



Sustainable Development Vis-À-Vis Environmental Protection-A Juridical Study

Dr. Dhiraj Bhusan Sarmah^{1*}, Amitabh Malla Buzar Baruah²

¹B.A. (Hons.), LL.M., Ph.D (Law), Former Guest Lecturer, University Law College, Gauhati University, Part-time Teacher, Mahapurush Srimanta Sankardeva Vishwavidyalaya, Guwahati Unit, Email-mymaildhiraj@gmail.com, Contact No: 8638359230

²B.A.LL.B, LL.M, Asstt. Prof. of Law, Ajmal Law College, Hojai, Email – rkybaruah@gmail.com, Ph. No.- 6901080186

***Corresponding Authors: Dr. Dhiraj Bhusan Sarmah**

^{*}B.A. (Hons.), LL.M., Ph.D (Law), Former Guest Lecturer, University Law College, Gauhati University, Part-time Teacher, Mahapurush Srimanta Sankardeva Vishwavidyalaya, Guwahati Unit, Email-mymaildhiraj@gmail.com, Contact No: 8638359230
and

Amitabh Malla Buzar Baruah

^{*}Asstt. Prof. of Law, Ajmal Law College, Hojai, Email – rkybaruah@gmail.com, Ph. No.- 6901080186

Submitted: 5- January-2023, Revised: 25- January-2023, Acceptance: 15- February-2023, Published: 10- March-2023

ABSTRACT

In today's rapidly evolving global landscape, the concepts of sustainable development and environmental protection have emerged as critical imperatives. Sustainable development is fundamentally about ensuring that current developmental practices do not compromise the ability of future generations to meet their own needs. This principle underscores the importance of balancing economic growth, societal progress, and environmental stewardship. Environmental pollution and degradation are pressing issues on a global scale, driven by industrialization, urbanization, and unsustainable resource exploitation. These challenges highlight the urgent need for comprehensive strategies that harmonize economic advancement with ecological preservation.

Legislative and constitutional frameworks provide foundational support for environmental protection. They establish guidelines, regulations, and policies aimed at safeguarding natural resources, biodiversity, and ecosystems. However, laws alone are insufficient without effective implementation and enforcement mechanisms. The judiciary, particularly the Supreme Court and High Courts, plays a crucial role in interpreting and enforcing environmental laws. Through landmark judgments and decisions, courts can shape policies and practices that promote sustainable development. Their interventions often serve as checks on governmental and corporate actions that may have detrimental environmental impacts. Moreover, achieving sustainable development requires active participation from society at large. Civil society organizations, community groups, and individual citizens contribute significantly to environmental conservation efforts through awareness campaigns, and grassroots initiatives. Their involvement fosters a culture of environmental responsibility and encourages sustainable practices at local, national, and global levels.

The Constitution of a country serves as a cornerstone for sustainable development by embedding principles of environmental protection and sustainability into its legal framework. Many constitutions now include provisions that recognize the right to a healthy environment and mandate the state to protect and conserve natural resources for future generations. These constitutional guarantees empower citizens to hold governments accountable for their environmental policies and actions. Sustainable development is a multifaceted concept that requires a delicate balance between economic growth, social progress, and environmental integrity. Achieving this balance necessitates collaborative efforts from policymakers, the judiciary, civil society, and individuals alike. By integrating environmental protection into developmental goals and ensuring robust legal frameworks, societies can aspire to achieve sustainable development while safeguarding the planet for future generations.

Keywords: advancement, sustainable development, present generation, degradation, constitution, judiciary.

1.1 INTRODUCTION¹

The protection of the environment is widely recognized as essential for achieving sustainable development worldwide. Various forms of environmental degradation such as industrial pollution, deforestation, ozone depletion, and greenhouse gas emissions not only harm ecosystems but also pose significant threats to human health and well-being. Addressing these issues is crucial for maintaining ecological balance and ensuring sustainable development. In India,

¹ Available at- <https://pib.gov.in/newsite/mbErel.aspx?relid=122326>, visited on-12-12-2022

environmental protection is embedded in the Constitutional framework and supported by robust legislation. The Indian Constitution includes several provisions that mandate the protection and improvement of the environment. For instance, Article 48A² of the Constitution directs the State to protect and improve the environment and safeguard forests and wildlife. Article 51A(g)³ imposes a fundamental duty on every citizen to protect and improve the natural environment including forests, lakes, rivers, and wildlife.

In addition to Constitutional provisions, India has enacted several laws aimed at environmental protection and conservation. Key legislations include the Environment Protection Act (1986), the Wildlife Protection Act (1972), and laws addressing water and air pollution. These laws provide the legal basis for regulating industrial activities, conserving biodiversity, managing waste, and controlling pollution.

Judicial activism has also played a pivotal role in advancing environmental protection in India. The Supreme Court of India, utilizing its writ jurisdiction under Article 32⁴ of the Constitution, has often intervened to ensure enforcement of environmental laws, protect fragile ecosystems, and safeguard public health. Landmark judgments such as the *Oleum Gas Leak case*, the *Taj Trapezium case*, and the *Vellore Citizens Welfare Forum case* have set important precedents in environmental jurisprudence, emphasizing the right to a clean environment as a fundamental right under Article 21 (right to life) of the Constitution⁵.

The concept of sustainable development, which emerged prominently in the 20th century, advocates for a balanced approach that integrates environmental, societal, and economic considerations. In India, as in many other countries, achieving sustainable development involves adopting policies and practices that promote economic growth while ensuring environmental sustainability and social equity. Governmental organizations, non-governmental organizations (NGOs), and community initiatives all play crucial roles in promoting sustainable practices, such as renewable energy adoption, sustainable agriculture, and conservation of natural resources.⁶

While challenges remain in balancing economic growth with environmental sustainability, India has made significant strides in integrating environmental concerns into its development agenda. The judiciary's proactive stance has been instrumental in ensuring compliance with environmental laws and holding stakeholders accountable for environmental degradation. Moving forward, continued efforts in policy formulation, public awareness, and international cooperation will be essential in achieving sustainable development goals while safeguarding the environment for future generations.⁷

1.2 OBJECTIVES OF THE STUDY

The objectives of this study are as follows-

- To discuss the core concept of sustainable development.
- To discuss the concept of environmental protection.
- To study the Constitutional provisions relating to protection of environment and attaining sustainable development.
- To analyze the relation between environmental protection and sustainable development.
- Investigate how environmental conservation contributes to sustainable development goals.
- To scrutinize the role of judiciary in protecting sustainable development in India; particularly the Supreme Court, in safeguarding sustainable development in India.

1.3 METHODOLOGY

This research is doctrinal in nature, primarily utilizing secondary sources of information to examine the strategy of sustainable development in India. The study organizes legal provisions, principles, concepts, and doctrines relevant to sustainable development. It systematically reviews substantive laws and relevant judicial decisions pertaining to sustainable development in India.

The authors not only analyze the legal framework safeguarding sustainable development but also logically present the provisions and case laws that substantiate these efforts. Through this approach, the study aims to provide a comprehensive understanding of how sustainable development is legally protected and promoted in India.

This structure provides a clear and concise overview of the introduction, objectives, and methodology of the study on sustainable development in India. It maintains a focus on legal aspects while addressing the broader environmental and developmental concerns.

1.4 THE CONCEPT OF SUSTAINABLE DEVELOPMENT

²Article 48A of the Constitution of India.

³Article 51A(g) of the Constitution of India.

⁴Article 32 of the Constitution of India

⁵Article 21 of the Constitution of India.

⁶ Supra foot note no-1

⁷ Ibid

Although sustainable development is a congenial language; it is not a clear conception.⁸ Experts are uncertain about its content and scope.⁹The word sustainability originates from the Latin word “Sustainer” which means “to hold up”, “to endure” and Webster’s new Collegiate Dictionary describes sustainability as to “to give support” or “to keep up”.¹⁰ According to Good land and Ladoc, “sustainable development is a pattern of social and structural economic benefits available in the present without jeopardizing the likely potential for similar benefits in the future.”¹¹

The term “sustainable development” was coined for the first time by the “International Union for the Conservation of Nature” in the year 1980 in its “World Conservation Strategy”¹², although the term was at the time of “Cocoyoc Declaration on Environment and Development” in the early 1970. Since then it is constantly been used¹³.

Explaining the inter-dependence of conservation and sustainable development, the Brundtland Report (1997)¹⁴ said- “Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs..... Sustainable development requires meeting the basic needs of all and extending to all opportunity to satisfy their aspirations for a better life.”

But when the meaning or scope of sustainable development is applied to a given situation, one has face many “ifs” and “buts”. No body, perhaps, is in a position to say precisely that this is the meaning or scope of the term “sustainable development”.¹⁵

The actual definition of sustainable development may not be accepted by everyone but what is important is the recognition that sustainable development is about the balance of the connected Es, Economy, Environment, and Equity.¹⁶

Sustainable development is a concept that addresses the dual imperatives of meeting human needs and ensuring environmental sustainability for present and future generations. It seeks to balance economic growth, social development, and environmental protection in a way that avoids depleting natural resources or causing irreversible damage to ecosystems.

The principal objectives of sustainable development can be elaborated as follows¹⁷-

- Maintaining Production of Goods and Services for Development and Efficiency.
- Using Renewable Natural Resources in a Regenerative Manner and
- Using Non-Renewable Resources Sparingly and Responsibly.

Maintaining Production of Goods and Services for Development and Efficiency-

Sustainable development recognizes the importance of economic growth and the production of goods and services to meet the needs of societies. However, it emphasizes that this production should be efficient and mindful of resource use. Efficiency here means minimizing waste, reducing resource consumption, and optimizing processes to achieve more with less. By doing so, sustainable development aims to support economic prosperity without compromising the ability of future generations to meet their own needs.¹⁸

Using Renewable Natural Resources in a Regenerative Manner-

Renewable natural resources such as forests, fisheries, and freshwater are crucial for sustaining life and economic activities. Sustainable development advocates for using these resources in a way that ensures their regeneration exceeds their consumption rate. This involves practices such as sustainable forestry, responsible fishing practices, and water management strategies that maintain or enhance natural resource availability over time. The goal is to prevent overexploitation and degradation, thereby ensuring these resources can continue to provide benefits in the long term.¹⁹

Using Non-Renewable Resources Sparingly and Responsibly-

Non-renewable resources, such as fossil fuels and minerals, are finite and will eventually be depleted. Sustainable development calls for their careful and sparing use. This includes efficient extraction techniques, minimizing waste during

⁸Millards Clements; “Three Realities that Challenge Health Workers; Environmentalists; Lawyers; Teachers; Political Leaders and Children Today” in the Souvenir of Indian Law Institute ;March21 -25;1994 ;New Delhi,p.204

⁹U.Barelin, The concept Sustainable development in R.Wolfrum(ed);Enforcing Environmental Standards:Economic Means as Viable Means :Berlin,1996;p.950

¹⁰Jaiswal, P.S.Environmental Law, Pioner Publiication,3rd Edition,2009,p.120

¹¹Ibid

¹²Pinto M.C.W, Reflections on the term Sustainable Development and its Institutional Implications .In K.Ginther/E Dehters/PJIM de Warrt, Sustainable Development and Good Governance Dordretch.London and Boston(1995)

¹³Tiwari ,H.N Environmental Law,Allahabad Law Agency,Third Edition2005,p.52.

¹⁴Report of the U. N .Commission on Environment and Development titled as Our Common Future(1987),p.43

¹⁵Supra foot note no-5,pp.53-54

¹⁶Ibid

¹⁷Supra foot note no-9

¹⁸Ibid

¹⁹Ibid

use, and investing in research and development of alternative, renewable, or recyclable substitutes. The aim is not only to extend the lifespan of these resources but also to mitigate environmental impacts associated with their extraction and use.²⁰ Thus sustainable development is about managing resources and ecosystems in a way that meets current needs without compromising the ability of future generations to meet their own needs. It acknowledges the interconnectedness of economic, social, and environmental systems, promoting integrated approaches that consider long-term impacts and benefits. As global priorities evolve and our understanding of environmental impacts deepens, the concept of sustainable development continues to evolve, emphasizing resilience, equity, and inclusivity in its implementation strategies.²¹

1.5 EVOLUTION OF THE CONCEPT OF SUSTAINABLE DEVELOPMENT

1.5.1 Early Perspectives

In the 1950s and 1960s, development was largely seen through an economic lens, focused on rapid economic growth and industrialization. The prevailing view was that economic advancement was paramount, often at the expense of environmental considerations. Environmental issues were not widely integrated into development strategies and policies.²²

1.5.2. Emergence of Environmental Awareness-

By the 1970s, there was a growing recognition that unchecked economic growth could lead to environmental degradation and undermine long-term prosperity. This marked a shift towards considering environmental factors as integral to development rather than separate concerns. The limitations of natural resources and the impacts of pollution were beginning to be acknowledged in policy circles.²³

1.5.3. The Brundtland Report and Conceptualization of Sustainable Development-

The pivotal moment in the evolution of sustainable development came with the release of the Brundtland Report in 1987, titled "Our Common Future." This report defined sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." It introduced two key concepts: the prioritization of the essential needs of the world's poor and the recognition of environmental limits imposed by technology and social organization.²⁴

1.5.4. Integration and Holistic Approach-

Since the Brundtland Report, there has been a growing consensus that sustainable development requires a holistic approach that balances economic, social, and environmental dimensions. This integration recognizes that economic growth should not occur at the expense of environmental health or social equity. It emphasizes the importance of considering long-term impacts and the interconnectedness of global systems.

1.5.5. Contemporary Understanding-

In the 21st century, the definition of sustainable development continues to evolve. It now emphasizes achieving economic progress while ensuring the responsible use of natural resources and minimizing environmental impacts. This includes adopting sustainable practices in agriculture, industry, energy, and urban development. The focus is on innovation, efficiency, and resilience in the face of global challenges such as climate change, biodiversity loss, and resource depletion.

1.5.6. Global Commitments and Implementation-

Today, sustainable development is not just a conceptual framework but a set of actionable goals and commitments. The United Nations Sustainable Development Goals (SDGs), adopted in 2015, provide a comprehensive blueprint for global development that integrates economic, social, and environmental dimensions. Countries around the world are increasingly aligning their policies, investments, and practices with these goals to ensure a sustainable future for all.²⁵ The evolution of the concept of sustainable development reflects a broader understanding of the complex interdependencies between human well-being and environmental health. It has progressed from a narrow focus on economic growth to a holistic approach that seeks to balance economic prosperity, social inclusion, and environmental sustainability. This evolution is crucial for addressing the challenges of the 21st century and ensuring a prosperous and equitable future for generations to come.²⁶

²⁰Ibid

²¹ Ibid

²² Available at- <http://agropedialabs.iitk.ac.in/openaccess/sites/default/files/WS%201.pdf>, visited on 20-12-2022.

²³ Ibid

²⁴ Nyaya Deep, The official Journal of NALSA, Vol-VII, Issue-4, October, 2006, p.96

²⁵ WCED, Our Common Future, 1987, p. 44

²⁶ Indian Bar Review, Vol XLIII(3)2016, pp.214-215

1.6 FEATURES OF SUSTAINABLE DEVELOPMENT²⁷

The salient features of sustainable development as stated in Rio Declaration are as follows-

- Intergenerational equity.
- Use and conservation of natural resources.
- Environmental protection.
- The precautionary principle.
- The polluter pays principle.
- Obligation to assist and co-operate.
- Eradication of poverty and
- Financial assistance to the developing countries.

Out of these features Intergenerational equity; the precautionary principle; the polluter pays principle are the core features of sustainable development.²⁸

1.7 THE CONCEPT OF THE TERM ENVIRONMENT

The word Environment is derived from the French word 'Environ' which means 'surrounding.' The dictionary meaning of 'Environment' is the surroundings or conditions in which a person, animal, or plant lives or operates. It is the habitat where a living being lives, prepare its own food, grow, make family and finally dies. The natural environment or natural world encompasses all biotic and abiotic things occurring naturally, which is not artificial. Environment can be defined as a sum of all the living and non-living elements and their effects that influence human life has. While all living or biotic elements are animals, plants, forests, fisheries, and birds, non-living or abiotic elements include water, land, sunlight, rocks, and air. The term 'Environment' is often applied to earth or some other parts of earth. This environment encompasses the interaction of all living species, climate, weather and natural resources that affect human survival and economic activity.²⁹

We often keep hearing about the term 'Ecosystem' which seems to be synonymous but there is a difference between them. Environment refers to the surroundings whereas ecosystem is the interaction between the environment and the living organisms. Environment is the area where living organisms live but ecosystem is the community where the biotic and abiotic elements interact with each other. Environment plays a very important role in healthy living and the existence of life on planet earth. Earth is a home for different living species and we all are dependent on the environment for food, air, water and all other needs. There is no alternate to our environment. We cannot artificially create an environment for us. Therefore, it is important for every individual to save and protect our environment.

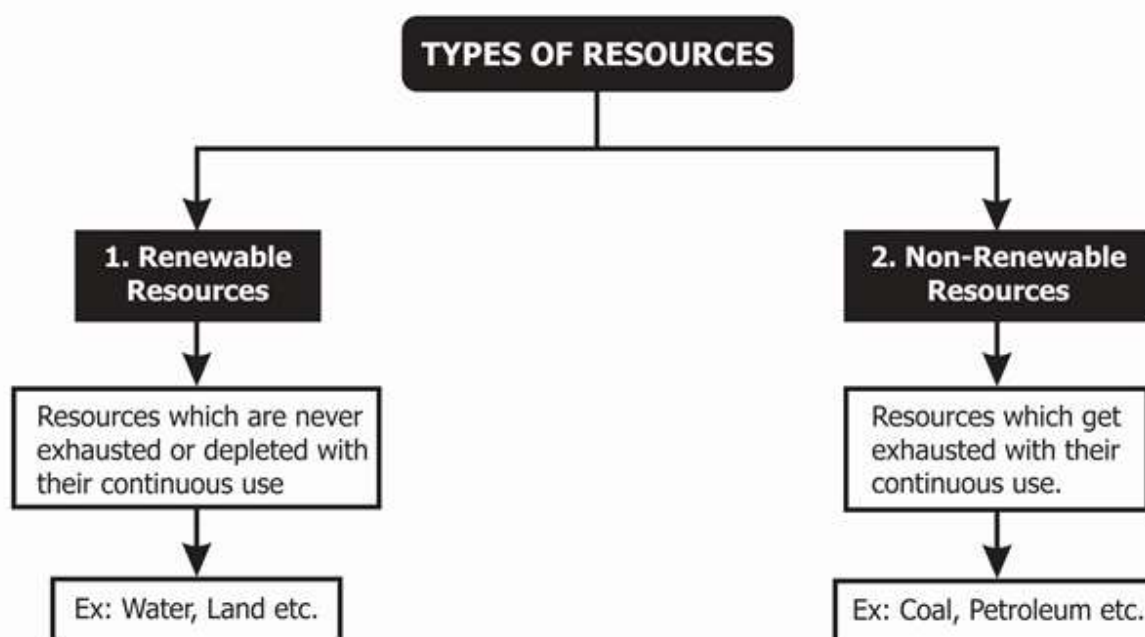
1.8 ABOUT ENVIRONMENTAL PROTECTION

There are different types of human activities which are directly attributed to the environmental disasters, which include acid rain, acidification of oceans, change in the climate, deforestation, depletion of an ozone layer, disposal of hazardous wastes, global warming, overpopulation, pollution, etc. Unless we protect our ecosystem, animals, crops, and ultimately ourselves, are in risk. The existence of all living beings would be unable to survive if there is no environment to dwell. We would also be unable to find other means of survival. Because if our environment is not preserved, forests would be extinct and with them the trees/plants that supply us with the essentials for survival such as oxygen to breathe, foods we get from them and the materials for building, wood, oils and a variety of other items. Every day, we witness an increase in the temperature of the earth. This is due to the fact that we misuse the environment rather than conserving it. Humans are responsible for releasing a significant amount of carbon dioxide in the atmosphere which has a significant impact on climate change. The environment has a positive impact on the economy as well. Increased nature-based tourism is encouraged by a healthy environment. We all want development in all spheres but not by damaging our environment. That is what sustainable development speaks about. The rate at which we are destructing the environment is very high and the rate by which environment is healing is very low.

Environmental Protection includes programs and services that are aimed at reducing risks to the environment from contaminants such as hazardous materials and wastes, fuels and oils. These programs address the pollution or damage prevention measures and regulatory compliance. It provides procedures for safely working with these materials in our environment (which we also call sustainable development) and designating preventative maintenance procedures. It also includes environmental emergency plans, which provide the appropriate actions to be taken in the event of a damage.

²⁷Indian Bar Review, Vol XXXII(1 and 2)2005,p.267
23.Ibid

²⁹Johnson, D. L.; Ambrose, S. H.; Bassett, T. J.; Bowen, M. L.; Crummey, D. E.; Isaacson, J. S.; Johnson, D. N.; Lamb, P.; Saul, M.; Winter-Nelson, A. E. (1997). "Meanings of Environmental Terms". *Journal of Environmental Quality*. Pg. 581-589



1.9 CONSTITUTIONAL COMMITMENT TOWARDS SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PROTECTION

Sustainable development aims to strike a balance between economic growth and environmental protection, ensuring that developmental activities do not compromise the ability of future generations to meet their own needs. In the context of India, the evolution of environmental protections in its legal framework highlights a significant journey towards integrating environmental conservation with development imperatives.³⁰

Initially, the Indian Constitution did not explicitly address environmental concerns. However, spurred by global awareness, particularly catalyzed by the Stockholm Conference, India made substantial constitutional amendments to prioritize environmental protection. The pivotal Forty-Second Amendment Act of 1976³¹ introduced key provisions mandating both the state and citizens to protect and improve the environment. This amendment amended the Seventh Schedule of the Constitution, transferring several environmental issues like forests, wildlife, and population control from the State List to the Concurrent List. This shift allowed Parliament to legislate uniformly on environmental matters nationwide.

Article 48-A emerged from this amendment, asserting the state's responsibility to protect and enhance the environment, including safeguarding forests and wildlife.³²

Simultaneously, Article 51-A (g) imposed an environmental duty on every citizen of India, emphasizing the importance of compassion towards living beings and environmental stewardship.³³

Judicial interpretation of these constitutional provisions has been instrumental. In cases such as *T. Damodhar Rao v. S.O. Municipal Corporation, Hyderabad*³⁴ and *Rural Litigation and Entitlement Kendra v. Union of India*,³⁵ courts underscored that environmental protection is not merely a governmental duty but a constitutional obligation binding on all state organs. These rulings highlighted the delicate balance between development and conservation, urging sustainable practices.

Moreover, fundamental rights enshrined in the Constitution, notably Article 21 guaranteeing the right to life and personal liberty, have been expansively interpreted to include the right to a clean and healthy environment. The judiciary, in landmark cases such as *Olga Tellis v. Bombay Municipal Corporation*,³⁶ recognized the right to livelihood as integral to Article 21, thereby integrating environmental sustainability into the fabric of individual rights.

In essence, India's constitutional and legal framework concerning the environment reflects a concerted effort to revive traditional reverence for nature while accommodating modern developmental imperatives. By integrating environmental protection into fundamental rights and concurrent legislative powers, India has positioned itself to address contemporary challenges while upholding sustainable principles for future generations. This legal evolution underscores India's commitment to harmonize economic growth with environmental preservation, setting a precedent for global environmental governance.

³⁰ Supra foot note no-12

³¹ Ibid

³² Article 48-A of the Constitution of India.

³³ Article 51-A(g) of the Constitution of India.

³⁴ A.I.R. 1987 A.P. 171

³⁵ A.I.R 1985 S.C 652

³⁶ A.I.R. 1986 S.C 180

1.10 INDIAN JUDICIAL PERSPECTIVES

Indian higher judiciary has recognized the principle of sustainable development as a basis for balancing ecological imperative with development goals.³⁷In *Rural Litigation and Entitlement Kendra v. state of U.P.*³⁸ also known as Dehradun Quarrying Case; was the first case of its kind in the country involving issues relating to environment and ecological balance which brought into sharp focus the conflict between development and conservation. The Supreme Court emphasized the need for reconciling the two in the larger interest of the country.³⁹

The implementation of sustainable development is a formidable task for the Indian courts as environmental pollution is a multidimensional problem and the courts need to face several fronts to implement the concept of sustainable development successfully.⁴⁰

In *People United for Better Living in Calcutta v. State of West Bengal*,⁴¹ The court noted that in developing countries, development must occur in harmony with the environment. While development is necessary, it should not lead to total environmental devastation. Even though the consequences may not be immediate, they could become irreversible if not addressed promptly. Therefore, there needs to be a balanced approach where both development and environmental preservation can coexist without mutual harm.

In *T.N. Godavarma Thimmalpad (through K.M. Chinnappa) v. Union of India*⁴², The Supreme Court has affirmed two fundamental principles that guide environmental law: (i) the principle of sustainable development, and (ii) the precautionary principle. Sustainable development constitutes a policy and strategy aimed at fostering ongoing economic and social progress while safeguarding the environment and preserving natural resources, crucial for sustaining current activities and future development.

Again in *N.D. Jayal v. Union of India*⁴³, the Supreme Court has declared that –‘the adherence to sustainable development is a sine qua non for maintenance of symbiotic balance between the right to development and development. This concept is ‘an integral part of life’ under Article 21.

*M.C. Mehtav. Union of India*⁴⁴ is yet another case in which the judgment of the court is based on the principle of sustainable development and where the court applied the precautionary principle.

In *Vellore Citizens Welfare Forum v. Union of India and others*⁴⁵ the Court has dealt with at length relationship between environment and development and it has given its approval with regard to ‘sustainable development’ rather than ‘absolute development’ or ‘development at all costs’.

In *Goa Foundation, Goa, v. Diksha Holding Pvt. Ltd*⁴⁶ a public interest litigation was filed against the construction of a hotel beach resort at Nagore Beach, Goa as it would disturb the environmental equilibrium and biodiversity in the coastal area. The Supreme Court attempted to strike a balance between environment and development and held that no activities which would ultimately lead to unscientific and unsustainable development and ecological destruction should at all be allowed and the courts must scrupulously try to protect the ecology and environment and should shoulder greater responsibility. However in the present case, the environmental clearance of the central government was obtained and the court did not find any illegality in the grant of environmental clearance by the government of India.

In the above cases the judiciary in India has played a significant role in the environmental protection and has applied the principle of sustainable development while deciding the above cases. It has fulfilled its obligation with all sincerity and seriousness toward this global problem and evolved a new school of jurisprudence that is environmental jurisprudence.⁴⁷

1.11 CONCLUSIONS⁴⁸

Sustainable development and environmental protection are multifaceted concepts that emphasize achieving economic growth and societal progress while ensuring environmental conservation. They recognize that our present actions should not jeopardize the ability of future generations to meet their own needs. This integrated approach views development and environmental conservation as interconnected, complementary aspects rather than conflicting interests. It shifts the focus from short-term gains to long-term sustainability, promoting economic growth, social inclusion, and environmental stewardship simultaneously.

³⁷ Indian Bar Review Vol 45(1)2018

³⁸ A.I.R 1987 S.C 359

³⁹ Supra foot note no-22

⁴⁰ Ibid

⁴¹ AIR 1980 SC 1622.

⁴² (2002) 10 SCC 606,p.586

⁴³ (2003) 6 Supreme 572,at 586.

⁴⁴ Popularly known as Taj Mahal case(1997) 2 SCC 353.

⁴⁵ A.I.R. 1996 S.C. 2115

⁴⁶ A.I.R. 2001 S.C.184

⁴⁷ Tiwari, Birendra Kumar, Sustainable Development and Environmental Protection In India, Indian Bar Review, Vol. XLIII 2006, p.228.

⁴⁸ Available at-http://www.nluassam.ac.in/docs/lex%20terra/lex_terra_issue_30.pdf, visited on 15-12-2022

At the core of sustainable development is the principle of balance and harmony among economic, social, and environmental dimensions. This necessitates integrating environmental considerations into decision-making processes across all sectors—from business and industry to government policy and community development. Such integration ensures that economic activities do not degrade natural resources or exceed environmental capacities.⁴⁹

Moreover, sustainable development values ecosystems and biodiversity for their intrinsic worth and the essential services they provide, such as clean air, water, and fertile soils, which are vital to human health and prosperity. Therefore, sustainable practices aim to enhance these natural assets rather than deplete them.

Achieving sustainable development and environmental protection requires innovative policies, technologies, and practices that promote resource efficiency, reduce waste, and mitigate climate change impacts. This involves encouraging businesses to adopt green technologies, governments to enact supportive regulations, and individuals to make environmentally responsible choices in their daily lives.

Furthermore, these principles underscore the importance of equity and justice. Sustainable development seeks to address disparities in access to resources and opportunities, ensuring that development benefits reach everyone, including marginalized communities and future generations.

In conclusion, sustainable development and environmental protection offer a holistic approach to progress, aiming for economic growth that enhances human well-being while safeguarding the environment. By embracing this approach, societies can achieve their development goals without compromising the health of ecosystems or the prospects of future generations. It calls for collective efforts across society to harmonize economic, social, and environmental interests for the benefit of all.

⁴⁹ Ibid