

# **ENVIRONMENTAL PROTECTION ACT & Drug and Cosmetics Act**

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**Topic** : Environmental Protection Act

&

Drug and Cosmetics Act

# ENVIRONMENT

- Old French word, **En=In; Viron = Circle.**
- The circumstances, objects, or conditions by which one is surrounded.

*Or*

- The complex of climatic, edaphic (soil-based), and biotic factors that act upon an organism or an ecologic community.

# PUBLIC HEALTH DEFINITION OF 'The Environment'

All that which is external to the individual host. [It] can be divided into physical, biological, social, and cultural factors, any or all of which can influence health status in populations.

- Last, J. M. (Ed.). (1995).

*A Dictionary of Epidemiology*

# WHO DEFINITION OF ENVIRONMENTAL HEALTH

- Environmental health comprises those aspects of human health, including quality of life, **that are determined by physical, biological, social, and psychosocial factors** in the environment.
- It also refers to the **theory and practice of assessing, correcting, controlling, and preventing those factors in the environment** that can potentially affect adversely the health of present and future generations.

# CONTRIBUTORS TO THE 'ENVIRONMENT'

## ☐Physical:

- Air, water, soil, housing, climate, geography, heat, light, noise, debris, noise etc.
- Air pollutants, toxic wastes, pesticides etc.

## ☐Biological:

- Virus, bacteria and other microbes, insects, rodents, animals and plants
- Disease producing agents, reservoir of infection, intermediate host and reservoirs of infection,

# CONTRIBUTORS TO THE 'ENVIRONMENT'

- ❑ Social/psychosocial/socioeconomic:
  - Culture, values, customs, habits, morals, religions, education, lifestyle, community life, health services, social and political organizations.

## **DEFINITION:-**



- According to Gostin, “Public health laws are such legal forces and duties of organized society, by which conditions for maintaining citizen’s health are ensured.”
- Public health law refers to a statute, or rule or local ordinance that has the purpose of promoting or protecting the public health.



# ***NATIONAL IMPORTANCE OF PUBLIC HEALTH LAWS:-***

- The chief objectives public health laws at national level is proper regulation and management of health services.
- ❖ Strengthen the nation's health infrastructure
- ❖ Following the international health laws
- ❖ Identification of government's limitations in the area of health

# Cont...

- ❖ Making necessary financial provision for health .
- ❖ Proper utilization of national resources .
- ❖ Maintaining economic discipline in the area of health
- ❖ Protection environmental health
- ❖ Protection of food and maintaining nutritional level
- ❖ Protecting citizens from drug addiction, alcoholism etc.
- ❖ Protection to consumers health services
- ❖ Protection from environmental pollution and other health risks.

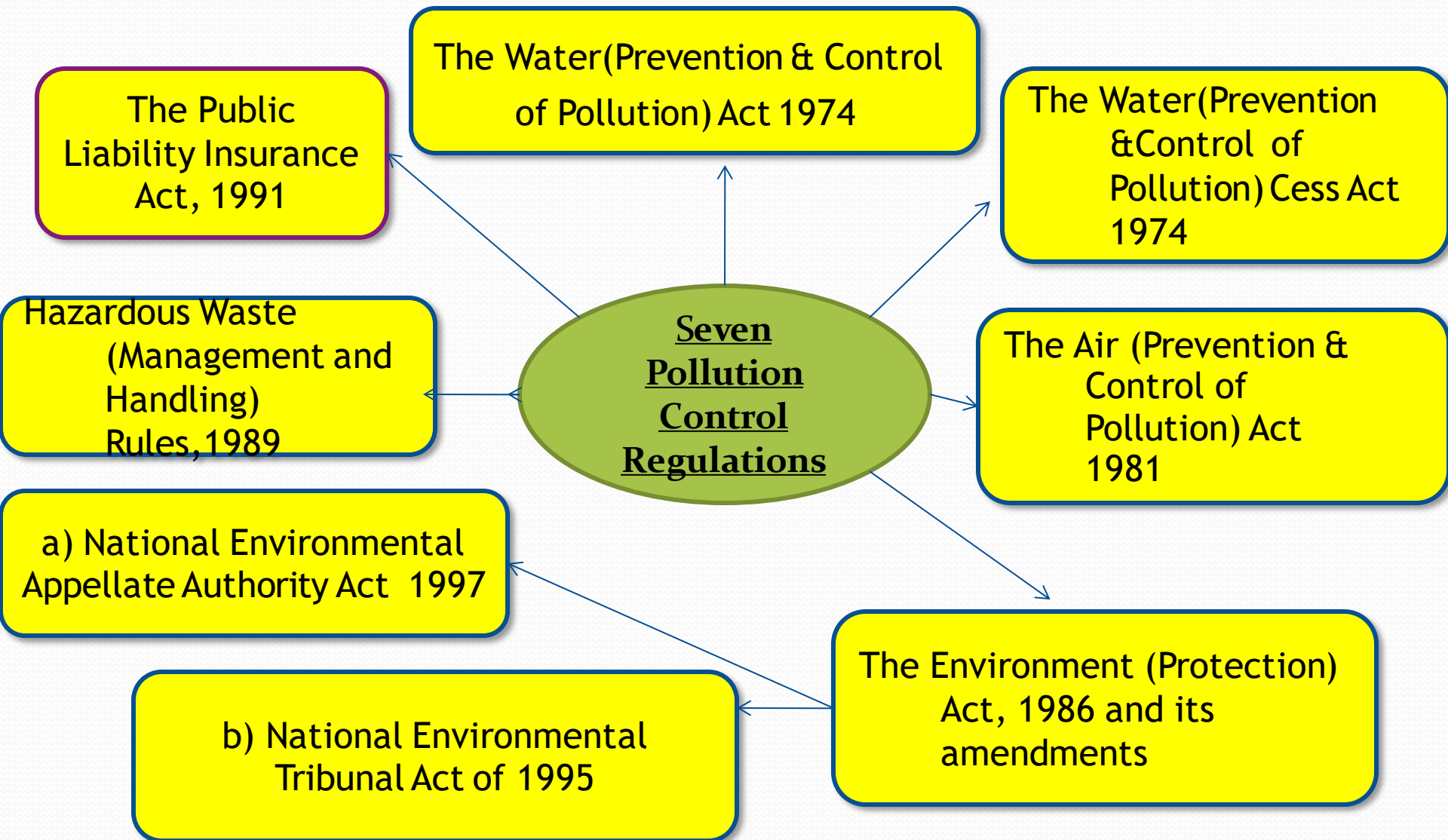
# ENVIRONMENTAL PROTECTION ACT

- In 1976, when the Indian parliament passed the 42<sup>nd</sup> amendment to its constitution safeguarding the environment, it became the first country in the world to do so.
- The amendment was to “endeavor to protect and improve the environment and to safeguard the forests and wild life of the country.”
- According to the **Environment Protection Act of 1986**,  
Environment is that which includes the “inter-relationship which exists among and between water, air, and land and human beings, other living creatures, plants, micro-organism and property.”

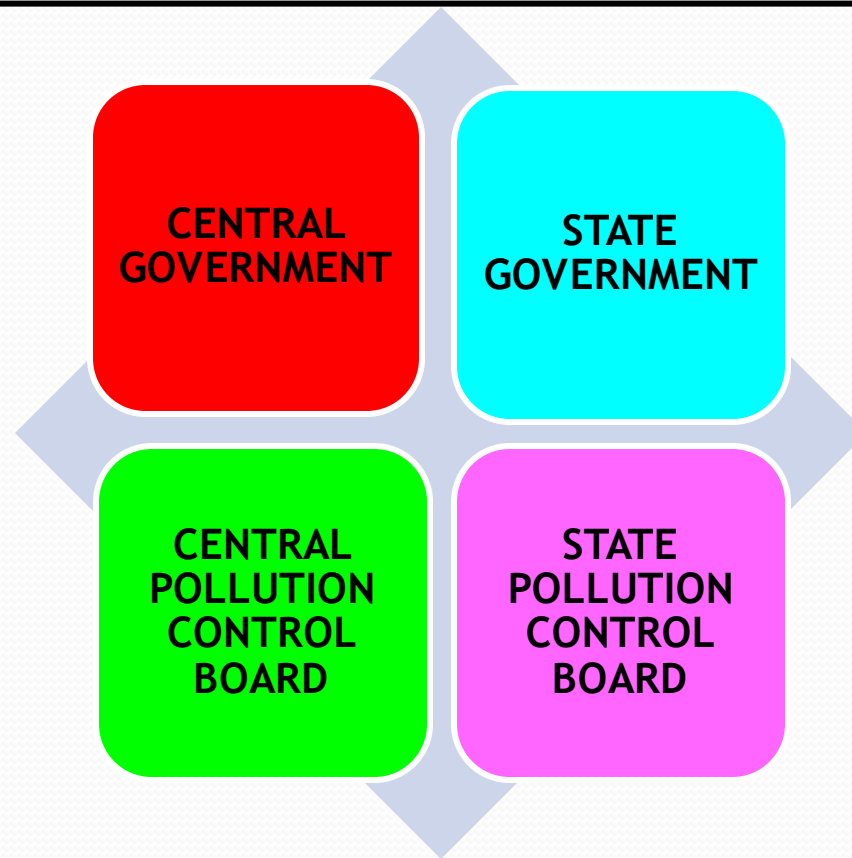
# OBJECTIVES OF ENVIRONMENTAL PROTECTION ACT

- ❖ To protect the forests and wildlife in the country.
- ❖ To improve the quality of life by protection of environment.
- ❖ To co-ordinate the activities of the various regulatory agencies already in existence.
- ❖ To appoint environment officers to check environmental pollution.
- ❖ Establishing environmental laboratories.

## Basically, there are seven Pollution Control Regulations



# REGULATORS OF THE ACT





# FUNCTIONS OF THE CENTRAL BOARD

- **Advise** the Central Government on any matter concerning the prevention and control of water and air pollution and the improvement of the quality of the air
- **Plan and execute** a nation-wide programme for the prevention, control or abatement of water & air pollution
- **Coordinate** the activities of the State Boards and resolve disputes among them; provide technical assistance and guidance to the State Boards, carry out and sponsor investigation & research relating to problems of water & air pollution and for their prevention, control or abatement
- **Plan and organize** training of persons engaged in programmes on the prevention, control or abatement of water & air pollution
- **Organize** through mass media, a comprehensive mass awareness programme on the prevention, control or abatement of water & air pollution

- **Collect, compile and publish** technical and statistical data relating to water & air pollution and the measures devised for their effective prevention, control or abatement; prepare manuals, codes and guidelines relating to treatment and disposal of sewage and trade effluents as well as for stack gas cleaning devices and stacks of ducts;
- **Disseminate** information in respect of matters relating to water & air pollution and their prevention & control;
- **Lay down**, modify in consultation with the State Government concerned, the standard for stream or well and lay down standards for the quality of air; and
- **Perform** such other functions as may be prescribed by the Government of India.



# FUNCTIONS OF THE STATE BOARD

- **Advice** the State Government with respect to suitability of any premises or location for carrying-out any industry which is likely to pollute a stream or well or cause air pollution
- **Lay down** standards of treatment of sewage and trade effluents for emission of automobiles, industrial plants or any other polluting sources.
- **Evolve** methods of disposal of sewage and trade effluents on lands.
- **Develop** reliable and economically viable methods for treatment of sewage, trade effluents and air pollution control equipment.
- **Granting** consent to polluter under the Water & Air Act, and authorization to facilities for disposal of hazardous waste, bio-medical waste under the respective Rules of E(P) Act, after getting satisfied of the performance of their control facility.
- **To inspect** water and wastewater treatment installation, air pollution control devices, hazardous & bio-medical waste development facilities.
- **Assess** the quality of ambient water & air

# THE CENTRAL AND STATE POLLUTION CONTROL BOARDS

## Authority Of the Boards ;

- Pollution Boards are to be headed by a Chairman and a few members who are all appointed.
- The Chairman as well as the Board members are appointed by the respective governments.
- The members to be appointed to the Boards are to be selected from various interest groups such as Corporations, Public Health Engineering, Agriculture, Forestry, Fishery, etc.

## THE WATER(PREVENTION & CONTROL OF POLLUTION) ACT, 1974

- The purpose of this act is “to provide for the prevention and control of water pollution and the maintenance or restoring wholesomeness of water for the establishment
- The Act specifically prohibits “any poisonous, noxious or polluting matter’ into any stream or well.
- A consent from the State Board is required for any type of new discharge into any new stream or well.
- Under these rules, “effluent standards to be complied with by persons while causing discharge of sewage or silage or both” have been specified. Standards for small scale industries have been specified separately.
- Penalties for non-compliance with the permit or polluting in any way are imprisonment for three months and fine of Rs. 10,000 or fine up to Rs. 5,000 per day of violation

# THE WATER (PREVENTION & CONTROL OF POLLUTION) CESS ACT, 1974

- This law provides for the levy and collection of a Cess on water consumed by persons carrying on certain industries and by local authorities, with a view to augment the resources of the Central and State Boards for the prevention and control of water pollution Act, 1974.
- Collection of Cess was based on the quantity of water consumed. The State government had the authority to collect the Cess from the industry.

# WATER RELATED DISEASES

- ❖ Acute and chronic toxic effect of chemical pollutants
- ❖ Disease associated with inadequate use of water
- ❖ Dental health problem: 1gm fluoride/liter water is beneficial for dental health.
- ❖ Vector borne disease: Malaria, filariasis etc.
- ❖ Cardiovascular disease: hardness of water have beneficial effect on hardness of water.

# The Air(Prevention & Control of Pollution)Act, 1981

- This Act was passed for the “prevention, control and abatement of air pollution.”
- This law defined an air pollutant as “any solid, liquid or gaseous substance present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment.”
- In this Act, power to declare air pollution, control areas has been given to the state government after consulting the State Board.
- Standards to industries have been specified. Penalties were for a minimum of six months imprisonment to a maximum of seven years and fine up to Rs. 5,000 for every day

# SOURCES OF AIR POLLUTION

- ❖ ***Automobiles:***  $\text{CO}_2$ , Co, Pb,  $\text{NO}_2$ , Black Smoke.
- ❖ ***Industries:***  $\text{SO}_2$ ,  $\text{NO}_2$ , Fly Ash, smoke, Hydrogen fluoride, HCl, Hydrogen sulphide, Ozone etc.
- ❖ ***Domestic Source:*** smoke, dust,  $\text{SO}_2$ ,  $\text{NO}_2$
- ❖ ***Miscellaneous:*** burning refuse, incinerator, pesticide, spraying, Natural source (fungi, molds, bacteria etc.)


# AIR POLLUTANTS AND HEALTH EFFECTS


- ❖ Co: Carboxy haemoglobin
- ❖  $\text{SO}_2$ : Acid rain
- ❖ Pb: Lead poisoning, decrease IQ level in young children
- ❖  $\text{CO}_2$ : global warming and climate change
- ❖ Hydrocarbon: Eye damage
- ❖ Cadmium: Cancer
- ❖  $\text{SO}_2/\text{H}_2\text{S}$ : unpleasant odor, conjunctival irritation, mental and neurological damage.
- ❖ Ozone: ozone layer depletion
- ❖ Polynuclear Aromatic Hydrocarbon: Lung cancer
- ❖ Particulate matters: COPD, respiratory problems.



# THE ENVIRONMENT (PROTECTION) ACT, 1986 AND ITS AMENDMENTS

- The Act was enacted to “provide for the protection and improvement of environment and for matters connected therewith.”
- This act defined environment which includes “water, air, and land and the inter-relationship which exists among and between “water, air and land, and human beings, other living creatures, plants, micro-organisms and property.”
- It also defined a hazardous substance as “any substance or preparation which, by reason of its chemical or physics-chemical properties, or handling, is liable to cause harm to human beings, other living creatures, plants, microorganisms, property or the environment.”

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- This law enlists general **powers of the central government** which included “all such measures necessary for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.”
  - The law also included “**the standards of quality of air, water, or soil** for various areas and purposes, the maximum allowable limits of concentration of various environmental pollutants procedures and safeguards for the handling of hazardous substances.”
  - The Act also deals with prevention, control and abatement of environmental pollution by **specifying the restrictions** allowed to the discharge or **emit any environmental pollutant** in excess of such standards as may be prescribed.

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- Under this Act, **Coastal Regulation Zone** (CRZ) have been declared and which restrictions on industries and processes have been imposed.
  - This **restricts setting up or expansion of any industry.**
  - This law requires that all **companies must have some sort of a Spill Prevention Control and Countermeasures Plan** (SPCC).
  - **Environmental auditing** is required by this law starting in 1993.
  - The law indicates that the government may “recognize one or more lab as **environmental lab to carry out tests**, etc.”
  - **Penalty for contravention of the act** may be punishable by imprisonment up to seven years or fine up to Rs 1 lakh

# NATIONAL ENVIRONMENTAL TRIBUNAL ACT - 1995

- The National Environmental Tribunal Act of 1995 was enacted to provide for strict liability for damages arising out of any accident occurring while handling any hazardous substance.
- For the establishment of a National Environment Tribunal for effective and expeditious disposal of cases arising from such accidents, with a view to giving relief and compensation for damages to persons, property and the environment and for matters connected therewith

# NATIONAL ENVIRONMENTAL APPELLATE AUTHORITY ACT -1997

➤ This Act has been enacted to “hear appeals with respect to restriction of areas in which any industries, operations or processor class of industries, operations or process shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986 and for matters connected therewith or incidental thereto.”

# DRUG & COSMETICS ACT(D&C ACT)

## HISTORY

- British misrule-Providing poor healthcare system to Indian citizens
- Observations made by-Drugs Enquiry Committee, Indian Medical Association
- Reports in- Indian Medical Gazette during 1920-30
- 1940 - Drugs and Cosmetics Act was established
- 1945 - Rules under the Act

Extended to whole of India.....

# OBJECTIVES OF D&C ACT

- To regulate the **import, manufacture, distribution and sale** of drugs & cosmetics through licensing.
- Manufacture, distribution and sale of drugs and cosmetics by **qualified persons only**.
- To prevent **substandard** in drug for maintaining high standards of medical treatment.
- To regulate the manufacture and sale of **Ayurvedic, Siddha and Unani drugs**.
- To establish **Drugs Technical Advisory Board (DTAB)** and **Drugs Consultative Committees (DCC)** for Allopathic and allied drugs and cosmetics.

## SALIENT FEATURES OF D&C ACT

- Maximum penalty life imprisonment and fine of Rs.10 lakhs or 3 times the value of the confiscated goods, whichever is more.
- Some of the offences cognizable and non-bailable.



# ADMINISTRATION OF THE ACT AND RULES

## A. Advisory :

- 1) Drugs Technical Advisory Board-DTAB
- 2) Drugs Consultative Committee-D.C.C.

## B. Analytical :

- 1) Central Drugs Laboratory - CDL
- 2) Drug Control Laboratory in states
- 3) Government Analysts

## C. Executives :

- 1) Licensing Authorities
- 2) Controlling Authorities
- 3) Drug Inspectors

# DRUGS TECHNICAL ADVISORY BOARD(DTAB)

## A) Ex-Officio:

- 1) Director General of Health Services (Chairman)
- 2) Drugs Controller, India
- 3) Director of the Central Drugs Laboratory, Calcutta
- 4) Director of the Central Research Institute, Kasauli
- 5) Director of Indian Veterinary Research Institute, Izatnagar
- 6) President of Medical Council of India
- 7) President of the Pharmacy Council of India
- 8) Director of Central Drug Research Institute, Lucknow

## **B) Nominated:**

- Two persons by the Central Government from among persons who are in charge of drugs control in the **States**
- One person by the Central Government from the **pharmaceutical industry**
- Two persons holding the appointment of **Government Analyst** under this Act, to be nominated by the Central Government

## **C) Elected:**

- 1) one person, to be elected by the Executive Committee of the **Pharmacy Council of India**, from among **teachers** of an Indian university or a college affiliated.
- 2) one person, to be elected by the Executive Committee of the **Medical Council of India**, from among **teachers** in medicine of an Indian university
- 3) one **pharmacologist** to be elected by the Governing Body of the Indian Council of Medical Research.
- 4) one person to be elected by the Central Council of the **Indian Medical Association**.
- 5) One person to be elected by the Council of the **Indian Pharmaceutical Association**.

## **FUNCTIONS OF DTAB**

- To **advise** the Central Government and the State Governments on technical matters arising out of the administration of this Act.
- To carry out the other functions assigned to it by this Act.

## **Drugs Consultative Committee(DCC)**

- It is also an **advisory body** constituted by central government.
- **Constitution;**
  - Two representatives of the **Central Government**
  - One representative of each **State Government**

## **FUNCTIONS OF DCC**

- To advise the Central Government, the State Governments and the Drugs Technical Advisory Board on any other matter tending to secure **uniformity throughout India** in the administration of this Act.
- The Drugs Consultative Committee shall **meet when required**
- Has power to regulate its own procedure.

# ***Functions and Responsibilities of Nurses with Regard to Public Health Laws:-***

- Keeping latest information regarding public health laws.
- Playing active role in implementing public health laws.
- Creating awareness in patients, families and society regarding public health laws.
- Participation in reviews, workshops and seminars regarding public health laws.
- Educating the public regarding the need and importance of public health laws.
- If public health laws are broken, giving information to concern agencies which can take appropriate action.
- Active participation in the evaluation of public health laws.

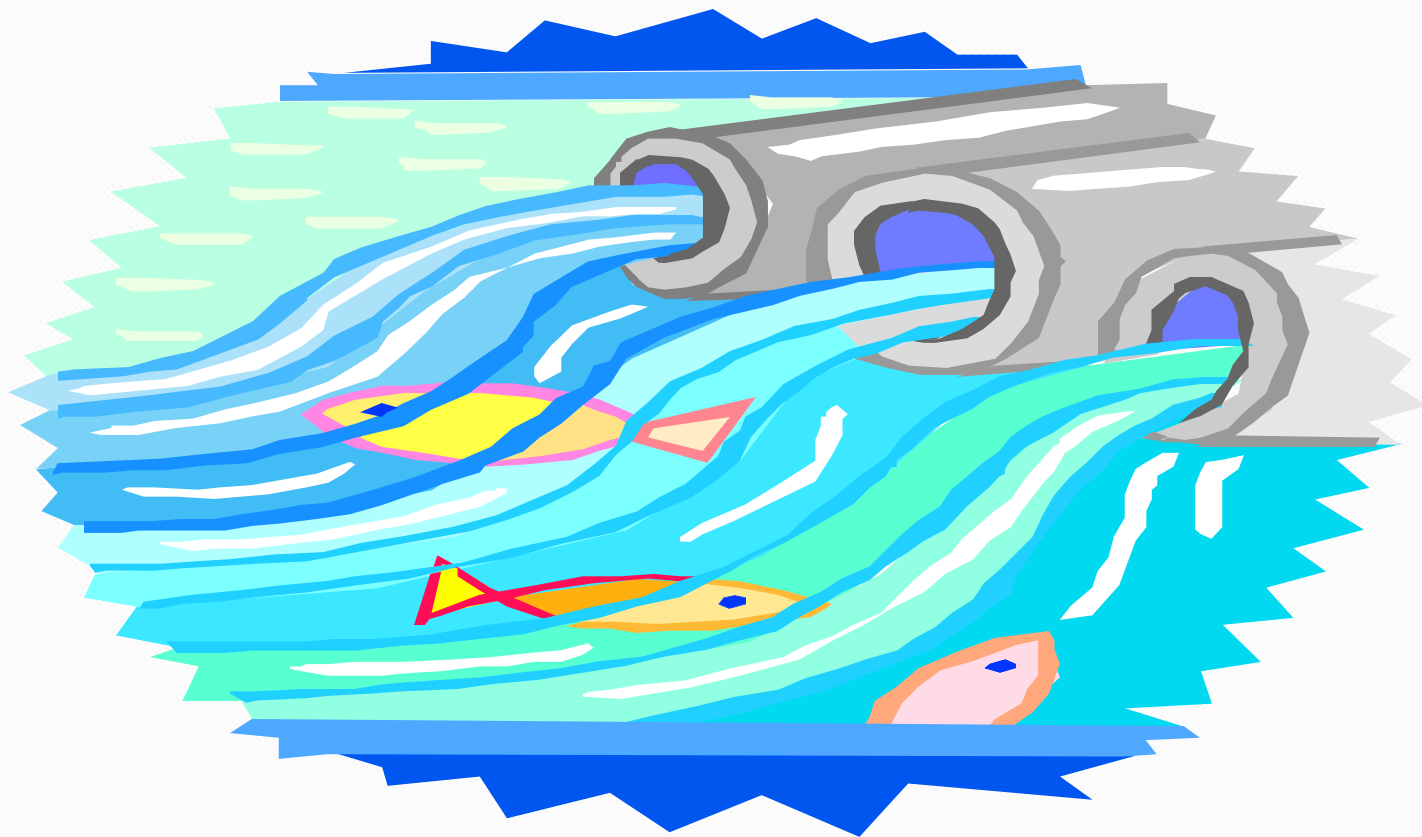
# CONCLUSION

- For improvement and protection of Public Health, an adequate Health System is required but with any system, Public Health Laws are absolutely essential for proper and effective regulation of the Health System.
- In every aspects of Nursing Practice, the understanding of Public Health Laws is very important for Nurses.

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**Thank you.**