

# Legal Analysis of The Impact of Industrial Development on The Environment

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## ABSTRACT

The environment is something that cannot be separated from human life. Because where someone lives, another environment is created and vice versa. The industry is a sectoral economy or activity that involves the processing of raw materials or the production of products, i.e., the use of skills and labor in the factory and the use of field tools to process the results on the ground and distribute them as the main work. Therefore, as an eye chain, the industry is also responsible for meeting land-related (economic) needs, i.e., agriculture, cultivation, and mining. To place the sector far from the country, the basis of economy, culture, and politics. Study law is carried out in a manner juridical normative is Conceptual research as what is written in regulation legislation or law conceptualized as a rule or the norm, which is benchmark behavior considered human deserves. Study law normative This is based on material primary and secondary laws, i.e., referring research to existing norms in regulation legislation. Development is a planned change process as one effort man in increasing the quality of his life. However, the development industry in Indonesia has a significant impact on the environment, resulting in pollution, damage to the climate forests, and depletion of source Power nature. The impact development industry on the environment in Indonesia has been attention for many years. This leads to an increased need for measures and legislation to reduce the negative impact of industrial development on the environment.

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## 1. INTRODUCTION

The economic development of a country, in the long run, will entail a fundamental change in the structure of that country's economy, that is, from a traditional economy with a focus on the agricultural sector to an economically modern industry that takes the primary sector. Position the role

of industry as important in the development of the region. Most countries see this industrialization as a necessity to ensure the continuity of the development process of an economic period with high productivity growth, sustainable economy and per capita income. improved every year [1].

Growth is essential in the healing process. The power of the source is natural and uses the source. Power of technology users. In addition, development is also required to pay attention to the state of the current environment. Good physically (soil, water, air), biologically (flora, animals) and culturally (culture, human interactions). The quality of the existing environment will tend to continue to decline, if not offset by sustainable development planning projects to retain the existing environmental function [2]. In industry, the position of the sector economy is based on the processing of raw materials or the production of products, therefore, in the factory with the use of skills and the use of field tools that process the results of the land. and them. Distribution as a center of activity [3].

Industrial growth in Indonesia has had a huge influence on the environment, resulting in severe pollution, deforestation, and depletion of natural power sources. For many years, Indonesians have been concerned about the environmental effect of the development sector. This increases the need for initiatives and policies to limit the harmful impact of the development sector on the environment. One of the most serious issues related with the development sector is air pollution. Industrial regions in and around Jakarta, Surabaya, and Bandung have significant levels of pollution, with emissions from manufacturing, energy producers, and traffic all adding to the problem [4].

A research will limit discussion to the environment and how the application of regulation-related legislation in Indonesia affects the development industry.

## 2. LITERATURE REVIEW

### 2.1 *Understanding Environment*

The environment is everything that surrounds humans and has an impact on their lives, either directly or indirectly. The environment is separated into two categories: biotic and abiotic. The environment is defined as the unity of space including all objects and living

things, including humans and their behavior, which influences the sustainability of life and the wellbeing of humans and other living things. Ecosystems, social behavior, culture, and existing air are all part of the environment [5].

Environment life, according to Article 1 paragraph (1) of Law Number 32 of 2009 Concerning the Protection and Management of the Environment Life is unity the space it consists of from things, forces, states, and life, including in it humans and their influencing behavior continuity life and well-being humans and creatures life other and got said environment is a medium in which creatures live stay, seek livelihood, and own character as well as the typical function to which it is associated reciprocally with the existence of creature life that occupies it, especially humans who have more complex and real role [3].

### 2.2 **Definition of Industrial Development**

The term "development" is frequently related with the process of industrialisation. The process of industrialization and industrial development is one approach to increase people's welfare by providing them with a more sophisticated and higher quality standard of living. This indicates that industrial growth is a function of the main purpose of people's welfare since industry is an important sector, which means that industrial development will drive development in other sectors such as agriculture, service, and other sectors [6]. Industrial development will create more job possibilities, increasing people's income and demand (purchasing power). Increases in income and buying power are indicators of economic progress.

## 3. METHOD

Study This employs method study law, which is a sequence of actions carried out in a method scientific manner in search of truth with method methodical, intact, and

consistent [7]. As you study law, you should also study juridical normative because the goal is to get A truth from the subject the law is studying, and the findings acquired from studying this may be used as a material platform for composing and building argumentation process laws that are logical, reasonable and correct [8].

Of all material existent law collected, fine material fundamental laws, secondary material law, and tertiary material law will be evaluated descriptively, using syllogism deductive reasoning. The following stage finds material law and drafts an argument law relevant to the issue discussed law, after which conclusions are drawn from each problem issue law.

#### 4. RESULTS AND DISCUSSION

##### 4.1 *Impact of Industrial Development to Environment*

Development is a deliberate transformation process that man uses to improve the quality of his existence. So, even with development in a strong national relationship with internal state capabilities, use the authority you have Good with or without aid technology. In essence, national development is multifaceted and involves numerous areas such as education, agriculture, health, and industry [9].

Industrial growth in Indonesia has had a huge influence on the environment, resulting in severe pollution, deforestation, and depletion of natural power sources. For many years, Indonesians have been concerned about the environmental effect of the development sector. This will increase the need for legislation to limit the harmful impact of industry development on the environment. One of the most serious issues related with the development sector is air pollution. Industrial regions in and around Jakarta, Surabaya, and Bandung have significant levels of pollution, with emissions from manufacturing, energy producers, and

traffic all adding to the problem. Cities such as Jakarta, Tangerang, Serang, Cilegon, Bekasi, Bandung, Cimahi, Surabaya, Gresik, Sidoarjo, and its surroundings, hundreds of compound chemistry now scattered in the air [4]. Several compounds have the own ability to trigger disturbances in Respiratory even diseased skin.

Besides case pollution air above, too much happen in case Where the waste industry is thrown away haphazardly into river, lake, or ocean. Industry textiles their colored waste bright, which emits a smell of rotten with freely enters the river. However, it's important for noted that rivers the Not only used by industry textiles, but also by many others. So that matter This risk endangers the environment and sustainability life society and beings' other life that dwells in the area surrounding [10].

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Regardless of the effect activities industry above, the enforcement regulating environment in Indonesia is still insufficient, resulting in rampant pollution and environmental deterioration. Industry frequently fails to comply with regulations because enforcement is lax and penalties are insufficient. Furthermore, the government favors industry development over environmental preservation, creating a confrontation between industry and local people. The project industry has been condemned by society because of its

detrimental influence on health and eye life.

#### ***4.2 Implementation of Legal Regulations in Indonesia Regarding the Impact of Industrial Development***

The industrialization process is a line of activity that aims to increase people's welfare by providing a more advanced level of living as well as a higher quality standard of life. In broad terms, the purpose of establishing Law Law No. 41 of 1999 concerning Forestry, Law Law Number 32 of 2009 concerning Environmental Protection and Management, and Law Invite Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction is to protect forests and environmental damage in order to create harmony, harmony, and environmental balance, which is one of the important capitals of sustainable development.

To manage industrial growth and safeguard the environment, the Indonesian government has enacted a number of laws and regulations. The Environmental Impact Assessment (AMDAL) Act, for example, compels the industry to undertake an EIA before beginning any project. The AMDAL process evaluates a project's possible environmental implications and recommends mitigation methods. The Indonesian government also passed Law No. 32 of 2009, known as the Law on Environmental Protection and Management (abbreviated the PPLH Law), which establishes environmental standards, controls pollution, and imposes fines for disobedience. The legislation mandates enterprises to get environmental licenses and adhere to environmental regulations, such as limitations on air and water pollution. Furthermore, the government has created the Ministry of Environment and Forestry to manage environmental issues, monitor compliance with environmental legislation, and enforce consequences for violators. For noncompliance, the ministry has the authority to levy penalties and cancel licenses.

The PPLH Law states that environmental life management and

protection are systematic and integrated efforts to conserve the function of the environment and prevent pollution and/or damage to the environment encompassing life planning, utilization, control, maintenance, supervision, and enforcement law [11].

Environmental legislation exists to reduce current human-caused environmental degradation. The PPLH Law indicates that the Constitution uses different provision law, fine law administration, law civil, and law criminal to preserve and manage the environment. Civil provision law includes conflict resolution contexts that exist both outside and inside the court. The completion dispute environment exists inside the court and includes the lawsuit representative group, the right sue organization environment, and the right sue government. Through this strategy, it is intended that the effect deterrence would create awareness among all stakeholders about the need of environmental conservation and management for current and future generations.

Substance from a damaged environment generating life from industrialisation exists in conditions where the environment has been contaminated and life has been fostered. Humans \_ or creatures other life forms around them \_ suffer from neither material nor immateriality. In this regard, the UU PPLH has accommodated as well as provided protective rights for impacted victims from environmental harm, as outlined in Article 84 of the UU PPLH, which reads:

- a) Completion dispute environment life can be taken through court or outside court;
- b) Choice settlement dispute environment life done in a manner Like voluntarily by the parties to the dispute;
- c) A lawsuit through court only can be taken if effort settlement outside the dispute selected court stated No succeeded by either or the parties to the dispute.

The community living around the environment is the group most sensitive to the effects of environmental deterioration. As a result, in this circumstance, the PPLH Law exists to offer legal protection for communities impacted by environmental degradation. As a result, the community is granted validation in the form of the right to sue for environmental damage. This is governed by Article 91 of the PPLH Law.

## 5. CONCLUSION

Because of the industry's role as a sector important (Leading Sector), development in other sectors such as agriculture, services, and others will be stimulated by industrial development. The development sector in Indonesia has a huge influence on the environment, resulting in severe pollution, forest deforestation, and depletion of natural power sources. As a result, there is a growing demand for initiatives and laws to mitigate the impact of the negative development sector on the environment.

To offer legislative clarity to the consequent influence on a region's operating industry. The Indonesian government has established environmental standards, pollution levels, and penalties for individuals that do not comply by Invite Law Number 32 of 2009. Destruction may be prevented and eliminated. Forests, in general, are a barrier against forest and environmental degradation that may promote harmony, harmony, and balance in the ecosystem, which is a vital component of sustainable development. To assure an effect environment that arises in consequence operation industry in an area, will agreement activity environment business industry them must be regarded. This will help to reduce the environmental effect on the development sector. The government may encourage the adoption of clean technologies in industrial operations. This may be accomplished by providing incentives for the use of clean corporate technologies. The government can assist companies with technological assistance schemes in order to grow technology in a more environmentally friendly setting

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