protection and forest and wildlife conservation that the state, the country's environmental protection and promotion, and wildlife will try to protect.

Article-51(a), (g)- Part-4(a) of the constitution i.e. in the part containing the basic duties, it has been said- It shall be the duty of every citizen of India to protect the natural environment and Cultivate it and have compassion towards living beings.

The Special provision in the Indian constitution for environmental protection

Indian constitution is probably one of the few constitutions in the world. In which there are special provisions for environmental protection.

In the "M.C. Mehta vs. Union of India case", the Supreme Court has issued the following instructions under clause (g) of Article 51(a) of the Constitution–

The Central Government should instruct education on environmental protection for at least one hour a week in the educational institutions of the whole country.

In this way, for environmental protection, every person, administration and judiciary will have to perform their duties towards environmental protection, but when the person, in the name of his interest and development, the administration also protects the environment. Instead of playing its role in environmental pollution, then the Judiciary has to intervene appropriately in the work of the Executive and the Legislature for proper decisions.

Release- In compliance with the order dated 03-07-2014 passed by the Hon'ble High Court, the use of polythene is completely prohibited in the Neonatal district from 15-07-2014, and any person and anyone found using polythene at any place in the Nainital district will be punished with a fine of INR 500 /- on the spot.

The judicial activism of the High Court is demonstrated by the order of the above-mentioned High Court which completely prohibited the use of polythene. We all know that the use of polythene pollutes our environment, but we keep using polythene for our convenience and selfishness, but when the order of the judiciary is issued, then polythene will be used. Completely prohibited in Nainital city.

Public Interest Litigation Important and commendable step in environmental protection

Ajay Rewet Vs Union of India Case-Dr. In the year 2005, Dr. Ajay Rewet filed Public Interest Litigation (PIL) Writ Petition No. 694, Application No. 7. In this, Dr. Ajay Rewet had filed a public interest litigation to save the Nain Lake located in Nainital and other lakes located in the Nainital region from pollution.

The water of these lakes is used for irrigation in the surrounding areas, which is very important for agriculture. It is the result of Dr Rabat's efforts that for the conservation of Nain Lake and nine other lakes of the Nainital region, the Ministry of Environment and Forests has sanctioned Rs.640 crores and Rs.115 crores by the State Government. Due to the efforts of Dr Rewet, the completely polluted Nain Lake has been revived again. The oxygen level in the lake was increased as well as air purification machines were installed in the lake. This was done for the first time in India. Fishes like Manaker and Meeker crape in the lake are suitable for the ecology

of the lake. They were dumped into the lake and the bighead crape, Gambelia, and catfishes known to be hostile to the lake's ecology were removed. This PIL by Dr. Ajay Rewet was an important and commendable step in Uttarakhand environment protection.

Illegal construction within a 200-meter radius of rivers

A Public Interest Litigation was filed in the Uttarakhand High Court by Dinesh Bhardwaj of Rourke, Rakesh-Uttarakhand High Court- Rourke on illegal construction work within 200 meters of the Ganga River. In which he had said that in the year 2000, the government had directed that no building construction work would be done in the area up to 200 meters around the river Ganga. But still, the land mafias ignored this order and the construction work of hotels and buildings started around the river due to which the river Ganga started getting polluted and came into a state of death.

In this, the Hon'ble High Court, showing its judicial activism, Uttara hand High Court Chief Justice Brain Garish and Justice Amok Singh ordered the state government that no construction work should be done within a radius of 200 meters around the river Ganga. It should be done so that the river Ganga is polluted.

Judicial activism of the High Court in environmental protection

Uttarakhand High Court – PIL No. 25, 2013 filed by Ajay Vyas. His topic focused on illegal construction around rivers. On this petition, the High Court of Uttarakhand gave a decision on 26-08-2013 that no illegal construction work will be done in a radius of 200 meters around the rivers in the state of Uttarakhand. These rivers are the Ganges River and its tributaries Aleksandra, Mandarin, Pindaric, Kali, and Gauri rivers. This decision came two months after the disaster in Kedarnath. The decision was issued by Uttarakhand High Court bench Chief Justice Brain Ghosh and Justice Serves Gupta, on a public interest litigation filed by Sanjay Vyas, a social activist from Rishikesh.

R. N. & Andre Dehradun vs. Uttar Pradesh Case - In this case, the Supreme Court held that accepted the environmental controversy that the limestone mining activities in the Himalayan region of Mansoori result in environmental damage affecting the ecological balance.

Wildlife Protection Act

Acts related to the environment - Wildlife Protection Act, 1972, Water Act 1974, Air Pollution Control Act, 1981, Environment Protection Act 1986, Biodiversity Act, 2002, etc.

Even after the formation of the above-mentioned Acts and Laws, the problem of environmental pollution is increasing day by day. The main reason for this is the selfishness of man in the name of development and the negligence of the administration.

Many important decisions related to the environment

Due to this, the judiciary has to intervene appropriately for the protection of the environment. Similarly, in Uttarakhand also, the Hon'ble High Court has been active from time to time for

environmental protection. Many important decisions related to environment description in Uttarakhand have been given by the court from time to time-

1. Construction work is prohibited up to a certain distance from the lake in Nainital so that the ecology of the lake remains clean and be balanced.
2. Encroachment of construction works over the water channels at Marla Road in Nainital district.

Stop the construction work within 200 meters of 3 rivers of Uttarakhand.

Conclusion

Thus many important decisions have been taken by the Hon'ble High Court. Being responsible citizens along with the judiciary, we all must compulsorily contribute our bit to environmental protection. The work of the judiciary is to implement the rules, but the work of implementing these rules is mine and all of you.

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