

SUSTAINABLE DEVELOPMENT AND ENVIRONMENT PROTECTION

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ABSTRACT

In developing countries like India, a special challenge is to stimulate experimental processes at the original position, but in reality developing world is suffering from the environmental problems, which are easily linked to imbalanced development. The problem of environmental pollution has drawn the attention of entire world and the governments of all the nations are trying to cover and enhance the quality of environment. In fact it has come a global miracle. In India, a plethora of legislations have been passed by the council and the superintendent is also trying to attack the problem of environmental pollution, but in reality environment protection laws have only a little impact, particularly in major metropolises which are extensively affected by environmental pollution. Sustainable development is an ideal, which we're continuously trying for. This calls for an critical need to bring about necessary changes in the artificial and agrarian product patterns, mileage services, consumer geste and life styles of the people keeping in view our social and experimental precedence's for conservation and sustainable use of natural resources. Sustainable development is a good conception and India has also espoused it. Really a number of laws have been legislated regarding environmental protection, which is backed by principles of sustainable development. Still, the sustainability of Indian metropolises is frustrated by special factors similar as inadequacy of capital stock, poverty and environmental declination. Number of factors is responsible for the declination of environment like water, air, radio-active wastes and noise pollution etc.

Keywords: Environment, Development, Sustainable, Consumer, Pollution, Degradation, Biodiversity.

Introduction

Human race is absolutely dependent upon nature for its actuality, durability and growth. Nature is a treasure trove that has besides us a variety of foliage and fauna. The triumph of humanity over the nature is in fact, an attempt to sink it and as a result, annihilation towards the nature, which reverberates only on the humanity and other rudiments of it in biodiversity. The idea of progress, as understood by the developed west and blindly emulated by the developing countries is a hardhearted bear with the nature and is ruining the nature and in turn hitting the human development and humanity. It's high time that all the countries unite hands and India leads from the front in giving a clarion call towards environmental governance and its relation to experimental conditioning. Moment, there's need to merge the present development and unborn sustainability, therefore, rendering a balance in nature, so the every generation can profit from it. Thus, the experts worldwide have come up with a doctrine called 'Sustainable Development', i.e. there must be balance between development and ecology. Because, balance is veritably important to run everything in a smooth manner, as an illustration of macrocosm, in which, every earth is working under a proper balance. Without maintaining the balance between environmental protection and development, we cannot survive in health manner. The right to development encompasses much further than profitable well-being, and includes within its description the guarantee

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of abecedarian human rights¹. In the classic work, *Development as Freedom*, the Nobel Prize Winner Amartya Sen refocused out that the issue of development cannot be separated from abstract frame of human right. It has been depicted the world community came out with a concession which gives due respect to both the third generation human rights right to development and indigenous instruments conferring legal validity to the conception.

Sustainable Development for Understanding

Sustainable is a Latin born term which means to carry on, to endure, to live through, to maintain, to permission, to protract, to encourage, to support the life of (Chambers Concise Dictionary). Alternately, term sustainable means to initiate or the capability to live up or sustain. It may be described as a harmonious balance that manipulates development along with environmental imperatives. It may be noted that, development and environment must coordinate together as similar, one shouldn't be at the cost of another, rather there should be development while taking care of and ensuring the protection of environment. According to economist's, sustainable development is the art of manipulating volume and quality of our natural stocks economically to our own advantage, without exhausting it. It means perfecting the quality of human life while at the same time living in harmony with nature and maintaining a balance with the life supporting ecosystem. Thus, the integration of ecology and development is what can be defined as sustainable development. Therefore, sustainable development is a multi-dimensional conception with three interacting angles Environment, Economics and Society. It's honored that these three pillars are of equal significance. Sustainable development doesn't mean sustainability of the environment and resource system alone but requires the sustainability also of profitable and social system. But it's critically important to reiterate that if we give precedence to one of the three aspects be it people (poverty relief) or earth (conservation) or substance (business development) - we will imbalance the whole, with mischievous effect to all. We need to address all three aspects contemporaneously with equal significance attached to each of the three pillars. It's applicable to mention then that India has been a forerunner in all times but a clear understanding of sustainable development and a policy for unborn requirements to be emphasized.

International Eagerness for Ecological Preservation and Sustainable Development

So far as the international endeavours regarding sustainable development and preservation of environment are concerned, really, Stockholm Conference 1972 is considered to be the Magna Carta. It was the first occasion when world community assembled on an important issue of environment protection and Sustainable Development. Stockholm Declaration placarded that, man is both creator and destroyer of his environment. Moment the entire globe is concerned in espousing sustainable development and various approaches are enforced to achieve the same. But frequently the international association's mistake sustainable to be a system of achieving sustained profit or benefit rather than its relation to environment. The World Commission on Environment and Development (WCED) in its report (*Our Common Future*) has anatomized the present way of sustainable development and tagged it as proficient. Two crucial generalities could be seen in the Commission description for sustainable development

- Wants of the under- developed States and their people like food, sanctum, wealth, sources of employment; knowledge etc. should be the first concern.
- As some of the natural resources are limited, thus, keeping in view the sustainable development, the limits of nations States and citizens should be clarified. Keeping in view above two generalities, it could be said that sustainable development isn't only about progress but requires a change in the way of progress, so that environmental deterioration may check.

Sustainable Development- Constitutional Developments in India

Initially, the Constitution of India didn't distribute with environmental aspect, but some of the papers and Schedules have a circular link with the content. Eventually, in 1976, with the 42nd Amendment to the Constitution, two new papers in Part- IV and IV- A of the Constitution have incorporated. The added Composition 48- A in Part- IV declares that the state shall endeavor to cover and ameliorate the environment and to guard the forests and wildlife of the country. Also in Part- IV- A, Composition 51A (g), dealing with abecedarian duties directs that "it shall be the abecedarian duty of the citizens of India to cover and ameliorate a natural environment including forests, lakes, gutters and wildlife and to have compassion with living brutes. Indian Constitution is feasibly one of the extraordinary Constitutions of the world which contains specific vittles regarding environmental protection and follows the principles of sustainable development. Indeed though India is a developing country where

exploitation of natural resources is demanded for the progress of nation. India's assurance to the conception of sustainable development is a part of perception reproduced by our constitution makers in various articles of Indian constitution. From the below discussion it's clear that reference to the environment has also been made in the Directive Principles of State Policy as well as Fundamental Rights. Realizing the connection between social and profitable development and environment declination, Justice Krishna Iyer and Justice Chinappa Reddy said that the diligence cannot be allowed to run at the expenditure of public health. The indigenous articles and principles of sustainable development are backed by a number of laws, acts, rules, and announcements. After the independence, lot of changes appears in the structure and programs of the Governments with respect to environment protection. When the Constitution of India came into force also there were many articles regarding environment operation like Articles 39(b), 47, 48 and 49. Though the word environment wasn't directly mentioned in these articles but from the below papers one can understand that the Constitution of India wasn't environmentally blind. Also, country espoused Van Mahotsava as a National Festival in 1950 for the purpose of creating mindfulness regarding trees and forests among people.

Environment Protection

International community has played a conscious part towards environment protection and sustainable development. The pugmarks are visible either in international position or public situations. Environment declination is a problem of developed, developing and under- developed nation's i.e. entire international community. The recognition of the problem has not been a time, times, decade, two or a century old. It's as old as human civilization or may be indeed before it took shape. Environment protection constitutes an integral part of sustainable development processes and they cannot be considered in isolation. The international concern in recent times has taken shape with certain covenants, protocols, conventions and United Nations involvement and it has taken pain to unite the nations in this direction, which concerns peace and development. The member/ party countries are now agreed that peace, development and environment are interdependent and indivisible¹. It's the international environmental law which gives shape and content to environmentalism and brought it at the centre of all human enterprises. The part of India for the protection of environment and sustainable development is visible from the India's primary class and active participation in dealing with the issues similar as the climate change, global warming, ozone reduction, deforestation, desertification and loss of natural diversity etc. In this chapter, the experimenter throws light on the transubstantiating phase of international environmental law and would reflect upon some of the arising generalities out of the crucial global environmental accommodations. Rapid industrialization and profitable development along with the pollution of air, water and soil, on which our life depends, is the high or dear cost which man has to pay for profitable progress. Grim march towards progress has been so heavily dependent on wisdom and technology that his natural environment stands nearly converted. The human hunt for material development seriously threatens the fragile ecosystem. The ultimate thing of human weal, still, can be attained only through sustained environmental quality. It's clear that the global problem of environmental pollution has now assumed serious proportions. Utmost of the development in the World moment isn't sustainable over long term. It's grounded upon the squandering of our natural capital similar as soil, forests, creatures, factory species, water and air. Indeed numerous of our profitable, financial and trade programs in sectors similar as energy, husbandry, forestry and human agreements tends to include and support non-sustainable experimental patterns and practices. In the once twenty times utmost of the developing countries have seen a steady increase in environmental declination and numerous recently industrializing countries have endured massive environmental deterioration, following unforeseen industrialization and explosive urbanization side by side, the capacity of a number of developing countries to manage their environment so as to secure the well being of their people is also coming under severe stress in the face of pressures created by rapid-fire population growth, its uneven distribution and shy socio- profitable development.

Judicial and Environment Protection

Judiciary may be reported as the most sharp- eyed protection of republic. It's one of the three pillars upon which the structure of the constitution is constructed. Really, major drive towards environment preservation and balanced development in India has started from the Indian judiciary. It'll not be wrong to say that environmental dissonances have created some striking case laws in India. Because, Judiciary dauntlessly and madly administering the law and filled the gap in the field of environment and sustainable development. It eased lawmakers without legislating Indian Judiciary has ever assumed the part of protector of the environment and insurer of the abecedarian right of life and sustainable development. It has been played important part for advancing the conception of sustainable

development. It's applicable to quote then that the council has lately started talking about sustainable development in some of the enactments. But, substantially the sun for making sustainable development as abecedarian principle of Indian legal system goes to judiciary. However, we'd set up that there's no deficit of laws, If we look at the number of legislations related to environment in India. No doubt; judicial approach concerning environment protection has been bandied in various studies. In the present chapter, the experimenter has stressed the activism of Indian Judiciary in interpreting the cases related to environmental pollution particularly with an emphasize to the conception of Sustainable Development. The judgments of Supreme Court of India on environment protection issues reflect not judiciale public, but also global concern for the protection of the environment. Moment the environment poses a global challenge for its survival. It, thus, becomes imperative for each one of us, within and outside the judicial system to fete environmental realities. The generalities of polluter pays and preventative principles are gaining instigation encyclopedically. These generalities are being completely appreciated and applied by Indian judicial, while adjudging environmental issues. In 1991, the Supreme Court of our country issued directive to make all classes environment acquainted. This directive was, in fact, in response to a Public Interest Action (PIL) to give a accreditation for creating environmental mindfulness among all citizens of India including class tutoring of environment as subject at academy, council and university situations. Vellore Citizens Welfare Forum v. Union of India is a corner judgement of the Supreme Court Where the Principle of Sustainable development has been espoused by the Court as a balancing conception. The Supreme Court refocused out that the traditional conception that development and ecology are opposed to each other is no longer respectable. "Sustainable Development" is the answer. The Supreme Court after explaining the salient principles of sustainable development expressed the view that "The preventative principle" and "The Polluter pays principle" are essential features of sustainable development and that they've been accepted as part of the law of the land.

Conclusion

Both development and environment must go hand in hand, in other words, there shouldn't be development at the cost of environment and vice versa, but there should be development while taking due care and ensuring the protection of environment The development should be similar as it can be sustained by ecology. All this has given rise to the conception of sustainable development. Sustainable use of natural resources should basically be grounded on maintaining a balance between development and ecosystem co-ordinated efforts to all concerned would be needed to break the problem of ecological extremity and pollution. Unless we borrow an approach of sustainable use, the problem of environmental declination cannot be answered. Concept of sustainable development was proffered by the 'WCED' which veritably aptly and exhaustively defined it as "development that meets the requirements of the present without compromising the capability of unborn generations to meet their own requirements. Survival of humanity depends on following the said description in letter and spirit. In utmost of cases Supreme Court has taken the view that the artificial development must continue but not at the cost of environment. This approach of the Court is in consonance with the principles of sustainable development. It's clear that, the judicial in India has played a veritably vital part towards the protection of environment and has applied the principle of sustainable development. The utmost of the environmental cases has come before the courts through "Public Interest Action" (PLL), which indicate that Indian citizen are careful enough towards environment protection and sustainable development.

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