

IMPACT OF ENVIRONMENTAL EFFECT WITH RESPECTIVE INDIAN LAWS

Aleti Rajashekar Reddy
Research Scholar
Shri JJT University
Rajasthan
Lionarsreddy99@gmail.com

Dr. Jaipal Reddy Battu
M.Sc, LLM, PhD
Principal
Bhaskar Law College
Hyderabad
drjrbattu@gmail.com

Dr. Vijay Mala
Research Supervisor
Shri JJT University
Rajasthan

ABSTRACT:

Environment pollution is a wide-reaching problem and it is likely to influence the health of human populations is great. This paper provides the insight view about the affects of environment pollution in the perspective of air pollution, water and land/ soil waste pollution on human by diseases and problems, animals and trees/ plants. Study finds that these kinds of pollutions are not only seriously affecting the human by diseases and problems but also the animals and trees/ plants. Still time left in the hands of global institutions, governments and local bodies to use the advance resources to balance the environment for living and initiates the breathed intellectuals to live friendly with environment. As effective reply to contamination is largely base on human appraisal of the problem from every age group and contamination control program evolves as a nationwide fixed cost-sharing effort relying upon voluntary participation. Environmental protection is a global concern of the world today, and there is need to protect environment as well as to achieve development through industrialization to feed the growing population of the world. Now we have to strike a balance between both of them. India has always improvement of the fore-front of taking all possible steps for the protection and improvement of the environment and aiming at sustainable development. Since, men is the creator and moulder of his environment, his conduct can be regulated through the instrument of law. Thus, it can be seen that in India, there has been a regular development of the law regarding the protection of the environment. However, neither the law nor the environment can remain static. Both are dynamic in nature.

Key words: Environment Pollution, Human health, Indian Laws.

1.0 INTRODUCTION

Today the environmental pollution and its protection is a global concern, an effort by a single country or few countries for environmental protection will surely negates the results and unless all the nations collectively take up the cause for environmental protection, this green



Law

“Origin of Fundamental Rights and Directive Principles of State Policy”

Dr. Vijaymala *

Abstract

The directive principles, although basic within the governance of the country, don't seem to be enforceable by any court in terms of the categorical provisions of Article thirty seven of the Constitution, whereas basic rights are enforceable by the Supreme Court and also the judiciary in terms of the categorical provisions of Article thirty two and 226 of the Constitution. This does not, however, mean or imply any categorization between the 2. It social side will, however, be amended solely by legislation to hold out the objectives of the directive principles of state policy. The research through this paper tries to look at and explore the inter-relationship between basic Rights and also the Directive Principles, enshrined partly III and half IV of the Constitution severally. The first a part of the paper can specialize in the origin of the idea of Directive Principles and basic rights, and hence on however inspite of them having a typical origin, they were separated. Consecutive a part of the paper can agitate however the judiciary in India has understood the relations between half III and half IV.

Keywords: Fundamental Rights, Directive Principles, State Policy, Constitution.

Introduction

ORIGIN OF FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY

Although, the basic Rights and also the Directive Principles of State Policy (hereinafter DPSPs) seem within the Constitution distinct entities, traditionally each had a typical origin. Initially, the leaders of the freelance Movement had drawn no distinction between the positive and also the negative obligations of the State. Each had developed as a typical demand, as merchandise of social and national and social revolutions, of their virtually indivisible intertwining and character of the Indian politics itself. The demand certainly lowest individual rights dates back to 1895, once the Indian National Congress was shaped. Indians needed identical rights and privileges as that enjoyed by British in India. The primary express demand for the basic rights was created within the Constitution of India Bill, 1947. Article sixteen of the Bill arranged down a range of rights as well as free speech, free-state education etc. the target of guaranteeing sure plain rights or sealed rights against oppression was at the rear of the resolution of Madras Congress in 1927 that provided putting in of a

* Asst. Prof, Dept. of Law, Shri JJT University, Jhunjhunu, Rajasthan



EVALUATION OF THE PROBLEMS OF POLLUTION STATUS OF THE URBAN AND RURAL SECTIONS

Aleti Rajashekar Reddy
Research Scholar
Shri JJT University
Rajasthan
Lionarsreddy99@gmail.com

Dr. Jaipal Reddy Battu
M.Sc, LLM, PhD
Principal
Bhaskar Law College
Hyderabad
drjrbattu@gmail.com

Dr. Vijay Mala
Assistant Professor
Shri JJT University
Rajasthan

ABSTRACT:

The places in which persons live, work, and play can contribute to the development of adverse health outcomes. Understanding the differences in risk factors in various environments can help to explain differences in the occurrence of these outcomes and can be used to develop public health programs, interventions, and policies. Efforts to characterize urban and rural differences have largely focused on social and demographic characteristics. A paucity of national standardized environmental data has hindered efforts to characterize differences in the physical aspects of urban and rural areas. Understanding the differences between rural and urban areas in air and water quality can help public health departments to identify, monitor, and prioritize potential environmental public health concerns and opportunities for action. Besides some natural process, the main sources of air pollution in India are automobiles, thermal power plants, industries, agriculture and quarrying. During the process of combustion of fossil fuels, oxides of carbon and particulates are generated. Apart from this, various industries also generate other pollutants such as SO₂, H₂S, ammonia, and oxides of nitrogen, hydrocarbons, and other toxic substances, including ozone, lead and fluorides. The nature of urban and rural air pollution is quite different in India, therefore, their respective causes, effects and remedies are also different.

Key words: Air pollution problems, Rural and Urban sections, Public Health

1.0 INTRODUCTION

To start with, one has to know what the word pollution means. Pollution means to make dirty, destroy the purity, and sanctity of from a legal point of view. Pollution is the wrongful contamination of air, or water, or of soil, to the material injury of the right of an individual. In the past mainly the eighteenth and nineteenth century the world witnessed major inventions which revolutionized the way the world functioned. There were mechanical

Law

Equality and social Justice: A Constitutional Diathesis of Protective Discrimination in favor of Women in India

Vijaymala *

The world has a long and unfortunate history of sex discrimination. In almost all societies women have been treated with inferior position. In India also women have long history of suffering and even of exploitation. The women suffered from a variety of economic and social inequality which prohibited them from exercising their human rights and freedom in society.

But with the development of society and the emergence and spread of new ideas of equality, liberty and fraternity there came a new social awareness, all over the world to adopt a new social awareness and to bring about the emancipation and freedom of women. Today no country in the world can afford to ignore the position of women in national life. Rather mental efforts are constantly being made in every country, for the uplift and liberation of women and thus to bring them at par with men in every possible respects. In India the post independence era have witnessed remarkable developments in this respect. A number of new laws have been passed to improve the status of women.⁽¹⁾

The framers of the Indian constitution prohibited any kind of discrimination on ground of sex.⁽²⁾ prohibited traffic in human beings⁽³⁾ including traffic in women for immoral purposes.⁽⁴⁾ not only this, the constitution requires positive act equalization between the sexes by giving preferential treatment in favour of women.⁽⁵⁾

Concept of Protective Discrimination and Preferential Treatment of women

Preferential treatment in favour of

women is worldwide phenomenon. Article 103 of the declaration of elimination of discrimination against women, 1967 says that ".....measures taken to protect women in certain types of works for reasons inherent in their physical nature shall not be regarded as discriminatory." Although the 27th amendment of the American constitution rules out any discrimination on the ground of sex.⁽⁶⁾ but judiciary has been conscious from very beginning to protect the interest of women by preferential treatment. In Muller v/s Oregon justifying the regulation of the working hours for women employee even though such regulation was not necessary for men, the supreme court of American said:-"women's physical structure and the performance of maternal function place her at a disadvantage in the struggle for assistance and her physical well being become an objective of public interest and vigour of the race."

Few people argue that women no longer suffer from any peculiar disability or backwardness in the political sphere and that no discrimination should be permitted between sexes in this field.⁽⁷⁾ In Dattaray V/S state of Bombay⁽⁸⁾ the Bombay high court upheld the separate representation in favour of women in local bodies. However it may be pointed out that Dr. Basu's reliance on Nainsukh's case is misplaced.

In Nainsukh's case discriminations was practiced on communal and a religious ground which is not protected by any of the accepting clauses of article 15.⁽⁹⁾ A similar question came up for consideration before Patna high court in Rama Chandra V/S State of Bihar.⁽¹⁰⁾

* Ph. D Research Scholar, JJT University, Chudella, Jhunjhunu, Rajasthan

Law
Child Protection & Child Rights
*Vijaymala**

Abstract

Every child has a right to protection. This not only includes children who are in difficult circumstances and those who have suffered violence, abuse and exploitation, but also those who are not in any of these adverse situations and yet need to be protected in order to ensure that they remain within the social security and protective net. Child protection is integrally linked to every other right of the child. The failure to ensure children's right to protection adversely affects all other rights of the child and the development of the full potential of the child. Child protection is about protecting every right of every child. It must also relate to children's capacity for self-reliance, self-defence, and to the roles and responsibilities of family, community, society and State.

Introduction

In India yet also constant debate that what age a person is census to be a child. The census of India considers children to be any person below the age of 14, as do most government programmers. Biologically childhood is the stage between infancy and adulthood. According to the UNCRC's child means every person below the age of 18 years under the law applicable to the child, majority is attained earlier. This definition of child allows for individual countries to defer mine according to the on discretion the age limits for a child in their own laws. But in India different laws define differently age limits of Childs.

No child below the age of the seven may be held criminally responsible for an action under section 82 of IPC. In case of inability or mental disability to understand the consequences of the criminal responsibility age is 12 years U/S 83 of IPC. At least a girl must be complete 16 years in order to give sexual consent if she is married, in which case the prescribed age is not less than 15 with regard to protection against kidnapping abduction and related offenses the given age is sixteen for boys and eighteen of girls.

Under article 21(a) of the Indian constitution all children between the ages of six year to fourteen years provided with free and compulsory education. Article 45 says that the state should provide early childhood care and education to all children up to six year. Article 51(k) states the parents/guardians of the children between the age

of six and fourteen should provide them with opportunities for education.

The child labour act 1986 defines a child as a person who has not completed fourteen years age and an adolescent is one that has completed fifteen years of the age but has not completed 18 years age. According to the factories act adolescents are allowed to work in factories as long as they are deemed medically fit but May not for more than four and half hours a day. The motor transport workers acts 1961, and The Beady And cigar workers acts 1966, both define a child as a person who has not completed 14 years of age. The Mines act 1952 is the only labour related act that defines adult as person who has completed eighteen years of age.

The prohibition of child marriage Act, 2006 states that a male has not reached majority until he is twenty-one years of age and a female has not reached majority until she is eighteen years of age. The Indian Majority Act, 1875 was enacted to create a blanket definition of a minor for such as the guardians and wards act of 1890. Under the Indian majority act 1875 a person who has attained age of 18 years. This definition of a minor also stands for both the Hindu minority and guardianship act 1956 and the Hindu adoption and maintenance act 1956. Muslim, Christian and Zoroastrian personal law up holds 18 age of the majority. The first juvenile justice act 1986 defined a boy below 16 years of age and a girl below 18 years of age.

**Ph. D Research Scholar, JJT University, Chudla, Jhunjhunu, Rajasthan.*