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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

CLIMATE CHANGE AND HUMAN RIGHTS: AN ANALYSIS OF CLIMATE JUSTICE JURISPRUDENCE THROUGH INDIAN PERSPECTIVE

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INTRODUCTION

When humanity stepped into the 20th Century, it faced a new challenge. The challenge of dealing with problems that could threaten the life of human beings on the planet. The civilization had advanced to the extent that human societies knew how to differentiate between right and wrong. By the beginning of the 20th Century, the development of legal systems all over the world had reached a fairly developed state and the concepts of justice were evolving. However, the conduct of human beings towards the environment was extremely unreasonable and exploitative. Human beings reached the moon, but they forgot to take care of their earth. They explored Mars, Jupiter but they forgot to explore the need to protect the melting icebergs. While on one hand, we were doing justice to the gift of innovation and rationality that god had bestowed human beings with, we were doing an equal level of injustice to the wellbeing of our planet.¹

However, by the end of the 19th century, human beings had realized that if they did not deal with the climate change concerns, in no time, the entire humanity could be wiped off and Earth could be just like other planets in terms of environment conducive to life.² Thus, efforts began at the international level through the establishment of various international bodies and the coming together of countries to collaborate in their efforts to save the earth from the dangers of climate change.³

Much has changed since the coming into force of the Stockholm Conference. When the Rio

¹ Climate Change and Human Rights. (n.d.). UNEP - UN Environment Programme. <https://www.unep.org/resources/report/climate-change-and-human-rights>

² Climate Change - Amnesty International. (2024, May 17). Amnesty International. <https://www.amnesty.org/en/what-we-do/climate-change/>

³ Ibid

Declaration came into force 2 decades after the Stockholm Conference, a lot of limitations of the framework laid down by the Stockholm Declaration were attempted to be resolved. Even then, the focus was simply on 'saving the environment'.

Before the concept of 'Climate Justice' became popular, environmental law was mostly about saving icebergs and glaciers from melting, it was all about protecting the Earth from Global warming. As the thought surrounding climate action developed, the need to incorporate equity and justice within the climate action framework became widely recognised. India stressed the need for global climate justice at the COP 27, reiterating the idea that fairness and equity should drive climate action. As with other nations in the Global South, India was an early player in the global climate justice discussions, laying claim to historical culpability for human-caused climate change. This sparked discussions on crucial topics such as colonialism, global capitalism, neocolonialism, and neo imperialism, and was backed by arguments pertaining to environmental colonialism.

EVOLUTION OF CONCEPT OF CLIMATE JUSTICE

Before delving further into the study, it is pertinent to examine the principles governing climate change in the global framework. The most pertinent international convention relevant to Climate justice is the UNFCCC. The principles construed therein bear testimony to the fact that the convention focused on climate justice and addressed the need to put in place an effective framework for climate protection especially in developing nations in order to remove global inequities.



1. Phase 1 [1971-1993]

The first phase of the evolution of climate justice was the time when 166 countries came together and signed the UNFCCC during the Earth Summit at Rio De Janeiro. It was through this convention that a pathway was opened towards a new global approach to climate change.⁴

2. Phase 2 [1994-2012]

The Kyoto Protocol focused on calling for industrialized countries to take up the burden of reducing emissions. Although the responsibility to save the environment falls on everyone, there is a greater responsibility on the shoulders of countries which contribute largely to pollution and climate change owing to rapid industrialization and development.⁵

3. Phase 3 [2015-Ongoing]

The third phase is still ongoing and the world has one more year to achieve what they have envisaged. During this phase, for the first time ever, over 197 member countries came together to sign the Paris Agreement on climate change.⁶

RELEVANT PRINCIPLES

When one talks about the concept of climate justice, there are various international conventions which become particularly relevant.

1. Principle 21 Stockholm/Principle 2 Rio Declaration on State Sovereignty

This principle focuses on accountability. According to this principle, the responsibility of harming the environment rests on the shoulders of the countries. In 1996, this customary principle was declared to be binding by the International Court of Justice.⁷

2. The CBDR Principles

Article 7 of the Rio Declaration becomes particularly relevant when one talks about the principle of 'Common but Differentiated Responsibilities'. The contribution of each country to global development should be varied according to its consumption and economic characteristics, but all countries should strive towards this goal. All nations are

⁴ Human Rights and Climate Change. (n.d.). <https://www.mrfcj.org/our-work/areas-of-work/human-rights-and-climate-change/>

⁵ Ibid

⁶ Ibid

⁷ Asgarian, H., & Chen, K. W. (n.d.). Climate change is a human rights issue. The Conversation. <https://theconversation.com/climate-change-is-a-human-rights-issue-228156>

equally accountable for reducing emissions and combating the consequences of climate change, and the CBDR reflects this long-lasting political agreement. "Differentiated" means that each states' plans to reduce emissions will be tailored and put into action according to their own historical emission levels and developmental requirements. In simpler words, the more you pollute, the greater the responsibility of reducing emissions. The CBDR truly reflects the spirit of climate justice as it adopts an equity based approach.⁸

3. The Right to Sustainable Development

The concept of sustainable development started to take form during the 1972 Stockholm Conference. The phrase was not used directly, but ideas like "integrated approach," "rational management," and "rational planning" were brought forward to establish this premise. These definitions suggested that people were starting to get it: that we need to strike a balance between social, economic, and environmental concerns to make sure things work in the long run and everyone benefits.⁹ As it pertains to worldwide policymaking and activity, sustainable development has gradually become one of the most important concepts in international law. A major step forward in the development of this notion came in 1987 with the passage of resolution 42/187 by the United Nations General Assembly, which reiterated the Brundtland Report's call for sustainable development.¹⁰ 'Development that satisfies the demands of the present without compromising the ability of future generations to satisfy their needs.' That is the definition of sustainable development offered in this landmark study by the World Commission on Environment and Development (WCED). This definition stresses the need of fairness between generations and the need to manage resources wisely so that future generations can enjoy the same prospects for success and happiness as our own.

EVOLUTION OF CLIMATE JUSTICE IN INDIA

Ever since the 1990s, India has been playing a significant role in climate negotiation at the international level by setting various agendas and principles. Initially, India believed that climate

⁸ Martin. (2023, October 20). Climate Change - United Nations Sustainable Development. United Nations Sustainable Development. <https://www.un.org/sustainabledevelopment/climate-change/>

⁹ Climate Change and Sustainability: Relationship | StudySmarter. (n.d.). StudySmarter UK. <https://www.studysmarter.co.uk/explanations/human-geography/economic-geography/climate-change-and-sustainability/>

¹⁰ Ibid

change was the responsibility of developed nations and not of developing nations. The stance taken by India changed at the Intergovernmental Negotiating Committee held in the year 1992.¹¹ Herein, India focused on fixing responsibility by analysing 'per capita equity'. As a nation grappling with poverty and development issues, India did not feel compelled to introduce domestic climate change policy during the early climate talks. Governments have taken the lead in reducing carbon emissions and implementing mitigation strategies in an effort to shield vulnerable populations from the worst impacts of climate change. However, for a long time, a need for governmental intervention at the domestic level was not felt.

In the year 2006, India introduced the National Environment Policy in order to reduce environmental deprivation and its impact on the habitat. NEPA aimed at conserving ecological resources, at establishing intra-generational equity and inter generational equity. This was the first policy level intervention at the domestic level. To decentralise the NAPACC, the Central Government issued a mandate in 2009 for all states to develop SAPCCs, or State Action Plans on Climate Change. Through regional planning, the SAPCCs lay the groundwork for climate action and sustainable development.

Post-1972, after the Stockholm summit, India enacted the "Water (Prevention and Control of Pollution) Act, 1974" was passed. Through these legislations, the Central and the State Pollution control boards were established to regulate and monitor the air and water quality as per the standards laid down.¹²

Constitutional mandates, environmental rights, and treaties all come together to form India's system of environmental governance. India must ensure economic prosperity, clean energy, and reduced environmental repercussions through a sustainable transition to renewables.

The Supreme Court has the authority to expand the right to environment under Article 21 to include "climate protection" if a claim related to climate change is filed. If courts hesitate to broaden

¹¹ Climate Change and Sustainability: Relationship | StudySmarter. (n.d.). StudySmarter UK. <https://www.studysmarter.co.uk/explanations/human-geography/economic-geography/climate-change-and-sustainability/>

¹² Ibid

Article 21, climate claims can also be brought under human rights. The right to life, health, and water may be invoked to demonstrate that climate impacts human rights. The Constitution allows the Supreme Court to make orders for complete justice. The Directive Principles of State Policy (DPSP) obligate the State to enhance health and environmental protection, supplementing rights under Article 21.

Each person is obligated "to preserve and enhance the natural environment" according to Art. 51A (g). Art. 32 also grants the Supreme Court original authority to hear cases involving the enforcement of citizens' basic rights. The Supreme Court and High Courts have a wide array of jurisdictional bases to address constitutional disputes, as provided for in Arts 32 and 226.

When formulating environmental jurisprudence on environmental rights, Indian courts took into account both national and international environmental law ideas. A few examples of these principles are sustainable development, intergenerational equality, and the idea of public trust, according to which the "state is considered the trustee of natural resources." It was alleged in the petition that was submitted to the National Green Tribunal (NGT) in the case of **Ridhima Pandey v. Union of India and others**¹³ that the state had failed to fulfil its responsibilities to its citizens in terms of solving climate issues. The claims that were brought forth by the petitioner were filed in accordance with articles 48A and 21 of the Indian Constitution, as well as the ideals of public trust and intergenerational equality.

The petitioner requested that the courts issue an order to the Government of India, directing them to create a carbon budget, develop a plan for climate reclamation, and examine industrial developments in relation to climate-related issues. The petition was rejected on January 15, 2019, and the tribunal reached the conclusion that the instruction was not required in accordance with sections 14 and 15 of the statute. This was due to the fact that the government had met with domestic rules in terms of regulating and safeguarding the environment. As a result of this ruling, the courts have ensured that the environmental impact assessment contains all of the climate-related standards that are necessary for the approval of industrial projects. Due to the fact that administrative approvals for industrial projects can be contested on these grounds, this could prove

¹³ Original Application No.: 187 of 2017

to be valuable for future climate lawsuits.

JURISPRUDENCE OF CLIMATE LAW

Climate Law has evolved as a result of various legislative interventions and judicial interpretations. The polluter pays principle, which has its origins in the landmark MC Mehta judgements, maintains that the polluter ought to be responsible for bearing the expense of preventing and repairing environmental damage. This notion has been reaffirmed by the Indian courts on a regular basis, with an emphasis placed on the possibility that businesses and organisations that cause damage to the environment should be held financially liable for the repercussions of their activities. This principle supports responsible behaviour by generating economic incentives for pollution prevention and mitigation, which in turn promotes the internalisation of environmental costs and promotes the internalisation of environmental costs.

Another principle acknowledges that although all nations have a shared responsibility to address climate change, their respective contributions to the problem and their capacities to address it differ. This principle is referred to as the Common but Differentiated Responsibilities (CBDR) principle. Developed nations, which have historically been the major contributors to greenhouse gas emissions, carry a greater duty for taking the lead in mitigating climate change and giving financial and technological support to poor countries. This responsibility is an extension of the responsibility that developed nations have historically had to bear. Throughout the course of international climate negotiations, India has persistently fought for the CBDR principle, putting an emphasis on the necessity of exercising equality and fairness in order to confront the global climate catastrophe.¹⁴

A theory that focuses on the equitable allocation of resources, opportunities, and burdens among individuals and communities is known as the distributive justice theory. When applied to the topic of climate change, distributive justice addresses a variety of concerns, including the equal distribution of emission reduction objectives, access to clean energy, and the distribution of resources and technologies for climate adaptation. The courts in India have acknowledged the

¹⁴ Supra Note 1

importance of distributive justice, particularly in situations that involve the relocation of people as a result of environmental damage or development initiatives.

On the other hand, redistributive justice is concerned with resolving past inequities and imbalances, in contrast to distributive justice, which is concerned with the equitable allocation of resources. In doing so, it acknowledges the fact that particular people and regions have been disproportionately affected by climate change and environmental degradation, as well as having contributed to these phenomena. The Indian judiciary has acknowledged the need for redistributive measures, such as compensation and rehabilitation for communities that have been impacted by climate change. In recognition of the fact that economic development and environmental protection are intertwined and mutually supportive of one another, the Indian courts have placed a strong emphasis on the necessity of striking a balance between the two topics. The ideas of sustainable development and intergenerational equality have frequently served as a guiding principle for decisions about industrial developments, the extraction of resources, and environmental clearances.

INDIAN JURISPRUDENCE

In the past, environmental issues in India were typically resolved through the application of private law principles such as trespass, annoyance, strict responsibility, or negligence in India, or through the use of remedies that were available under the Indian Penal Code or the Criminal Procedure Code. A significant number of the early statutes, many of which are still in effect today, addressed issues on a typological or sectoral basis. In the Indian Penal Code, for instance, there are crimes that punish particular types of pollution, such as those that include water pollution, air pollution, and so on. Specific regulations were often drafted in order to govern particular kinds of industrial facilities. Sanitary codes were concerned with the quality of water, and they contained specific regulations. In the years leading up to the 1980s, there were a number of statutes that dealt with particular categories of issues that were significant attributes. In the years following the Stockholm conference in 1972, the Indian legal system has been observing a noteworthy new trend. The previous legislation were reinterpreted with a renewed commitment to the preservation of the environment.

The purpose of this chapter is to discuss the role that the Indian Judiciary plays in the interpretation of the provisions of the Criminal Procedure Code and the Indian Penal Code that pertain to the conservation of endangered species. Both of these codes have provisions addressed to the issue of public annoyance.

MK Ranjitsinh vs Union of India¹⁵

Located in the arid regions of western India, the Great Indian Bustard is a species of bird that is in a state of critical endangered status. Collisions with overhead electricity lines that form a crisscrossing pattern through its environment are one of the most significant dangers to its longevity. In a case that would go down in history, the Supreme Court of India was faced with the difficult decision of whether to protect the bustard by mandating that all future power lines be put underground or to promote renewable solar energy, which necessitates the installation of overhead lines.

In the beginning, in the year 2021, the court took the side of conservation and ordered the installation of bird diverters on underground power lines that covered a massive area of 99,000 square kilometres as well as on overhead lines that were already in place.

On the other hand, the judges eventually became aware of the significant practical difficulties associated with undergrounding such a large number of power lines, which could impede India's transition to solar energy and its pledges to climate change. Twenty-four years later, in 2024, the court issued a final verdict that was fair and balanced. The constitutional rights to a healthy environment and freedom from the effects of climate change were acknowledged for the very first time by this landmark legislation. It established a group of experts to do an exhaustive investigation of whether or not undergrounding is feasible, whether or not diverters are effective, and how many are required. The situation sheds attention on the delicate equilibrium that must be maintained between preserving wildlife and biodiversity and increasing renewable energy sources in order to tackle climate change. Through the use of evidence-based policymaking, the court's nuanced approach seeks to achieve the goal of bringing these two significant environmental concerns into harmony. This reflects the growing trend of courts around the world recognising environmental

¹⁵ AIRONLINE 2021 SC 209

rights and the concepts of climate justice. Climate justice is the process of ensuring that measures taken in response to climate change do not have a disproportionate impact on ecological goals or vulnerable groups. This realisation is especially important in a country like India, where a sizeable segment of the people is directly dependent on natural resources for their means of subsistence and their overall well-being. Existing socioeconomic disparities are exacerbated by the effects of climate change, which include rising temperatures, unpredictable patterns of rainfall, and extreme weather events. These impacts have a disproportionately negative impact on areas that are already vulnerable. Through the establishment of environmental rights within the broader context of the right to life, the court has established the groundwork for a more equitable and just approach to resolving the issues that are associated with climate change. A commendable dedication to evidence-based policymaking is shown in the court's decision to establish an expert committee with the purpose of conducting a comprehensive evaluation of the feasibility of undergrounding power lines, the effectiveness of bird diverters, and the required number of deterrents. All too frequently, environmental policies are affected by powerful vested interests or pushed by short-term political expediency, which ultimately results in outcomes that are not sustainable and are not egalitarian. The method taken by the court, on the other hand, acknowledges the complexity of the matter at hand and the requirement for a decision-making process that is both comprehensive and informed by current scientific knowledge. Additionally, the case demonstrates the complex balancing act that is necessary in order to achieve harmony between the seemingly contradictory objectives of environmental preservation and the development of renewable energy sources. The promotion of solar power is unquestionably essential for reducing India's dependency on fossil fuels and minimising the effects of climate change; but, this must not be done at the expense of destroying biodiversity and putting the existence of endangered species, such as the Great Indian Bustard, in jeopardy. As a demonstration of its readiness to traverse this delicate balance and find a middle ground that suits both goals, the court has made the decision to rethink its first order and investigate other alternatives. In addition, the case has wider-ranging consequences for the role of the court in the process of formulating laws regarding climate change and holding governments responsible for their environmental pledges. It is becoming increasingly common for courts all over the world to be asked to render decisions on complicated matters like greenhouse gas emissions, deforestation, and the protection of vulnerable people. This is because the effects of climate change are becoming more severe and widespread. The proactive approach taken by the

Supreme Court of India in recognising environmental rights and engaging in evidence-based policymaking establishes a precedent that other judicial bodies would be able to follow.

Environmental protection legislation in India is still relatively fragmented, with various laws existing for each component of the environment. This is a problem because India is a developing nation. As a result of the absence of a centralised legal system, each individual who is involved in litigation over these concerns will be required to concentrate solely on the component that they wish to safeguard. This will result in the other components of the environment being left unchecked or necessitating the need for additional litigation to address the impact on these components. Due to the fact that these rules against air pollution, forest protection, and natural resource conservation are laws in their own right, they do not take a comprehensive view of the environment and the influence it has on society.

In its language, the ruling takes a more holistic approach to the threat posed by climate change. This ensures that future cases involving climate change will have a more thorough influence on the environment as a whole, making it less likely that the arguments would merely lead to a concentration on a single aspect of the environment. Furthermore, if this ruling is utilised appropriately, it has the potential to create more opportunities for those who are impacted by climate change to approach the courts with their concerns, so eliminating the need for them to rely solely on the specific legislation as their sole means of redress. By ensuring that the words of the Supreme Court justices can function as a multiplier to make these laws more effective, this ruling can also help improve the laws that are already in place that are relevant to environmental protection.

Other Landmark Cases

In the case of *Rural Litigation and Entitlement Kendra v. State of UP*¹⁶, unregulated limestone mining was causing immense environmental damage through deforestation, landslides, and loss of life and property. The Supreme Court intervened, issuing orders to regulate mining, reforest damaged areas, and provide jobs to displaced workers, balancing development with environmental

¹⁶ 1985 AIR 652, 1985 SCR (3) 169, AIR 1985 SUPREME COURT 652, 1985 UJ (SC) 594, (1985) 2 CURCC 70, 1985 (2) SCC 431

protection. In the case of *Municipal Council, Ratlam v. Shri Vardhichand*¹⁷, Residents of Ratlam city complained about inadequate sanitation and pollution from a local alcohol plant. The Supreme Court upheld their right to a pollution-free environment under Article 21, directing the municipality to take immediate measures like providing public latrines and preventing industrial effluents from contaminating residential areas. In *M.C. Mehta v. Union of India (Shriram Gas Leak)*, After the Bhopal gas tragedy, another gas leak occurred at Shriram Foods in Delhi, prompting the Supreme Court to evolve the principle of "absolute liability" for hazardous industries to compensate victims. It mandated safety measures like green belts around such plants and paved the way for an environmental court. In *M.C. Mehta v. Union of India (Ganga Pollution)*, The Court addressed the critical issue of tanneries discharging untreated effluents into the Ganga river, upholding the Water Act and right to a clean environment. It ordered the closure of polluting tanneries in Kanpur until they installed proper treatment plants, prioritizing environmental protection. In the case of *Vellore Citizens Welfare Forum v. Union of India*, Unchecked pollution from tanneries was rendering the Palar river unfit for drinking and irrigation in Vellore. The Supreme Court balanced industrial and environmental interests, directing tanneries to pay compensation and the state to take remedial measures, setting a precedent for sustainable development. In *A.P. Pollution Control Board v. Prof. M.V. Nayudu* Examining a proposed vegetable oil factory near drinking water reservoirs, the Court relied on the precautionary principle, placing the burden of proof on the industry to demonstrate safety. This landmark case shaped India's approach to balancing industrial growth and environmental risks. In *M.C. Mehta v. Kamal Nath*, A private resort company encroached on forest land along the Beas river. Applying the public trust doctrine, the Court quashed the lease and directed restoration, upholding that certain natural resources cannot be privately owned and must be protected for public use. In *M.C. Mehta v. Union of India (Vehicular Pollution)*, Responding to the severe vehicular pollution crisis in Delhi, the Supreme Court set up a committee to assess pollution control technologies and recommend measures like emission norms and alternative fuels, underscoring the state's duty to protect the environment. In the case of *Subhash Kumar v. State of Bihar*, The Court rejected allegations that effluents from Tata Steel were polluting the Bokaro river, finding that the state pollution control board had taken effective steps to monitor and regulate industrial discharges, upholding the right to a pollution-free environment. In *Samit Mehta v. Union of India (NGT)*,

¹⁷ 1980 AIR 1622

After a ship carrying coal and oil sank, causing marine pollution, the National Green Tribunal invoked the polluter pays principle, imposing a massive ₹100 crore compensation on the negligent party for environmental restoration, reaffirming the right to a clean environment. In *Betty C. Alvares v. State of Goa (NGT)*, A foreign national raised concerns about illegal coastal constructions in Goa. The NGT upheld her locus standi, stating that anyone can file environmental disputes, regardless of nationality, underscoring the fundamental importance of environmental protection. In the case of *Art of Living Case on Yamuna Flood Plain (NGT)*, The NGT penalized the Art of Living Foundation for damaging the Yamuna floodplains during a cultural festival, despite conditional permissions. The case highlighted the need for strict compliance with environmental norms, even for cultural/religious events. In the case of *Save Mon Region Federation v. Union of India (NGT)*, The NGT suspended clearance for a hydel power project near a crane habitat, directing a fresh environmental impact assessment involving public consultation. The case emphasized sustainable development without irreversible environmental damage. In *Almitra H. Patel v. Union of India (NGT)*, the court addressed the massive challenge of solid waste management in India. The NGT issued stringent directions like segregation, waste-to-energy, and a blanket ban on open burning, pushing for a circular economy approach to tackle the garbage crisis. The *K.M. Chinnappa v. Union of India*, While allowing a mining company to operate till 2005 based on existing clearances, the Supreme Court stressed that environmental laws aim to protect the environment from pollution. It criticized the lack of consistency by state and central governments in dealing with the company's case.

CONCLUSION

The historic decision by the Supreme Court in the *MK Ranjitsinh* case has given India's long-standing battle to strike a balance between economic growth and environmental protection new impetus. This decision is a turning point in the development of climate justice law in the country and brings it into line with international trends that acknowledge a healthy environment as a basic human right.

The fate of the magnificent Great Indian Bustard, a species on the verge of extinction because of extensive habitat degradation and collisions with power lines that crisscross its shrinking region, is at the centre of this case. One side was the pressing need for conservation measures, such as

burying future power lines over large portions of the bustard's range. Conversely, the necessity to support renewable solar energy—a vital weapon in India's fight against climate change—requires the construction of overhead transmission lines.

Environmentalists were victorious when the Supreme Court issued its first interim ruling in 2021, which required bird diverters and underground powerlines over an astounding 99,000 square km, therefore favouring conservation. But as the practicalities of such a huge project emerged, the court saw the obstacles it may put in the way of India's move to sustainable energy and its international climate pledges.

In a carefully considered final decision in 2024, the court acknowledged the constitutional rights to a healthy environment and defence against the negative consequences of climate change. This revolutionary acknowledgment brings India's legal system into line with international trends that regard environmental protection as a basic human right.

The court, most importantly, showed a remarkable dedication to evidence-based policymaking by appointing an expert committee to thoroughly evaluate the viability of burying power lines, the effectiveness of bird deterrents, and the necessary quantity of deterrents. This method guarantees a strict, consultative procedure that conforms with the ideas of climate justice by countering the impromptu, unilateral decision-making that frequently compromises environmental priorities for short-term benefits.

The MK Ranjitsinh case is evidence of the fine balance needed to maintain the principles of climate justice, which are that climate policies should not unduly burden weaker populations or jeopardise other environmental imperatives. Building on India's long history of environmental law, it covers significant judgements that have established fundamental ideas including the polluter pays principle, sustainable development, public trust doctrine, and precautionary principle.

Courts everywhere are being asked more and more to balance economic interests against environmental imperatives as the globe struggles with the growing climate catastrophe. The decision of the Indian Supreme Court provides a well-rounded model that can motivate progressive

jurisprudence throughout jurisdictions to reconcile environmental preservation with developmental requirements through sustainable routes.

Future-focused replication of such climate justice-centered decisions can spur concerted climate litigation to hold polluters responsible and impose remedial actions for affected communities through compensation and rehabilitation. The MK Ranjitsinh case ultimately opens the door for a fair, rights-based paradigm that should direct India's path towards a sustainable, climate-resilient future and is focused on intragenerational and intergenerational fairness in accessing a safe environment.



W H I T E B L A C K
L E G A L