

Constitutional Provisions for Environmental Protection in India

Dr. Seema Singh*

Abstract

At present, there is a major environmental crisis proportion affecting the physical, natural and human environment due to pollution of all kinds. It is a serious concern to the global world which has to be addressed properly. The members of the international community are more active by being conscious about the environmental responsibilities and are taking the best efforts to tackle this issue. Now, at the global level, the right to live is recognised as a fundamental right to an environment adequate for the health and well-being of human beings. The Constitution of India did not include any explicit provisions for environmental protection in its original draft. However certain specific provisions have been incorporated by the Constitution Forty Second Amendment¹ and subsequent amendments. Indian Constitution is one among the only few constitutions in the world which provides specific provisions for the protection and improvement of the environment. The Preamble, Fundamental Rights and Directive Principles of State Policy has underlined our national commitment to protect and improve our environment. Apart from the Constitutional provisions. The Indian judiciary has also played a vital role in addressing the issue of environmental degradation by giving new interpretations to the constitutional provisions touching the environmental perspectives.

Keywords: *Environmental protection, pollution, environmental degradation, constitutional provisions, fundamental rights, Rio Declaration, Stockholm Declaration*

The preamble of the constitution and environment protection

The Preamble of the Constitution of India affords us with the socialist pattern of society. Being socialist country importance is given to social interest rather than individual

¹ The Constitution (Forty-Second Amendment) Act, 1976.

*Assistant Professor at Kamkus College of Law, Ghaziabad U.P