



UGC CARE LISTED
ISSN No. 2394-5990

इतिहासाचार्य वि. का. राजवाडे मंडळ, धुळे या संस्थेचे त्रैमासिक

॥ संशोधक ॥

पुरवणी अंक ३८ - मार्च २०२४ (त्रैमासिक)

- शके १९४५
- वर्ष : ९२
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कार्याध्यक्ष, इ. वि. का. राजवाडे संशोधन मंडळ, धुळे ४२४००१
दूरध्वनी (०२५६२) २३३८४८, ९४२२२८९४७९, ९४०४५७७०२०

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कार्यालयीन वेळ

सकाळी ९.३० ते १.००, सायंकाळी ४.३० ते ८.०० (रविवारी सुट्टी)

लेख सदस्यता वर्गणी : रु. २५००/-

विशेष सूचना : संशोधक त्रैमासिकाची वर्गणी चेक/ड्राफ्टने
'संशोधक त्रैमासिक राजवाडे मंडळ, धुळे' या नावाने पाठवावी.

अक्षरजुळणी : सौ. सीमा शिंत्रे, पुणे.

टीप : या नियतकालिकेतील लेखकांच्या विचारांशी मंडळ व शासन सहमत असेलच असे नाही.



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Contribution of Constitutional Framework and Supreme Court Judgments for Environmental Stewardship in India

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ABSTRACT :

Protection of Environment is an essential part of Indian tradition, ethos and philosophy. Indian Constitution makers were aware of the need for environment protection to ensure a safe and healthy life for future generations. It prescribes directives and responsibilities for the State and the citizens respectively to safeguard the environment. Specific mentions of duties and rights related to environmental stewardship are made under Articles 14, 19, 21 and also through the amendments including articles 48A, 49A and 51A of Indian Constitution. Provision of Fundamental Rights under Part III of Indian Constitution guarantees basic rights, which are vital for each individual's growth and which a person is intrinsically committed just by being an individual. It is essential to note that without the safe and clean environment, it is impossible for a person to thrive and develop to the fullest. Therefore, recognizing its importance, the judiciary whenever approached, from time to time, interpreting provisions in the Constitution, underlined the necessity of environmental stewardship.

However, it is a matter of great concern that India was rated at the last position in recently published Environmental Performance Index (EPI) for 2022 with the lowest EPI of 18.9 despite the implementation of various projects such as Sashakt Bharat, Swachh Bharat, Namami Ganga, National

Mission for Sustainable Agriculture (NMSA) and others. In this context, this paper attempts to study the contribution of constitutional provisions and Supreme Court verdicts related to environmental protection in ensuring environmental sustenance and quality life to human beings. It is concluded that in India constitutional provisions and Supreme Court verdicts together provide assurance of environmental protection to ensure environmental sustenance and quality life to human beings

Key words: Indian Constitution, Environment protection, Supreme Court Judgments, Environmental sustenance

Section I

INTRODUCTION :

Protection of Environment is an indispensable part of Indian tradition, ethos and philosophy. Indian Constitution makers were aware of the need for environment protection to ensure a safe and healthy life for future generations. It prescribes directives and responsibilities for the State and the citizens respectively to preserve the environment. However, the subject of environment was not explicitly mentioned in the Constitution prior to 42nd Amendment Act, 1976 which inserted articles 48A, 49A and 51A. But, noticeably, the objectives enshrined in the Preamble and the directive principles together with provisions incorporated in Part III, in