



## BHARATRATNA DR. BABASAHEB AMBEDKAR LAW COLLEGE

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### INDEX

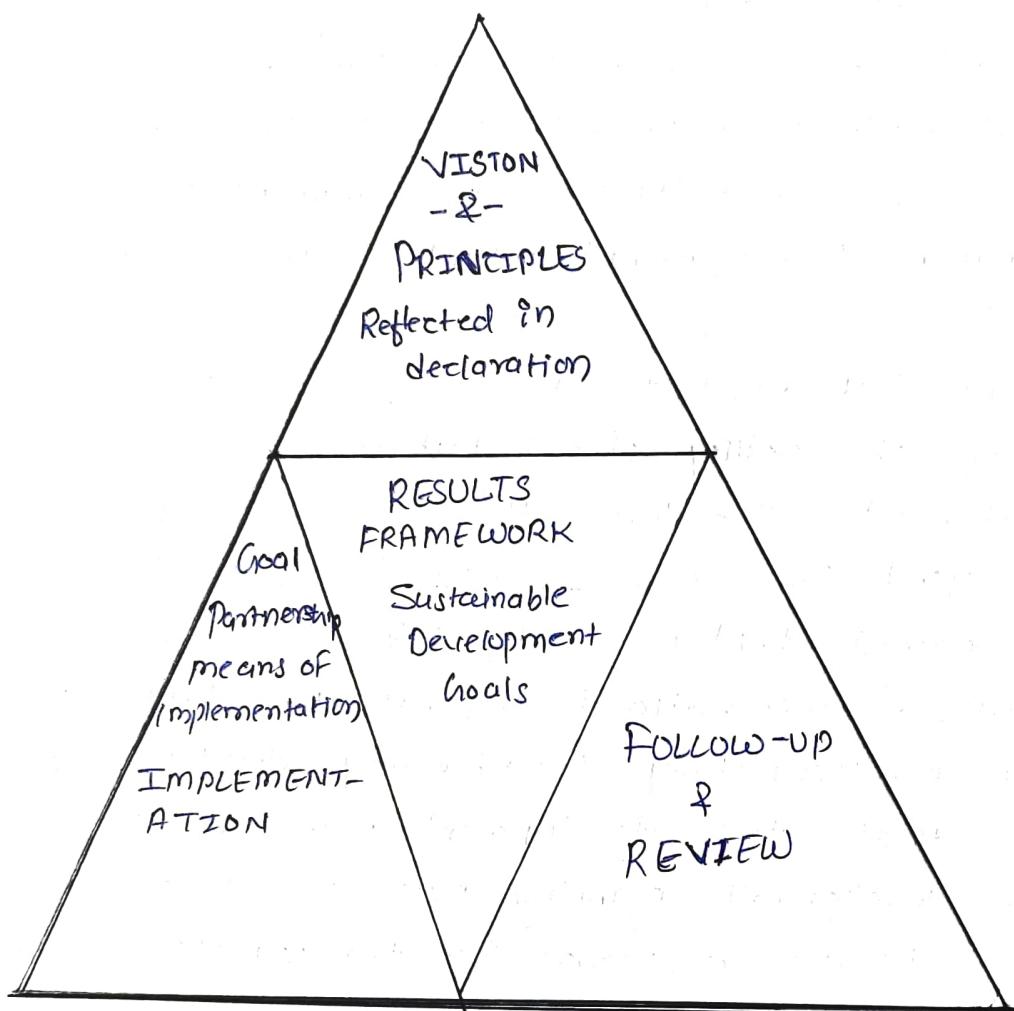
Sr. No.	CASE LAWS	Pg. No.
1	Sustainable development & Indian Judiciary	H-10

## INTRODUCTION

"Sustainable Development means, an integration of development and environmental imperatives". The definition of " Sustainable Development" has also been given by "Brundtland Report". It is very comprehensive definition of "Sustainable Development" which is under -

"Sustainable Development" is the development that meet the needs of the present without compromising the ability of the future generation to meet their own needs. The term " Sustainable Development" was first used in "Cocoyoc Declaration" on environment and development held in early 1970. It became the trade mark of international organisation, dealing with achieving environmentally beneficially development . It is necessary that ,the development point out the way in which the development planning must be approached,because development involves a progressive transformation of economy and society. The concept of " Sustainable Development" was adopted by " Stockholm Declaration" in 1972 " according to this concept ,the right to development of a state in institutional one. The state has right to develop so to render economy development to its people. The United Nations Environment Programme (UNEP) " adopted same strategy . The Earth Summit (1992), Kyoto protocol(1997) mellenium Development Goal (2015-30), these some are the important international events on sustainable Development There are three elements of Sustainable Development are,

## THE 2030 AGENDA



2030 Agenda for Sustainable Development build on the millennium Development Goals:

- 1) Sustainable Economic growth
- 2) Social Development of Human Being
- 3) Environmental Protection.

### 1) Sustainable Economic Growth:- SDGs, Goal No. 8, 9,

12, 17 aim at sustainable economic growth.

An equal emphasis have been given on the rights of labours, workman, employees as well as economic interests of entrepreneurs and business owners in SDGs. The SDGs aim to achieve dynamic economic growth without causing any adverse impact on environment to the best or causing at least impact on further more there are principle like "POLLUTER PAYS" and "PRECAUTIONARY PRINCIPLE", which aim to minimize the adverse impact on environment.

### 2) Social Development of Human Being:- SDGs goal

No. 1, 2, 3, 4, 5, 10,

11, 16, aim at social development of human being. Special emphasis has been given to the third world countries, which are under developed and developing. Such countries has comparatively higher percentage of population below poverty line and are malnourished. Further more the population in such area is relatively less educated and less socially aware. Hence, SDGs aim to establish and establish to quality health & education facilities. The only drawback of SDGs is they don't aim at providing them at affordable rates. SDGs also aim the values of equality and freedom.

(4)

SOME OF THE TARGETS TO BE ACHIEVED BY 2020

Point No.	SDGs & Related Target
3.6	Halve the number of global deaths & injuries from road traffic accidents.
6.6	Protect & restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers & lakes.
8.6	Substantially reduce the proportion of youth not in employment, education or training
14.4	Effectively regulate harvesting & end over-fishing; illegal, unreported & unregulated fishing & destructive fishing practices.
15	Conservation & Sustainable development management related to terrestrial ecosystem, natural habitats & water ecosystem (15.1, 15.2, 15.5, 15.8) & Integrating biodiversity values into the planning process (15.9)

among the people across the world.

- 3) Environmental Protection :- SDGs Goal No. 6, 7, 13, 14, 15 aim at environmental protection. An equal emphasis has been given to life below the land, in the air, life under water, as well as climate change issue has also been addressed in these goals. Also special mention have been given to energy generation without polluting the environment & at affordable rate. The UN Conference have also addressed the issues relating to loss of Biodiversity, Rising, Pollution & degradation of environment. It has directed the government, in Paris climate change conference 2015 to reduce carbon emissions by half by 2030 & to climate it by 2050.

### SALIANT FEATURES OF SUSTAINABLE DEVELOPMENT

- i) Rational use of Natural Resources, sustainable development simply means that natural resources should be rationally used in a manner such that they are not overexploited.
- ii) Sustained Rise in real per capita income, there should be a sustained rise in real per capita income & economic welfare on long - term basis.
- iii) The precautionary Principle

- iv) The object of environmental protection
- v) The principle , such as "Polluter Pays Principle"
- vi) Emancipation & elimination of poverty
- vii) Countries must be supported : assisted with financial aid.

### ROLE OF JUDICIARY RELATING TO SUSTAINABLE DEVELOPMENT

The judiciary in India has played an important & innovative & creative role in interpreting the law with the judicial activism in such a manner that the judiciary helped not only in protecting the environmental but also played an important role in promoting " Sustainable development".

#### ⇒ RECENT JUDGEMENTS ON ENVIRONMENT POLLUTION :-

BHOPAL GAS-CASE :- Bhopal Gas leak was the most tragic industrial disaster of the past few centuries. The tragedy occurred on the night between 2nd and 3rd December 1984, when (m/c) "methyl Isocynate", a highly toxic gas leaked out of the plant of "Union Carbide in Bhopal" killing 4900 person & inflicting injury on more than 200,000 others.

In 1985, within three month of Bhopal gas leak incident (the bhopal gas leak disaster act 1985) was passed which conferred exclusive right on the

Government to represent all claimants both within & outside India to bring about effective settlement of claims arising out of this incident. When the Indian Govt. was directed by the US Court to try the case against Union Carbide in India, since the Court in India were appropriate to deal with that case. The case against the Union Carbide was filed in the Court of District Judge of Bhopal for about Rs. 4000 crores in damages. Thereafter, when the case reached to the High Court in appeal, the Madhya Pradesh High Court awarded interim damages of Rs. 250 crores. In an appeal before the SC a compromise was arrived at between the Union Carbide & the Govt. of India by which the Union Carbide Corporation agreed to pay 470 million US dollars in full & final settlement of past, present & future claim arising out of the said most tragic industrial disaster. An extra-ordinary jurisdiction was exercised by the SC in order to facilitate settlement & also to terminate all the proceeding of civil and criminal nature regarding contempt of Court arising out of this disaster case.



### VARIOUS PRINCIPLES OF SUSTAINABLE DEVELOPMENT

There are three types of principle in sustainable development.

A] INTER - GENERATIONAL EQUITY:- The principle talk about the right of every generation to get benefit from the natural resources. The main object behind the principle is to ensure that the present generation should not abuse the non-renewable resources to deprive the future generation of its benefits.

B] THE PRECAUTIONARY PRINCIPLE:- This principle has widely been recognized as the most important principle of "Sustainable development". Principle IS the Rio declaration state that in order to protect the environment the precautionary approach shall be widely applied by states according to their capabilities. where there are threats of serious or irreversible damage lack of full scientific certainty shall not be used as a reason for postponing cost-effective measure to prevent environmental degradation.

C) POLLUTER PAY'S PRINCIPLE:- It is obvious that the object of the above principle was to make the polluter liable not only for the compensation to the victims but also for the cost of restoring of environmental degradation. Once, the actor is proved to be guilty he is liable to compensate for his act irrespective of the fact whether he is involved in development process or not.

## United Nations Sustainable Development Goals



⇒ 17 SUBJECT TO GOAL OF SUSTAINABLE DEVELOPMENT

Sustainable Economic Growth	Social Development of Human being	Environmental Protection.
⑧ Decent work & Economic growth	① No Poverty ② Zero hunger.	⑥ clean water
⑨ Industry, Innovation, & Infrastructure	③ Good Health & well-being	⑦ Affordable & clean Energy
⑩ Responsible Consumption & Production	④ Quality education	⑫ Climate Action
⑪ Partnership for the goals	⑤ Gender equality ⑯ Reducing Inequality	⑬ Life below water ⑭ Life on land.
	⑪ Sustainable cities & communities	
	⑯ Peace, Justice & strong institutions.	

Above are the goals of Sustainable Development according their priority of numbering.