



A journey of Indian Judiciary from environmental protection to climate rights

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Abstract

Climate Change is a burning issue in the present scenario and judiciary always keeps a sharp eye on every activity which pollutes our environment or elements which accelerates the climate change on the Globe. The Indian Judiciary has played a pivotal role in framing environmental governance, progressive approach in order to control air pollution to the recognition of climate change as constitutional concern. The accelerating impacts of climate change have foregrounded the concept of climate justice, demanding that legal systems address that not only environmental degradation but also the disproportionate burden borne by the vulnerable populations.

Drawing on comprehensive analysis of landmark judgements -such as *M.C Mehta v. Union of India* (1996), *Vellore Citizens' Welfare Forum v. Union of India* (1996) and recent *Ganga water Dispute* (2023)- the study highlights the court use of the Doctrine of Public Trust, the principle of sustainable development, and the right of life Under Article 21 of the Indian Constitution to impose environmental duties on the state and private actors.

The paper argues that the Indian judiciary is uniquely positioned to bridge gaps left by legislative criteria, offering a dynamic platform for climate justice that integrates scientific evidence, human rights, norms, and socio-economic considerations. However, challenges persist, notable judicial capacity constraints, the need for specialized climate expertise, tension between judicial activism and separation of powers.

Keywords: Meaning of climate change & climate justice, conventions, environmental impact, reflection in Indian Constitution, role of Indian Judiciary

Introduction

Historical Background Climate Change

The Origin of the climate change has been started during the 18th and 19th Century. In 1820, the theory of phrase "greenhouse effect" was propounded and described by the French Mathematician and Philosopher Jean Baptiste Joseph Fourier (1768-1830), he examined that atmosphere absorbed the heat radiation. He asked some analytical query to himself as, what determines the average temperature of a planet like the earth? When light from the Sun strike the Earth's, surface and warm it up, why does not planet keep heating up until it as hot as the Sun? Louis Agassiz (1837), expressed and described his view that mountains of the Switzerland covered with ice sheet, situation as like in Greenland or Antarctica and these sheets were melting due to climate change i.e. global warming. First time theory of climate change was introduced by James Croll in 1864. A British scientist named John Tyndall, in 19th century who did successful research after this, ascertained greenhouse effect. But in 19th century the "greenhouse effect" was not similar with the term global warming.

Horace Benedict De Saussure, a Swiss Scientist, analyzed study of the atmosphere and environment, found that there are some greenhouse gases (GHGs), protecting not only the Surface of the Earth but also all living creatures on it. Further, in 1894, a Swedish scientist, Svante Arrhenius (1859-1927), observed and analyzed in his research harmful effect of carbon-dioxide (CO₂), on rising temperature of the environment in the contemporary period regarding changes in the environment. Forecasting the situation of globally environmental changes. Arrhenius supported and promoted the view of global warming^[1].

India has become the part of the international negotiation on climate change since 1990s. It has become the member of United Nations Framework Convention on Climate Change in 1992, and adopted and ratified the Kyoto Protocol as well as thereafter Paris Agreement in 2015. The voice was raised for the countries of Global South that the developing countries are not more responsible for and contributing factor in rising GHGs and global warming in the environment at international level. On the other hand, developed countries should not only take appropriate mitigation action, but should also provide financial and technological assistance to developing countries in order to take essential and useful steps to mitigation and adaptation of climate change related crises.

Meaning of Climate Change^[2]

The term climate change defines and conveys that fluctuation or alteration in the temperature, precipitation, wind, and other elements of the earth's climate system after lapse of time. The term climate change was described by various institutions and agencies by different manner in different space of time. The definition of climate change as per the Fourth Assessment Report of IPCC (Intergovernmental Panel on Climate Change), 2007 as provides

"A change in the state of the climate that can be identified by changes in the means and /or the variability of its properties and the persists for the extended period, typically decades or longer, climate change may be to natural internal processes or external forcing or to persistent anthropogenic changes in the composition of the atmosphere or in land use"

The definition of climate change as per the United Nations Framework Convention on Climate Change (UNFCCC), "a change of climate which is attributed directly or indirectly to

human activity that after the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods ^[3].”

Meaning of Climate Justice: The expression “Climate Justice” is based on the principle of equity which is connected with the social, economic and political inequalities, analyzing its impacts and solutions addressed equitably. It recognizes that the marginalized and vulnerable communities, who have often contributed the least to the climate crises are disproportionately affected by its consequences.

International Legal Framework on Climate Change

In controlling the climate change the co-operation of the entire world is necessary, it is mainly based on a famous maxim “sic utero tuo ut alienum non laedas” which means one must use his own right so as not to injure others. This Doctrine has been enumerated in many international instruments. This Doctrine was adopted or propounded first time in English case, In *Ryland V/s Fletcher* ^[4] the House of Lords held that when non-natural use of one’s own land, as a result which causes injury to another’s land. In this case first time laid down the rule of absolute liability according to which plaintiff has no burden of proof to prove negligence, lack of care, or wrongful intention. In such cases intention is immaterial or not essential element. The defendant was liable to pay compensation for damage caused to the plaintiff by his wrongful act. There are three essential requirements for application of this rule are given under

1. Some dangerous thing must be brought by the person on his land.
2. The dangerous thing must be escaped from the land of the occupier.
3. Non-natural use of the land.

Trail Smelter case, United States of America and Canada accepted that no state has right to use its territory in a manner, that will cause harm by the fumes in the territory of adjacent or another country. The Trail Smelter was situated in British Columbia since 1906 which was owned, controlled and run by the Canadian corporation. The emission of Sulphur dioxide from the Trail Smelter as a result, cause injury to State of Washington between 1925 & 1937. The USA filed a case against the Canada for spreading air pollution by the Trail Smelter. There a legal issue was raised whether there is any obligatory duty of the state save other states against injurious act by the individual, when act is done within its own territory or jurisdiction at every time. The tribunal answered of this issue in positive or affirmative, held that it is the responsibility of the state to save the other states against the injurious act of the individual from within its own Jurisdiction at all times. No state has right to use or allowed the use of its territory in such a manner as to cause injury by fumes in or to the territory of another or properties or persons. In this case principle of the polluters pays applied. In *Gut Dam Arbitration* ^[5] the Canada planned to build a dam between Adams Island within the territory of Canada and Les Galops Inland situated in USA in the St. Lawrence River in order to established new dimension in navigation. The of both the nation agreed to construct the dam upon two conditions in 1903.

1. That if, after the completion of dam, it looks rise in the water level of Lake Ontario or the St. Lawrence or causes any damage to the interest of United States, shall make such alteration therein, and make arrangement of some addition regulation work therewith as Secretary of War directed/order.
2. If the construction and operation of said dam causes damage or detriment to the property of Les Galops Island or to the property or any other citizen of the USA, the govt. of Canada shall pay compensation as may be agreed upon between the said govt. and the parties damaged or as may be awarded the said parties in proper court of United States before which claim for damage may be brought.

Dam was fully constructed in 1903. During the period from 1947-1952, properties at large scale was damaged by erosion and inundation incident to excessively high-water levels of Lake Ontario. The govt. of US established Foreign Claims Settlement Commission of the United States to adjudicate claims of the US citizens in 1962, for loss caused against Canada by the Gut dam. Both nations have signed agreement on 25 March 1965, for set up Lake Ontario Claim Tribunal and elected as a chairman, Dr. Lambertus Erades. Vice President of the District Court of Rotterdam (Netherlands). The main issues in the present case was whether liability to pay compensation extent to only small class of persons or beyond it other effected people by reason caused by the destruction of Gut dam? The tribunal did not accept this contention that it extends to the limited small class of persons and not includes other effected persons. The liability to pay compensation not only to the owners of Les Galops Island but to any citizens of the United States.

Constitutional and Legal framework in India

The constitution is the main and basic source of the all statutes enacted in India. It is fountain spur of all Acts, statutes, ordinance, order, by laws, notifications, regulation etc. Preamble of the constitution is the key to open the mind of the framer of the Indian constitution ^[6]. In preamble of the Indian constitution, enumerated Justice- “Social, Economic and Political” and in social justice also inbuilt environmental justice means healthy environment is a fundamental right which falls within the purview of the Art. 21 of the Indian Constitution “Right to life and personal liberty”. In *Subhash Kumar V/s State of Bihar*, the SC held that to live in pollution free environment and use fresh water in order to meeting of the regular needs of human is fall within the purview of art.21 of the constitution of India. This was PIL, filed against the Tata Iron Steel Co. who polluting the fresh water of the Bokaro River by Sludges/slurry discharge from the washeries, as a result release of effluents into the river, water nor portable and useful for irrigation. In *Re noise pollution* ^[7] the SC held that under Art.21 every person has the right to live, without a noise free atmosphere, which can not be defeated by exercise of right under Art. 19 ^[1] (a) of the constitution. In *Jeeja Ghosh V/s UOI* ^[8] Jeeja Ghosh was eminent activist involving disability rights, for forcibly deboarding her by the flight crew because of her disability while traveling in SpiceJet airlines from Kolkata to Goa. The supreme court held that the person with disability were integral part of our society, equal in dignity and entitled to enjoy same human rights and freedom as other in view of art 14 & 21 of the

constitution. The Apex court held liable SpiceJet to pay compensation of Rs. 10 Lacs to the victim (Jeeja Ghosh) in infringement or violation of fundamental right enumerated under arts.14 and 21

Article 21^[9]. Right to life and Personal liberty: - Right to live in healthy environment is fundamental right as well as basic human rights. The right to life under article 21 means life with human dignity and not just a mere animal life or existence. In landmark Judgement M.K Ranjitsinh V/s UOI^[10], The SC held that to live in pollution free environment with human dignity is within the meaning under art. 21 of the constitution. This right is free from the adverse effect of climate change is also a fundamental right under Articles 14 & 21 of the Constitution. The judgement established that govt has responsibility to protect citizens from the adverse impact of the climate change and its disproportionate impact on vulnerable communities.

1. Right to Live in The Healthy Environment is Natural and basic Human Right

The Right to life has its own importance among the other human rights like as twinkling star. The Universal Declaration of Human Rights, 1948 has provides that everyone has right to life and everyone has right to live with human dignity without any compromise to harm or injury to the health and environment also and well-being of his own and of his own family member or public or society.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) declares that the States Parties to the covenant recognized the right of everyone to an adequate standard of living for himself and his family..... and to the continuous improvement of living conditions^[11]. The convention further declare that the States Parties recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health^[12]”

Principle 1 of the declaration of the United Nation Conference on the Human Environment, 1972 which was held in the Stockholm provides that “man has the fundamental right to freedom, equality and adequate condition of life, in an environment of a quality that permits a life of dignity and well-being and he bears a solemn responsibility to protect and improve the environment for present and future generation^[13]”

2. Other Environmental related article under Indian constitution

Some provisions relating to environmental protection were incorporated under our constitution. Under the seventh Schedule three lists are incorporated Union list^[97], State list (66 matters) and Concurrent list (47 matters).

Article 39(b) says that “that the ownership and control of the material resources of the community are so distributed as best to subserve the common good^[14]”

Article 47 says that the state shall regard the rising of the level of nutrition and the standard of living of its people and improvement of public health as among its primary duty^[15].

Article 48 says that “the state shall endeavour to organize agriculture and animal husbandry on Modern and scientific lines and take steps for preserving and improving the breeds and prohibiting the slaughter of cows and calves and other milch and draught cattle.^[16]”

Article 51(g) fundamental duty says that “to protect and improve the natural environment including forest, lakes,

rivers and wildlife, and to have compassion for living creatures^[17].

Emerging Role of the Indian Judiciary

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In M.C Mehta Vs UOI^[18], it was held that “we have to evolve new principles and lays down new norms, which would adequate deals with the new problems which arises in a highly industrialized economy. We cannot allow our judicial thinking to be constricted by reference to the law as it prevails in England or for the matter of that in any other foreign country. We no longer need the clutches of foreign legal order.”

Thereafter for the protection and safeguard of our environment Indian Judiciary has laid down or propounded some doctrines, and principles in the interest and welfare of the nature and human being. Some of them famous principles and doctrines are enumerated hereinbelow: -

1. Principle of Absolute Liability (AL)
2. Polluter Pay Principle (PPP)
3. Doctrine of Sustainable Development (SD)
4. Doctrine of Public Trust (PT)
5. Precautionary Principle (PP)
6. Doctrine of Inter-generational Equity (IGE)

1. Principle of Absolute Liability (AL)

The Doctrine of strict liability was applied first time in London in Ryland Vs Felcher, when any dangerous or harmful object escaped from the boundary or limits of the defendant, cause injury to the victim irrespective of intention or knowledge of wrongdoer, he shall be liable to compensate the victim for the wrongful act of the tortfeasor. There is some exception of the strict liability but no exception is available in case of absolute liability.

In Shri Ram Food and Fertilizers case: i.e. M.C Mehta Vs UOI^[19] (popularly Known as Oleum gas leak case) in this case the SC directed the company manufacturing hazardous and lethal chemicals and gas posing dangerous to health and life of the workers and people living in its neighborhood, to manage all safety measures before reopening the plant. The SC held that the enterprises absolutely liable to compensate all victims who were affected by the accident and such liability is not subject to any exception of this Doctrine of absolute liability. In Indian Council for Environment Legal Action Vs UOI^[20] (known as Coastal Zone Protection case) in village Bichari Distt. Udaipur of Rajasthan an Industrial complex was developed and respondents have established their chemical Industries therein. Some of the Industries emitting chemicals like Oleum and single Phosphate. The respondent had neither essential required license for running the industries nor did they install any machine or equipment for treatment of high toxic effluents discharged by industries. As a consequence of this water in the wells was not portable for the inhabitants of the locality. The epidemic was spread in the village and the stoppage of the ‘H’ acid. Ultimately, these industries were closed. The court requested the National Environmental Engineering Research Institute to study the situation and prepare a report in this regard. In technical report it was revealed that 2440 tonnes of Sludge, about 720 tonnes was still there. In order to keep it out the eye of the inspection team, the respondent dispersed it all over the area under the earth. In spite of the order of the court they did not dispose or remove for the locality. The Sc held that the writ was maintainable and pay

compensation to victims and perform their statutory duties under the various Acts.

2. Polluter Pay Principle (PPP)

The polluters pay principle is not only based on the protection of environment but also for the protection of human life. The person who causes injury or damage to the environment by any means or mode, shall be liable to be burdened by the financial costs, said cost shall be paid to the victims and shall also liable to levy of fine, to be deposited, in govt. fund. i.e. called or termed as "Environment Protection Fund" (EPF). Presently, Polluters Pay Principle has been characterized as powerful legal weapon and tool in order to tame or control the environmental pollution and its related problems. In Indian council for Envoi-Legal Action V/s UOI^[21] the court ordered that the polluter industries are "absolutely liable to compensate for injury caused to the inhabitants of the village in the affected area, to the soil and to the under ground water. Therefore, they were bound to take all necessary and appropriate steps to remove sludge and other pollutants spread in the affected area". The SC applied again applied this principle in the landmark Judgement in the case S. Jaganath V/s UOI^[22] it was revealed that an Industry namely "Shrimp Culture Industry" was causing harm or damage to soil or purity of the water of Chilka & Pulikat Lake which were closed to the East Coast. The SC issue direction for the shutting down the Shrimp Culture Industry and impose liability to pay compensation to the individual who was affected by these industries and also impose fine to be deposited in the "Environment Relief Fund". In Vijay Singh V/s State of Rajasthan^[23] the SC ordered to each industrial branch liable to pay as damage to the environment, 15% of its turnover to be deposited in EPF by the RIICO Industry. It is only such finding that the "polluter pay principle" "with liability for injury to compensate not only to the victim but also the cost of resorting the environmental degradation and reversing the damaged ecology. The SC held that in order to accurately enforce Art.21 of the Constitution of India, citizens of India should obey or follow the fundamental duty enumerated U/A 51 A (g) of the constitution of India.

3. Doctrine of Sustainable Development (SD)

The meaning of Sustainable Development is that the use of natural resources in preservative manner so that they can be saved for the future generation. The world Commission on Environment and Development (CED) in its report which was famously known as Brundtland Report, as put the name on the name of chairman of the commission. Ms. G.H Brundtland, P.M of the Norway, has defined the concept of the "Sustainable Development". According to Brundtland report, sustainable development means "Sustainable development is the development that meets the needs of present, without compromising the ability of the future generation to meet their own needs"^[24].

A few characteristic of the Sustainable Development which has been derived from Brundtland Report and some other International Instruments are inter generation equity, environmental protection, polluters pay principle, precautionary principle, reasonable use and conservation of natural resources, eradication of poverty, and financial assistance to the developing countries. In this case Vellore Citizen's Welfare Forum V/s UOI^[25], the SC held that the remediation of the injured or damaged environment is the part of the process of "sustainable development" and as such

as polluter is liable to pay cost/compensation to the individual victims as well as the cost of reversing the damaged ecology (Polluters Pay Principle). The SC also pronounced that "precautionary principle" is an essential ingredient of the sustainable development. In M.C Mehta V/s UOI^[26] (Vehicular Pollution Case/CNG Conservation case) the SC analysis the importance of Principle of sustainable development and held that sustainable development is one of the essential principles of the Environment Law. The Precautionary Principle and Polluters Pays Principle are two basic features of the sustainable development.

In K.M Chinnppa V/s UOI^[27] the SC held that "it cannot be disputed that no development is possible without some adverse effect on the ecology and environment and project of public utility cannot be abandoned and it is necessary to adjust the interest of the people as well as necessity to maintain the environment. The balance has to be struck between two interests. The comparative hardships have to be balanced and convenience and benefit to a large section of the people has to get primary over comparative lesser hardship"

4. Doctrine of Public Trust (PT)

The origin of the Doctrine of Public Trust the observed that "the ancient Roman Empire developed a legal theory known as the Doctrine of Public Trust. It was founded on the ideas that the certain common properties such as river, seashores, forests, and air were held by Government in trusteeship for the free and unimpeded use of general public, our contemporary concerns about the environment were very close conceptual relationship to this legal Doctrine^[28]. In M.C Mehta V/s Kamal Nath^[29] a new was published in the "Indian Express" newspaper, in which it was written that a private company namely "Span Motels Pvt Ltd.", in this company family of Kamal Nath (a former Minister for Environment and Forest), had direct involvement in building a club at the bank of River Beas by grabbing land by encroachment, i.e. a forest land which was later regularized and then lease out to the company during the tenure of Kamal Nath as a Minister. It was revealed that the Motel used earthmovers and bulldozers to turn the flow of the river Beas. The attempt on the side of Motels to build a new channel by changing the flow of the river. The prime allegation on the company was that diversion of the flow of river to save the Motels from the future flood. The SC took the notice of the news because fact disclosed by the newspaper. The SC applied the Doctrine of "Public Trust" in this situation. The Himachal Pradesh government was held liable to commit patent breach of trust by leasing the ecologically fragile land to the Motels. In Ridhima Pandey V/s UOI (2017)^[30], After inspiring from the US case, Juliana Vs US, where a child activist filed a petition for protection of environment and doctrine of Public Trust was applied, same was allowed. A child, aged about 9 years, from Uttarakhand, filed an application, before the NGT, Delhi. "it specified that climatic event has the impact if disrupting ecosystem and socio-economic structure, leading to profound economic consequences. The consequences are even more acute in countries like India where "Vast populations depend on climate-sensitive sectors for subsistence" the court described climate change as an "exigent matter of economic resilience, social justice and sustainable development. The court also highlighted necessity to reassess the existing Indian statutes to incorporate "climate-centric enforcement mandate".

5. Precautionary Principle (PP)

Principle 15 of the Rio Declaration, provides as “in order to protect the environment the precautionary approach shall be widely applied by states according to their capabilities. Where there are threats of serious or irreversible damage; lack of full scientific certainty shall be used as a reason for postponing cost-effective measures to prevent environmental degradation”^[31].

The Apex court propounded that the “precautionary principle” is an essential component of the “Sustainable Development”.^[32]The SC also conveyed the suitable meaning of the “precautionary principle” in the reference of the municipal law. As per this, meaning of “precautionary principle” includes,

1. Environmental Measures: by the state govt. and statutory authorities -must anticipate, prevent and attack the environmental degradation.
2. Where there are threat of serious and irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environment degradation.
3. The “onus of proof” is on the actor or developer/industrialist to show that his action is environmentally benign.

The SC had directly applied in the given case in M.C Mehta V/s UOI for the protection and safeguard of the Taj Mahal from the air pollution. The opinion of the expert explained that carbon emission from the coal mine industries in the Taj Trapezium Zone (TTZ) had damaging its beauty and splendor. The court analysed that “the atmospheric pollution in TTZ has to be removed at any cost. The factor cannot be tolerated even 1% , when human life apart the preservation of prestigious monument like the Taj Mahal is involved. The SC pronounced that the industries identified by the Pollution Control Board as main polluters, emitted harmful and hazardous gases and coal effluents, which had proved dangerous and likely to cause damage to its beauty. The Sc banned the industries for protection of ancient and historical monument and impose fine upon the industries.

6. Doctrine of Inter-generational Equity (IGE)

Principle 1^[33] of the Stockholm Declaration on the Human Environment declares that “Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of equality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for the present and future generation....”

Principle 2 of the Stockholm Declaration on Human Environment (1972) point out that “the natural resources of the earth including air, water, land, flora and fauna and especially repetitive samples of the natural ecosystems must be safeguarded for the benefit of the present and future generations through careful planning or management as appropriate^[34]”

In K.M Chinnappa V/s UOI^[35] the SC held that “sustainable development is essentially a policy and strategy for the continued economic and several developments without detriment to the environment and natural resources on the equality of which continued activity and further development depend. Therefore, while thinking of the developmental measures the needs of the present and ability of the future to meet its own needs and requirements keep in

view. While thinking of the present, the future should not be forgotten. We owe a duty to future generations and for a bright today, bleak tomorrow cannot be countenanced. We must learn from our experiences of the past to make both the present and the future brighter. We learn from our experience, mistakes from the past, so that they can be rectified for the better present and future. It cannot be lost sight of that while today is yesterday’s tomorrow, it is tomorrow’s yesterday.”

Challenges and Limitation of Climate Change

1. Lack of Comprehensive Climate Legislation
2. Judicial Overreach Concerns
3. Enforcement Deficit and Compliance Issues
4. Absence of Explicit Constitutional or Statutory Rights
5. Limited Climatic Expertise in Climate Science
6. Inequality and Climate Vulnerability
7. Lack of Remedies for Climate-induced Displacement
8. International Commitments V/s Domestic Enforcement
9. Carbon Emission
10. International Conflicts and Global Warming
11. Destruction of Ecological System
12. Bio-diversity

Conclusion

A journey of Indian Judiciary from environmental protection to climate rights create a new dimension for legal landscape. Indian Judiciary participate vital role in order to judicial interpretation, judicial creativity, implementation of international principles, Indian courts transform environmental protection into fundamental rights and fundamental rights into climatic rights.

References

1. Maslin, Mark, (2004) “Global Warming a very short introduction” Oxford University Press, Oxford,
2. Gupta, K.R, “Climate Change Meeting the Challenges (2010 Vol 1) Atlantic Publishers and Distributors Pvt.
3. United Nations Framework Convention on Climate Change (UNFCCC), 1992 Art. 1 para 2 or also available on <https://unfccc.int/resource/ccsites/zimbab/conven/text/art01.htm> (last visited on 22 Oct 2025 at 6:00 P.M)
4. 1868 LR 3 HL 330
5. Ahmad Furqan & Singh Priya (2021), “An Appraisal of Environmental Law Evolution and Development” Satyam Law International
6. In Re Beruberi case 1960
7. AIR 2005 SC 3166
8. 2016 SC
9. Ibid
10. 2024 SCC Online SC 570
11. Article 11, ICESCR, 1966
12. Article 12(1), ICESCR, 1966
13. Lyster Rosemary (2016) “Climate Justice and Disaster Law” Cambridge University Press
14. Shukla V.N, (2025), The Constitution of India, (14th ed.), W/S Eastern Book Company
15. Ibid
16. Id
17. Id
18. AIR 1987 SC 1086 P.1089
19. 1986 (2) SCC 176
20. 1996 (3) SCC 212
21. Ibid

22. AIR 1997 SC 811
23. AIR 2004 Raj 1
24. Our Common Future- The World Commission on Environment and Development (1987) Available at chrome-extension://efaidnbmnnnibpcajpcgiclfefindmkaj/https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf (Last Visited on 25 Oct 2025)
25. AIR 1996 SC 2715
26. (2002) 4 SCC 356
27. AIR 2003 SC 724
28. Kumar S. Shantha' (2008) "Introduction to Environmental Law" Lexis Nexis (2nd ed.)
29. (2002) 3 SCC 653
30. Application No 187/2017, (para 5 of the Judgement)
31. Rio Declaration and Environment and Development available at <https://www.cbd.int/doc/ref/rio-declaration.shtml> (Last visited on 25 Oct 2025 at 10:17 P.M)
32. Vellore Citizen's Welfare Forum V/s UOI AIR 1996 SC 2715
33. Stockholm Declaration, 1972
34. Ibid
35. AIR 2003 SC 724