INDIAN JUDICIARY APPROACH ON INTERNATIONAL TREATIES FOR ENVIRONMENTAL PROTECTION AND SOLID WASTE MANGEMENT

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Abstract

` *International agreements have a major legal impact on member nations and are essential in guiding global environmental protection activities. Examining the legal effects of international conventions on national laws, policies, and practices, this paper explores an outline of the connection between international treaties and Indian environmental law. It is imperative and crucial to start taking action at all levels, including international, regional, national, local, and community, to address the environmental difficulties that India and other nations confront. It is insufficient to have international treaties, accords, and other instruments on environmental issues and other challenges; rather, the success and efficacy of these policies and agreements largely depend on how well they are completed, implemented, and enforced. Concern and awareness about the need of national and international environmental protection have grown over the past few decades. Through a doctrinal analysis of key constitutional provisions, statutes, and landmark judgments, the paper highlights the judiciary's proactive role in translating international commitments such as those under the Stockholm Declaration (1972), the Basel Convention (1989), and the Rio Declaration (1992) into enforceable national obligations. It also assesses the evolution of principles like the Precautionary Principle, Polluter Pays Principle, and Sustainable Development within Indian jurisprudence. Despite this progressive judicial engagement, the implementation of solid waste management policies remains inconsistent due to weak enforcement, institutional gaps, and fragmented governance. The paper concludes that while the Indian judiciary has been instrumental in bridging global environmental norms with domestic realities, strengthening institutional mechanisms and aligning waste management strategies with international standards remain critical for achieving environmental sustainability.*

Key-words: *Environmental Law, Solid Waste Management, International Conventions, Indian Judiciary, Sustainable Development, Environmental Governance*

Introduction

The urgent necessity for coordinated action to solve environmental concerns has been acknowledged by the international community in recent years. India is one of the biggest and most populous nations on leading this initiative. In India, environmental law and international treaties play a crucial role in influencing the practices and policies that promote sustainable development and environmental preservation.

Over the past few decades, there has been a growing national and international awareness and concern about the need to safeguard the environment. Articles 48–A and 51–A(g) are two examples of the listed Articles in the Indian Constitution that outline the nation's environmental obligations to protect its natural resources. Furthermore, Articles 252 and 253 of the Constitution outline the processes for passing national laws that address state needs.

It is impossible to overestimate the significance of international cooperation in light of the problems the globe faces, which range from climate change to biodiversity loss. India's participation in numerous international treaties and conventions is indicative of its dedication to tackling these urgent environmental issues worldwide. At the same time, domestically passed environmental laws provide the framework for regulations meant to protect the country's natural resources and maintain a balance

between environmental sustainability and economic growth. The Water (Prevention and Control of Pollution) Act, 1974 and the Water (Prevention and Control of Pollution) Act, 1975 etc were adopted by the Union or Central Government of India in accordance with the Stockholm Declaration of 1972 and acting under Article 253.

Solid waste management has emerged as a pressing concern in India's urban and rural landscapes, posing significant environmental, health, and governance challenges. The rapid pace of urbanization, industrialization, and population growth has led to a substantial increase in the generation of municipal and hazardous waste. In response, India's waste governance system guided by international environmental norms and judicial interpretation has evolved toward the principles of sustainability, circular economy, and extended producer responsibility. The Basel Convention, in particular, has played a crucial role in shaping India's legal approach to waste control and cross-border waste movement, ensuring that hazardous materials are managed in an environmentally sound manner.

This overview aims to clarify the mutually beneficial relationship that exists between India's implementation of its domestic legislative framework and its commitment to international environmental treaties. It seeks to give a thorough grasp of how these mechanisms influence India's environmental policies and practices by looking at the major treaties that the country has ratified as well as relevant local laws. It will also examine the opportunities and difficulties that arise when national and international commitments collide, emphasizing the need for coordinated efforts to promote environmental stewardship both inside and outside of India's boundaries.

Scale of Law of Environment

There is some appearance of coherence between domestic and international environmental norms thanks to the philosophy of Indian environmental law, which is reflected in the judicial interpretation of statutes and the Constitution and includes various internationally recognized ideas and theories. A wave of laws was passed in the post-independence era, with the judiciary taking a leading role in the 1990s. Articles 648–A and 51–A(g) of the 42nd Amendment to the Indian Constitution, which was ratified in 1976, clearly incorporated environmental protection concepts. Article 253 of the Indian Constitution has been effectively applied, satisfying India's international obligation and honouring the Stockholm conference through references in the Environment Act and the Air Act. In addition to the constitutional mandate to safeguard and enhance environmental conditions, there are a number of laws that address the issue. However, the following laws are particularly pertinent to our goals: the Forest (Conservation) Act of 1980; the Wildlife (Protection) Act of 1972; the Environment (Protection) Act of 1986; the Air (Prevention and Control of Pollution) Act of 1981; the National Environment Tribunal Act of 1995; the National Green Tribunal Act of 2010; the Biological Diversity Act of 2002; the Hazardous Wastes (Management and Handling) Amendment Rules, 2003; and the Water (Prevention and Control of Pollution) Act of 1974. According to the Indian Supreme Court's interpretation, the rights to clean, healthy air and water, as well as to be free from pollution, are encompassed under Articles 32 and 21. The Indian Supreme Court's five extensive interim rulings in Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh(1989) were predicated on the court's view that environmental rights should be inferred to fall inside the purview of Article 21 of the Indian Constitution.

In essence, the easing of locus standi gave rise to a new type of lawsuit known by several names: Social Action Litigation (SAL) and Public Interest Litigation (PIL). When it comes to environmental issues, it is more effective and professional because the community's rights are at stake rather than just an individual. In recent years, the Apex Court has approached environmental cases in a more comprehensive manner. It is often carried out via comprehensive orders that are periodically issued, and committees established by the Supreme Court keep an eye on the actual state of affairs. examples like the Olga Tellis(1986) and Ratlam case (1980) examples demonstrate the origin of this tendency.

At the international level, international law often refers to national laws that states consider themselves obligated to examine or oversee. Simply put, international environmental law refers to those substantive procedural, institutional, and procedural rules and regulations of international law that, like

the Polluter Pays and Precautionary theories, have as their primary goal the preservation and protection of the natural environment.

The contemporary emphasis on the environment is not new; the country's international commitments, legislative and policy framework, and the constitution all recognize the necessity for the sustainable use and protection of the environment's natural resources. In the global arena for environmental protection, India has taken on a crucial and significant role. A comprehensive framework of environmental laws didn't come into existence until after the UN Conference on the Human Environment in Stockholm, Sweden, in 1972. In addition, the Indian Constitution wasn't changed to incorporate environmental protection measures. In 1972, the Department of Science and Technology established the National Council for Environmental Policy and Planning as a new environmental protection authority. In 1998, this Council developed into the Ministry of Environment and Forests (MEF), an official government agency. The Indian Constitution requires the State to preserve India's forests and animals as well as to protect and enhance the environment. It also requires all Indian citizens to have compassion for all living things and to safeguard and enhance the country's natural environment, which includes forests, lakes, rivers, and animals.

The Environmental Action Programme (EAP) was developed in 1993 with the intention of enhancing services and incorporating environmental issues with other development programs in India, following the Rio Conference in 1992. An even greater extent of Agenda 21, the Rio Conference's result, was implemented in India. With the enthusiastic and active involvement of all stakeholders, including the government, businesses, NGOs, and citizen groups, India has been actively executing all of Agenda 21's goals. the Indian government has worked extremely hard to incorporate social, economic, and environmental goals into decision-making processes through new policies and plans for sustainable development in light of the Rio Conference. The Summit gave India, a country devoted to improving the lives of its citizens and actively involved in global efforts to promote sustainable development, a chance to reaffirm its commitment to the development tenets that have long served as the nation's compass. Since these ideas are deeply ingrained in the nation's planning process, there was no perceived need for a separate national policy for sustainable development.

India was also one of the main contributors to the implementation of the Millennium Development Goals, which were agreed upon at the 2002 World Summit in Johannesburg. Concerns about sustainability are becoming an essential part of the planning process. The interdependence of the environment, health, growth, and development was acknowledged in the Ninth Five-Year Plan in clear terms. Reconciling economic and population growth with environmental preservation is regarded as one of the main goals, even in the Tenth Five-Year Plan.

Environmental law in India has gradually expanded to cover waste management as a key regulatory area. The evolution from the Municipal Solid Waste (Management and Handling) Rules, 2000 to the more comprehensive Solid Waste Management Rules, 2016 demonstrates the State’s commitment to achieving sustainable waste handling in line with international principles. These rules incorporate the concepts of segregation at source, extended producer responsibility (EPR), and decentralized waste processing, echoing the global sustainability frameworks established through the Rio and Basel Conventions.

Precautionary Theory: In situations when there is scientific ambiguity or uncertainty, the precautionary theory serves to apply and interpret international environmental legislation. In the middle of the 1980s, the cautious approach started to show up in international legal documents. Principle 15 of the Rio Declaration officially recognized this notion by stating that there is a complete lack of scientific research in areas where there are risks of significant or irreversible harm. The precautionary theory has been clearly acknowledged by the Supreme Court as a tenet of Indian environmental law, starting with the Vellore Citizens Welfare Forum v. Union of India(1996) case . The Supreme Court recently examined the evolution of the precautionary theory or principle in the Indian atmosphere in the case of A.P. Pollution Control Board v. M.V. Nayudu(1996).

Polluter Pays Theory: This theory states that the party who causes pollution and its associated costs is obligated to pay for those costs. Some of the first documents defining minimal standards on civil

legal responsibility for damages resulting from hazardous conduct and activities can be linked to the polluter pays principle in treaty law. In line with Rio Declaration of 1992 Principle 16.
The view that pollution is, in theory, the cost of pollution in the public interest and that international trade and the environment should be carried without deforming should guide national authorities' efforts to promote the internalization of environmental costs and the use of economic tools.
The Apex Court has come to maintain a stance where it determines environmental damages through an examination and inspection of the situation, taking into consideration aspects including the preventive nature of the award, rather than based on a claim made by either party.

International Parameters of Environment

The situation of the environment at the beginning of the twenty-first century is no more promising than it was decades ago. Today, environmentalists commonly express the following goals such as reducing and cleaning up man-made pollution with the future goals of zero pollution, reducing societal consumption of non-renewable fuels, developing alternative, green, low-carbon, or renewable energy sources, conserving and sustainable use of scarce resources such as water, land, and air, protecting representative or unique ecosystems and preserving and expanding threatened or endangered species or ecosystems. There have been numerous international environmental agreements created to safeguard the environment in various ways. They are:
The Antarctic Treaty governs international relations with Antarctica, the only continent without a native population. The treaty was offered for signatures on December 1, 1959 and officially entered into force on June 23, 1961.In 1972, the USA and USSR signed the Anti-Ballistic Missile Treaty, which limited the employment of anti-ballistic missile systems to defend against nuclear weapons delivered by missile. On May 26, 1972, the US President and General Secretary of the Communist Party of the Soviet Union signed the anti-ballistics agreement. The treaty was in force for thirty years, from 1972 to 2002.The ASEAN Agreement on Transboundary Haze Pollution, agreed in 2002, aims to manage haze pollution across Southeast Asia.
The Basel Convention aims to restrict the flow of hazardous waste between nations and avoid its transfer from developed to less developed countries. It was opened for signatures on March 22, 1989, and went into effect on May 5, 1992.The Biological Weapons Convention (1972) prohibits the research, manufacturing, and stockpiling of bacteriological and toxin weapons, and requires their destruction. It was opened for signatures on April 10, 1972, and went into effect on March 26, 1975.The Bonn Convention attempts to conserve migratory species of wild animals beyond their range. This was signed in 1979 in Bonn and went into effect in 1983.The Convention on Biological Diversity was adopted at the Earth Summit in Rio de Janeiro in 1992.The convention's three basic purposes are to conserve biological variety, to use its components sustainably, and to share benefits from genetic resources fairly and adequately. It was opened for signatures on June 5, 1992, and went into effect on December 29, 1993.
The Convention on Fishing and Living Resources of the High Seas aims to conserve living resources on the high seas through international cooperation, as some are at risk of overexploitation due to technological advancements. It was opened for signatures on April 29, 1958, and went into effect on March 20, 1966.The Long-Range Transboundary Air Pollution Convention aims to safeguard the human environment from air pollution and gradually reduce and prevent it, including long-range transboundary pollution. The convention opened for signatures on November 13, 1979, and went into effect on March 16, 1983.

Kyoto Protocol is an amendment to the international climate change treaty that requires signatories to reduce their emissions of carbon dioxide and five other greenhouse gases. It is open for signatures on March 16, 1998, and goes into effect on February 16, 2005.
The Montreal Protocol is an international pact that protects the ozone layer by addressing pollutants that deplete it. It was opened for signatures on September 16, 1987, and went into effect on January 1, 1989.

Ramsar Convention is an international convention for the conservation and sustainable use of wetlands, with the goal of halting the gradual loss of wetlands now and in the future, while also acknowledging the essential ecological functions of wetlands, as well as their economic, cultural, scientific, and recreational importance. The convention was open for signatures on February 2, 1971, and went into effect on December 21, 1975.

Borders of Environment law in India

There exist several flaws in the current body of environmental law in India. It is reactive to environmental issues, sectional in its approach, and myopic in its dreaming. In general, the Environment (Protection) Act of 1986 has remained a law governing pollution-related concerns and difficulties, despite its original design as an all-encompassing legislation covering every aspect of the environment. The foundation of the activist stance of the legal system appears to be a lack of vision in anticipating environmental problems and failing to develop appropriate policies and plans in addition to non-dynamic, reactive rather than being, pro-active legislative laws in tackling the complex and ever-challenging environmental issues and problems.

The absence of pro-environment and pro-ecological behaviours in Indian environmental regulations does not imply that environmental problems have never existed in India. There are several environmental laws that lack the backing of a policy document. A few examples of stand-alone legislation are the Wildlife [Protection] Act of 1972, the Forest (Conservation)Act of 1980, the Water [Prevention and Control of Pollution] Act of 1974, the Water (prevention and Control of Pollution) Act of 1977, and the Air (Prevention and Control of Pollution) Act of 1981. The strategy and tactics used by the pollution control organizations can be simply referred to as "command and control," in which the laws play a preventative rather than an active function. The authority to remove the water or electricity supply of noncompliant units, impose fines and penalties, or even imprison them, is known as control. Standards and pollutant limitations are established by command. The following boundaries contribute to the inadequate enforcement of environmental regulations in India.

- Weak Enforcement:

Environment management turns into disaster management, and enforcement is weak. Firms respond comparatively weak to fulfilment as a result of the influence of formal or non-existent inspection on enforcement. Following the submission of a study by NEERI (National Environmental Engineering Research Institute) on the pollution caused by mining, all mines within a 5-kilometer radius of Badkal Lake and Suraj Kund, a popular tourist destination, were ordered to close in the M.C. Mehta v. Union of India(1996) case . Mining operations have been carried out without the permission required by the Air Act. The Explosives Act and the Mines Act of 1952 were completely defiled. the ruling on a PIL brought out by. According to Mr. M.C. Mehta, the state of Haryana has not followed the PCB's rules and regulations.

- Lack of Flexibility

The creation of laws and norms is excessively ambitious. There would be little fulfilment in such a scenario. Complete or absolute standards must be followed. These guidelines typically don't take into account performance or technology, nor do they take pollutant generation into account. It is possible for the environment quality to worsen despite strict regulation. Excessively demanding regulations deter businesses from investing in technologies aimed at reducing pollution.

- Frail Monitoring System

Inadequate technical expertise causes inaccurate monitoring since it becomes more difficult to determine the precise amount of pollution that businesses produce. The EPA states that State PCBs must have a technically qualified Board of Members. In the Rajasthan PCB's case, this meant that, of the 15 members, 11 were drawn from the bureaucracy and 1 was a technical member. Six of the thirteen members in Maharashtra were bureaucrats, while two were technical. In comparison, the Goa PCB consisted of 15 members, of which 10 were from the technical field and 3 were from the bureaucracy. It was decided in the aforementioned case involving M.C. Mehta that while maintaining cleanliness in Delhi is a difficult endeavour, it is also manageable. What are the components that are sorely lacking in this situation, such as initiative, altruistic enthusiasm and dedication, and professional pride?

- Insufficient Fund

The insufficiency of cash is another major obstacle. According to a study, one of the main causes of ineffective monitoring is a low amount of financing. The PCBs lack the necessary infrastructure and services, such as laboratories and monitoring equipment, to carry out their duties since they are financially strapped. Furthermore, it was decided that the Municipal Corporation of India had completely neglected to carry out its legal obligations. It is unacceptable for the authorities tasked with overseeing pollution control efforts to remain passive, citing a lack of resources or other excuses as justification for their inability to manage pollution and safeguard the environment.

- Absence of Effective Sanction

As previously stated, in the event of non-compliance, there is no effective punitive or preventive mechanism. The stiff fines that are levied on the companies for non-compliance are applied regardless of the level of fulfilment or the quantity and quality of emissions produced. Regardless of the level of pollution, a defaulting corporation faces a mere Rs. 10,000 fine or a three-month jail sentence, both of which are subject to bail. Compounding the issue is the courtroom's backlog of pending cases. Justice is denied when it is postponed. Furthermore, for 35 years, the people in the southern state of Kerala have been battling a court battle against a rayon mill that they claim has been contaminating the Chaliyar river. In Rajasthan, out of around 7,000 complaints that were brought in the Court against polluters of the air and water, only two convictions have been achieved. A lack of inspectors, dishonest officials, and forgiving courts all contribute to the non-compliance process.

Challenges in Solid Waste Management and International Commitments

India has enacted the Solid Waste Management Rules, 2016 to create a comprehensive framework for collection, segregation, transportation, processing, and disposal of waste. However, several persistent challenges hinder effective implementation, which also affects India’s compliance with international treaties on waste, such as the Basel Convention (1989), the Stockholm Declaration (1972), and the Rio Declaration (1992).

- Weak Enforcement and Compliance

Local authorities, primarily municipal bodies, face severe constraints in implementing SWM rules. Shortages of technical expertise, trained personnel, and financial resources often result in irregular or partial compliance. Even with judicial directives, monitoring mechanisms are weak, and penalties for violations are rarely enforced effectively. This non-compliance undermines safe disposal and environmentally sound management of waste, including hazardous and e-waste, which is a key concern under the Basel Convention.

- Inadequate Infrastructure and Technology

Many urban and rural areas lack proper waste treatment facilities such as composting units, recycling centers, and sanitary landfills. Open dumping and unscientific landfilling remain widespread, contributing to soil, water, and air pollution. Limited adoption of modern waste-to-energy technologies and recycling practices restricts the application of international standards for sustainable waste management.

- Institutional Fragmentation

Coordination among Central Government agencies, State Pollution Control Boards, municipal authorities, and private operators is often weak. Roles and responsibilities are not clearly delineated, resulting in overlaps, delays, and lack of accountability. This fragmented governance structure prevents systematic integration of global best practices, such as source segregation and extended producer responsibility (EPR) frameworks mandated under e-waste rules.

- Policy and Regulatory Gaps

Although the SWM Rules, 2016 provide detailed procedures for waste management, inconsistencies in local regulations, lack of standard operating procedures, and delayed implementation of state-level action plans hinder uniform compliance. Additionally, certain categories of waste, including biomedical, industrial, and e-waste, are often managed under separate regulations, causing overlapping and confusion. These gaps limit the translation of international environmental principles, such as the Precautionary Principle and Polluter Pays Principle, into effective municipal action.

- Public Awareness and Participation

Limited public awareness about waste segregation, recycling, and disposal contributes to non-compliance at the household and community levels. Behavioral change is crucial for implementing SWM rules effectively and meeting obligations under international frameworks emphasizing participatory environmental governance.

- Financial Constraints

Municipal budgets are often insufficient for comprehensive SWM, especially in small towns and peri-urban areas. The lack of dedicated funding affects infrastructure development, operation of treatment facilities, and payment to private service providers. International standards advocate sustainable financing mechanisms for waste management, which remain underutilized in India.

- Monitoring and Data Management Challenges

Accurate data on waste generation, collection, processing, and disposal is limited, making it difficult to monitor progress, identify gaps, or measure compliance. This data deficiency hampers evidence-based policy-making and reporting required under international conventions.

These challenges collectively impede India's ability to fully implement scientifically and environmentally sound waste management practices as envisaged under international conventions. Strengthening enforcement, improving infrastructure, enhancing institutional coordination, creating financial incentives, and promoting public awareness are critical to bridging domestic practices with global commitments.

Research Foundation for Science v. Union of India (1997) In this landmark case, the Supreme Court directed the central government to ban the import of hazardous wastes identified under the Basel Convention. The Court emphasized the need for the Hazardous Wastes (Management and Handling) Rules, 1989 to be updated to align with international obligations and constitutional directives, reinforcing India's commitment to environmentally sound waste management practices.

M.C. Mehta v. Union of India Taj Trapezium (1997) Case,The Supreme Court intervened to protect the Taj Mahal from pollution, mandating the closure of polluting industries in the Taj Trapezium Zone. This case underscored the judiciary's proactive role in enforcing environmental laws and aligning domestic practices with international environmental principles.

Almitra H. Patel v. Union of India (2000) This Public Interest Litigation highlighted the inadequate waste management in Delhi, leading the Supreme Court to direct municipal authorities to implement effective solid waste management systems. The case emphasized the judiciary's role in ensuring compliance with national and international environmental standards.

Kerala High Court's Intervention in Thrikkakara Waste Processing Plant The Kerala High Court stayed the Ernakulam district collector's order permitting the establishment of a waste processing plant in Thrikkakara. The Court criticized the municipality for its inaction over 25 years and emphasized that deviations from previous commitments require legal modifications, highlighting the judiciary's role in enforcing accountability in environmental governance.

These judicial interventions demonstrate the Indian judiciary's active role in aligning domestic waste management practices with international environmental commitments. However, challenges such as weak enforcement, inadequate infrastructure, and fragmented institutional coordination continue to impede effective implementation. Strengthening these areas is crucial for achieving the objectives set forth in international treaties and ensuring sustainable waste management in India.

Environment And Role of Judiciary

In recognition of the significance of striking a balance between the environment, society, and economy, the Supreme Court of India has accepted the ideas of sustainable development. Despite not being new, this idea has become more important in the twenty-first century as global industrial and information cultures have grown. According to the Brundtland Report, sustainable development attempts to satisfy current demands without endangering the capacity of future generations to satisfy their own needs. The United Nations Conference on Human Environment and the Stockholm Conference in 1972 were important in bringing attention to environmental issues and creating the concept of sustainable development as part of Customary International Law, according to the Supreme Court. It has discussed

a number of sustainable development tenets, including the pursuit of steady social and economic advancement while protecting the environment and natural resources required for future growth.
The inter-generational equality principle emphasizes that development should satisfy the requirements of the present generation without exhausting non-renewable resources or denying advantages to future generations. In order to prevent resource exploitation that would harm future generations, the Supreme Court endorsed this strategy in the Bombay Dyeing & Mfg. Co. Ltd. vs. Bombay Environmental Action Group(2005) case. The Apex Court acknowledged and alluded to the necessity of setting up Environmental Courts in the A.P. Pollution Control Board v. M.V. Nayudu(1994) case . These courts would benefit from the professional counsel of environmental scientists and other technically qualified individuals as part of the legal process, which would be followed by a nuanced discussion of the opinions of jurists from various nations.The court emphasized in the matter of Rural Litigation and Entitlement Kendra v. State of UP(1985) that natural resources are enduring assets of humanity and ought not to be exhausted in a single generation. In the Vellore Citizen's Welfare Forum(1996)) case , the Supreme Court acknowledged sustainable development as a workable strategy for reducing poverty and enhancing human well-being while maintaining ecological sustainability.
One of the most significant water pollution cases in India is the Kanpur Tanneries or Ganga Pollution case(1988). It covers several legal requirements as well as the legal responsibilities of pollution control boards and local government entities. In this instance, the Supreme Court severely ruled against the Municipality after discovering concerning information on the level of pollution in the Ganga caused by the influx of sewage and waste materials from Kanpur. It was underlined that the primary responsibility for the contamination of the river close to Kanpur city must lie with the Nagar Mahapalika of Kanpur.
In the case of Attakoya Thangal v. Union of India,(1990) the petitioner approached the Supreme Court due to a lack of adequate ground water resources, drinkable water, and large-scale withdrawals with electric or mechanical pumps that could reduce the water sources and cause seepage or imposition of saline water from the nearby Arabian Sea. In order to satisfy growing demands, the local government had started a plan to increase the amount of water available by drilling new wells and extracting water from already-existing ones. The petitioners asked for appropriate writs or directives to prevent the administration from carrying out the plan. According to the Supreme Court, "The value of life is immeasurable, and the right to life has much more benefits than the right to exist as an animal. Human needs are given priority in these domains, and a new set of values has been acknowledged. Since they are the fundamental components that keep life alive, the right to clean, fresh water and the freedom to breathe in the open air are aspects of the right to life.
The Supreme Court acknowledged in the Charan Lal Sahu case(1990) that the right to a healthy environment is a part of the right to life protected by Article 21 of the Constitution.The court in Damodhar Rao v. Municipal Corporation Hyderabad(1987) argued that environmental pollution would violate the fundamental rights to life and personal liberty guaranteed by Article 21 by citing constitutional duties under Articles 48A and 51A(g).The Supreme Court's ruling in the Ratlam Municipal Council v. Vardhichand case(1980) highlighted the importance of social justice in the rule of law. It held statutory authorities accountable for carrying out their duties, despite financial limitations, to reduce public disturbance and eliminate pollution from the environment. Public Interest Litigation (PIL) was acknowledged in this instance as a constitutionally mandated court procedure.

Conclusion

The Indian judiciary has played a transformative role in integrating international environmental principles into the domestic legal framework, even in the absence of specific enabling legislation. By invoking global conventions such as the Stockholm Declaration (1972), the Rio Declaration (1992), and the Basel Convention (1989) on hazardous and solid waste management, the courts have expanded the scope of environmental jurisprudence in India. Judicial pronouncements have consistently upheld the constitutional mandate under Articles 21, 48A, and 51A(g), interpreting the right to a clean and healthy environment as a fundamental right.Through progressive decisions, the Supreme Court and High Courts have adopted doctrines like the Precautionary Principle, Polluter Pays Principle, and

Sustainable Development, aligning Indian environmental law with international norms. In matters related to solid waste management, the judiciary has directed authorities to comply with the Solid Waste Management Rules, 2016, while drawing guidance from global commitments to reduce waste generation, promote recycling, and ensure environmental sustainability.Overall, the Indian judiciary's approach reflects a deep commitment to harmonizing national environmental governance with international obligations. By bridging the gap between policy and implementation, the courts have positioned themselves as custodians of both environmental justice and global ecological responsibility. This proactive stance not only strengthens environmental protection within India but also reinforces the nation's role as a responsible participant in the international environmental order.

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