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FROM PRINCIPLE TO PRACTICE: EXAMINING THE NGT'S APPLICATION OF SUSTAINABLE DEVELOPMENT IN INDIAN ENVIRONMENTAL LAW

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ABSTRACT

The integration of sustainable development principles into India's legal framework has been a pivotal aspect of environmental law and policy formulation. This paper examines the jurisprudential approach of the National Green Tribunal (NGT) in interpreting and applying sustainable development principles within environmental dispute resolutions. Through an analysis of key NGT judgments, such as *Vellore Citizens Welfare Forum v Union of India* and *Narmada Bachao Andolan v Union of India*, this research evaluates the effectiveness of the NGT in balancing environmental protection with development imperatives. The NGT's jurisprudence reflects a nuanced understanding of sustainable development, emphasizing principles such as the precautionary principle and the polluter pays principle. While acknowledging the necessity of economic development, the NGT has prioritized environmental conservation, particularly in cases involving significant ecological risks. Additionally, the NGT has demonstrated a commitment to social justice by recognizing the rights of marginalized communities impacted by development projects, as evidenced in cases like *Antarsingh Patel and Ors v Union of India*. Despite its achievements, the NGT faces challenges in ensuring the successful implementation of its rulings and extending its reach to underprivileged areas. Collaboration among stakeholders—legislators, civil society organizations, and the judiciary—is crucial to furthering the causes of environmental preservation and sustainable development. The NGT has emerged as a crucial institution in India's environmental landscape, offering hope for a more sustainable and equitable future. Continued cooperation and concerted efforts are essential to advance the goals of inclusive and sustainable development, leading India towards a future where ecological integrity is preserved alongside economic progress.

1. INTRODUCTION

One of the most important aspects of formulation of environmental law and policy in India has been the incorporation of principles of sustainable development into the legal system. On multiple occasions, the concept of sustainable development has been emphasized as a guiding principle, beginning with the National Forest Policy in 1988 and continuing through the National Environment Policy in 2006. The establishment of the National Green Tribunal (NGT) in 2010 bolstered the legal framework that promotes sustainable development. The progress was mainly a result of the NGT's duty to incorporate sustainable development, the precautionary principle, and the polluter pays concept into environmental dispute resolutions. This article aims to analyse the legal procedures followed by the National Green Tribunal (NGT), focusing specifically on its interpretation and application of the concept of Sustainable Development in its judgements.

RESEARCH OBJECTIVES

- To assess the extent to which the NGT has incorporated sustainable development principles into its jurisprudence.
- To evaluate the effectiveness of the NGT's approach in balancing environmental protection with development imperatives.

RESEARCH QUESTIONS

- How has the NGT interpreted and applied sustainable development principles in its adjudication of environmental disputes?
- What are the implications of the NGT's jurisprudence on sustainable development for environmental governance and policy-making in India?

2. SUSTAINABLE DEVELOPMENT IN INDIA'S LEGAL EVOLUTION

The case of *Vellore Citizens Welfare Forum v Union of India*¹ is a significant milestone in the introduction of the principle of sustainable development in India. It occurred more than ten years later the principle acquired global acknowledgement in 1987. The principle began to be explored in the national context in the initial 1990s, following its less rigid formulation during the Rio Conference. The Supreme Court seized the opportunity presented by this evolving understanding to establish legal principles regarding sustainable development without fundamentally challenging the existing status quo.

¹ 1996 (5) SCC 647.

Initiated as a public interest litigation under Article 32 of the Constitution, the Vellore case was brought before the Supreme Court. The Vellore Citizens Welfare Forum argued that tanneries in the region were discharging untreated waste into agricultural fields, roadsides, and waterways, leading to the contamination of the Palar River, and causing a shortage of drinkable water. An initial survey conducted by the Tamil Nadu Agricultural Research University revealed that over 30,000 hectares of agricultural land within the tannery belt had become unsuitable for farming.

The Court took advantage this case to explore the historical development of the concept of sustainable development within international environmental framework, beginning with the Stockholm Declaration of 1972. Advocating for the integration of the principle of sustainable development into customary international law was deemed crucial. This was especially pertinent as the Court had recently made efforts to apply this principle in domestic law, as seen in the case of *Indian Council for Environmental-Legal Action v Union of India*.² Utilizing customary international law was a conscious tactic to reinforce existing legal principles and incorporate sustainable development into Indian environmental law.

Furthermore, the Court exhibited cleverness and caution by highlighting the yet undefined nature of specific attributes of the sustainable development principle. This allowed for the potential establishment of the components of such a principle within the Indian legal framework. The Court subsequently drew a theoretical link by asserting that the precautionary principle and the polluter pays principle (PPP) are integral components of sustainable development. The precautionary principle necessitates regulatory bodies to foresee and preclude environmental deterioration in the presence of significant and irreversible harm.

Likewise, the PPP principle comes into play when an activity is deemed hazardous and inherently risky. In such instances, the party engaging in the activity is fully responsible for any resultant losses incurred by others, regardless of whether reasonable precautions were taken. The Court's legal decisions regarding the principle of sustainable development have been influenced by its initial focus on the PPP. The Court's primary approach to environmental pollution has been centered on remediation rather than prevention. This approach has moulded the Court's accommodating and business-as-usual stance, which has been characteristic of the Supreme Court's approach to sustainable development.

² 1996 SCC (3) 212.

The Vellore case serves as a crucial landmark in evaluating the Supreme Court's institutional framework for addressing environmental transgressions. Throughout the legal proceedings, the Court permitted leather manufacturing units contributing to pollution to strive for adherence by installing effluent treatment plants (ETPs). ETPs are significant yet costly investments. In this context, the state government, supported by entities like the Tamil Nadu Leather Development Corporation (Talco), facilitated the establishment of these units.

Ultimately, a pollution fine of 10,000 rupees was imposed on all tanneries in the area, and those failing to obtain requisite consent orders to operate under the Water (Prevention and Control of Pollution) Act, 1974 were instructed to cease operations. Considering the scale of infractions and resulting ecological contamination, along with adverse health effects stemming from widespread surface water and groundwater contamination impacting farming and drinking water supply, the Supreme Court offered multiple avenues for these leather enterprises to achieve compliance. This approach ensured that non-adherence would be deemed acceptable if appropriate corrective actions were taken. Additionally, the imposed fine was of a reasonable magnitude and did not pose significant risk to the continued functioning of these entities. The Court took into account the social implications of employment as a significant factor in addressing these environmental violations, utilizing the inherent flexibility in the definition of "sustainable development" to address environmental concerns while also considering various non-environmental factors.

A. BALANCING DEVELOPMENT AND ECOLOGY

The Supreme Court was faced with the task of addressing a significant development project, namely the Sardar Sarovar Project dam on the river Narmada, in the case of *Narmada Bachao Andolan V Union of India*³. The project faced significant challenges as a result of concerns surrounding the incomplete environmental impact assessment (EIA) and the inadequate measures taken to rehabilitate and resettle those impacted by the project. The petitioners argued that this case justified the use of the precautionary principle because of the possibility of significant harm to the nearby environment caused by the dam. The Court attempted to tackle this issue by putting forth an argument that indicates the applicability of this principle in cases where there is ambiguity surrounding the magnitude of harm or pollution. Nevertheless, the extensive documentation already available clearly indicated the significant impact of the dam on the environment. This statement is not wholly accurate since the environmental impact assessment was not conducted for the entire project. Thus, it appears that the Court was asserting a conclusion rooted in the

³ 1995 (3) SCC 42.

broader effects of dams, supported by anecdotal evidence. The objective is to reduce the project's environmental impact while maintaining its fundamental purpose. This argument was backed by two primary points. The first point emphasised that the construction of the dam was a government decision based on policy, making it immune to legal challenges in court. In addition, given the substantial public funds already dedicated to the project, any choice to pause or modify the course of action would lead to a wasteful use of public resources.

In the *N D Jayal and Another v Union of India and Others* case⁴, there were certain similarities to the Tehri Dam project case, as both cases dealt with challenges pertaining to environmental safety. The Supreme Court took a stance reminiscent of its position in the *Narmada Bachao Andolan* case. The court's decision focused on prioritising the economic benefits of the project, specifically the dam for hydroelectric power generation, rather than addressing the project proponent's clear non-compliance.

The progress of the concept of sustainable development has been impeded by the Court's adoption of a majority-based ethical criterion, which includes the implementation of a proportionality test in these cases. In the case of *Bombay Dyeing & Mfg Co Ltd (3) v Bombay Environmental Action Group and Ors*⁵, it was emphasised that balancing environmental protection and promoting development are both crucial considerations.

It is important to highlight that even in situations involving potentially risky projects like building nuclear power plants or large dams in earthquake-prone areas, the heightened scrutiny has not led to a total dismissal of the development itself. The court has taken into account various factors, including electricity generation, employment, and investment, in assessing the significance of developmental activity. This has been done despite the potential for irreversible and detrimental environmental changes. The case of *G Sundarrajan v Union of India and Ors.* also supported a similar perspective.⁶ The case centred on the Kudankulam Nuclear Power Project and raised concerns about the project's viability due to an incomplete Environmental Impact Assessment (EIA). The court said:

“Court has emphasised on striking a balance between the ecology and environment on one hand, and the projects of public utility on the other. The trend of authorities is that a delicate

⁴ (2004) 9 SCC 362.

⁵ (2005) 5 SCC 61.

⁶ (2013) 6 SCC 620.

balance has to be struck between the ecological impact and development. The other principle that has been ingrained is that if a project is beneficial for the larger public, inconvenience to smaller number of people is to be accepted. It has to be respectfully accepted as a proposition of law that individual interest or, for that matter, smaller public interest must yield to the larger public interest.” Para 239 and 240

It is noteworthy that the Court has, on occasion, strayed from the principle of sustainable development, although such occurrences have been infrequent. There were specific instances involving pollution that garnered significant media attention, despite the violations' severity and the ensuing environmental and health risks not being proportionate. Two notable judgments stand out in this respect: *M C Mehta v Union of India and Ors (Delhi CNG case)*⁷, and *Samaj Parivartana Samudaya and Ors v State of Karnataka and Ors*⁸, commonly known as the Bellary Mining case. In the former case, the court relied on precautionary principle to held that:

“Norms for emission and norms for the fuel have existed for over the last two decades and the state of the environment is dismal despite the existence of these norms. The emission norms stipulated by the Government have failed to check air pollution, which has grown to dangerous levels across the country. Therefore, to recommend that the role of the Government be limited to specifying norms is a clear abdication of the constitutional and statutory duty cast upon the Government to protect and preserve the environment, and is in the teeth of the 'precautionary principle.’” Para 11:

Similarly, in later case, the court was confronted with widespread violations of mining quotas and administrative resistance and it held that:

“Environment and ecology are national assets. They are subject to intergenerational equity. Time has now come to suspend all mining in the above area on sustainable development principle which is part of Articles 21, 48-A and 5i-A(g) of the Constitution of India.” Para 34.

3. SUSTAINABLE DEVELOPMENT: LEGAL PROGRESS

Despite its limitations, the iterative approach adopted by the Supreme Court has proven to be successful in firmly embedding the concept of sustainable development within the framework of Indian environmental law and policy. This information garnered significant attention and was

⁷ AIR 2002 SC 1696.

⁸ 2013 (8) SCC 154.

frequently referenced in various government policy documents, such as the National Forest Policy 1988, National Conservation Strategy, and Policy Statement on Environment and Development in 1992, National Agricultural Policy 2000, and the National Water Policy 2002. The National Environment Policy (NEP) 2006 made numerous allusions to the principle of sustainable development, elevating it to the status of an authoritative statement.

The legislative incorporation of the principle of sustainable development in the National Green Tribunal (NGT) Act of 2010 has provided a lawful avenue for reimagining sustainable development, unburdened by the constraints of previous jurisprudence. Section 20 of the Act explicitly mandates the tribunal to apply principles such as sustainable development, the precautionary principle, and the polluter pays principle. This marks the first explicit mention of sustainable development in legislation, accompanied by a legal obligation for the NGT to enforce it in environmental conflicts.

Established in 2010 under the NGT Act, the NGT addresses the recognized need for a specialized environmental court, as highlighted in both court judgments and the Law Commission of India's report in 2003. However, the NGT's authority is circumscribed by statute, as it does not possess the same powers as a court. There has been notable criticism surrounding the Act, particularly regarding its impact on the ability to attain justice. Notably, the jurisdiction of civil courts in environmental matters outlined in Schedule 1 has been curtailed, now falling within the purview of the NGT. With a principal bench located in Delhi and a total of five benches, its physical reach is somewhat limited. Moreover, the legislation significantly expands opportunities for litigants, allowing affected individuals to seek relief and compensation under Section 18 (2) (e) of the NGT Act.

The NGT comprises a committee composed of legal professionals and subject matter experts, led by a chairperson with a judicial background. Decision-making typically follows the majority opinion, leveraging the bench's diverse composition to conduct investigations and establish facts. Proactively, the organization appoints local commissioners to conduct on-site investigations and oversee the implementation of its orders.

4. NGT'S JURISPRUDENCE ON SUSTAINABLE DEVELOPMENT

Environmental Impact Assessment (EIA) disputes have predominantly occupied the NGT's caseload. Nonetheless, there have been occasions where the court has invoked the concept of

sustainable development. One such instance arose in the case of *T Muruganandam and Ors v Union of India and Ors* (2014)⁹, where the environmental approval issued by the Ministry of Environment, Forest, and Climate Change (MOEF) to the Tamil Nadu Power Company faced scrutiny. The challenge centered on the argument that the Cumulative Environment Impact Assessment (CEIA) failed to adhere to universally recognized scientific standards, thus raising legal doubts. This contention was countered by the absence of universally accepted scientific parameters for CEIA under prevailing Indian environmental legislation. The NGT's findings underscored the necessity of CEIA in line with precautionary measures and sustainable development principles. Moreover, it emphasized the value of foreign judgments contingent upon their substantive reasoning. By leveraging principles rooted in international law and subsequently integrated into Indian legislations, the Court compellingly advocated for the adoption of international standards in the Indian context, if deemed necessary. This commitment to assimilating global best practices and tailoring them to India's unique circumstances represents a commendable stride forward. The judicious use of a well-founded example to bolster such a stance underscores the NGT's discerning judicial acumen and upholds its interpretative latitude in addressing domestic issues through international frameworks.

In the legal dispute of *Jeet Singh Karrwar and anr v MOEF*¹⁰, the contentious issue revolved around the environmental clearance granted by the Ministry of Environment, Forest, and Climate Change (MOEF) for the establishment and working of a power plant in the village of Dhanras located in Chhattisgarh. Two local residents challenged this clearance, initiating a legal battle that brought attention to the delicate balance between environmental conservation and economic development. The court referenced a significant Supreme Court judgment concerning mining activity along the Delhi-Haryana border (*M C Mehta v Union of India*, 2004)¹¹, which underscored the overarching principle that in situations where there is uncertainty regarding the environmental impact of permitting an activity or the potential negative economic consequences of halting it, the preservation of the environment should take precedence over economic interests. Furthermore, the National Green Tribunal (NGT) reiterated the importance of the precautionary principle, which dictates that when faced with uncertainties about potential harm to the environment, pre-emptive action should be taken to mitigate risks. In line with this principle, the NGT governed on the burden of proof, stipulating that those advocating for a change or development project must furnish evidence demonstrating its sustainability and minimal environmental impact.

⁹ Appeal No. 50/2012, before National Green Tribunal.

¹⁰ Appeal No. 10/2011, before National Green Tribunal, New Delhi, Principal Bench.

¹¹ 2004 (6) SCC 588.

Unfortunately, in this particular case, the project exponent failed to provide sufficient evidence to meet this burden of proof, leading to the NGT's decision against the clearance. Moving on to the case of *M P Patil v Union of India (2014)*¹², the NGT's ruling marked a significant milestone despite partially rejecting the challenge. This case presented a complex scenario with substantial ecological risks and profound social impacts, particularly concerning the resettlement and rehabilitation (R&R) of numerous individuals impacted by the project. Highlighting the critical need to strike a delicate balance between environmental conservation and development, a fundamental tenet of sustainable development, the NGT emphasized the imperative of a comprehensive R&R scheme to address the project's significant impact on human displacement. Given the gravity of the situation, the Environmental Appraisal Committee (EAC) engaged in thorough deliberation and scrutiny of the R&R scheme proposed by the project proponent. Additionally, recognizing the importance of public participation and input, especially throughout the public consultation process, the NGT underscored the significance of incorporating diverse perspectives and considerations in decision-making processes related to environmental matters. This comprehensive approach aimed to ensure that the interests of affected communities and the environment are adequately safeguarded while also promoting sustainable development practices. Moreover, the NGT presented a compelling argument urging consideration of the impacts on individuals whose livelihoods are heavily dependent on ecological resources obtained from their local environment. This assertion stated:

“In the framework of Indian economy, there is a relation between poverty and environment. Poverty and degraded environment are closely inter-related, especially where people depend primarily on natural resources based on their immediate environment for their livelihood. Restoring natural systems and improving natural resource management practices at the grass root level are central to a strategy to eliminate poverty.” para 69.

This starkly contrasts with the Supreme Court's simplistic utilitarian perspective. The rationale of the NGT recognizes the critical significance of the natural environment for the livelihoods of extensive tribal populations and forest-dwelling communities. It underscores the essentiality of conserving and maintaining ongoing access to this natural habitat for their survival. Denial of access due to an economic venture aimed at benefiting the broader public could lead to poverty and severe deprivation among these communities. Thus, it becomes imperative for Resettlement and Rehabilitation (R&R) strategies for such projects to acknowledge this truth and supply

¹² 2013 SCC OnLine NGT 1222.

sustainable replacement.

5. RIGHTS OF ACCESS FOR TRIBALS

This corresponds to the prevailing legislative direction in environmental conservation, indicating an increasing recognition and acknowledgment of the rights of individuals who depend on natural deposits within their immediate vicinity. In 2006, Parliament enacted the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, a landmark legislation that acknowledged the historical injustices inflicted by colonial laws like the Indian Forest Act of 1927, which deprived local communities of forest access. The Act acknowledges the land ownership and usage rights of indigenous communities and other forest-dwelling populations.

In addition, the NGT went into considerable depth regarding the reasoning for the public hearing process as outlined in the EIA notification. Referencing a precedent set by the Delhi High Court in *C Samarth Trust v Union of India*¹³, the NGT argued that public hearings represent a fundamental aspect of participatory justice. These hearings are not merely procedural formalities; rather, they serve as vital mechanisms for ensuring that the voices of affected communities are heard and considered in the decision-making process. By allowing individuals and communities to express their concerns and opinions regarding proposed projects, public hearings facilitate transparency, accountability, and democratic decision-making in environmental matters. This judicial clarification holds significant importance, particularly in light of certain ambiguities within the provisions of the EIA 2006 notification that could potentially be interpreted to allow the bypassing of the public hearing process under unfavourable circumstances. By emphasizing the significance of the public hearing process, the NGT underscores the importance of grassroots participation and the collection of ground-level information to inform regulatory decision-making accurately. Furthermore, the NGT firmly rejected the respondent's argument that the concerns voiced by villagers during the public hearing lacked scientific evidence and should be disregarded as mere worries. Instead, the NGT emphasized that it is the responsibility of the project exponent to substantiate the validity of these concerns and provide evidence demonstrating that the proposed project will not result in any adverse environmental impacts or harm the livelihoods and incomes of affected individuals. This underscores the principle of environmental justice, wherein the burden of proof lies with the entity offering the project to demonstrate its compliance with environmental regulations and standards. It is imperative for entities such as the National Thermal

¹³ 2010 SCC OnLine Del 2127.

Power Corporation (NTPC) to ensure that their projects align with the principles of sustainable development, recognizing the interconnectedness between environmental protection, social equity, and economic development. The NGT's decision to only partially accept the challenge reflects a nuanced understanding of the complexities involved, recognizing the project's potential public utility while also acknowledging the need to mitigate potential environmental and social impacts.¹⁴

Ultimately, the NGT's directives to the Environmental Appraisal Committee (EAC) for the assessment of environmental clearance, including the potential imposition of penalties for non-compliance with Resettlement and Rehabilitation (R&R) obligations and conducting site visits to gather firsthand perspectives from affected communities, demonstrate a commitment to thorough and comprehensive decision-making processes in environmental matters.

6. SOCIAL JUSTICE PERSPECTIVE

In the legal proceedings of *Antarsingh Patel and Ors v Union of India (2012)*¹⁵, the focus was on contesting the Maheshwar Hydro Power Project by individuals directly impacted by its implementation. The National Green Tribunal (NGT) embarked on a mission to secure stronger legal safeguards for the rights of these affected individuals by saying:

“It is no longer res integra that the benefits of developmental activities must go to the local people and their quality of life must improve instead of driving them to a disadvantageous position. Depriving them of the facilities which they were already enjoying, but are likely to be deprived of due to the proposed Hydro Electric project would be contrary to the law. Citizens are at the centre of development and as such all efforts are required to be made to avoid any hardships to the affected persons.” Para 15.

Once again, governmental approval was granted for the progression of the project, citing the substantial investment of public funds as a rationale for its continuation. However, governmental authorities sought to safeguard the interests of affected stakeholders by stipulating measures aimed at mitigating their adversities. Consequently, strict adherence to the prescribed recovery and restoration plan became imperative, failure of which could result in the potential revocation of the granted environmental clearance. Although the statutory purview of the NGT does not clearly

¹⁴ *M P Patil v Union of India*, 2013 SCC OnLine NGT 1222.

¹⁵ Appeal No. 26/2012, Before the National Green Tribunal, New Delhi (Principal Bench).

encompass Resettlement and Rehabilitation (R&R) policies, it expressly states that such policies, being prerequisites for obtaining environmental clearances, would be considered in NGT proceedings. The case of *Sudiep Srivastava v Union of India (2014)*¹⁶ is of particular interest as it endeavours to establish a moral benchmark for evaluating governmental actions. This case pertains to a legal dispute regarding the clearance of forests for mining operations in Chhattisgarh. When forests are proposed for diversion for non-forest purposes, such as mining, statutory clearance from the Ministry of Environment and Forests (MOEF) is mandated. Pursuant to the Forest (Conservation) Act, 1980, it is obligatory for the Forest Advisory Group (FAC) to furnish recommendations to the MOEF on such applications.

In this scenario, the expert panel provided counsel to the Ministry of Environment and Forestry (MOEF) advising against the clearance for forest exploitation. However, contrary to this recommendation, the MOEF opted to reverse its stance and granted Stage 1 approval for the clearance of the forest to the project applicant. The National Green Tribunal (NGT) delved into two key legal aspects: the functioning and authority of the Forest Advisory Group (FAC), and the criteria for evaluating administrative decisions guided by the value of sustainable development. Regarding the former, the NGT delineated that while the FAC renders advisory opinions, the MOEF is not bound by them. Nonetheless, recognizing the FAC's specialized expertise and ability to conduct on-site assessments, its recommendations ought to be given due weight by the MOEF when arriving at informed decisions. A well-founded decision is one that is predicated on cogent reasoning substantiated by robust evidence. It is imperative to meticulously assess all pertinent factors, ensuring alignment with legislative mandates and principles of sustainable development. The NGT, in its oversight capacity, will undertake a procedural examination to ensure the fairness of the decision-making procedure, the comprehensiveness of information considered, and the absence of any prejudicial influences. If the decision is determined to be fair and transparent, the principle of margin of appreciation will support the decision-maker, providing them with flexibility in their judgment. This pertains to a procedural evaluation of the administrative decision, focusing on evaluating its procedural fairness and avoiding arbitrariness.

¹⁶ Appeal No. 73/2012, Before the National Green Tribunal, New Delhi (Principal Bench).

7. CONCLUSION

The development of environmental jurisprudence in India, specifically through the National Green Tribunal (NGT), demonstrates a dynamic interaction between the necessities of sustainable development, environmental preservation, and socio-economic advancement. Through this research, it is clear that the NGT, founded in 2010, has become a crucial institution in managing the challenges of balancing growth goals with environmental conservation. The NGT's jurisprudence demonstrates a thorough understanding of sustainable development ideas, as seen in its focus on integrating notions like the precautionary principle and the polluter pays principle into its decision-making framework. The NGT has aimed to reduce environmental damage and promote economic growth by basing its choices on three fundamental principles.

The approach of the NGT, as demonstrated in its legal decisions, represents a shift away from conventional methods of resolving disputes, in which environmental issues were frequently given less importance compared to developmental priorities. On the contrary, the tribunal has shown a strong dedication to maintaining the honesty and fairness of environmental laws and regulations, even when dealing with major development projects.

Furthermore, the acknowledgment by the NGT of the entitlements of marginalised communities, including indigenous populations and forest dwellers, demonstrates a wider dedication to social equity within the scope of environmental administration. The NGT has aimed to ensure that the advantages of economic success are dispersed fairly across society by giving priority to the well-being of these communities and emphasising the significance of inclusive development.

In light of these observations, it is evident that the NGT has emerged as a key protagonist in India's environmental landscape, offering a beacon of hope for a more sustainable and equitable future. Nevertheless, there are still obstacles that need to be addressed, namely in terms of guaranteeing the successful execution of its resolutions and extending its influence to underprivileged areas.

In order to further the causes of environmental preservation and sustainable development, it is critical that stakeholders—including legislators, civil society organisations, and the judiciary—continue to work together in the future. India can lead the way towards a future where development is truly inclusive and sustainable, while also preserving ecological integrity by utilising the combined wisdom and expertise of all stakeholders.