
ENVIRONMENTAL JUSTICE AND CONSTITUTIONAL MORALITY: THE ROLE OF JUDICIARY IN BALANCING RIGHTS AND DUTIES IN INDIA

***HARSHITA JEPH**

ABSTRACT

Two of the most dynamic concepts of constitutional law are environmental justice and constitutional morality. The Indian judiciary has worked hard to make environmental protection a constitutional right rather than just a matter of policy. This article examines the connection between environmental concerns and fundamental rights under the Indian Constitution. Further, the basic obligation of the State and citizens towards the preservation of the environment has also been highlighted. In addition, the role of the DPSP has also been analyzed from the perspective of environmental regulation. Finally, the concept of constitutional morality has been highlighted from the perspective of environmental justice with specific reference to *M.K. Ranjitsinh v. Union of India*. Finally, the loopholes of the existing framework and suggestions for strengthening environmental constitutionalism in India are highlighted.

INTRODUCTION

The relationship between the Indian Constitution and nature was not always clear. Environmental protection was not included in the Indian Constitution when it was drafted and ratified in 1950. However, a solid framework of constitutional environmentalism has been built through judicial activism and constitutional modifications. The Supreme Court of India has played a crucial role in shaping constitutionalism, incorporating the right to a clean environment as part of the right to life under Article 21 of the Constitution of India¹.

Constitutional morality, as enunciated by Dr. B.R. Ambedkar and interpreted by the Supreme Court in subsequent judgments, is the compliance to the spirit of the Constitution rather than

*LLM Student, Gujarat National Law University, Silvassa

¹ *Maneka Gandhi v. Union of India*, (1978) 1 S.C.C. 248; *Francis Coralie Mullin v. Adm'r, Union Territory of Delhi*, (1981) 1 S.C.C. 608 (India).

the literal interpretation of the law. In the context of environmental justice, it entails the State, citizens, and entities living up to the constitutional ideals of a green and sustainable nation².

The article has six parts, and it seeks to trace the constitutional architecture of environmental protection from fundamental rights, through directive principles, judicial doctrines, and finally constitutional morality, before making some concrete suggestions for reform.

I. INTERRELATIONSHIP BETWEEN FUNDAMENTAL RIGHTS AND ENVIRONMENTAL CONSIDERATIONS

The right to a clean environment is not expressly guaranteed by the Indian Constitution. Nonetheless, the Supreme Court has ruled that living in a pollution-free environment, having access to clean water, and being free from environmental degradation that jeopardizes human health and dignity are all part of the right to life protected by Article 21 of the Indian Constitution³.

In *Subhash Kumar v. State of Bihar*, the SC held that the right to life includes the right to enjoy "pollution-free water and air for the full enjoyment of life."⁴ Because it bridged the gap between the expansive interpretation of Article 21 and the absence of an explicit right to a healthy environment, this was a turning point in environmental constitutional law.

Article 19(1)(g) protects the right to carry out any profession, trade or business, is another article which finds significant importance in environmental jurisprudence. The Court has held that this right is subject to reasonable restrictions in the interest of the general public, and environmental protection is a legitimate interest which justifies restrictions⁵.

Articles 14 and 21 provide the foundation of environmental justice. The equality before the law provided by Article 14 has been used to dispute the disproportionate share of environmental degradation imposed on vulnerable groups. This issue is of great concern in environmental justice discourse across the world⁶. Industrial pollution, hazardous waste siting, and the denial

² Navtej Singh Johar v. Union of India, (2018) 10 S.C.C. 1 (India); 7 Constituent Assembly Debates 38 (1948) (statement of B.R. Ambedkar).

³ Rural Litig. & Entitlement Kendra v. State of Uttar Pradesh, A.I.R. 1988 S.C. 2187 (India); Charan Lal Sahu v. Union of India, (1990) 1 S.C.C. 613 (India).

⁴ Subhash Kumar v. State of Bihar, (1991) 1 S.C.C. 598, 7 (India).

⁵ M.C. Mehta v. Union of India (CNG Vehicles Case), (2002) 4 S.C.C. 356 (India); Indian Council for Environmental Legal Action v. Union of India, (1996) 3 S.C.C. 212 (India).

⁶ Intellectuals Forum, Tirupathi v. State of A.P., (2006) 3 S.C.C. 549 (India).

of clean water disproportionately affect Scheduled Castes, Scheduled Tribes, and economically weaker sections, raising compelling equality concerns.

The right to information under Article 19(1)(a) has also been linked to environmental rights. The Supreme Court in *Research Foundation for Science v. Union of India* recognized that citizens have a right to be informed about environmental hazards that affect their lives, reinforcing participatory democracy in environmental governance⁷.

II. ESSENTIAL RESPONSIBILITIES AND PRESERVATION OF THE ENVIRONMENT

The Forty-Second Amendment Act of 1976 established Part IVA of the Constitution, which lists Fundamental Duties under Article 51A. Every Indian citizen is required under clause (g) of Article 51A to have compassion for all living things and to preserve and enhance the natural environment, which includes forests, lakes, rivers, and animals⁸.

The Supreme Court has viewed Fundamental Duties as indications of constitutional principles and as tools for interpreting other clauses, even though they are not immediately enforceable by courts. The Court used Article 51A(g) in *M.C. Mehta v. Union of India (Taj Trapezium Case)* to support limitations on polluting businesses operating close to the Taj Mahal, concluding that the right to a clean environment is correlated with the obligation to protect the environment⁹.

The responsibility of the State to protect the environment finds expression not only in the Directive Principles but also in the implicit duties arising from Articles 21 and 32. When the State fails to prevent environmental harm, it may be held liable for violation of the right to life. The doctrine of public trust, adopted from American jurisprudence in *M.C. Mehta v. Kamal Nath*, provides that natural resources are held in trust for the people by the State and therefore cannot be alienated for private use¹⁰.

The principle of intergenerational equity, as held in the case of *Vellore Citizens Welfare Forum v. Union of India*, again emphasizes the dimension of duty and responsibility; the present generation is bound to preserve the environment not only for its own sake but also for the sake

⁷ *Research Found. for Sci., Tech. & Nat. Res. Pol'y v. Union of India*, (2005) 13 S.C.C. 186 (India).

⁸ INDIA CONST. art. 51A(g) (added by the Constitution (Forty-Second Amendment) Act, 1976).

⁹ *M.C. Mehta v. Union of India (Taj Trapezium Case)*, (1997) 2 S.C.C. 353, 34 (India).

¹⁰ *M.C. Mehta v. Kamal Nath*, (1997) 1 S.C.C. 388, 25–26 (India) (adopting the public trust doctrine from *Illinois Central R.R. Co. v. Illinois*, 146 U.S. 387 (1892)).

of future generations¹¹. This is not merely a duty but a moral imperative of constitutional morality.

III. ANALYSIS OF THE DIRECTIVE PRINCIPLES OF STATE POLICY IN RELATION TO ENVIRONMENTAL PROTECTION

The Directive Principles of State Policy (DPSP), contained in Part IV of the Constitution, embody the programmatic vision of the Indian State. Two provisions in this part of the Constitution are relevant for the environment. Article 48A, added by the Forty-Second

Amendment, requires the State to endeavour to protect and improve the environment, protects forests, and protects wildlife¹².

Article 47 states that a direction to the State to raise the level of nutrition and standard of living and to improve public health, which would include environmental health. In the case of *State of Punjab v. Ram Lubhaya Bagga*, the SC acknowledged the integral relationship between health and the environment and the need for the State to take affirmative action against diseases caused by environmental factors¹³.

The relationship between DP and FR has undergone a major change. After *the Minerva Mills Ltd. v. Union of India* ruling, the SC struck down the absolute primacy of the DPSP over fundamental rights and insisted on harmonious construction. In the context of environment protection, this harmony is achieved through the enforcement of Article 48A as giving content to the right to life under Article 21 of the Constitution and making it both a fundamental right and a state duty¹⁴.

The DPSPs are also relevant when it comes to determining the obligations of the State with regards to licensing, regulation, and policy-making. Articles 48A and 47 have been relied on by the courts to strike down government orders allowing activities that are destructive of the environment, on the ground that such orders violate the constitutional obligations of the State. Therefore, the DPSPs are relevant as interpretive tools and substantive restrictions on executive authority¹⁵.

¹¹ Vellore Citizens Welfare Forum v. Union of India, (1996) 5 S.C.C. 647, 15 (India).

¹² INDIA CONST. art. 48A (added by the Constitution (Forty-Second Amendment) Act, 1976).

¹³ State of Punjab v. Ram Lubhaya Bagga, (1998) 4 S.C.C. 117 (India).

¹⁴ Minerva Mills Ltd. v. Union of India, (1980) 3 S.C.C. 625, 55–60 (India).

¹⁵ Essar Oil Ltd. v. Halar Utakarsh Samiti, (2004) 2 S.C.C. 392 (India).

IV. JUDICIAL PRINCIPLES IN ENVIRONMENTAL JUSTICE

The Indian judiciary has developed several foundational principles in its environmental jurisprudence, drawing from both domestic constitutional law and international environmental law.

A. The Precautionary Principle

Adopted in *Vellore Citizens Welfare Forum v. Union of India*, this principle, delaying cost-effective actions to stop environmental degradation cannot be justified by a lack of complete scientific knowledge when there is a risk of significant or irreparable harm to the environment¹⁶. The Court raised this principle to the status of customary international law applicable in India.

B. The Polluter Pays Principle

Also recognized in *Vellore Citizens Welfare Forum*, this principle, people who produce pollution must pay for all associated costs, including remediation and victim compensation¹⁷. The Supreme Court has directed industrial polluters to pay for environmental restoration and victim compensation in numerous cases.

C. Sustainable Development

The Court in *N.D. Jayal v. Union of India* held that sustainable development is a fundamental principle of constitutional law, need of the integration of environmental protection with economic development so that development meets the needs of the present without compromising the ability of future generations to meet their own needs¹⁸.

D. The Public Trust Doctrine

As put in *M.C. Mehta v. Kamal Nath*, the State is the trustee for the public of certain natural resources like rivers, forests, air, and seashores. The State cannot transfer these natural resources for private commercial use in a manner prejudicial to the public¹⁹.

¹⁶ 16. *Vellore Citizens Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647, 11 (India); Rio Declaration on Environment and Development princ. 15, U.N. Doc. A/CONF.151/26/Rev.1 (1992).

¹⁷ *Vellore Citizens Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647, 12 (India); *Indian Council for Enviro-Legal Action v. Union of India*, (1996) 3 S.C.C. 212, 64–65 (India).

¹⁸ *N.D. Jayal v. Union of India*, (2004) 9 S.C.C. 362, ¶ 40 (India) (citing World Comm'n on Env't & Dev., *Our Common Future* 43 (1987)).

¹⁹ *M.C. Mehta v. Kamal Nath*, (1997) 1 S.C.C. 388,26 (India).

E. M.K. Ranjitsinh v. Union of India

The decision in *M.K. Ranjitsinh & Ors. v. Union of India & Ors.* (2024) represents a landmark moment in Indian environmental jurisprudence, particularly in articulating the intersection of wildlife protection and the right to life²⁰.

The case started with a petition about the habitat destruction caused by overhead power transmission lines in Rajasthan and Gujarat for the highly endangered Great Indian Bustard (GIB) and the Lesser Florican. The petitioners sought directions for undergrounding of high-voltage power lines passing through the GIB's priority breeding habitat, arguing that the extinction of a species constituted a constitutional injury.

The right to a healthy environment is an essential part of the right to life under Article 21, according to a three-judge panel headed by Chief Justice D.Y. Chandrachud. The Court further held that the right to life has been construed to include the right to be protected from the negative impacts of climate change, thereby establishing a constitutional requirement for climate action²¹.

Most significantly, the Court in *M.K. Ranjitsinh* acknowledged for the first time that the right to be protected from the negative consequences of climate change is a basic right under Articles 21 and 14 of the Constitution. This was a remarkable constitutional development, as it brought climate justice explicitly within the framework of fundamental rights. The Court has based this right on the Precautionary Principle, the State's obligation under Article 48A, and India's international obligations under the Paris Agreement²².

The Court weighed this against the renewable energy targets in India and recognized the dilemma of balancing the conservation of GIB with the need to establish solar energy infrastructure in the affected regions. The Court established a Committee of Experts to assess the viability of undergrounding the power lines and to determine the optimal balance in the conservation of the species and the development of renewable energy in the region a sophisticated application of the principle of sustainable development²³.

The *M.K. Ranjitsinh* ruling is of constitutional moment for at least three reasons. Firstly, the ruling enlarges the meaning of Article 21 to include rights of climate. Secondly, the ruling illustrates the need for constitutional morality to ensure the State takes steps to fulfill its

²⁰ *M.K. Ranjitsinh v. Union of India*, 2024 SCC OnLine SC 822 (India Apr. 19, 2024).

²¹ *Id.* at 37–42.

²² *Id.* at 43–52; Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015.

²³ *M.K. Ranjitsinh v. Union of India*, 2024 SCC OnLine SC 822,55–62 (India).

environmental obligations in spite of other competing economic interests. Thirdly, the ruling illustrates the polycentric approach of the judiciary to address complex issues of environmental regulation and their scientific and technical complexity.

V. ENVIRONMENTAL JUSTICE AS CONSTITUTIONAL MORALITY

In the Constituent Assembly, Dr. B.R. Ambedkar referred to constitutional morality as the spirit and soul of constitutional governance, which encompasses not just a dedication to the Constitution but also to the fundamental principles of liberty, equality, fraternity, and dignity²⁴. The Supreme Court has periodically invoked constitutional morality as a counter to popular or social morality, particularly in cases concerning minority rights and individual dignity.

Applying the aforementioned idea to environmental law reveals a potent normative framework. In actuality, the fundamental ideals of equality, dignity, and fraternity are strongly aligned with environmental justice, which is defined as the equitable distribution of environmental benefits and responsibilities and the right of all communities to participate in choices respecting their environments²⁵.

Constitutional morality also requires the State to not allow the degradation of the environments of the poor while protecting the environments of the affluent. It also requires the State not to displace the indigenous and tribal populations who define themselves by their association with the forests and the rivers. It also requires the State to represent the interests of future generations who have no say in the present legislative and executive processes through the principle of intergenerational equity²⁶.

The M.K. Ranjitsinh case is a prime example of constitutional morality, particularly with respect to environmental law. The Court was unwilling to allow economic development concerns, no matter how valid, to be used to wipe out an entire species and violate the right to a healthy environment, insisting instead that the State must find a way to fulfill all of its constitutional obligations simultaneously²⁷.

²⁴ 7 Constituent Assembly Debates 38 (Nov. 4, 1948) (statement of B.R. Ambedkar); Navtej Singh Johar v. Union of India, (2018) 10 S.C.C. 1, 214–224 (India).

²⁵ ROBERT D. BULLARD, DUMPING IN DIXIE: RACE, CLASS, AND ENVIRONMENTAL QUALITY 3–4 (3d ed. 2000); LUKE W. COLE & SHEILA R. FOSTER, FROM THE GROUND UP: ENVIRONMENTAL RACISM AND THE RISE OF THE ENVIRONMENTAL JUSTICE MOVEMENT 16–17 (2001).

²⁶ T.N. Godavarman Thirumulpad v. Union of India, (2012) 3 S.C.C. 277 (India).

²⁷ M.K. Ranjitsinh v. Union of India, 2024 SCC OnLine SC 822, 75–80 (India).

The National Green Tribunal (NGT) is created under the National Green Tribunal Act of 2010, reflects the concept of constitutional morality in the administration of environmental law by providing a special adjudicatory body to resolve environmental disputes. The NGT reflects the constitutional goal of “accessibility, expertise, and expeditiousness” in the administration of environmental law and has now become an essential component of the constitutional obligation to protect the environment²⁸.

Environmental justice as constitutional morality also includes the concept of procedural fairness, i.e., the "right of the people to participate in decision-making processes such as environmental impact assessments and public hearings." The Environment (Protection) Act, 1986, and the Forest Rights Act, 2006 are legislative expressions of this procedural dimension, though their implementation has been frequently criticised for inadequacy²⁹.

VI. ANALYSIS AND SUGGESTIONS

A. ANALYSIS OF THE CURRENT FRAMEWORK

The constitutional framework of environmental protection in India ranks among the most advanced in the world from a comparative perspective. The judicial creativity employed to incorporate environmental rights under Article 21 of the Constitution, the legislative regime of the Environment Protection Act, the Water Act, the Air Act, the Forest Conservation Act, the Wildlife Protection Act, and the institutional regime of the NGT collectively amount to a formidable legal regime³⁰.

Nevertheless, there are several gaps and tensions. Firstly, the existing gap between the law on paper and the law in action is enormous. In fact, there is widespread violation of environmental laws, and impact assessment is not always seriously conducted.

Second, the rights-duties model is unbalanced. While the courts have been quite liberal in the enforcement of environmental rights, the duties side has been quite poorly implemented. The

²⁸ National Green Tribunal Act, 2010, No. 19 of 2010, 14–18 (India); Bhopal Gas Peedith Mahila Udyog Sangathan v. Union of India, (2012) 8 S.C.C. 326 (India).

²⁹ Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, No. 2 of 2007 (India); Orissa Mining Corp. Ltd. v. Ministry of Env't & Forest, (2013) 6 S.C.C. 476 (India).

³⁰ Environment (Protection) Act, 1986, No. 29 of 1986 (India); Water (Prevention and Control of Pollution) Act, 1974, No. 6 of 1974 (India); Air (Prevention and Control of Pollution) Act, 1981, No. 14 of 1981 (India); Forest (Conservation) Act, 1980, No. 69 of 1980 (India); Wildlife (Protection) Act, 1972, No. 53 of 1972 (India).

polluter pays principle, for instance, has been quite theoretically sound but quite weak in practice³¹.

Third, the area of climate justice is still evolving. The recognition of the right to be free from the adverse effects of climate change in the M.K. Ranjitsinh judgment is indeed a path-breaking development, but it has yet to be consolidated legislatively in the form of a special law on climate change.

Fourth, the environmental burdens, such as displacement due to hydroelectric projects or pollution due to mining, continue to fall on the tribal or indigenous population. The Forest Rights Act, 2006, though welcome, has been implemented in a haphazard fashion, and the rights of the people living in the forests continue to be subjugated to the needs for economic development³².

B. SUGGESTIONS

1. Constitutional Amendment Providing an Explicit Right to Environment: The path that India must follow is that of South Africa, Ecuador, and other countries that have provided an explicit right to a healthy environment. Although judicial interpretation has provided a partial answer to this issue, an explicit textual right will provide more robust and certain constitutional protection.

2. Climate Change Legislation: A specific Climate Change Act must be enacted to provide domestic law to reflect international obligations and the textual right to a healthy environment recognized by M.K. Ranjitsinh.

3. Strengthening the NGT: The National Green Tribunal needs to be strengthened by establishing additional benches in all the High Courts, along with sufficient staff comprising technical experts, and also empowering it with stronger enforcement tools, such as the contempt power against the government agencies for non-compliance.

4. Environmental Justice Cells: In order to guarantee free legal assistance for the impacted parties and ensure that environmental justice is more than simply a concept on paper, environmental justice cells must be formed within the District Legal Services Authorities.

³¹ SANJAY UPADHYAY, ENVIRONMENTAL LAW IN INDIA 254–62 (3d ed. 2016).

³² RAMACHANDRA GUHA & JOAN MARTÍNEZ-ALIER, VARIETIES OF ENVIRONMENTALISM: ESSAYS NORTH AND SOUTH 12–15 (1997).

5. Cumulative Environmental Impact Assessment: There is a need to develop a system of cumulative and strategic environmental impact assessment to go along with the traditional project-by-project approach to environmental impact assessment.

6. Corporate Environmental Accountability: There is a need to develop legislation that imposes a duty of diligence on corporations for environmental harm in their supply chains and operations, with criminal liability for responsible officers for serious breaches of environmental laws.

7. Community Environmental Rights: Tribal and indigenous communities should have their environmental rights acknowledged, including the right to free, prior, and informed consent before any project is carried out in their ancestral territory.

CONCLUSION

Environmental justice and constitutional morality are not merely abstract concepts; they are operational mandates for a State that has constitutionally pledged itself to the cause of the protection of life, dignity, equality, and the natural world. The Indian judiciary has over the decades developed a highly sophisticated constitutional law of environmentalism. The landmark case of *M.K. Ranjitsinh v. Union of India*, in which a constitutional right against the adverse impact of climate change was recognized, is the frontier of constitutional jurisprudence.

However, the achievement of such jurisprudence has also to be complemented by institutional efficacy and political will. Constitutional morality in the domain of the environment does not merely require the articulation of rights; it also requires their actualization in the lives of those who are most vulnerable to environmental degradation. The suggestions made in this article are oriented towards such an actualization of a constitutional ecology wherein rights, duties, and institutions work in concert to achieve environmental justice for all citizens of the world.

REFERENCES

1. Air (Prevention and Control of Pollution) Act, 1981, No. 14 of 1981 (India).
2. *Bhopal Gas Peedith Mahila Udyog Sangathan v. Union of India*, (2012) 8 S.C.C. 326 (India).

3. ROBERT D. BULLARD, DUMPING IN DIXIE: RACE, CLASS, AND ENVIRONMENTAL QUALITY (3d ed. 2000).
4. Charan Lal Sahu v. Union of India, (1990) 1 S.C.C. 613 (India).
5. LUKE W. COLE & SHEILA R. FOSTER, FROM THE GROUND UP: ENVIRONMENTAL RACISM AND THE RISE OF THE ENVIRONMENTAL JUSTICE MOVEMENT (2001).
6. 7 CONSTITUENT ASSEMBLY DEBATES 38 (1948) (statement of B.R. Ambedkar).
7. Environment (Protection) Act, 1986, No. 29 of 1986 (India).
8. Essar Oil Ltd. v. Halar Utkarsh Samiti, (2004) 2 S.C.C. 392 (India).
9. Francis Coralie Mullin v. Adm'r, Union Territory of Delhi, (1981) 1 S.C.C. 608 (India).
10. Forest (Conservation) Act, 1980, No. 69 of 1980 (India).
11. RAMACHANDRA GUHA & JOAN MARTÍNEZ-ALIER, VARIETIES OF ENVIRONMENTALISM: ESSAYS NORTH AND SOUTH (1997).
12. Indian Council for Enviro-Legal Action v. Union of India, (1996) 3 S.C.C. 212 (India).
13. INDIA CONST. art. 48A (added by the Constitution (Forty-Second Amendment) Act, 1976).
14. INDIA CONST. art. 51A(g) (added by the Constitution (Forty-Second Amendment) Act, 1976).
15. Intellectuals Forum, Tirupathi v. State of Andhra Pradesh, (2006) 3 S.C.C. 549 (India).
16. M.C. Mehta v. Kamal Nath, (1997) 1 S.C.C. 388 (India).
17. M.C. Mehta v. Union of India (CNG Vehicles Case), (2002) 4 S.C.C. 356 (India).
18. M.C. Mehta v. Union of India (Taj Trapezium Case), (1997) 2 S.C.C. 353 (India).
19. M.K. Ranjitsinh v. Union of India, 2024 SCC OnLine SC 822 (India Apr. 19, 2024).
20. Maneka Gandhi v. Union of India, (1978) 1 S.C.C. 248 (India).
21. Minerva Mills Ltd. v. Union of India, (1980) 3 S.C.C. 625 (India).

22. National Green Tribunal Act, 2010, No. 19 of 2010 (India).
23. N.D. Jayal v. Union of India, (2004) 9 S.C.C. 362 (India).
24. Navtej Singh Johar v. Union of India, (2018) 10 S.C.C. 1 (India).
25. Orissa Mining Corp. Ltd. v. Ministry of Env't & Forest, (2013) 6 S.C.C. 476 (India).
26. Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015.
27. Research Found. for Sci., Tech. & Nat. Res. Pol'y v. Union of India, (2005) 13 S.C.C. 186 (India).
28. Rio Declaration on Environment and Development, U.N. Doc. A/CONF.151/26/Rev.1 (1992).
29. Rural Litig. & Entitlement Kendra v. State of Uttar Pradesh, A.I.R. 1988 S.C. 2187 (India).
30. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, No. 2 of 2007 (India).
31. State of Punjab v. Ram Lubhaya Bagga, (1998) 4 S.C.C. 117 (India).
32. Subhash Kumar v. State of Bihar, (1991) 1 S.C.C. 598 (India).
33. T.N. Godavarman Thirumulpad v. Union of India, (2012) 3 S.C.C. 277 (India).
34. SANJAY UPADHYAY, ENVIRONMENTAL LAW IN INDIA (3d ed. 2016).
35. Vellore Citizens Welfare Forum v. Union of India, (1996) 5 S.C.C. 647 (India).
36. Water (Prevention and Control of Pollution) Act, 1974, No. 6 of 1974 (India).
37. Wildlife (Protection) Act, 1972, No. 53 of 1972 (India).
38. World Commission on Environment and Development, Our Common Future (1987).