SHORT NOTE ON NEW ENVIRONMENTAL CHALLENGES

Written by Anju Rani

Asst. Professor Govt. Law College Gopeshwar, Chamoli, Uttrakhand

INTRODUCTION

Environmental pollution is becoming a serious problem for the entire planet Earth day by day. Greed for limitless enjoyment and comfort has led human towards the exploitation of nature's wealth. This exploitation is destroying Earth's health so rapidly that every creature on earth will be in danger very soon. Technology oriented lifestyles is causing great danger to the whole world. The quest for materialism has turned man in to a savage hunter who is hunting earth's resources everywhere.

The term 'Environment' means--- The word 'Environment' includes all parts of nature necessary for health and happiness of man. It includes the entire surrounding the land, water and the air which are essential for living being.

According to the Encyclopedia Britannica the term 'Environment' means the entire range of external influence acting on an organism both the physical and biological and other organism i.e. forces of nature surroundings an individual.

Environment plays an important role in human life as well as the development of society with growing technological advancement and industrialization, the purity of the environment has been threatened to the extent where it is affecting everyone's life. The Hindu philosophy says that human body is composed of five elements Akash (Sky or Space), Vayu (Air), Jal (Water), Agni (Fire) and Prithvi (Earth) we called them Panch-tatva. According to this fact human body is created by nature and if we are spoiling nature we are spoiling ourselves. At present PPM (parts per million) level in earth's atmosphere is 410 PPM, compared to 280 PPM before industrial revolution.

Earth is now facing a lot of environmental problems like global warming, acid rain, air pollution, water pollution, noise pollution and ozone layer depletion, which is causing grave

and irreparable damage to the natural world.

So pollution is defined as the composition of harmful substances or products. These contaminants can have dire effect on entire ecosystem making life more difficult for human, plants and animals. Industry and motor vehicle are the number one pollutants and they are throwing Carbon dioxide (CO2), Sulfur oxides (SOx) and other harmful gases into the atmosphere which deteriorate air quality. Water pollution is caused by various gases and toxin released by factory and industrial waste that deprives soil from essential nutrients. But now world is facing a new problem about environment is e-waste.

What is e- waste? Electronic waste or e-waste describes discarded electrical or electronic devices. Used electronics which are destined for reuse, resale, salvage, recyling or disposal are also considered E-waste.

E-waste is created when an electronic product is discarded after the end of its useful life. The rapid expansion of technology means that a very large amount of e-waste is created every - minute. Tremendous growth in use of I C T device (I C T means "Information and communication technologies" that provides access to information through telecommunications.)And service, faster. Change of technology and new innovations in I C T sector had left the world with a threat for environment as the waste of electronic and electrical equipment which contains hazardous components.

E-Waste causes and effects? The main cause or rather reason for the increasing e-waste is the increased number of products because of development, technology, human mentality and population. E-waste is not being disposed properly that's why the world is facing a new challenge as far as environment is concern.

We must address the question of disposal of large numbers of "end of life" Computers and other IT equipment. We can now also understand that this industry is globalizing at a fast rate or rather an alarming rate, all of this because of development caused by globalization. In this modern era technology is growing at lightning fast speed. This technology results in the coming of newer products and appliances which has negative effect on human body. E-waste------Electronic waste affect nearly every system in the human body due to contain a plethora of toxic components including Mercury, Lead Cadmium, polybrominated flame Retardants, Barium and Lithium. Even the plastic casings of electronics products contain polyvinyl chloride. The health effects of these toxin on human include birth defects brain, heart, liver, and kidney. They will also affect the nervous and reproductive system of the human body. When computer monitors and developing industrialized countries. E-waste connected health risks might result from direct contact with harmful materials such as Lead, Cadmium Brominated flame retardants, Polychorinated biphenyls due to inhalation of toxic flames as well as from accumulation of chemicals in water, soil, and food. However, this issues poses a very real threat and danger to the global environment at all levels.

A recent report from the United Nations Environment Program (UNEP) found nearly 90% of e-waste is being illegally dumped and traded. Due to the relatively new issue of E-waste disposal, many countries-especially ones -This has led to environmental risks from the internal components of discarded electronics specifically heavy metals.

The role of Indian Judiciary in waste management to control pollution problem- According to the International Court of Justice "Environment is not an abstraction but represent the living space, the quality of life and the health of human beings including generation unborn." In recent years there has been a sustained focus on the role played by the judiciary of India to monitor the implementation measures for pollution control.

Judicial role in E-waste management in India- the Supreme Court of India has made immense contribution to environmental challenges of our country. It has entertained quite a lot of genuine public interest litigation case. Article 32 of the constitution. High court has these power in Article 226 of the constitution. These court have issued various directions on a number of issues concerning environment as part of their overall writ jurisdiction and in that context they have developed a better decision method about environment.

They have used Art-21 of the constitution of India and explained the meaning of the word "life" in that art.as including a right to a healthy environment. Supreme court in a writ petition (civil)no.657 of 1995 filed by the Research foundation for science Technology and Natural Resource policy / Union of India and others inter-alia directed the central Government to constitute a monitoring committee to oversee timely compliance of its direction given in different regulatory mechanism to central e-waste and its environmental effects.

There are legislation to regulate the disposal and management of E-waste in India. The various legislation enacted by the Government of India are- (1)The Hazardous Waste(Management and

Handling) Amendment rules 2003.

(2)Guidelines for Environmentally sound Management of E-waste 2008.

(3)The E-waste (management and Handling) Rules 2011. These rules will apply to every producer, consumer or bulk consumers. The producer will be responsible for entire life cycle of E-waste. The principle adopted in this rule is based on "Extend Producer Responsibility" Extended Producer Responsibility can be considered as strategy to control and manage E-waste.

(4) Factories Act 1948--Several Components are listed in this Act.

(5) Train's boundary Movement of E-waste covered under the Basel Convention.

(6) India ratified the convention in 1992.

(7) Waste importers exploit such gaps as listed in the Convention.

This problem cannot be addressed by the law alone, we'll have to educate every single person on the planet so that this E-waste issue can be handled properly. If we ignore this our coming generations will have to face the repercussions.

Print and electronic media can play an important role to educate the common man about the Ewaste and its disposal. Government will have to pay more attention towards this problem so that environment can be protected for future generations.