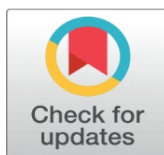


ENVIRONMENTAL JURISPRUDENCE IN INDIA: SPECIAL CONTEXT OF DEVELOPMENTAL PROJECTS AND THE PLACE FOR COMMUNITY IN IT

Vandana Sisodia¹✉, Aman Gupta²✉

¹Assistant Professor, Department of Continuing Education and Extension, University of Delhi, New Delhi- 110007

²Consultant, Cell for National Centre for Literacy, NCERT, New Delhi- 110016



Corresponding Author

Vandana Sisodia,
vandana.sisodia@gmail.com

DOI

[10.29121/shodhkosh.v5.i2.2024.1944](https://doi.org/10.29121/shodhkosh.v5.i2.2024.1944)

Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

Copyright: © 2024 The Author(s). This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).

With the license CC-BY, authors retain the copyright, allowing anyone to download, reuse, re-print, modify, distribute, and/or copy their contribution. The work must be properly attributed to its author.



1. INTRODUCTION

“By destroying nature, environment, man is committed (committing) matricide, having in a way killed Mother Earth. Technological excellence, growth of industries, economical gains have led to depletion of natural resources irreversibly, indifference to the grave consequences, lack of concern and foresight have contributed in large measures to the alarming position.”¹

-Justice Arijit Pasayat

¹ *T.N. Godavarman Thirumalpad v. Union of India, 2002, 10 SCC 606.*

ABSTRACT

The environment and natural resources are affecting (deteriorating) at a rapid pace with (modernization), industrialization, urbanization and many other factors which is degrading the environment. The natural resources are being exploited, the natural energy forces are depleting and other types of pollution of water, air, sound, nature is taking place for unsustainable economic growth model developed by us. All these changes are in turn degrading the quality of life human lives. In order to control and put checks and balances on the degradation of the environment and the use of natural resources and energy usage, our judiciary took various steps to protect the environment which also led to the enactment of various legislations and guidelines along with establishment of specified judicial bodies such as national Green Tribunal for dealing with the environmental issues. This paper is an attempt to highlight and discuss the role played by judiciary in protecting the environment and preserving its sustainability

Keywords: Environment, Jurisprudence, Community, Sustainable Development, Natural Resources

ARIJIT PASAYAT, J. By destroying nature, environment, man is committing matricide, having in a way killed Mother Earth. Technological excellence, growth of industries, economical gains have led to depletion of natural resources irreversibly. Indifference to the grave consequences, lack of concern and foresight have contributed in large measures to the alarming position. In the case at hand, the alleged victim is the flora and fauna in and around Kudremukh National Park, a part of the Western Ghats.

Today, we are often (often) used to see, read, and listen about the construction of new buildings of residential & commercial use. Along with this, many times we are also used to listen about the halt of the same for the long time of period or even its cancellation because of any judicial or tribunal courts' order. We generally name it as a civil case in legal terminology and generalizes it as a case of corruption, land use change matter and other many. This can be considered as correct to some extent. Today, we are in the global race of growth and development, in which growth is equated with economic growth only. Similarly, we see the Government's action on illegal encroachment of government or forest land while at the same time if govt. or any other party from whom the govt. official or representatives are having any benefit (is having any plan of project of any kind of development), the same land is made legal by converting its land use and by giving govt. clearance of various kinds by its different authorities including the environmental clearance. All the previous appeals of govt. for saving same land became baseless then. It has become the norm everywhere in India because of political and administrative culture that develops in our country like an inefficient and unwilling one. All this have been done by the western developed countries decades before. Now, when they realized the adverse consequences that this development would have on their land, environment and people, they strategically started to outsource their manufacturing units, plants, etc. to developing countries by luring them of financial investments, generating employment, economic development. While in reality, they used the land of developing and poor countries as their dumping yard (Narain, 2017). All this is well understood by these countries but due to their economic condition along with their ambition to become like developed countries and to get some individual profits out of all this, the leadership of developing countries ignored it somehow.

This paper is intended to study all those factors/nuances with connecting environmental protection from judicial lens that how our judiciary is dealing with the cases of environmental matters and how they are interpreting it throughout the country in same nature of cases.

2. EVOLUTION OF THE ENVIRONMENTAL JURISPRUDENCE IN INDIA POST-INDEPENDENCE

Since the beginning of time, the idea of environmental conservation has been ingrained in Indian culture. Prior to gaining independence, conservation and resource management were the main focuses of India's environmental policy development. As a result of growing awareness and concerns, the nation experienced significant changes in environmental regulations after independence.

There was no clear environmental policy in place during the early years of independence, and no effort was made to create laws or policies that would specifically safeguard the environment. However, the national planning process and forest policy both demonstrated a concern for environmental conservation. The **"1972 Stockholm Declaration"** acted as the catalyst for the Indian government to shift its focus towards **the broader concept of environmental preservation**. It was in the early decades of 1970s, when the protection of environment and natural resources got some highlight and drew attention widely in India after independence through famous events of Chipko movement in Uttarakhand. The Wildlife Protection Act, 1972, The Forest Conservation Act, 1980, The Environment (Protection) Act, 1986 are the three important environmental laws post independence. Though, it might also be there in different forms before the decade of 1970 but was scattered in small parts in different locations (Shekhar & Trivedi, 2022). At national level, it was the starting of 1980s when the issue of development and dependent livelihood on such model of development started to heat up for debate. It came in front that the particular mode of development is one which ignored the aspects of environment and its factors which was primarily important for long lasting sustainable development. After that rest is the chronological factual history that how the series of cases in courts specially the Supreme Court which that time was called as the Green Court for its very activeness & engaging in the environment protection. It led to broadening of several provisions Article 21, 48 of constitution of India and resulted into enactment of various laws, Acts and Policies for the

protection of environment which was the revolutionary wave in itself in the Indian history of Environmental Jurisprudence (Rosencrantz and Divan, 2001).

The 42nd Amendment Act of 1976 altered the Constitution to promote environmental conservation. Article 48A and Article 51A(g) were added to the Constitution as a result of the change. The State shall make an effort to preserve and enhance the environment, according to Article 48A, among other things.

3. PRESENT STATUS OF ENVIRONMENTAL JURISPRUDENCE IN INDIA

Several petitions for environmental protection are placed on regular basis in our judicial institutions at each level. But now the new trend is emerging i.e., coming of some features like office memorandums for inter and intra developmental communication (Oms), ordinances, etc. through which the general public is not able to access the changes, amendments that our governments are bringing to dilute the provisions of several acts of environment protection (Krishnadas, 2021). This makes it an exception case for govt.'s some ambitious development projects. All this is done at the cost of environment for their short-term populist policies as a part of economic growth. this paper focuses on the same through different dimensions with the support of various judicial cases related to it till the time period of year 2010.

Through its numerous rulings, the Honorable Supreme Court has further established that the mandate of the right to life include the right to a clean environment, clean drinking water, and a pollution-free atmosphere. The renowned Taj Mahal Case, the Dehradun Valley Case, the Pollution in Delhi Case, the Smoking in Public Places Case, the Sri Ram Food and Fertilizer Case, the Public Health Case, the Public Park Case, and several other significant rulings on Sustainable Development are among these rulings.

4. WHERE THE COMMUNITY PEOPLE STAND IN THE ENVIRONMENTAL JURISPRUDENCE IN INDIA

Sometimes, the proposed projects do not pose direct threat to the ecology of the particular region but in the long term what the developers are unable to identify isn't possible without involving the affected population nearby the project. It is necessary to involve the people of local area in the crucial decision-making process as they are indigenous to that particular area and well known of the area's ecology. If those people are seen with dignity and respected then there are much chances of any developmental project getting sustainably success. Past examples of this which we are witnessing today are Konkan railways, etc. (Sahu, 2014).

In today's time the best practice to have sustainable development demands a local and need based approach to work upon instead of investing large sum of money for short-term profits and regretting in the future. This especially applies to the ambitious govt. of the day and the capitalist mindset enterprises which are majorly responsible for our today's failure to protect the environment.

5. REVIEW OF RELATED LITERATURE

1. Feroze Varun Gandhi, *The Indian Metropolis: Deconstructing India's Urban Spaces*, 2023- Through this book, the author talks on need for adopting the holistic approach in our urban infrastructure planning seeing the serious environmental and other consequences of our today's metro cities design for selfish and on-sided economic led development. Through citing examples of the same, he urged for synergy for removing disparity that existed in our cities which in the case of climate change among other adverse events first affects the vulnerable sections of the society to whom the so-called air-conditioned people ignored and defined their own definition of the development.

2 Dr. Shashank Shekhar & Ms. Annapurna Trivedi, *Judicial Approach on Environmental Protection*², 2022- This Research Paper Published in *International Journal of Advance Research and Innovative Ideas in Education (IJARIIE)* is one of the examples of the presentation of the Environmental Jurisprudence in India in very common language defining the introduction of various principles and doctrines in the environmental law literature of India in various laws. it highlighted the contribution of the judiciary initiating the serious debate and need of action for every stakeholder for the betterment of our natural resources and environment as a whole.

² *IJARIIE-ISSN(O)-2395-4396, Vol-8 Issue-3 2022*

3 Devadityo Sinha, Dhvani Mehta, Esha Rana & Shyama Kuriakose, *Courting the Environment: Implementation of the Environmental Judgements, 2021*- The research through its analysis goes in-depth on the reasons which results in the gaps in implementing the order like political willpower, inadequate resources for the same among the others. This research also focuses on the pattern of the court's orders/judgements on the cases of same nature but of different popular opinion and stakeholders involved in it.

4 Sunita Narain, *Conflicts of Interest: My Journey through India's Green Movement, 2017*- In this book she revealed several surprising and bitter truth of our corporates and political system who for their vested economic profit and other interests molded the country's environmental policies in their favour and how they made the regulations diluted so that they couldn't be blamed for the environmental degradation and can be escaped away from the judicial investigation by manipulating the facts by creating technical glitches in the system.

5 Geetanjoy Sahu, *Environmental Jurisprudence and the Supreme Court: Litigation, Interpretation, Implementation, 2014*- The author uncovers the Supreme Court's activeness and new dimension of Environmental jurisprudence especially since the decade of 1980s. The book sequentially tells that there were several occasions where through any particular case, the Court directed the state and union government to frame a policy and enact an act for environment concern and also the court involves itself in the implementation and monitoring process of its orders by an execution body.

6 Raphael J. Nawrotzki, *The Politics of Environmental Concern, 2012*- This Research article revolves around the politics that took place in today's time in the matters of environment related issues. This article had taken the data from the thirteen countries for the same to reach on its conclusion. And the study founds the increasing role of the ruling political party in environmental concerns through manipulating the facts in their favour under the banner of economic development especially in the developing and under-developed countries where the indigenous tribal and local community people are more aware about the environment protection but lack of awareness about their legal rights to oppose any action by the government and developers kept them on losing side and hence, the situation further worsens on the socio-economic front in the long term along the dangerous effect on the environment.

7 Shyam Divan and Armin RosenCranz, *Environmental Law and Policy in India: Cases, Materials and Statutes (Second Edition), 2001*- This Book cum Encyclopedia is a rich context book which explains the various concerns of the environmental degradation ranging from the issues of air, water, noise pollution to the urban problems of wastage disposal and projects, acts related to it, and the various cases, their proceedings, judgements and implementation in a very detailed manner. today when the literature and qualitative content on environmental law specially in the context of India is scattered and patchy in India, this book is a boon to environmental law research and study at large for every stakeholder related to environment and its impact on different spheres of life.

The description of the cases for easy and structural understanding are divided into 6 categorizations in the cases based on their impact in their following time in other cases and the principles evolved in the environment protection of India especially in the context of developmental and urban infrastructural, etc. projects which constitute the major portion of the environmental cases and also which leads to the other dimensions of environmental concerns in some and another way:

1. Cases where the Court Strictly gave the verdict in the favor of Environment Protection on first priority without compromising on any factor at large

In Indian history of Environmental Jurisprudence, on highlighting basis this was first seen in the case of Ratlam Municipality case of 1980 where the court rejected the response of municipal council of Ratlam of not having adequate finances to comply with the order of having proper drainage system in the city. This was the result of the popular demand and movement of the civil society of Ratlam city where the awareness and activeness of the people resulted in the reaching the voice of unheard in the apex court of the country. The court also finds out the behavior of executive government bodies and fall down on the authorities for not doing their constitutional mandate duty. Then after there came number of cases before the different courts of similar nature which unfolded the grave situation of our urban cities and ignorance of our government and administration towards the urban environmental management. It was the time when several NGOs, CSOs, and active individuals come on the front to demand for better cities. Along with this, the Indian Judiciary also adjusts its perspective on public health and state of environment in our country while deciding any matter of PIL and Petition and hence led to emergence of debate about the planned cities. And the same has been validated by

the Geetanjoy Sahu in the book- "Environmental Jurisprudence and the Supreme Court" which also discusses the same through many cases example.

2. Cases where the Court gave the Judgement in the favor of Environment Protection where the Government bodies or the accused party in response to the Petitioners' claim made some repeated arguments before the court like The lack of finance, Manpower and other resources to comply with the Court's order, Taking Strict action against any industry for violating the Environmental laws and for polluting the Environment would result into unemployment among those engaged in units, Loss of revenue to the state

After the Ratlam Municipality case, as discussed abovevarious, there were floods of cases of the same nature in different courts of the country sooner or later. And when the courts became active to protect the environment which was been degraded by the unplanned nature of urbanization and industrialization. But the public authorities were either not in a position or willing much to invest in this which vary area to area. They were operating their economy on a traditional old school way that too in a irresponsible manner involving corruption. Result of all this was that these agencies and also responsible industrial units started telling the courts that they lack proper resources, they would face revenue loss, livelihood of the engaged workers would be in danger, etc. as a starting and gradual step the courts and also Supreme court initially took their affirm decision to protect the environment concerned in different cases but considering the immediate socio-economic situation of the society and improper preparation of the authority, the court gave certain relaxation along with some guidelines that had to be taken care of while operating the units or till the new safer alternative solution did not take in place by a responsible authorities. This early gradual evolution of law literature on environmental protection is greatly studied and mentioned in a book- "Environmental Law and Policy in India" compiled by Shyam Divan and Armin Rosencranz in the year 2001. Here, we came say that during the decade of 1980s and early 1990s, there was transition phase where everyone including citizens to the authorities and judiciary was gearing up for the inevitable alternative solutions to protect the environment but that was on paper or theoretically, but on ground it was the time when everyone was taking it lightly and considering it a short time measure especially the lack of proper knowledge and illiteracy among the mass adult population of the country about their rights, facilities they are entitled under the constitution of India of right to healthy and pollution free lives were lesser known and interpreted. The result of all this was that the sparking movements for better environment was short lived at large along with establishing the famous principles, doctrines for environment at the selected level by some educated and aware citizens of the country like lawyers, judges, organizations, etc.

3. Cases where the Court had to give the verdict in the favour of Government with of course certain conditions in some cases considering the governments' argument of importance of the projects and infrastructures on the name of "National Importance" and for the "Larger cause and interest of the People" and for the "Development"

In this, leaving the couple of exception cases of before, most of them were of later period when govt.'s focus shifted to the constructing larger projects of development in the form of dams, hydropower projects, railway tracks, highways, etc. these were also before in the decade of 1960s and 1970s also, but that time it was the immediate need of our country and realization of the environment was not in any kind of attention in the independence and development thereafter. But in the later decade, when the exploitation of the natural resources increases to the level that it directly impacted the affected people in different environmental, socio-economic way. And when, people approached court for the same, the govt. put its stand that the particular project is of national importance in terms of either defense, or for a larger cause of development which outweighs the environmental and affected people's concerns. all of this environment creates the decision in the part of government seeing the need of increasing population in urban cities and other similar factors. Here, the judiciary's decision making was influenced by the nationalism factor which was more important for the long-term development. This whole politics around environmental concerns and how common people affected by all these is mentioned by Sunita Narain in her book- "Conflicts of Interest" by describing some cases she tried to discover the govt.'s way to counter the arguments of environment protection when it comes to challenge economic led development which is the vested interest of the big corporates' lobbies supported by the government representatives.

4. Cases where the Supreme Court's Judgment led to the Evolution of New Principles or Doctrines for Environment Protection which then added in the government rules and policies for the development related acts

From the decade of 1980s itself, there have been several instances of cases where the courts that too especially the Supreme Court evolve the new doctrines or principles to protect the environment from degradation from the economic, industrial activities like:

- Absolute liability (Bhopal Gas leak Tragedy Case³),
- Polluters Pay Principle (ICELA vs. Union of India Case⁴),
- Precautionary Principle (Vellore Citizens Forum Case⁵),
- Public Trust Doctrine (M.C. Mehta v. KamalNath Case⁶),
- Doctrine of Sustainable development (Rural Litigation and Entitlement Kendra v. State of UP Case⁷),
- Right to wholesome environment (In Charan Lal Sahu v. Union of India Case⁸)

The Court also time to time widens the Provisions related to Right to Life and related to Environment mentioned in the Constitution of India as well as in several Statutory acts related to environment in either way. Be it to give the definition of “Forest” word or to set out the guidelines to protect the public health from hazardous chemical units despite of under following of rules, the court remains active in safeguarding the environment. All this was also possible by emerging out of better logic and arguments and concern raised by advocates like M.C. Mehta who now has a series of cases related to environment protection of that period of time, and also organizations like Centre for Science and Environment (CSE) which was proactive specially against the corporate lobbies who was playing with the loopholes in the system for their monetary profits without having concern of the damage they were doing to the environment. These above mentioned are the just few names to highlight, while there were several fronts in different forms who raised to voice for the environment and especially on the behalf of those vulnerable sections who were primarily affected by the degradation activities. Dr. Saroj Bohra in her Research paper titled- “Judicial Intervention and evolution of Environmental Principles and Doctrines⁹” well defined mentioned all these detailed which from I have taken support from for this point to study and understand. Also, Sunita Narain in her book- “Conflicts of interest” tells the real in-depth case studies of the same. To sum up this point, we can say that it was the ground level consensus by few sensitive and educated people, organization who fought for the environment and let the people know their problems, rights, duties, etc. which was in a form or another was a part of adult and lifelong education which today somewhere is missing in a race of individualism of making money influenced by crony capitalism culture.

5. Cases where the Court gave emphasis on expert or committee before delivering the judgement or after giving judgement appointment of the committee for implementation, monitoring, advising, recommending, etc. on the concerned matter

In these types of cases, the Court(s) decided the matter not on the basis of its urgency, public sentiments, popular opinion made by the several group types, but the judiciary relies on the scientific investigation and consultation by appointing committees to look into the matter at various steps legal process and also on the ground reality. This shows the scientific temper that our courts showed towards the environment to explore the possible alternatives so that every stakeholder could be benefitted as much as the environment is protected. This process also evolved the very process of seeing the environmental cases by different and affirmative judicial lens. This was at times also needed when the reports of stakeholders’ clash with each other’s facts and manipulation was found in the findings.

6. Cases where the Court gave the order in the favor of the project developers or the industrial units with certain conditions for the protection of the concerned natural resources and the Environment

The process of environmental jurisprudence especially after the introduction of LPG economic reforms in the country goes in a direction that puts another state of confusion to the judges in giving the verdict for either protection of environment or for crores of rupees of project that had already been in process and the dependence of it is much more even at the cost of environment cost. Weakness of our laws, corruption led to the rise of cost of project while especially in the case of transport system and infrastructural project that cases got complicated with time when and where prior planning and coordination between the public, govt., and developers was lack. This thing is properly analyzed by the

³*Union Carbide Corporation v. Union of India AIR 1990 SC 273*

⁴*Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 144*

⁵*Supra 13*

⁶*1997 1 SCC 38*

⁷*AIR 1985 SC 652*

⁸*1990 AIR 1480*

⁹*Social Science Research Network (SSRN)-ID3311406*

Firoz Varun Gandhi in his recent book- “The Indian Metropolis: Deconstructing India’s Urban Spaces” (2023). Mr. Gandhi in detailed takes multidimensional factors responsible for the congestion in the cities due to poor coordination among the agencies for which the general public suffers the most which in short and long term adversely affects our urban natural resources and climate. In addition to this, WWF India’s report of 2021 titled- “Integration of Environmental Risks in Infrastructure Investments in India” also highlighted the lack of social and environmental concerns halt the infrastructure projects and investments in it which creates trust deficit in the system and became to the barrier in the sustainable development. And this can be overcome by informing the exact information involved directly or indirectly in any particular project that too in a very lay man understandable language in a country like India where the rigid language of terms by experts confused the common people. Here the literacy, awareness in the form of enviro-legal literacy can be helpful if the content for the same could be available at the starting point so that things got clear at the very starting of whether the project get nod or not.

6. CONCLUSION

Here, discussing both types of aforesaid cases, the role of civil society played a very important role in determining the direction of the case and its result like citizen’s education level, awareness among them about any project which varies from region to region and their socio-economic status which again ultimately links with their educational status, health and well-being of all kinds, living-standard. In other words, we can conclude that be it the judiciary or the government authority, private players, all come from the same society where if the concern for public resources and environment is taken care of by developing and implementing various models of education involving Adult and Lifelong Learning through critical life skills, then, the issue itself can be settled on the societal level where each and every individual would be aware of their rights, duties, needs and the judiciary which is the final authority to decide and settle the dispute will also be got to understand the matter in an unbiased and non-manipulated manner which will give the quality of life and sustainable development to humanity. Some of the suggestions are:

- The concept of Environment and Development should be reframed while making any policy and introducing any project while considering the elements of affordability, inclusiveness to make it a sustainable one.
- We should not lose the environmental agenda in developmental management and vice-versa. Both should be taken care as per the better and essential survival need of the society not on the basis of creating luxury and unnecessary needs which creates inequality and is the concept of incremental development of the west which today, we are trying to replicate to be called as – “so-called” developed one.
- There should be efforts to reduce the polarization on the issue of environment and development which further creates obstacle in setting up a positive note of both side and hence, a loss to the general public.
- There is a greater need of incorporating the proper legal, educational knowledge and information about the environment and development in the local and easy language and also through other multimedia modes to provide to general public for creating positive and undisputed atmosphere between the public and authorities.

In summary, laws and judicial interpretations have resulted in swift changes to environmental regulations, although more progress and improvement in this area are still required.

CONFLICT OF INTERESTS

None

ACKNOWLEDGMENTS

None

REFERENCES

- Anala, A. (2016). Indian Judiciary and Environmental Protection. *International Journal of Creative Research Thoughts (IJCRT)*, 4(4), 349-356. Retrieved from www.ijcrt.org
- Balakrishnan, K. (2010). The Role of Judiciary in Environmental Protection. *D.P. Shrivastava Memorial Lecture*. Bilaspur: High Court of Chhatisgarh.
- Balakrishnan, K. (n.d.). *Judicial activism and role of green benches in India*. Retrieved march 2023, from High Court of Punjab and Haryana.

- Banham, W., & Douglas, B. (1996). A Review of the Development of Environmental Impact Assessment in India. *Project Appraisal*, 11(3), 195-202.
- Bohra, S. (2015). Judicial Intervention and Evolution of Environmental Doctrines and Principles. *Social Science Research Network (SSRN)*.
- Chandrashekar, H. (2021.). Judicial Activism vis-a-vis Environment, *Legal Service India E- Journal*.
- Gandhi, F. V. (2023). *The Indian Metropolis: Deconstructing India's Urban Spaces*. Rupa Publications India.
- INDIA, W. (2021). *Integration of Environmental Risks in Infrastructural Investments in India: A Business Case for Financial Institutions*. WWF INDIA.
- Indulia, B. (2023). *SCC Blog Environmental Justice in India*. Retrieved from ssconline.com.
- Kohli, H. (2013). Public Interest Litigations in Environmental Cases. *Second Asian Judges Symposium*.
- Law Teacher: Free law study resources. (2019). *free law essays/environmental essays*.
- Mittal, A. (2021). Role of Judiciary in Protecting and Preserving the Environment. *International Journal of Law Management & Humanities*, 4(3), 4001-4018. doi:doi.org.10.10000/IJLMH.11902
- Narain, S. (2017). *Conflicts of Interest: My Journey through the Green Movement*. Gurgaon: Penguin Random House India.
- Narzary, R. (2021). Green Politics to Achieve Sustainable Growth in India. *PalArch's Journal of Archaeology*, 18(1), 3781-3789.
- Rosencranz, S. D. (2001). *Environmental Law and Policy In India: Cases, Materials and Statutes* (Second Edition ed.). New Delhi: Oxford University Press.
- Sahu, G. (2014). *Environmental Jurisprudence and the Supreme Court: Litigation, Interpretation, Implementation*. New Delhi: Orient BlackSwan.
- Shekhar, S., & Trivedi, A. (2022). Judicial Approach on Environmental Protection. *International Journal of Advance Research and Innovative ideas in Education*, 8(3), 3746-3752.
- Shelton, D., & Kiss, A. (2005). *Judicial Handbook on Environmental Law*. United Nations Environment Programme.
- Singh, B. (2022). Judiciary plays important role in protection of environment: Hemanta Biswa Sharma.
- Sinha, D., Mehta, D., Rana, E., & Kuriakose, S. (2021). *Courting the Environment: Implementation of the Environment's Judgement*. VIDHI Centre for Legal Policy.

Shyam Divan and Armin RosenCranz, *Environmental Law and Policy in India: Cases, Materials and Statutes* (Second Edition), 2001