



AN ANALYTICAL STUDY ON THE IMPACT OF HEALTH AND ENVIRONMENT

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ABSTRACT

Environmental law is a body of norms and customs that addresses the detrimental effects of human activity on the environment. These laws, also called environmental and natural resource laws, are primarily concerned with environmental pollution. Environmental legislation aims to perform evaluations of the environmental and regulate specific natural resources.

Environmental rules play a significant part in protecting people, animals, resources, and habitats. There wouldn't be any regulations controlling hunting, pollution, contamination, or even disaster relief in the absence of these laws. Protecting the land, air, water, and soil is the goal of environmental law; violating it carries fines, community service requirements, and in extreme cases, jail time.

The importance of Environmental law increased. and well-known in the final quarter of the 20th century. One example of this is the laws designed to safeguard the environment. But public health was the field in which "disease and a poor environment went hand in hand" was first acknowledged.

The right to a healthy environment has gradually gained recognition since it was first mentioned in the 1972 Stockholm Declaration, which was made in the 1970s. The first principle goes as follows: "Man holds the inalienable right to freedom, equality, and suitable living conditions in an environment that allows for a life of dignity and well-being."

The privilege of a healthy environment has gained recognition on a national and regional scale as a consequence of the Stockholm Declaration. Today, Over 120 States currently ratified regional environmental and human rights accords that protect the privilege of a healthy environment, according to UN Special Reporter David Boyd.



KEYWORDS: Environment, recognition, suitable, regulation.

ENVIRONMENTAL HEALTH:

According to the WHO, All elements of human health—physical, chemical, biological, social, and psychosocial—that are impacted by environmental factors both life quality and environmental health. elements of environmental governance that environmental health, along with life quality. Aspects of environmental control, which negatively affect the health of both the current and upcoming generations are also covered, including the theory and practice of recognizing, addressing, preventing, and managing these challenges. Our surroundings affect our health in a variety of ways. Human health is

impacted by the climate and weather. Sufficient food, potable water, and adequate housing are all necessary to preserve public health. Natural disasters like gusts, cyclones, and floods still claim a great number of lives each year.

Environmental Protection Laws in India:

Wildlife (Protection) Act, 1972:

The Wildlife (Protection) Act was passed by the Indian Parliament with the intention of preserving and protecting wildlife. To preserve ecological and environmental security, it offers protection to species of wild animals, birds, and plants.

Water (Prevention and Control of Pollution) Act, 1974:

This Act was introduced in 1974 to promote stream and river cleanliness and manage and prevent water pollution. Additionally, it makes sure that the water for the facility is kept clean and restored. To ensure that safeguard both human and marine life, The release of effluents into bodies of water is prohibited through the Act Concerning the Preventing and managing pollution in Water. In addition, the aforementioned legislation permits the formation of organizations like the Central Pollution Control Board (CPCB) and the State Pollution Control Board (SPCB), and grants them the requisite authority to guarantee that suitable actions are implemented to prevent water pollution.

Act on Protection of the Environment, 1986:

Making provisions since the main goal of it is to preserve and enhance the environment. Environment (Protection) Act avert water contamination. The Act gives the Centre the by managing hazardous waste, controlling the location of industries, and conservating the wellbeing and general health of the general population. The agenda of this Act, which is an overarching piece of legislation, is to create a structure for the administration of the Central and State organizations founded by the Water Act of 1974. power to put appropriate environmental avoidance and management measures into action.

The National Green Tribunal Act 2010:

- It was created in tandem with the 1992 Rio Summit to offer legal and administrative remedies for those harmed by pollution and other environmental issues.
- Moreover, it conforms to Article 21 of the Constitution, which protects citizens' the entitlement to a healthful environment.
- Within six months of the appeals being filed, the NGT must decide the instances that are presented before it.
- Regarding matters pertaining to significant environmental questions, the NGT has original jurisdiction.
- NGT handles civil actions regarding the seven environmental acts:
 - 1) Water (Prevention And Control Of Pollution) Act, 1974
 - 2) Water (Prevention And Control Of Pollution) Act, 1974
 - 3) Air (Prevention And Control Of Pollution) Act, 1977
 - 4) Forest Conservation Act, 1980
 - 5) Environmental Protection Act, 1986
 - 6) Public Liability Insurance Act 1991
 - 7) Biological Diversity Act, 2002.

CONVENTIONS:

Vienna Protocol:

- Adopted in 1985 and putting into force in 1988, the Vienna Convention is one of the environmental conventions.
- It provides a framework for international efforts to protect the ozone layer, but it lacks legally binding goals for cutting back on CFC use.

- The Vienna Ozone Layer and its Montreal Protocol on Substances that Deplete the Ozone Layer safeguard the ozone layer across the entire planet.
- The Vienna Agreement to Preserve the Ozone Layer was ratified by India on June 19, 1991.

International Agreement on Climate Change (UNFCCC):

- The United Nations Framework Convention on Climate Change (UNFCCC) is an environmental convention.
- The UN organization tasked with supporting the global response to the climate change issue is the UNFCCC secretariat, also referred to as UN Climate Change.
- The United Nations Framework Convention on Climate Change is abbreviated as UNFCCC.
- The principal objective of the Paris Agreement is to restrict the increase this century's average worldwide temperature to 1.5 degrees Celsius higher than before industrial levels.
- The 2015 Paris Accord (COP 21) is regulated by the Convention, which has 198 Parties and nearly universal membership.
- The UNFCCC produced an agreement that was finalized in 1997 and known as the Kyoto Protocol.
- The UNFCCC secretariat was established in Geneva in 1992 after the three agreements were ratified by governments.
- The agreements' ultimate goals are to prevent adverse human interference utilizing the climate apparatus and to stabilize greenhouse gas concentrations within the atmosphere at a level that would permit sustainable development.
- Since 1996, the Secretariat's headquarters are in Bonn, Germany. COP 26, also known as the U27nited Nations Climate Change Conference, was held in Glasgow, Scotland, from October 31 to November 12, 2021. Italy and the United Kingdom orchestrated it.
- The 27th Convocation of the Participants in the UNFCCC (COP 27) is scheduled to take place in Sham El-Sheikh, Egypt, from November 6–November 18, 2022.

Stockholm Agreement:

The Stockholm Convention, a global accord, was approved by the Conference of Plenipotentiaries in 2001 and became operative on May 17, 2004. It was developed as a defense against harmful POPs that were suspended in the atmosphere for a long time. The convention aims to reduce or completely phase out the use of POPs through the proactive initiatives of its member countries.

Key Points Regarding the Stockholm Convention:

- As per the Stockholm Convention, the Global Environmental Facility (GEF) is the designated temporary financing vehicle.
- With support from the U26nited Nations Industrial Development Organization (UNIDO), developing nations and economies in transition are putting the Stockholm Convention into practice.
- The Stockholm Convention aims to establish control mechanisms for persistent organic pollutants (POPs) to ensure their continued use. (Organic pollutants that linger)

BASEL CONVENTION 1992:

With the introduction of controls and regulations on Basel Convention's objective is to disposal of hazardous and other waste is environmental preservation. In the late 1980s, negotiations for the treaty began within the framework of the United Nations Environment Programme (UNEP).

The Basel Convention's Key Points:

- 1992 saw its implementation.
- Switzerland's Geneva is home to the Basel Convention secretariat.
- To control the transboundary flow of hazardous and other wastes, it uses the Prior Consent Approval procedure.

- Unless otherwise specifically agreed, non-parties are not permitted to transport hazardous waste to or from one another. These types of transportation are prohibited by the Basel Convention.
- The treaty stipulates that each of the convention's signatory countries must have national laws that both prevent and punish the illegal trafficking of like dangerous wastes.

THE RIGHT TO A HEALTHY ENVIRONMENT:

On October 8, 2021, the UN a resolution recognizing the human right to a safe, healthy, and sustainable environment as a fundamental human right was adopted by the Human Rights Council. Even though this right is already recognized in over 150 national jurisdictions, its global recognition creates opportunities for both stronger domestic application and efficient integration into international law.

Current Situation Regarding the Right to a Clean, Healthy, and Sustainable Environment:

Over time, the entitlement to a healthy environment has gained prominence, beginning with its mention in the 1970s and continuing through the 1972 Stockholm Declaration. According to its main tenet, "Man has the fundamental right to freedom, equality, and adequate living conditions, in a setting of a standard that permits a life of dignity and well-being."

National and regional recognition the entitlement to a healthy environment has resulted from the Stockholm Declaration. The the entitlement to a healthy environment is protected under human rights and environmental treaties with more than 120 countries.

Our health is impacted by many environmental factors. Extensive research has demonstrated the significant influence that environmental risks have on human health, either directly through exposure to toxic substances or indirectly through disruption of life-sustaining ecosystems. The precise contribution of environmental factors to the onset of illness and demise remains undetermined; however, the World Health Organization (WHO) has approximated that thirteen Millions of deaths occur annually, and these are attributable to avoidable environmental causes. In addition, the study discovered that environmental factors are in charge of 23% of global deaths and 24 percent of diseases (premature mortality),with the environmental burden of disease being 15 times higher in underdeveloped countries.

Every minute, five children in developing countries die from diarrhea or malaria. Every hour, 100 children die as a result of breathing in solid fuel smoke indoors. In developing cities, exposure to urban air pollution results in approximately 1,800 deaths per day. Monthly poisoning deaths in developing countries account for close to 19,000 deaths

RIGHT TO LIFE UNDER ARTICLE 21:

The right to a life that is rich, free, and worthy of dignity is one of the core principles of human existence. Without unwarranted intervention from others, all of them the right to live their life as they see fit. The freedom to protect one's own life and liberty is a necessary component of a robust democracy.

India's inhabitants are entitled to Section III of the Indian Constitution of 1950 guarantees the Essential Right to Individual Freedom and Life Protection. Given that these essential liberties are protected from state action, no action taken by a state authority may violate a citizen's right to such a right unless it does so in compliance with the framework established by these rights, which stand for the core principles that the public cherishes.

Article 21 of this part states that "No individual may be denied their life or liberty unless it is according to the legal process," this is commonly referred to as the Freedom of Life and Personal Liberty.

Right to a Healthy Environment:

The abundance of resources and endowments that nature has bestowed upon mankind since the beginning of time form the basis for human life. Since living in a pollution-free environment is

necessary for truly enjoying life, it should not be surprising that this right is included in the complete Right to Life. That being said, one of the requirements is a space that is orderly, healthy, and peaceful.

Right to get pollution-free water and air :

Without access to clean drinking water, we cannot last even five days, and without air, we cannot last even thirty minutes. Having access to clean air and water is necessary to keep up good physical health and mental health.

This privilege as part of Article 21 was highlighted in the Subhash Kumar v. State of Bihar⁸ case. The court ruled that everyone has the essential right to access clean water and air, and that anyone can petition if something jeopardizes those resources. However, this specific PIL was dismissed because the State Pollution Control Board had previously determined that the petitioner's private interests were in jeopardy.

Protecting the environment from pollution and harm:

The environment is important because, in addition to providing for our own food, water, and air needs, we also need to protect the ecosystem as a whole, which keeps the ecological balance of the planet in place. Get more about some of the decisions that have enhanced environmental protection by looking through the cases that are listed below.

JUDGEMENTS RELATED TO HEALTH AND ENVIRONMENT:

Occupational Health and Safety Association v. Union of India (2014)⁹ The court remitted the case to other High Courts so they could investigate the issue of thermal power plants in their respective states, while acknowledging that's the case the State's duty to protect workers from dangerous or unhygienic working conditions. Navtej Singh Johar v. Union of India (2018) - Homosexuality

The court decided that because Section 377 made private, consensual sexual acts between adults—that is, those over the age of 18 who are competent to consent—illegal, it violated Articles 14, 15, 19, and 21 of the Constitution. The court used the human dignity principle to accomplish this. Consequently, it was decided that as long as both parties provided their free consent, it was acceptable for LGBT people to have sex.

It is evident that the idea of human dignity is not unchangeable. Rather, it includes all the liberties and rights that enable an individual to live a fulfilling life without fear for their safety, dignity, or self-respect.

Olga Telli and Ors.v.Bombay Municipal Corporation (1986)- Right to Livelihood. The government had a valid reason for expelling the pavement and slum dwellers because they were using the land for their own personal gain, the court decided, despite the the reality that they were dismissed their right to a livelihood. But even so, they shouldn't be considered trespassers because they were completely defenseless when they entered the dirty areas. Resettlement was permitted to those whose population counts came from before 1976, with evictions scheduled to take place after the monsoon season.

Even though the residents' successful resettlement was not achieved and that the State occasionally used the case as justification for eviction, the case helped establish the Right to Livelihood as a Fundamental Right.

Subhash Kumar v. State of Bihar (1991)

A citizen may petition the court if something taints the pure water supply or air, because the court decided that these are essential rights for survival. But this specific PIL was rejected because the State Pollution Control Board had already implemented sufficient pollution-control measures, and the petitioner brought the case purely for personal gain.

M .C. Mehta v. Union of India and Ors. (2004)

The court banned any mining operations, in the surrounding ruling that the Aravalli hill range had to be preserved at all costs. It arrange a Monitoring Committee to supervise the enhancement of the surroundings.

Re: Noise Pollution case (2005)

After recognizing the negative effects of loud noise, the court issued the following orders to stop it:

1. Using loud firecrackers at night is prohibited.
2. Installing a speaker volume limiter.
3. It is not allowed to sound a car horn in a residential area after dark.
4. Raising awareness of how detrimental noise pollution is.
5. Giving the government the authority to seize loudspeakers that are louder than allowed.

Given the dire statistics of climate change, the environmental-pollution situation is likely on a stronger legal foundation than it was a few decades ago, but significant work remains in carrying out the necessary changes if we are to save the planet.

SUGGESTION :

Gather and examine data regarding existing or possible workplace risks.

It's likely that you already know a great deal about the situation at work. This could comprise records from earlier incidents, such as OSHA 300 and 301 logs, workers' compensation records and reports, insurance carrier inspection reports, data from exposure monitoring, and employee input in the form of surveys or safety meeting minutes.

By keeping track of and recording all of this information in a centralized RISK MANAGEMENT SYSTEM, you can assess the risks that are present at work and accelerate the processes for implementing changes.

Conduct safety inspections to identify new or recurring hazards. As workplace operations change over time, new hazards can evolve that need attention. Regular safety inspections of equipment, facilities and work areas can assist in hazards before they materialize incidents.

With MOBILE DATA INTAKE, you can conduct safety inspections accurately and efficiently by documenting each area directly from the field. Safety inspectors can upload photos or videos of problem areas in addition to inputting written observations. Additionally, you can create bespoke forms for each type of inspection to guarantee that all pertinent data is appropriately gathered. Investigate incidents to determine the underlying hazards and pinpoint areas for improvement.

When incidents occur in the workplace, it's crucial to investigate them thoroughly and identify the root causes to prevent future occurrences. With a SAFETY MANAGEMENT SOLUTION, You are able to carry out root cause analysis. from start to finish in a central system. This approach eliminates data silos and can help you make definitive links between incidents and the underlying contributing factors. You can also create and track completion of corrective actions and recommendations related to investigations, with the ability to send automated alerts for certain criteria. By streamlining these processes, you can be more efficient and comprehensive when investigating incidents and prevent future hazards.

Determine patterns among reported diseases, injuries, and dangers.

If data is siloed in many systems and formats, it can often be challenging to identify patterns of regularly occurring incidents. You can simply spot trends in reported occurrences and unearth hidden insights by connecting data sources in a system with ADVANCED ANALYTICS AND REPORTING capabilities. In this situation, geospatial analytics can be very useful as they let you overlay your incident data on maps that show the locations of each of your properties. With clever visual aids, you can share your findings with other stakeholders in standardized, comprehensible forms. Think about anomalies related to crises or exceptional circumstances.

While it's crucial to recognize potential risks when carrying out everyday tasks, numerous risks might also develop in emergency or non-routine situations.

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