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Environmental Protection under the Indian Constitution: A Legal Analysis

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Abstract-- Environmental protection has emerged as one of the most critical legal and constitutional concerns in contemporary India. The concept of environmental constitutionalism refers to the integration of environmental protection principles into constitutional law, ensuring that the environment is safeguarded through legal rights, duties, and institutional mechanisms. In India, environmental constitutionalism is reflected in various provisions of the Constitution that impose responsibilities upon both the State and citizens to protect and improve the environment. Over the years, the judiciary has played a transformative role in expanding these constitutional provisions through progressive interpretations and landmark decisions. This article examines the constitutional foundations of environmental protection in India, focusing on the roles and responsibilities of the State and citizens, the significance of Directive Principles of State Policy, and the judicial interpretation of environmental rights. The study also analyzes major judicial pronouncements that have contributed to the development of environmental jurisprudence in India. Furthermore, the paper critically evaluates the challenges and limitations in the implementation of environmental constitutionalism, including enforcement gaps, limited public participation, and conflicts between development and conservation. The article concludes that although India possesses a robust constitutional framework for environmental protection, effective implementation and stronger institutional mechanisms are essential for achieving sustainable development and environmental justice.

Keywords-- Environmental Constitutionalism, Indian Judiciary, Constitutional Law, Environmental Protection, Sustainable Development

I. INTRODUCTION

Environmental protection has become a central issue in modern governance due to the increasing threats posed by climate change, pollution, deforestation, and loss of biodiversity. In a country like India, where rapid industrialization and urbanization have intensified environmental pressures, the need for a strong legal and constitutional framework for environmental protection is particularly significant. Environmental constitutionalism refers to the incorporation of environmental rights, duties, and principles within a constitutional framework.

It recognizes that environmental protection is not merely a policy matter but a constitutional commitment that guides governance and public conduct.

The Constitution of India, although originally not drafted with explicit environmental provisions, has evolved over time to incorporate environmental protection as a fundamental aspect of governance. Through constitutional amendments, legislative measures, and judicial interpretations, the Indian constitutional framework has gradually expanded to address environmental concerns in a comprehensive manner. The incorporation of environmental principles into constitutional law reflects the recognition that a healthy environment is essential for the protection of human rights, public health, and sustainable development.

Environmental constitutionalism in India operates through a combination of fundamental rights, Directive Principles of State Policy, and fundamental duties. These provisions collectively establish a framework in which the State is responsible for protecting the environment while citizens are expected to actively participate in environmental conservation. The Indian judiciary has played a particularly crucial role in strengthening environmental constitutionalism by interpreting constitutional provisions in an expansive and progressive manner.

One of the most significant judicial developments in this regard has been the interpretation of the right to life under Article 21 of the Constitution. The judiciary has held that the right to life includes the right to live in a healthy and pollution-free environment. Through this interpretation, environmental protection has been elevated to the status of a fundamental right, thereby enabling citizens to approach the courts when environmental harm threatens their well-being. India's environmental constitutional framework also reflects the broader global movement towards sustainable development. Sustainable development seeks to balance economic growth with environmental protection and social welfare. In India, achieving this balance is particularly challenging due to the country's developmental needs and the increasing demand for natural resources.



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Environmental constitutionalism therefore serves as a guiding principle that helps reconcile development goals with ecological sustainability.

This article aims to examine the constitutional framework for environmental protection in India, the role of the judiciary in interpreting environmental rights, and the challenges faced in the implementation of environmental constitutionalism. By analyzing constitutional provisions, judicial decisions, and scholarly perspectives, the study provides a comprehensive understanding of how environmental constitutionalism operates within the Indian legal system.

II. RESEARCH METHODOLOGY

This study adopts a **doctrinal research methodology**, which primarily involves the analysis of legal principles, constitutional provisions, statutes, and judicial decisions related to environmental protection in India. Doctrinal research is particularly suitable for examining constitutional law because it focuses on interpreting legal texts and judicial precedents.

The research relies primarily on **secondary sources**, including academic books, journal articles, legal commentaries, government reports, and judicial decisions. These sources provide valuable insights into the development and interpretation of environmental constitutionalism in India. By systematically analyzing and synthesizing these materials, the study seeks to provide a comprehensive overview of the constitutional framework governing environmental protection.

III. CONSTITUTIONAL FRAMEWORK FOR ENVIRONMENTAL PROTECTION IN INDIA

The Constitution of India provides a comprehensive and evolving framework for environmental protection through a combination of fundamental rights, Directive Principles of State Policy, and fundamental duties. Although the framers of the Constitution did not explicitly incorporate environmental protection provisions in the original Constitution of 1950, the growing awareness of environmental degradation and ecological imbalance led to significant constitutional developments in later years. These developments strengthened the constitutional commitment towards environmental protection and sustainable development. The Article 21 of the Constitution of India has been interpreted by the judiciary to include the right to a clean and healthy environment. Courts have repeatedly stated that pollution-free air and water are essential to life.

Environmental concerns began to gain prominence globally during the latter half of the twentieth century, particularly after the 1972 Stockholm Conference on the Human Environment. Influenced by global environmental discourse and increasing domestic concerns about environmental degradation, India took significant constitutional steps to incorporate environmental protection into its legal framework. As a result, the Constitution gradually evolved into an instrument that not only protects human rights but also safeguards ecological interests.

A major milestone in the evolution of environmental constitutionalism in India was the 42nd Constitutional Amendment Act of 1976. This amendment marked a significant shift in the constitutional approach towards environmental protection by explicitly incorporating provisions related to environmental conservation. Through this amendment, the Constitution recognized the importance of preserving natural resources, maintaining ecological balance, and ensuring environmental sustainability. The amendment inserted Article 48A in the Directive Principles of State Policy and Article 51A(g) in the chapter on Fundamental Duties, thereby creating a constitutional obligation for both the State and citizens to protect and improve the natural environment.

The constitutional framework for environmental protection in India can therefore be broadly classified into three major components:

1. Duties and responsibilities of the State
2. Duties and responsibilities of citizens
3. Directive principles guiding environmental governance

These components collectively create a balanced system of environmental governance in which environmental protection becomes a shared responsibility between the government and the public.

3.1 Duties and Responsibilities of the State

One of the most important constitutional provisions concerning environmental protection is Article 48A, which was introduced by the 42nd Constitutional Amendment. This provision directs the State to protect and improve the environment and to safeguard forests and wildlife. Although Article 48A forms part of the Directive Principles of State Policy and is therefore not directly enforceable by courts, it plays a crucial role in guiding legislative and administrative action concerning environmental conservation.



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Under Article 48A, the State is entrusted with the responsibility of ensuring environmental protection and promoting sustainable use of natural resources. The provision requires the government to take active steps to prevent environmental degradation and to adopt policies that promote ecological balance. The State must formulate appropriate laws, policies, and regulatory mechanisms to address environmental challenges such as pollution, deforestation, loss of biodiversity, and depletion of natural resources.

The State's responsibility includes implementing measures to control air, water, and soil pollution, protecting wildlife habitats, conserving forests, and promoting environmentally sustainable development practices. Environmental governance also requires the State to balance developmental needs with ecological sustainability. Therefore, environmental protection must be integrated into economic planning and industrial development strategies.

In addition to policy formulation, the State also plays an essential role in establishing regulatory institutions responsible for environmental monitoring and enforcement. Various governmental agencies and statutory bodies are entrusted with the task of implementing environmental laws and ensuring compliance with environmental standards. These institutions include pollution control boards, environmental regulatory authorities, and governmental departments responsible for forest and wildlife conservation. These bodies monitor industrial activities, enforce pollution control standards, and take action against environmental violations.

The role of the State in environmental protection has also been significantly strengthened through judicial interpretation of constitutional provisions. The judiciary has expanded the scope of environmental protection by interpreting the right to life under Article 21 to include the right to a clean and healthy environment. This interpretation has transformed environmental protection into a fundamental right that can be enforced through judicial intervention.

A landmark example of this judicial interpretation is the case of *Subhash Kumar v. State of Bihar*. In this case, the Supreme Court held that the right to life guaranteed under Article 21 includes the right to enjoy pollution-free water and air. The Court recognized that environmental pollution directly affects the quality of life and therefore violates fundamental rights.

Another significant case is *Municipal Council Ratlam v. Vardichand*. In this case, the Supreme Court directed municipal authorities to take immediate action to prevent environmental pollution and public nuisance caused by inadequate sanitation and waste disposal. The Court emphasized that public authorities cannot evade their responsibility to protect public health and environmental quality.

Through these judicial pronouncements, the constitutional responsibility of the State to protect and improve the environment has been clarified and strengthened. The judiciary has ensured that environmental protection becomes an essential component of governance and public administration.

3.2 Duties and Responsibilities of Citizens

Environmental constitutionalism in India extends beyond the responsibilities of the State and also places significant obligations upon citizens. The 42nd Constitutional Amendment introduced Article 51A(g), which establishes a fundamental duty for every citizen to protect and improve the natural environment.

Article 51A(g) states that it is the duty of every citizen to protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures. This constitutional provision reflects the recognition that environmental protection cannot be achieved solely through governmental action. Active participation of citizens is essential for maintaining ecological balance and ensuring environmental sustainability.

The inclusion of environmental protection as a fundamental duty highlights the importance of public participation in environmental conservation efforts. Citizens play an important role in protecting natural resources by adopting environmentally responsible practices in their daily lives. These practices include reducing waste generation, conserving water and energy, preventing pollution, and supporting eco-friendly initiatives.

Citizens also contribute to environmental protection through community participation, environmental awareness campaigns, and support for conservation programs. Environmental education and public awareness initiatives encourage individuals to understand the importance of protecting natural ecosystems and preserving biodiversity.



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In recent decades, environmental activism and public interest litigation have emerged as powerful mechanisms for promoting environmental protection in India. Concerned citizens, environmental groups, and civil society organizations have frequently approached courts to challenge activities that cause environmental degradation. These legal interventions have played a crucial role in holding government authorities and industries accountable for environmental violations.

Public Interest Litigation (PIL) has significantly strengthened environmental governance by enabling citizens to seek judicial intervention in matters affecting public welfare. Through PILs, the judiciary has addressed various environmental issues including industrial pollution, deforestation, illegal mining, and degradation of natural ecosystems. These legal actions demonstrate how citizens actively contribute to the realization of environmental constitutionalism in India.

3.3 Directive Principles and Environmental Protection

The Directive Principles of State Policy play an important role in guiding environmental governance in India. Although these principles are not legally enforceable in courts, they provide valuable guidance to policymakers and legislators in formulating laws and policies aimed at promoting social and economic welfare.

Among these principles, Article 48A holds particular importance in the context of environmental protection. The provision directs the State to protect and improve the environment and safeguard forests and wildlife. This directive reflects the constitutional commitment to environmental conservation and sustainable development.

The Directive Principles emphasize that environmental protection must be integrated into the broader framework of national development. Policymakers are encouraged to consider environmental impacts while planning economic activities, industrial expansion, and infrastructure development. Environmental considerations must therefore become an integral part of developmental planning and governance.

One of the key ideas underlying environmental constitutionalism is the concept of sustainable development, which seeks to achieve a balance between economic growth and environmental protection. Sustainable development recognizes that economic progress should not come at the cost of environmental degradation or depletion of natural resources.

For a developing country like India, achieving this balance is particularly challenging because economic development often requires extensive use of natural resources. Industrial growth, urbanization, and infrastructure development frequently place significant pressure on ecological systems. However, the Directive Principles remind policymakers that long-term economic progress depends upon environmental sustainability. Therefore, these principles serve as an important constitutional guideline for ensuring that development policies do not undermine environmental protection. They emphasize that environmental preservation is not merely an environmental concern but an essential component of national welfare and human well-being.

IV. JUDICIAL INTERPRETATION AND ENVIRONMENTAL JURISPRUDENCE

One of the most significant environmental cases in India is *M.C. Mehta v. Union of India (Oleum Gas Leak Case)*. This case arose after the leakage of oleum gas from a chemical plant in Delhi, which caused serious harm to the public. The incident highlighted the dangers posed by hazardous industries operating in densely populated areas.

The Supreme Court developed the Doctrine of Absolute Liability in this case. According to this doctrine, industries engaged in hazardous activities are absolutely liable for any damage caused by their operations, regardless of negligence. This principle goes beyond the traditional rule of strict liability and places a higher level of responsibility on industries handling dangerous substances. The decision significantly strengthened environmental accountability and corporate responsibility in India.

The Indian judiciary has played a transformative role in shaping environmental constitutionalism. Through progressive interpretations of constitutional provisions, the courts have expanded the scope of environmental rights and established important principles of environmental jurisprudence. One of the most significant contributions of the judiciary is the recognition of the Polluter Pays Principle, which holds that individuals or industries responsible for environmental damage must bear the cost of remedying that damage. This principle ensures that polluters are held accountable for the environmental harm they cause.

The principle was affirmed by the Supreme Court in the case of *Vellore Citizens Welfare Forum v. Union of India*. In this case, the Court held that sustainable development, the precautionary principle, and the polluter pays principle are essential components of environmental law in India.

Another landmark case in the development of environmental jurisprudence is *M.C. Mehta v. Union of India*. Through a series of decisions under this case, the Supreme Court addressed multiple environmental issues including industrial pollution, vehicular emissions, and protection of the Ganga River. The Court issued several directives to reduce pollution and strengthen environmental governance.

Landmark Environmental Case Laws in India

The Indian judiciary has played a crucial role in developing environmental jurisprudence through progressive interpretations of constitutional provisions. Several landmark cases have established important environmental principles and strengthened the protection of environmental rights.

Taj Trapezium Case

Another landmark environmental case is *M.C. Mehta v. Union of India (Taj Trapezium Case)*.

This case concerned the environmental pollution threatening the Taj Mahal, one of India's most important cultural and historical monuments. Industrial emissions and air pollution from nearby industries were causing discoloration and deterioration of the marble structure.

The Supreme Court directed several polluting industries located in the Taj Trapezium Zone to either switch to cleaner fuels such as natural gas or relocate away from the area. The Court also issued directives to control air pollution and protect the monument from environmental damage. This case demonstrated the judiciary's willingness to protect not only natural ecosystems but also cultural heritage from environmental degradation.

Ganga Pollution Cases

Environmental protection in India has also been significantly influenced by cases related to pollution of the Ganga River. One of the most important cases addressing river pollution is *M.C. Mehta v. Union of India (Ganga Pollution Case)*.

In this case, the Supreme Court addressed the issue of industrial pollution being discharged into the Ganga River by factories and tanneries. The Court directed industries to install pollution control devices and comply with environmental regulations. Several polluting industries were ordered to close when they failed to meet environmental standards.

The Court also emphasized the importance of protecting rivers as vital ecological resources that sustain millions of people. The case established the principle that industries must operate in a manner that does not harm natural water bodies. These decisions played a major role in shaping India's environmental regulatory framework and improving pollution control measures. The judiciary has also intervened to protect fragile ecosystems from destructive activities. In *Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh*, the Supreme Court ordered the closure of limestone quarries in the Mussoorie hills because the mining activities were causing severe environmental damage to the region.

These decisions demonstrate the proactive role of the judiciary in ensuring that environmental protection remains a priority within the constitutional framework.

V. CHALLENGES IN IMPLEMENTING ENVIRONMENTAL CONSTITUTIONALISM

Despite the existence of a strong constitutional framework, the effective implementation of environmental constitutionalism in India faces several challenges.

5.1 Implementation Gap

One of the major challenges is the gap between constitutional provisions and their practical implementation. Although environmental laws and policies exist, enforcement is often weak due to administrative inefficiencies and lack of political commitment.

5.2 Limited Judicial Capacity

The judiciary plays a vital role in environmental protection, but courts frequently face heavy caseloads and limited resources. Delays in the legal process can reduce the effectiveness of judicial intervention in environmental disputes.

5.3 Weak Enforcement Mechanisms

Environmental laws sometimes lack effective enforcement mechanisms. Violations such as illegal mining, industrial pollution, and deforestation often continue without adequate penalties.

5.4 Limited Public Participation

Although citizens have a constitutional duty to protect the environment, public participation in environmental decision-making processes remains limited. Increasing environmental awareness and education is necessary to encourage greater citizen involvement.

5.5 Conflicts Between Development and Environment

Balancing economic development with environmental conservation remains one of the most complex challenges for policymakers. Industrialization, infrastructure development, and urban expansion frequently create conflicts with environmental protection goals.

5.6 Inadequate Resource Allocation

Environmental regulatory agencies often face shortages of financial and technical resources. Insufficient funding limits their ability to monitor environmental compliance and implement conservation programs effectively.

VI. ADDITIONAL CONSTITUTIONAL PROVISIONS SUPPORTING ENVIRONMENTAL PROTECTION

Although Articles 48A and 51A(g) are the most explicit environmental provisions in the Constitution, several other constitutional articles indirectly contribute to environmental protection. These provisions demonstrate that environmental governance in India is supported by a broader constitutional framework.

6.1 Article 47: Duty of the State and Central to Improve Public Health

Article 47 of the Constitution of India plays a significant role in environmental protection. This provision directs the State to raise the level of nutrition, improve the standard of living, and promote public health among its citizens. Environmental degradation such as air pollution, water contamination, and improper waste disposal directly affects public health. Therefore, the State's responsibility to protect public health under Article 47 necessarily includes measures to control environmental pollution and maintain ecological balance. Courts have frequently relied on this provision to justify governmental actions aimed at reducing pollution and protecting environmental quality.

Thus, Article 47 strengthens the constitutional obligation of the State to create conditions that ensure a healthy and sustainable environment for the population. Beside the above provision

Article 253 of the Constitution of India empowers Parliament to enact laws for implementing international treaties, conventions, and agreements. This provision has played an important role in enabling India to fulfill its commitments under various international environmental conventions. For example, after participating in global environmental conferences and agreements, Parliament has enacted several environmental laws to implement international environmental standards.

Environmental legislation such as the Environment (Protection) Act, 1986, was enacted partly to implement international obligations arising from global environmental commitments following the Stockholm Conference of 1972.

Therefore, Article 253 provides a constitutional mechanism through which international environmental principles can be incorporated into domestic law.

VII. SCHEDULE VII: DISTRIBUTION OF LEGISLATIVE POWERS

The Seventh Schedule of the Constitution distributes legislative powers between the Union and State governments. Environmental governance in India is influenced by several entries within the Union List, State List, and Concurrent List. Seventh Schedule of the Constitution of India includes important entries related to environmental regulation.

7.1 Union List

The Union List includes matters on which Parliament has exclusive authority to legislate. Environmental issues in this list include:

- Regulation of industries with environmental implications
- Protection of wildlife and national parks
- Participation in international environmental agreements

These powers allow the central government to formulate nationwide environmental policies.

7.2 State List

The State List includes subjects such as:

- Public health and sanitation
- Water supply and irrigation
- Land and agriculture

Since these areas are closely connected to environmental management, state governments play a crucial role in implementing environmental protection measures at the local level.

7.3 Concurrent List

Environmental protection is most prominently addressed in the Concurrent List, where both the Union and State governments can legislate. Key subjects include:

- Forests
- Protection of wild animals and birds
- Population control and environmental planning

The inclusion of these subjects in the Concurrent List allows coordinated action between the central and state governments in environmental governance.

VIII. SIGNIFICANCE OF JUDICIAL ACTIVISM IN ENVIRONMENTAL PROTECTION

The above cases demonstrate the proactive role played by the judiciary in advancing environmental protection in India. Through innovative legal doctrines and progressive interpretations of constitutional provisions, the courts have strengthened environmental governance and expanded the scope of environmental rights. The Environment (Protection) Act, 1986 was enacted after India participated in the United Nations Conference on the Human Environment. Article 253 enabled Parliament to pass this law to fulfil international environmental obligations.

Judicial activism has contributed to the development of important environmental principles such as:

8.1 Polluter Pays Principle

The **Polluter Pays Principle** is one of the most significant principles in environmental law. It establishes that the person, industry, or organization responsible for causing environmental pollution must bear the cost of managing and remedying the damage caused to the environment.

This principle is based on the idea that environmental protection should not become a financial burden on society as a whole. Instead, those who cause pollution must compensate for the harm they create and must also bear the expenses required to restore the environment to its original condition. In India, the Polluter Pays Principle has been strongly recognized and applied by the judiciary. The **Supreme Court of India** has repeatedly emphasized that industries responsible for environmental damage must compensate affected individuals and pay for environmental restoration. A landmark case that affirmed this principle is **Vellore Citizens Welfare Forum v. Union of India**. In this case, the Court examined the pollution caused by leather tanning industries in Tamil Nadu. The industries had discharged untreated effluents into nearby agricultural lands and water bodies, severely affecting the environment and local communities. The Court held that industries responsible for pollution must compensate for the environmental damage and must bear the cost of remedial measures.

The Polluter Pays Principle ensures accountability and acts as a deterrent against reckless industrial activities that harm the environment.

8.2 Precautionary Principle

The **Precautionary Principle** is another important doctrine in environmental law. It emphasizes that preventive measures should be taken to avoid environmental harm even when scientific certainty about the potential damage is not fully established.

According to this principle, if an activity poses a threat of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

This principle shifts the burden of proof onto those who want to undertake potentially harmful activities. Industries or developers must demonstrate that their actions will not cause environmental harm. The **Supreme Court of India** recognized and applied this principle in **Vellore Citizens Welfare Forum v. Union of India**, where the Court held that the Precautionary Principle is an essential feature of sustainable development and environmental protection in India. The application of the Precautionary Principle helps policymakers and regulators take preventive action before environmental damage becomes irreversible.

8.3 Absolute Liability Doctrine

The **Absolute Liability Doctrine** is a unique contribution of Indian environmental jurisprudence. This principle imposes strict responsibility on industries engaged in hazardous or dangerous activities for any damage caused as a result of their operations.

Under this doctrine, industries handling hazardous substances are liable to compensate victims of environmental accidents regardless of whether they were negligent or not. Unlike the traditional rule of strict liability, the doctrine of absolute liability does not allow any exceptions or defences. This doctrine was established by the **Supreme Court of India** in the landmark case of **M. C. Mehta v. Union of India**. The case arose from the leakage of oleum gas from a chemical plant in Delhi, which caused serious harm to workers and nearby residents. The Court held that industries engaged in hazardous activities have an absolute and non-delegable duty to ensure that no harm results from their operations. If damage occurs, the industry must compensate the victims regardless of fault or negligence.

The doctrine of absolute liability has significantly strengthened environmental protection in India by holding industries strictly accountable for environmental disasters.

8.4 Sustainable Development

The concept of **Sustainable Development** is one of the most influential principles guiding environmental governance today. Sustainable development refers to a model of development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. In India, the principle of sustainable development has been incorporated into environmental jurisprudence through judicial interpretation of constitutional provisions, particularly the right to life under **Article 21 of the Constitution of India**. The **Supreme Court of India** recognized sustainable development as a guiding principle in several cases, including **Vellore Citizens Welfare Forum v. Union of India**. The Court emphasized that economic development should not take place at the cost of environmental degradation.

Sustainable development seeks to maintain a balance between economic growth, environmental protection, and social welfare. In a developing country like India, achieving this balance is particularly important because rapid industrialization and urbanization often place significant pressure on natural resources. The principle encourages governments and policymakers to adopt environmentally responsible policies, promote renewable energy, conserve biodiversity, and ensure that development projects are environmentally sustainable.

These principles now form an integral part of Indian environmental jurisprudence.

IX. CONCLUSION

Environmental constitutionalism in India represents an important legal framework that seeks to protect the environment through constitutional rights, duties, and institutional mechanisms. The Indian Constitution provides a strong foundation for environmental protection through provisions such as Article 48A, Article 51A(g), and the judicial interpretation of Article 21. The judiciary has played a crucial role in strengthening environmental constitutionalism by expanding the scope of environmental rights and establishing important legal principles such as sustainable development and the polluter pays principle. Landmark judicial decisions have significantly contributed to the development of environmental jurisprudence in India. However, the effective implementation of environmental constitutionalism continues to face numerous challenges, including enforcement gaps, limited public participation, and conflicts between development and conservation.

Addressing these challenges requires coordinated efforts from the government, judiciary, civil society, and citizens. Strengthening environmental governance, improving enforcement mechanisms, promoting public awareness, and adopting sustainable development practices are essential steps toward achieving environmental justice and ecological sustainability. Environmental constitutionalism must therefore be viewed not merely as a legal doctrine but as an ongoing process that requires continuous commitment and collaboration. By strengthening this constitutional framework, India can move closer to achieving a balanced and sustainable future that protects both the environment and the well-being of its people.

REFERENCES

- [1] Divan, S., & Rosencranz, A. (2001). *Environmental law and policy in India: Cases, materials and statutes* (2nd ed.). New Delhi: Oxford University Press.
- [2] Leelakrishnan, P. (2019). *Introduction to environmental law*. Gurgaon: LexisNexis.
- [3] Shastri, S. C. (2018). *Environmental law*. Allahabad: Allahabad Law Agency.
- [4] Government of India. (1950). *The Constitution of India*. New Delhi: Government of India.
- [5] Government of India. (1974). *The Water (Prevention and Control of Pollution) Act, 1974*. New Delhi: Government of India.
- [6] Government of India. (1981). *The Air (Prevention and Control of Pollution) Act, 1981*. New Delhi: Government of India.
- [7] Government of India. (1986). *The Environment (Protection) Act, 1986*. New Delhi: Government of India.
- [8] Government of India. (2010). *The National Green Tribunal Act, 2010*. New Delhi: Government of India.
- [9] United Nations Environment Programme. (2019). *Global environment outlook 6*. Nairobi: UNEP.
- [10] United Nations. (1972). *Report of the United Nations Conference on the Human Environment (Stockholm Conference)*. United Nations.
- [11] United Nations. (1992). *Rio Declaration on Environment and Development*. United Nations.
- [12] Supreme Court of India. (1987). *M.C. Mehta v. Union of India (Oleum Gas Leak Case)*, AIR 1987 SC 1086.
- [13] Supreme Court of India. (1996). *Vellore Citizens Welfare Forum v. Union of India*, AIR 1996 SC 2715.
- [14] Supreme Court of India. (1997). *Indian Council for Enviro-Legal Action v. Union of India*, AIR 1997 SC 105.
- [15] Supreme Court of India. (1997). *M.C. Mehta v. Kamal Nath*, (1997) 1 SCC 388.
- [16] Supreme Court of India. (1998). *M.C. Mehta v. Union of India (Taj Trapezium Case)*, (1997) 2 SCC 353.
- [17] Supreme Court of India. (1991). *Subhash Kumar v. State of Bihar*, AIR 1991 SC 420.
- [18] Supreme Court of India. (1995). *A.P. Pollution Control Board v. M.V. Nayudu*, (1999) 2 SCC 718.



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- [19] Centre for Science and Environment. (2020). State of India's environment report. New Delhi: CSE.
- [20] Ministry of Environment, Forest and Climate Change. (2021). India state of forest report. Government of India.
- [21] Sands, P., & Peel, J. (2018). Principles of international environmental law (4th ed.). Cambridge: Cambridge University Press.
- [22] Boyle, A., & Anderson, M. (1996). Human rights approaches to environmental protection. Oxford: Clarendon Press.
- [23] Jain, M. P. (2018). Indian constitutional law (8th ed.). New Delhi: LexisNexis.
- [24] Shanthakumar, S. R. (2015). Introduction to environmental law. New Delhi: LexisNexis.