

MANAGEMENT OF INDIAN NATURAL RESOURCES: A LEGAL STUDY OF CRITICAL INFRASTRUCTURAL FRAMEWORK

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India's constitutional, statutory, judicial, and international effects on the management of its natural resources are abundant. Due to growing industrialisation, urban development, and ecological degradation, sustainable development is now a main regulatory principle for the management of natural resources. Global milestones like the 1972 Stockholm Conference, the 1987 Brundtland Report and the 1992 Rio Earth Summit had a deep influence on India's national policies and formed the basis for the establishment of government agencies such as the Ministry of Environment and Forests and the National Committee for Environmental Planning and Coordination. Important legislation including the Wildlife Protection Act, the Water Act, the Air Act and the Environment Protection Act provide the essential legal and governing framework. Judgement through Public Interest Litigations allowed for the establishment of principles such as the Precautionary Principle, Polluter Pays Principle, Public Trust Doctrine and the Intergenerational Equity Principle. Although there has been significant progress in establishing a legal basis for the protection of the environment, several challenges remain, including implementation of laws, overlap between institutions, and increasing demand for natural resources. Collaborative, multi-level governance, community involvement, and corporately responsible behaviour are all essential elements of sustainable and equitable resource management in India.

Introduction

The environment as we know it comprises of vast elements which influence on life on Earth as we experience it. From multicellular life-forms to unicellular life-forms, evolutionary progress is deep in the lattice of the matrix of life. Historically, humans have extensively exploited natural resources through inorganic agriculture, industrialization and urbanization, leading to pollution, resource depletion, and ecological imbalance. Unchecked and uncheckable industrialization, deforestation, chemical pollution, and greenhouse gas emissions have led to environmental degradation, to curb which, sustainable development has become of utmost importance.

Contemporary development - initially perceived economic, now integrates socio-environmental factors. The concept of sustainable development gained international prominence in the late 20th century, focusing on present needs un compromising of abilities of future generations to meet theirs, seeking to balance economic growth and ecological preservation alongside social welfare, while incorporating principles like poverty eradication, equality, and environmental protection.

International Concern for Natural Resource Management

Environmental degradation is not constrained to geopolitical barriers, and therefore requires global cooperation¹. Various UN safeguards and protocols have been put in place. The 1967 Maltese Proposal emphasized modest resource use for the future generations. The 1972 Stockholm Declaration put environmental protection on the

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global policy agenda. The UN Environment Programme (UNEP) and the Cocoyoc Symposium of 1974 introduced “development without destruction”. Thereafter, the World Conservation Strategy of 1980 and the Brundtland Report of 1987 described sustainable development as “development that meets the needs of the present without compromising future generations”². The Rio Earth Summit of 1992 was a milestone leading to the Rio Declaration – Agenda 21, and Conventions on Climate Change and Biodiversity. The 2002 Johannesburg Summit reaffirmed three pillars of economic, social and environmental protection as three pillars of sustainability, while urging international cooperation towards the same³⁻⁴.

Evolution of Environmental Policy & Legal Framework

Statutes such as the Wildlife (Protection) Act, 1972, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environmental (Protection) Act, 1986 cemented the foundation of statutory frameworks protecting natural resources. The National Environment Policy of 2006 further advanced this framework by recommending ‘polluter pays principle’, ‘precautionary’ approach and sustainable growth as principles – placing emphasis on bringing together of ecological resilience with economic progress, the concept has been taken from global commitments such as the Rio Declaration and Agenda 21⁵.

The Judiciary’ Transformative Role in Environmental Protection

Public Interest Litigation started gaining traction. The willingness of the Judiciary to interpret the right to life under Art. 21 as comprehensive of right to healthy environment brought about a sea of change.

Environmental litigation gained prominence through Public Interest Litigations (PILs), empowering citizens and organizations representing collective environmental interests. The judiciary’ willingness to interpret the right to life under Article 21 of the Constitution as brought about a sea change.

Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh (1985) initiated Judicial activism by closing limestone quarries that endangered the fragile ecology of the Doon Valley. *M.C. Mehta v. Union of India*, [6] established guiding principles. The Oleum Gas Leak case (1986) bring together the doctrine of absolute liability. *Vellore Citizens’ Welfare Forum v. Union of India* (1996)⁷

combined international doctrines. Embedding environmental stewardship within constitutional interpretations⁸.

Managing Natural Resources Through Law & Policy

Articles 48-A and 51-A(g) of the Constitution impose duties upon State and citizens respectively for environmental protection and improvement. Judicial interpretation of Article 21 extending the right to a healthy environment as part of the right to life - provided legal legitimacy for citizens challenging state inaction or industrial negligence⁹.

Land, water, forests and biodiversity form the core of India’s resource management strategy. The National Land Use Policy (1988) and National Conservation Strategy (1992) integrated land planning and water usage. The Municipal Solid Waste Rules, 2000, Bio-Medical Waste Rules, 1998, and Hazardous Waste Rules, 2008—mitigated pollution at source. Town and Country Planning Acts and state developmental authorities regulate land use, inconsistent enforcement and bureaucratic overlap limits effectiveness. Environmental degradation caused by deforestation, over-irrigation, mining and urban sprawl necessitates stronger community-centred models and transparent administration.

Towards A Framework of Sustainable Governance

The blend of India’s environmental experience reveals important lessons for the future. Sustainable development needs incorporated contexts. The study highlights that environmental protection must be embedded within economic planning¹⁰. A multi-dimensional approach should include:

1. Legal and Institutional Reforms.
2. Effective Implementation and Monitoring.
3. Decentralized and Participatory Governance.
4. Economic and Market-Based Instruments.
5. Environmental Education and Awareness.
6. Corporate Accountability.
7. International Cooperation and Climate Strategies.

Conclusion

Indian environmental initiative illustrates both extraordinary progress and challenges. The moral origins of ecological bringing together in Indian tradition combined

with a modern constitutional and judicial framework have converted environmental protection into a constitutional mandate and moral duty. The judiciary plays an indispensable role by embedding environmental rights within fundamental rights. Nonetheless, sustainable development requires efficient administration, coherent policy alignment, and active public engagement.

Sustainable development, therefore, signifies a triadic balance between - economy, environment, and equity. The State must make stronger institutional mechanisms, encourage environmental literacy, and assimilate ecological thinking into all domains of governance. Only through such an inclusive and participatory method can India transform its constitutional idea into reality: nation where progress prospers without cooperating the planet's integrity, safeguarding a clean, healthy, and reasonable environment for present and future age group. □

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