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## LEGAL ISSUES AROUND SUSTAINABLE USE OF NATURAL RESOURCES

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### ABSTRACT

**Sustainable development** refers "to meet the need of present without compromising the future generation's needs " means an optimum use of resources .the whole and sole dependency of the mankind is on the environment around us which is act as a shield around us that preserve the life on planet 'Earth' .the concept of '**Vasudaiva Kutumbakam** ' is well enriched in our sanskar ,in the same way the ethics guides us to protect the environment While in today scenario , we are facing a catastrophe event of degrading environment . Resources are limited with unprecedented growth of demand. These are some common problems like hunger , poverty , unemployment , deforestation, climate change , environmental pollution are a major concern at international level . United Nations 17 **Sustainable development goals (UNSDGs)** agenda by 2030 to combat the each issue of sustainability. Now it's our time to give an autonomous support to preserve the cultural heritage and upgrade the idea of sustainability by safeguarding heritage, **biodiversity** and mainly **environmental degradation**. Here in this research I will mainly emphasise the current challenges and solutions to combat the challenges.

**KEYWORDS:** Sustainable development, environment, environmental degradation, 17 Sustainable development goals, biodiversity

### INTRODUCTION

The idea of sustainability imparts a greater responsibility on present generation to make a better future. The integration of social, economic and environmental development .legal aspects of sustainability highlights the importance of policy regarding upliftment of environment, use of natural resources, less exploitation of natural resources, to conserve the biodiversity. Here are some key issues that are of great concern providing herein:

### KEY CONCERNS

- 1) Legal aspects of social, Economic sustainability.
- 2) Legal aspects of preserving environment.
- 3) Policy safeguarding optimum use of natural resources.
- 4) Role of sustainable development programmes its outcome to meet the future needs.
- 5) Development at local, national and international level.
- 6) Remedies or solution to curb the upcoming challenges.

### STOCKHOLM CONVENTION (1972): A NEW REALM TO PROTECT ENVIRONMENT

50 years of UN to achieve sustainable development .the remarkable era to protect human, health and environment from pollution .it was a high attempt in 5-16 June to provide a global treaty on a major social and economic issue. Major 152 countries ratified with the aim to eliminate the endangers to the environment. Advancing economic competition and launch a new economic perception, new technology, worldwide economic growth. Training in rural sectors, promotion of unorganised sector.

## **BUILDING A BETTER FUTURE:**

The world has faced a current pandemic, COVID -19 which greatly affected the society at large which also affect the social and economic phase of the country. The international organisations of the UN set a remarked concern to the major issues of health, safety, technology, jobs and various associated things to upgrade it and building a common better future to make a progressive society also a lesson in upcoming hurdles .the current pandemic was a learning lesson to make a better future along with the solutions pertaining to new challenges.

## **VARIOUS ENVIRONMENTAL POLICIES IN INDIA: GROWTH WITH TIME**

### **SINCE 1990:**

The concern of environmental law was first established in 1970s. The government planned to allocate budget and effective implementation of it to preserve the biodiversity. The major transformation after Bhopal gas leak tragedy in 1984 the life persistent beyond reasonable thought a phase of lot of suffering even in today we could see the situation of at that time. The government launched the motor vehicles rule of 1989 of the technological deadline. Also environment impact assessment carried on way to predict the problems and substantially to find out measures. Moreover Union ministry of environment and forests set up to provide a plethora to discuss such major issues, debates, discussion and to make laws.

### **1) Flood, plains and environmental myths**

The various river projects on Indus, Ganga and Brahmaputra dam formation. The regulation supply of water in needy areas of irrigation and water for domestic purpose also to put a check on industrial pollution which affects the aquatic life.

### **2) Population growth and incentives**

Major population is not issue, but the issue is resources are limited more mouth to eat, how the allocation of resources must stabilise to feed every human being. World commission on Environment and development by Gro Harlem Brundtland, PM of Norway, set up an independent body of UN in 1983 to check the human progress and sustained energy

### **3) Our common future: aim of every nation**

World commission on Environment and development 1987 highlights the major outlook to safeguard the human progress to give a best future and sustained use of fossil, avoid overuse of resources, made alternative tools and techniques.

### **5) Population v. Natural resources**

The major concern on common resources is - water, air, soil and forest.

Rajasthan canal - grazing land into agricultural land

Biomass fuels - crop wastes ,wigs , cowdung ,other organic waste

Gross nature product.

### **6) Daily ecosystem services for us**

The water we drink, food we eat, air we inhale, waste domestic and commercial, nature cycle, insect pollination, the flowers and germination of seeds

### **7) History full of examples which are inspiration for us**

The Chipko movement in Himalayan region to safeguard trees, the tribes who worship the nature.

### CONSTITUTIONAL PROVISIONS:

Environmental pollution sanction that the government imposes on the polluter pays principle (**Indian council for enviro -legal action v. Union of India**). Article 47 and 48 A deals with the preservation of wildlife and biodiversity and to upgrade the content of malnutrition. In **M.C. Mehta v. Union of India** (span motels case) the court highlights the importance of natural resources also held that there is not private ownership of natural resources .these are Nature gifts available for everyone. Article 51 A (g) provide a fundamental duty of everyone to safeguard environment.

### CONTEMPORARY ISSUES

Unregulated use of technology, building dams and highway on sensitive areas, plate tectonics, bombarding to break the stones are of great concern one such is of recent case of Joshimath one of cause may be building of 4 lane highway on such sensitive area.

Sacred books praised the nature as **pancha tatva - air, water, fire, earth and Sky**. In bhagawad gita water is regarded as a sacred component also talks about the anthropocentric and ecocentric approach to environment .under Article -21 in **Francis Caroline Mulhin v. Administrator , Union territory of Delhi** , held that Right to life includes , right to live with human dignity. Also includes right to clean environment.

### RIO DECLARATION

Watershed event in history of sustainable development is United Nations conference on Environment and development (UNCED) held in Rio de Janeiro in 1992. Basically provides the vision of social, economic, environment at all levels of government.

Three major agreement were

**The Rio declaration on Environment and development, agenda 21, the statement of principles for a Global Consensus on Management, conservation and sustainable of all forests. Two conventions on biological conservation - the convention on biological diversity (CBD), and the Framework Convention on Climate Change (FCCC).**

### Road to RIO DECLARATION

RIO declaration adopted on 16 June 1972, at United Nations conference on Human Environment (**Stockholm conference**).

**1) Principle 1** concerns with the development of human being in health and productive life.

**2) Principal 3** deals with state approach towards sustainable economic development for future.

**3)** Priority of development should be given to least developed or vulnerable regions.

**4)** The State should try to maintain sustainable development by measuring the patterns of life, uncontrolled consumption and other demographic factors.

**5)** For protecting the environment, they should adopt such policy also try to maintain the ecological balance.

### GLOBAL EARTH SUMMIT AND AGENDA 21:

The United Nations conference on Environment and development (UNCED) held in Rio de Janeiro in 1992, created a major step to raise global concern on environmental issues .major issues of the agreement were biological diversity, climate change, deforestation, desertification considering these points will decide the future decision. Agenda 21 was a historic step in that field.

**UNSDGs** -United Nations sustainable development programme and 17 goals. The

agenda is to combat these issues by **2030 'leaving no behind'**. The agenda 2030 for sustainable development was adopted by United Nations in 2015. These goals are heart of UN organisation, these are -

- NO POVERTY
- ZERO HUNGER
- GOOD HEALTH AND WELL BEING
- QUALITY EDUCATION
- GENDER EQUALITY
- CLEAR WATER AND SANITATION
- AFFORDABLE AND CLEAN ENERGY
- DECENT WORK AND ECONOMIC GROWTH
- INDUSTRY INNOVATION
- REDUCING INEQUALITIES
- SUSTAINABLE CITIES AND COMMUNITIES
- RESPONSIBLE CONSUMPTION AND PRODUCTION
- CLIMATE ACTION
- LIFE BELOW WATER
- LIFE ON EARTH
- PEACE, JUSTICE AND STRONG INSTITUTIONS
- PARTNERSHIP FOR THE GOAL.

(17 GOALS OF SDGs)

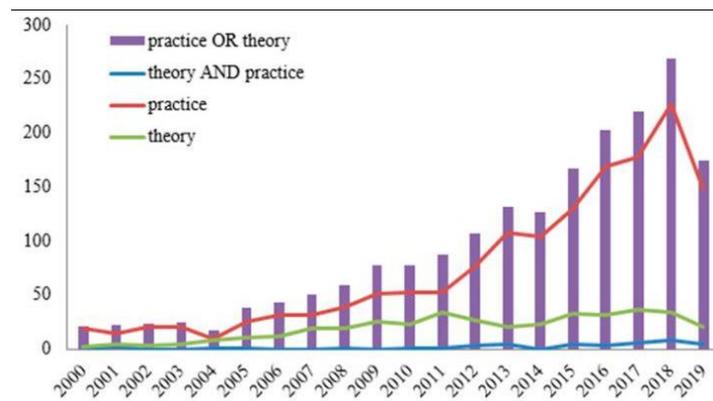
Various declarations in the history can be traced which tends a great approach in that field:-

**1) Millennium Summit in September 2000** launched for eradicating poverty at extreme level.

**2) Johannesburg declaration in South Africa (2002)** at World summit on sustainable development laid more emphasis on multilateral approach to safeguard and promote.

**3) (Rio +20) in June 2012**, the document *'The future we want'* was adopted to launch future policies and collective approach to allocate fund and to show great responsibility.

**4) Various landmark treaties has been signed in 2014, that was very crucial for us - Sendai framework for disaster management, Addis Ababa action on financing for development, 2030 agenda for UN sustainable development programme, Paris agreement on the climate change.**



(Evolution Chart of Sustainability)

**SOLUTIONS OR REMEDIES: PROGRESSIVE APPROACH**

Today , Division for sustainable development goals in UN department of economic and social affairs (UNDESA) serving a greater role towards pathetic problems includes ocean, climate change, water resources , transport , science and technology , regular update of sustainability by Global Sustainable Report. Data show that India 18% of world's population, have 2.4% of total geographical area and mostly consumes 4% of total water resources. Report says India has largest groundwater resources. But the overcrowded population straining the resources.

**1)** The primary level approach initiates with individual stand, firstly one should harmonise and balance the use of resources as per their needs not by infinite desires.

**2)** Government had launched various projects like Jal sakti for conservation of water resource, a need is for effective implementation of such projects a great concern.

4) In my opinion, state should draw a concern on barelands, a major area of land that is open to graze only, by building small commercial start-up will not only contribute to GDP, but also provides employment reduce poverty, hunger and shelter to the needy.

5) Proper allocation of resources is the demand for today, mixed economy approach is right, but if it will more socialistic then it going to tackle major issues, minimise the gap of rich and poor, no more concentration of wealth.

6) Subjective approach, to arise the feeling of care towards plant, benefits of planting, for this various schemes and regular alerting seminars should be organized on urgent basis.

7) Global warming is major issue it gives effect of 1.15 degree rise in temperature and due to this various hazardous occurrence in USA, Australia like bushfire and rapid devastating phase of heat waves.

***"Sustainable development is the pathway to the future we want for all. It offers a framework to generate economic growth, achieve social justice, exercise environmental stewardship and strengthen governance"***

**Ban ki Moon.....**

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