

[1]

SPEECH OF HON'BLE MR. JUSTICE VIJENDER JAIN, CHIEF JUSTICE, PUNJAB AND HARYANA HIGH COURT, CHANDIGARH IN A SEMINAR "ENDANGERED ENVIRONMENT AND HUMANITY" ON 5th NOVEMBER, 2007 AT BAR COUNCIL AUDITORIUM.

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The word "environment" is of broad spectrum which brings within its ambit "hygienic atmosphere and ecological balance", therefore, it is not only the duty of the State but also the duty of every citizen to maintain hygienic environment. In India we are fortunate that Supreme Court has interpreted Article 21 of the Constitution of India encompasses right to life as a fundamental right. Enjoyment of life and its attainment including right to life with human dignity includes in its ambit protection and preservation of environment, ecological balance free from pollution of air and water, therefore, environmental protection has become great concern for human existence. There is plethora of legislation in this regard. However, the State and the people in general have to participate together in creating awareness of environmental hazards.

The main cause for environment degradation is lack of effective enforcement of various laws. If I may say, though quite regretfully, that there is also lack of proper, effective and timely enforcement of even orders passed by courts, though it is a matter of some satisfaction that in last about

[2]

two decades, the Supreme Court and High Courts have pronounced number of judgments and orders and issued various directions with the objective of securing the protection and preservation of environment and enforcement of human rights of citizens. Right to life in Article 21 of Constitution of India means something more than survival of animal existence. It includes right of healthy living. Therefore, when we talk of environment degradation, we talk of violation of rights under Article 21. We talk of violation of constitutional rights of poor- children and future generation. For protection of these rights, there has to be stringent enforcement coupled with increased level of awareness.

The environmental problems of today whether it is air and water pollution, ozone depletion, land degradation, deforestation, destruction of ecosystem or mismanagement of waste all damage our natural environment and life on earth. None can afford to be complacent considering enormity of the problem and large area to cover. Take for example, threat to forest and wild life. There is tremendous pressure on forests and unsustainable removals and threat of massive destruction and wild life habitat. Every person and institution has to play the assigned role to the best of one's capability to save India's forest and wild life.

[3]

What is needed most is commitment and dedication to the cause of protection, preservation and conservation of environment. While many people recognise that environmental pollution is an extremely urgent problem but when placed in the context of seemingly more immediate problems such as poverty, crime, corruption and religious and social conflicts, the environment often loses. The inter-relationship between environmental degradation and many of India's serious problems is often overlooked. It is necessary to stress on the relationship between destruction of environment on one hand and social as well as health problems on the other. It is especially the poor and illiterate who are most exposed to environmental pollution. It is necessary to enlighten them of the link between social and environmental problems. This realization can propel environmentalism to the top of national agenda. Who has suffered the most whether it be Bhopal Gas Tragedy or any other similar disaster? It is the poor and illiterate. It is this class which is exploited most- whether in case of illegal felling of trees or killing of animals- vested interest mislead them- misguide them. This class has to be educated about the need to protect environment for their self-preservation as well. It can be done by medium of Television, Radio and Print media. They can increase environmental

[4]

awareness or even help remedying environmental problems. The communication media can play a positive role in the protection and preservation of environment. They can play an active role in alerting people about environmental damages, corporate failure to meet its legal obligations and truthful analysis of new legislations.

The press has been very active in keeping the public well informed about various burning issues. The print media need to be more vigilant in exposing environmental issues. The role of the print media is of the utmost importance as the courts and other bodies, like the National Human Rights Commission, do take cognisance of reports published in the newspapers. Therefore, the Print Media must ensure truthful reporting. The glare of publicity can also result in prompt punitive and preventive action by authorities. The only caution that needs to be exercised is that in the zeal to expose violations and in targeting violators, the media should refrain from actually trying an alleged violator.

Regarding Television, though, there are several channels completely devoted to environment and nature issues, endangered species and wildlife, but what is important is the making of interesting programmes

by Doordarshan, targetting at raising environmental awareness because large number of masses watch Doordarshan. The environmental initiatives on television can be successful, if they are interesting. The programmes are to be customized to the requirement of the audience, be it rural or urban.

The school education can significantly promote environmental awareness. Environmental education became an integral component of the National Policy on Education in 1986. It was declared that there is a need to create consciousness of the environment which must permeate all ages and all sections of the society beginning with the child. Environmental consciousness should inform teaching in schools and colleges and should be integrated in the entire education process. Though environmental education has been integrated into the National Curriculum Frame Work, and as a result of directions issued by the Supreme Court, Environmental Science was made mandatory for undergraduates and Environmental Studies was introduced as a subject for students of Class 1 to 5, but environmental education problems are still far from over. The question still being examined is whether environment should be taught as a separate subject or it should be infused with other subjects. These problems require early solution. A child right from the beginning has to be taught how to act in a

[6]

more environmental friendly manner for which besides schools, the village elders and government officials can also play a vital role.

The emergence of NGOs represents an organised response by the civil society, especially in those areas in which the State has either failed to reach or done so inadequately. The importance of Public Awareness and NGOs involvement in environmental protection is acknowledged worldwide. It was also highlighted in Rio- Conference in 1992. UNCED supported NGO involvement in an unprecedented manner.

Before I conclude- a few words about corporate social responsibilities. Companies should commit themselves to reducing their environmental impact and should create a set of environmental principles and standards and should have environmental audit. Companies should recognize that to be effective, an environmental policy needs to be adopted by employees throughout the organization, not just by those whose work is related to the environment. Towards that end companies should engage in a variety of activities, especially education, to help employees understand the environmental impact of their jobs and to support their efforts to make positive changes. To help ensure that their products and processes are environmentally responsible, companies should buy greener products and

[7]

materials from their suppliers. Products themselves may be made more environmental friendly, with regard to the control of emissions, noise, reduced health and safety risks, and reduced energy requirements. Both potable water and agricultural water is becoming scarce in India. Over use of underground water leads to increase in salinity. The water team, therefore, must ensure optimum use of water in all processes and ensure minimization of its waste in industry.

It is necessary to emphasize that problem of environmental degradation can be tackled only by concerted efforts by every person, organisation and institution and by extremely stringent enforcement of the laws. We have to educate, spread awareness, involve and motivate every child, woman and man in the country to conserve the local flora and fauna, soil and water resources and all other gifts of God which are national properties and belong to all and to none individually. I hope that deliberations in this Seminar will go a long way in protecting and preserving the environment.

There is No Upward Population Spiral

There is no upward human population spiral; and higher world

[8]

food production is not about to cause one. In fact, the world is 40 years into the first human era when more food production means better diets for kids, instead of an increase in human numbers.

The current world population surge, now nearing its end, was caused by modern medicine lowering death rates. Births per woman in the Third World have dropped from 6.2 in 1960 to about 2.8 today and are still declining rapidly. Population stability is 2.1 births, and the First World is already below that, at 1.7 and declining. The birth rate reductions have been caused by factors such as increased food security, rising personal incomes, female education and urbanization- all of which lead couples to use improved contraceptive technology. The birth decline is dramatic and unprecedented.

However, the world's total population will continue to increase (much like a train that has applied the brakes, but takes a while to stop) from the current 6 billion to perhaps 8 or 8.5 billion before it re-stabilizes about 2035. After 2050, we can expect a long, slow population decline as more-urban, affluent couples desire two or fewer, children.

Meanwhile, the Netherlands and Singapore are among the nicest places in the World to live, even though they are among the most

crowded. Tajikistan and the African Congo are not nice places to live, even though they have lots of land per person. (In other words, overpopulation is probably not the most urgent problem of the 21st century).

Can There be Room for Both People and Wildlife?

The world is already farming one-third of its land area, even though we are now feeding high quality, resource-expensive diets to less than one billion people. By 2050, the trends indicate that 8 billion people may be able to afford and demand such diets. We'll need nearly three times as much farm output as the world harvests today.

High -yield farming has already saved at least 12 million square miles of forests and wildlands. That is how much more land we'd have plowed to get today's food supply if we still got the low crop yields of the 1950s, before the Green Revolution. (For perspective, the world's total forest area is 16 million square miles). Instead, we're feeding three times as many people as the world had in the 1950s, from essentially the same amount of cropland we used then. (We've lost some forest in the Third World, and gained forest in the United States and Europe.).

Conservation and biodiversity is also enhanced by high yield forestry. By 2050, six billion newly affluent people will want the comfort of

modern housing and furniture. Much of it should be made from a renewable resource called wood. Eight billion people will want newspapers and books. Forest product demand could and should to double (as opposed to using more steel and concrete).

A managed forest can readily produce ten times as much wood per acre as a wild forest, and “designed” forests with trees selected to match the agroclimate can produce more than 20 times as much. These managed forests can provide good wildlife habitat, but their real function is to relieve the logging pressure on 95 percent of the wild forestland.

Opponents Demand Low-Yield Organic Farming

There is a loud minority of the First World's population that rejects high-yield farming. They say the world already has plenty of food, that it is simply a “distribution problem”. But India in 1959 harvested only about 60 million tons of grain. Today, India harvests more than 240 million tons of grain per year, and still reportedly has some 300 million underfed citizens. How many hungry people would India have today if it still produced only 60 million tons of grain per year? How many of the poor could buy food?

