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An Emphasis towards the undervalued aspects of Air Pollution

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ABSTRACT

Air pollution in urban cities is always a problem in India, considering both the consequence of polluting industries for economy of the nation as well as political elements, for example, not prioritizing the very basic requirement of better environmental policies and non-existence of active participation from the public. Moreover, it influences the general wellbeing in India and has an ecological outcome on the aerosphere which is a important component for farming on which most of Indians depends. In any case, the Indian government has made a few implementations to control the same, as in case of resorting to a cleaner fuel, forming proper laws for decreasing the emissions, and taking all proper measures in providing information to the general public regarding the pollution and its consequences and regarding the restrictions which may help to provide a better standard of living to the people. The author has tried to highlight some of the recent instances in India related to air pollution and how the government has taken measures to resolve them.

I. INTRODUCTION

“The climate crisis has already been solved. We already have the facts and solutions. All we have to do is to wake up and change.”

- Greta Thunberg (Environmental Activist)

India, which is home to almost 1.37 billion, is also one of the most polluted nations. Various studies³ have shown that almost 1.2 million Indians die each year due to air pollution. Air pollution is one of the major reasons for the degradation of environment in India. It acts as a catalyst for all kinds of adverse health issues such as cancer, cardiovascular diseases, respiratory problems and other terminal diseases. When the concept of Air Pollution comes beforehand, the world knows the basic factors behind it are Industrial Pollution, Industrial

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³ “Bindu Shajan Perappadan, *In India, Air Pollution is the third-highest cause of death among all health risks: report*, THE HINDU (3rd April 2019), <https://www.thehindu.com/sci-tech/energy-and-environment/over-12m-early-deaths-in-india-in-2017-due-to-air-pollution-report/article26719117.ece/amp/> . (accessed on: 10th July 2020)”

Waste, Carbon emission from automobiles, etc. But what we fail to perceive is that there are some widely affecting other factors behind the highly alerting climate change that we are undermining today. We cannot put a ban on all the industries nor can we seize the automobiles from just being existing and being the major cause of Air Pollution. But what we can do is put a check and come up with a solution to cure these undervalued problems that are indeed a highly effecting cause of climate change today. These are the problems that are existing within us from centuries but still are conspicuous to our eyes. We always fail to overlook these problems which results in the environmental degradation at this arousing level that we face today, which has not only affected the mother nature but also human being in ways that results in the driving of nails into our own coffins. These undervalued problems, if looked upon, can not only be cured but may help in preventing the climate change at an alarming rate. All they need is some attention and some actions to be taken upon. The problems that the mass not only fail to notice miserably but also do practice at a continuous rate are hereby discussed upon.

II. CROP BURNING

The act of crop burning in India is among the significant reasons of atmospheric pollution in Northern part of India. Crop burning was very common till 1990 before the government confined it due to increasing level of pollution it caused. The process of crop burning is when after the harvest period the remaining grains of paddy, wheat etc. are burned so as to minimise the preparation time between harvesting and planting for the '*rabi crop*'. The malpractice of burning is very common and can be seen in states such as Punjab, Haryana and Uttar Pradesh. In the state of Haryana and Punjab, every year approximately around 34 Million Tonnes of crop wastes are burned⁴. Smoke from this burning produces a cloud also known as smog which results on the deterioration and depletion of the air quality over New Delhi and its adjacent areas. In a study it was stated that due to crop burning around 149.24 Million tonnes of *CO₂*, more than 9 Million tonnes of *CO*, 0.25 Million tonnes of *SOX* and around 0.07 Million Tonnes of *black carbon* are released⁵. These directly affect the health of the people and are likewise the reason for the increasing rate of global warming.

Although crop burning in an offence under Section 188 of the IPC and the Pollution Control Act of 1981 the government lacks proper implementation policies and all such activities goes

⁴<https://www.hindustantimes.com/delhi-news/delhi-s-pollution-nightmare-crop-burning-in-nearby-states-begins/story-djXJY8W0Ugzm8dgsxmbN0K.html> (accessed on: 10th July 2020)

⁵ <https://www.downtoearth.org.in/blog/agriculture/stubble-burning-a-problem-for-the-environment-agriculture-and-humans64912#:~:text=A%20study%20estimates%20that%20crop,million%20tonnes%20of%20black%20carbon.>

unpunished and thereby degrades the air quality. Despite all this, in the year 2015, the NGT banned crop burning in the states of Rajasthan, Uttar Pradesh, Haryana, and Punjab. In the following year, Delhi High Court also passed an order against the same. Punjab government also imposed a fine of Rs 73.2 lakh on some cultivators for burning of crop residue. In 2018 the National Green Tribunal in case of *Vikrant Kumar Tongad v Environmental Pollution (Prevention Control) Authority and Ors*⁶ imposed a fine of Rs. 2,00,000 (2 lakh) on the Delhi Government for not filing an action plan for providing incentives and infrastructural assistance to farmers to restrict them from burning crop to prevent air pollution. But all these failed to have any constructive impact on the farmers as they continued to burn crop residues and thus resulting in harming the environment adversely.

III. JUNKYARD

Most of the recycling process is being carried out in big cities by various scrap dealers and dismantlers. India's biggest and largest scrap yards and junk yards are located in big cities such as Mayapuri located in Delhi, Pudupet located in Chennai, Ukkadam located in Coimbatore, Mallick Bazar situated in Kolkata and Lohar Chawal based in Mumbai.

As use of vehicles are increasing the proper management, treatment and disposal of vehicles at their end-of-life has become a concerning issue. At present, discarded vehicles are recycled by the semi-formal sector such as scrap dealers or dismantlers. The vehicles are taken down altogether and are reused or recycled. Parts of the vehicles are also sold to secondary metal processing units for recycling or recovery. This process of secondary material recovery is a major threat to the environment. It also ensures various health hazards as such activities are low grade and are mostly carried out without using proper equipment and tools.

On March 7, 2001, Unilever's illegal dump of toxic mercury wastes in the dense watershed forest and in a scrapyards in a thickly populated part of Kodaikanal, Tamil Nadu was exposed by the local citizens and environmentalist. The factory was shut down immediately. In the months that followed, it was revealed that several tons of mercury was discharged into the environment, and evidence began surfacing that workers and residents were completely in the dark about the dangerous effects of mercury.⁷

14 years later, neither has environmental contamination been cleaned, nor have affected workers been rehabilitated. In place after place in Tamil Nadu and India, the same story is

⁶ 2018 SCC OnLine NGT 558

⁷Panel Discussion on 16th May '15: Unilever's Toxic Legacy in Kodaikanal, KODAI MERCURY, <http://kodaimercury.org/panel-discussion-unilevers-toxic-legacy-in-kodaikanal/>. (accessed on: 10th July 2020)

repeated – in Ranipet, Kodungaiyur, Mettur, Cuddalore, Manali, Thoothukudi. The Government enthusiastically clears the way for industries to set up, by convincing villagers and acquiring their lands. But when things go wrong and workers or residents are hurt by pollution, action to rehabilitate affected people or contaminated sites takes time or does not happen.

A 2002 study by URS Dames & Moore, HUL's consultant, reports that the factory discharged more than 1.3 tonnes of mercury into the Pambar Shola Reserved Forest which is now part of the Kodaikanal Wildlife Sanctuary. The study notes that HUL illegally sold more than 43 tonnes of mercury wastes containing 440 kg of mercury to scrap merchants, including 5.3 tonnes that were found dumped in 2001 in a scrapyards in a crowded part of Kodaikanal town. It was for this offence that the state environmental regulator shut down Unilever's thermometer factory.⁸

The 1.3 tonnes of mercury discharged into the forest cannot be recovered. Much of it will circulate within the sensitive forest ecosystem, harming wildlife and building up in food chains. The Pambar Shola is a sub-montane tropical evergreen forest with vibrant floor-level, aquatic and arboreal ecosystems. The contaminated factory site continues to leak mercury-laden silt into the Pambar Shola watershed. An October 2015 study paid for by Unilever found high levels of mercury in three of five sediment samples taken from the Pambar Shola forests.⁹

Similar scene can also be found in Mumbai. For many Mumbaikars, living in and around Dharavi is just another place as the abyss. One of the biggest ghettos in Asia, though Dharavi doesn't have a major industry, it is home to many scrap recycling units and small-scale industries. It houses tanneries, recycling units, pottery kilns and plastic washing units, making it one of the most polluted and contaminated spot in the city.

Pollution from the scrap recycling units and kilns spread to Mahim, Sion and Bandra. A comparison of the January 2012 and January 2013 pollution readings by Maharashtra Pollution Control Board in Sion shows that the average respiratory suspended particulate matter (RSPM) has doubled from 101.53 ug/m³ last year to 208.89 ug/m³ this year.

IV. LANDFILL

Landfills also known as "Landfill sites" are locations where disposable materials are buried

⁸ *Unilever's Mercury Pollution in Kodaikanal, India – Claims vs Reality*, KODAI MERCURY, <http://kodaimercury.org/unilevers-mercury-pollution-in-kodaikanal-india/>. (accessed on: 10th July 2020)

⁹ Ibid.

underground as a method of recycling such waste. Landfills are mainly of three types Municipal solid waste (MSW) landfills (to dispose household waste), Industrial waste landfills (to dispose industrial and commercial waste) and Hazardous waste landfills (to dispose harmful wastes). In the process of decomposing a certain gas is produced known as the Landfill Gas (LFG). LFG is composed of methane, which is its primary component and the rest is carbon dioxide and some non-methane organic compounds. LFG, if not treated properly can be a huge threat to the environment as it can cause global warming at an alarming rate. Gases such as methane and carbon dioxide can heat up the earth very quickly and hence result in global warming. As LFG is made up of these gases any Land fill site is a breeding zone for man-made pollution. Moreover, Local streams could also become polluted with toxins seeping through the ground from the landfill site. It is also seen that once such sites are filled they cannot be redeveloped again since they become too polluted. Landfill sites can also produce bad odours during the process of decomposing and hence it can be difficult to stay in the neighbourhood. But all of these can only happen if such decomposing is done without taking proper measure.

If LFG is properly captured and converted, it can be used as a renewable energy resource. Using LFG will help to reduce odours and other hazards associated with LFG emissions. Taking proper precautions would prevent harmful gases like methane from migrating into the atmosphere and contributing to local smog and global climate change. Moreover, LFG energy projects will generate revenue and create local jobs.

The Apex Court in case of *Almitra H. Patel and Ors. v. UOI and Ors.*¹⁰ held that landfill sites be identified keeping in mind requirement of the city for next 20 years and environmental considerations, sites be identified for setting up of compost plants, steps be taken to prevent fresh encroachments.

Aside from the money related costs, trash covered in landfill separates at an exceptionally moderate rate and stays an issue for whom and what is to come.

The Annual report released by CPCB in year 2001-2002 stated that wastes should not be allowed to get disposed off directly (without pre-treatment) into the landfill facility and suggested that wastes coming to the landfill should firstly go through the paint filter test.¹¹

V. CONCLUSION

The human beings are always talking about the various ways their lives are miserable and

¹⁰ (2004) 13 SCC 538

¹¹ The Annual Report of CPCB, 2001-2002, Chapter XIV, para 14.6.1

about certain reasons that are hurting our lives and we should not be thankful for the air contamination which is increasing at rapid rate and affecting us more than anything. As every coin has two sides same goes here, as science and technology is helping us in various ways as well as helping us in knowing the consequences of the pollution, it is also playing a role in increase of air pollution.. The NGT in case of *Durga Dutt v. State of H.P*¹² dealing with issue relating to pollution, laid down certain guidelines for tourism, establishing a green tax fund, maintaining the vehicular pollution and release of Black Carbon, shifting to biodegradable waste, etc. in order to better preserve the nature, environment and atmosphere of the pristine glacier. However, the problem is a lot larger than a single issue.As of late, a study on atmospheric contamination and malady has come up, providing us with the fact that the depletion in air quality will have more worse consequences that one can imagine. According to the most recent reports accessible, as a nation, India radiates 534 kilotons of Black Carbon yearly with significant commitments from local utilization, burning of crop residues, sugar industry, dung cake burning, and vehicles. There is an urgent need to be the pioneers of change and it is not possible for us to take enormous steps like Paris Climate Meet again and again. So instead of debating upon and trying to cure the problems that may seem impossible to cure or may take decades to come into action like curbing industrial and automobiles waste, what we can do is seek up to these more effective alternative like scraping junkyards, crop-burning, landfills, etc, which may not only be our first step towards a better tomorrow but also towards a greener tomorrow.

¹² Application No. 238 (THC) of 2013 (CWP No. 5087 of 2011)