AN CONTRAVENTIAL ESSAY ON BAN OF CRACKERS AS A JUDICIAL INTERVENTION OR INTRUTION

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No, The ban of burning of crackers cannot be consider as a judicial interference. The judicial posses with the duty of protecting environment from various harmful hazardous substances. Here a question arises whether industries which are situated in our countries pollute our environment?

ANSWER:
Though as India is consider to be an developing country it should contain industry for the economic development of the country as the crackers is concerned, It plays an very less role in the development of a country. So the economic development of country is possible ever without the burning of crackers.

ABSTRACT
The ban of crackers is considered to be an contravential issue in the present scenario. As India is considered to be a developing country, It contains many legislations regarding the environmental issues. The intervention of government cannot be considered as a wrong involvement, as the organs of government have many responsibilities towards the protection of Environment. The parliament plays a vital role in enacting legislation regarding the protection of the environment and also a prior duty of it to prevent our economy from various hazards. The judiciary has a prior responsibility to safeguard the environment from various exploitations and possesses with the power to implement and follow the Laws enacted by the Indian parliament. The bursting of crackers may cause environmental degradation which may further lead to ecological imbalance. The crackers which is manufactured in India contain many hazardous substances. Bursting crackers may emit harmful pollutants which blend with air and cause air pollution. The polluted air may bring an acid rain which further leads to water pollution. Recently the supreme court passed a verdict regarding the banning of bursting crackers at Delhi and NLC. About 40% Fire crackers factories are granted with temporary license in the year of 2016. The bursting of crackers also affect the animal and create an anxiety on them. Animal suffer from severe diarrhea and other respiratory problems because of bursting of crackers. According to the various zoologist “More than 700 birds were burned due the bursting of crackers and some birds lost their locomotion due to complete damage of feather. The pathetic situation of animal were detail discussed in this essay. This essay helps in discussing various contravential point on the judicial involvement and various intervention of government on the burning of crackers. This essay also enumerate the various legal provisions regarding the environmental protection in various part of judiciary.

Keywords: Legislations, Intervention, Environment

BAN OF CRACKERS ON THE ANGLE OF CONSTITUTIONAL PROVISION
The Constitution of India is known as a lengthiest document in our India which act as a platform of our Indian citizen. This helps in providing guidelines to the citizen of India and explain various rights and duties of citizen. The constitutional provides various environment related provisions Article 21 also explain about the “freedom of the citizen to get pollution free air and water”. This decision was explained by the honorable supreme court in the famous case of SUBASH KUMAR VS UNION OF INDIA. The burning of crackers cause air pollution which make the water pollutant by the way of acid rain. The water bodies will get polluted and creates water contamination on it which affects water species. The also impose a duty on a citizen by the way of pipe (ie) constitution by inserting the fundamental duties on it. The article 51 A(g) of the Indian constitution impose the duty on the citizen in which the article clearly explain about duty of the environment in the protection of environment and other resources like river, lake and forest areas. The burning of crackers will pollute our country. The Directive principle of state policy also insist the country in making laws regarding the protection of environment. As state is consider to an superior authority it is vested with the power of enacting law regarding the protection of environment. The state and the central can make any environmental provision regarding the protection of our country under the concurrent list. As the citizen of India we should protect India from various harmful depletion.

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BAN OF CRACKERS ON SIDE OF ENVIRONMENTAL LAW

Environmental law play a vital role in the protection of environment from various harmful hazardous things. The Stockholm conference (1972) is also known as United nations conference on human environment. This conference was conducted mainly to discuss and takes necessary steps regarding the protection of environment from various disasters. During this conference the members laid down 26 important principles regarding the protection of environment. The main important principles are Safeguarding the forest ands the patient and the bursting of crackers. Some patient may suffer from various vital diseases which requires a proper sleep for them. The bursting of crackers may spoil our environment by polluting it. The Air Prevention and pollution Act, 1982 also prevent it from various pollutant eminent which was emitted from industries and factories. The smoke emitted from the crackers will blend with the air and which result in the acid rain, down pouring of such acid rain may cause soil erosion and destroy important monuments. The world wonder Taj mahal was damaged due to such acid rain.

DISEASES DUE TO BURSTING OF FIRE CRACKERS

The sulphur dioxide cause sneezing, wheezing, throat pain and also tightness of chest. The bursting of fire crackers may cause several injuries not only on human beings but also on infant, old people, children etc. The normal standard decibel level of human being is 60 db. Increase In decibel may cause an harmful effect on human such as loss of hearing, irritation, shivering of body, bleeding from nose, anger, heart attack, nervous disorder. The inhaling of smoke from fire may also cause Common cold, chronic bronchitis Sinusitis, Rhinitis, pneumonia etc. The crackers like wallas and hydro bomb cause 250 cc of smoke, This smoke which release from such kind of crackers blend with air and cause air pollution. Such polluted air will be inhaled by may of the living beings which may cause harmful effect on them. Such kind of living species will be affected from enormous diseases. The polluted air may further bring acid rain. Such kind of acid rain will reach the soil and cause soil erosion. When the acid rain also cause an enormous harmful effect on living species. More than 45% of the trees were damaged due to such acid.

EFFECT OF BURSTING OF ROCKET

During the time of Deepavali people got damaged due to the usage of rocket. The sometimes enter in many houses and cause severe damage to them. Rocket also cause damage to the vehicles. The injury due to small crackers may cause damage of skin, rashes and irritation in eyelid and wounds. The crackers like atom bomb may result severe damages like loss of eye slightness, bleeding of eyes etc.

HARMFUL EFFECT OF CRACKERS ON ANIMAL

Bursting of fire crackers not only harms the human but also other living being like animals. During the time of Diwali the animals suffer from various troubles due to the bursting of fire crackers. The undergo various changes on themselves due to the bursting of crackers. The standard decibel capacity of animals are more than the humans, as it has an strong hearing and sensing capacity. Many animals suffer from severe fear due to the bursting of crackers. The animals on the road were unable to find place for their own dwelling. Some animals constantly roam due to such loud noises. Some people undergo mental stress and pressure due to their own stress and problems, In the same way the animals also undergo severe mental and physical injury due to the fire crackers. Some animals on the road get an severe injury on their body due to such fire crackers. The bursting of fire crackers will pollute the stagnant water on the road. The animals which live on the road drink the polluted water on the road and also undergo certain vigorous changes on their body. The polluted water contain many harmful chemicals which cause an uncurable disease on it. Some birds may shift there places due to such loud noises. Some people may tie the crackers on the animals tail and enjoy on seeing their sufferings. Most of the animals will be given anti anxiety to protect them.

BAN OF CRACKERS AS A NOISE POLLUTION TO THE HOSPILALIZED

The burning of crackers is consider to be an factor which that plays a vital role in ecological imbalance. The bursting of crackers affects the people who are hospitalized. Some crackers like atom bomb may cause disturbance to them. The hospitalized people should take an complete rest in order to overcome their particular diseases. The bursting of crackers may disturb them from having proper sleep. Due to the intake of sleeping pills the patients should have an proper sleep. This bursting of crackers disturb the patient and cause lack of sleep on them. This lack of sleep may cause an mental and physical pressure on them. The lack of sleep may also cause some side effects on them like vomiting, body pain, drowsiness, lack of proper listening ability. This bursting of crackers affect their mental ability and cause an mental pressure on them. Some patient may suffer from various vital diseases which requires a proper sleep for them. The bursting of
crackers near hospitals may create unnecessary trouble for them. There are many hospitals in a dwelling areas. bursting of crackers near such areas will make them restless. There are Some hospitals which are situated near a highway. Such hospitals which are situated near main road disturb the patient who admitted in a hospital.

CRACKERS ON THE ANGLE OF DISASTER
The bursting of crackers is consider to be an disaster. An incident is consider to be an disaster which negatively affect the human population. An action is termed as disaster when it cause an hazardous to an mankind. The crackers which are used by us contain may hazardous substances such substance which blend with air and cause air pollution breathing of such air may cause many harmful diseases such as respiratory problem, asthma, lung obstacle etc. As the air is consider to be an common phenomena. The air which was breathed by the people may cause many effects on them. Many people have lost their life because of inhaling of such air. Such incident are consider to be an disaster as it has been negatively affecting the population. The bursting of firecrackers affects most of the living specious and other hospitalized people. Thus this bursting of crackers is also termed as a disaster.

BURSTING OF CRACKERS AFFECTING ECOLOGICAL BALANCE
The bursting of fire crackers cause an ecological imbalance this ecological imbalance may inturn lead to ecological degradation. The environment around as consist of many living specious and also an invisible organism. Our present generation is polluted due to various harmful gases which was emitted from various things The exertion from the factories mix with the water and cause air pollution, such water may cause various harmful diseases to organism which dwell in the water . Such water may get contaminated and cause various diseases to the mankind who are residing near that particular area . Bursting of crackers may emit various harmful gases from it. Such substances will blend with air and cause an ecological imbalance where that ecological imbalance may lead to economic degradation.

BHOPAL GAS TRAGEDY
The Bhopal gas is consider to be an major disaster which happened in an chemical industry. The industry loaded a heavy ton of chemical in a tannery which was bursted out and killed huge population. The harmful gases which emitted from the chemical blended with air and killed most of the people who in healed that air. This was consider to be an important industrial disaster. The government took necessary initiative through various means. The parliament also enacted a new act called ("Disaster management Act, 2000") which was prevailing on existence and helps the government in taking necessary steps in various disaster outcome and also provide various precautionary plans for the outcome of various disasters. The disaster management act also helps in proving various financial help to the people who suffered from various harmful natural calamities such as flood. In present scenario various remedy where taken to meet various natural problems. Buildings where constructed strongly and various drainages where opened to avoid the stagnation of water on the road area. The stagnated water on road area affects the people locomotion. The drainage which are situated in a road area where opened due to heavy rain and flood. The opened drainage water contain many dust particles and also various dirt on it. It also contain various human and other excretion on it. Such drainage water mix with the flood water and create various invisible organism, which cause various diseases to the human and animal who are residing their. Some human beings affected from various incurable diseases and also from Ebola disease. The bursting of crackers is also consider to be an disaster as it negatively affect the population.

BURSTING OF CRACKERS “A TROUBLE TO VEHICLE”
A bursting of crackers cause trouble to the vehicle especially due to the crackers. The vehicle like atom bomb during the night cause an trouble to the people who are driving on the road. People driving during the night may undergo various troubles due to such crackers. Those most of the roads in many places where already consist of many stones and and various obstacles people who are experienced in driving also undergo many troubles during the night time. The people who are traveling with the infant in the two wheeler are affected from various injuries due to such fire crackers. The rocket are used by most of the people during Deepavali cause problems to the people who are traveling through two wheeler.

CONCLUSION:
The ban of cracker is an important and it was consider to be an contravention issue in present scenario. On November the court gave verdict regarding the ban of crackers and gave temporary license to the people on

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considering the personnel life of the people. The bursting of crackers will create happiness on one for just an particular period on the same side the bursting of crackers may affects most of the people by causing various harmful effects on them. The bursting of crackers emit various harmful gases which not only affect the living being but also the environment. Thus the ban of crackers may cause may good impact and may also protect the environment. The environmental law contain may provision regarding the protection of environment from various hazardous and it also a fundamental duty of a citizen to protect the environment from various harmful things, which was stated in article 51 A of our Indian constitution. In the present days our environment is degraded in enormous ways. The environment is suffering from ecological imbalance. There should be an sustainable development in our economy to protect ourselves from various harmful ecological degradation and natural calamities. The sustainable development means where the development of society should be 50% and the environment development should be 50%. As our India is consider to be an developing country it should concentrate on both ecological balance and the environment. Thus the sustainable development is necessary to maintain the ecological balance. So that the ban of crackers is needed for the successful development of country.