Chapter One

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World environment is the common heritage of mankind in spite of common concern of mankind. It means environmental paradigm consumed by our ancestors and also by present and future generations. If natural resource was exploited severely by our ancestors, we, the present would have nothing and this way if we will exploit with greedy attitude fourth coming generations will suffer seriously. Due to major exploitation we can infringe our neighbor’s right to consume better environmental resources along with future’s right.

Above concept directs us to bear obligatory duty for the management, protection and controlling on pollution for neighbors and unborn children: this signifies that we must consume natural resource in sustainable manner.

These ideas are discussed under the ideology of sustainable consumption. Indeed sustainable consumption is the new terminology which has become the subject matter of research in the world. Inspiring from the namely originated idea environmental sustainability, which is discussed categorically in third chapter, researches has gone to do work with this point.

This terminology is kept with popular concept of Sustainable development. Development is such phenomenon which is grounded on the discussed phragiology of sustainable consumption. Development is
the qualitative and proportional to consumption, which may be formulated as below-

(Development $\alpha$ consumption)

And further more, consumption is proportional to environment may be formulated as below-

(Consumption $\alpha$ environment)

According to above formulas it can be set that more development – more consumption and less development – less consumption. like wise second formula clarified that more consumption – more exploitation of environment and less consumption – less exploitation of environment.

In this way consumption development and environment is interested to each other and its adjective is sustainability.

"Sustainability means meeting the needs of the present without compromising the abilities and opportunities of the future generation. This implies both inter-generational and intra-generational equity. Sustainability is an important dimension of human development. Human development is a process of enlarging people’s choices. But such enhancement must be for the both present and future generations without sacrificing one for the other”.

Present time world community faces heavy problem of environmental pollutions. Which is resulted from sever consumption of resources and unwise development. The problem of Environment degradation has been the hottest topic of debate for the last decade, with various groups – developed countries, developing countries, scientists, NGO, prophesizing their own theories and curative measures. Now
environmental degradation is unfortunately proceeding at unprecedented rate all in the name of development which implies transformation and distribution of economic resources in favor socially and economically underdeveloped segment of society or region.

The Development is necessary for the progress of nation, therefore, the development cannot be stopped, but we need to control it rationally. Economic development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation.

Though development is very necessary for the progress of nation, for the dignified human life but when it creates environmental pollution it cannot be tolerable because Environment and development are closely inter linked. Development cannot subsist on a deteriorating environmental base. Implicit in this is that development cannot take place without exploiting the environment but harmony between the two is a prerequisite for the safeguard and preservation of all life on Earth.

The world is suffering from serious environmental degradation. Natural resources are getting depleted river, ponds, well, lakes and other water bodies have become polluted; the water table is going down and wastes are being produced faster than they can be re-used or dispersed off properly. The green cover is receding and the cities are choking with air pollution and waste dumps. People and all other living beings are under a constant threat because of pollution causing serious irreparable damage to the entire eco-system, climate change, loss of bio-diversity, rising sea level, depletion of ozone layer, noise pollution industrial pollution, global warming and global carbon dioxide emissions.
Environmental pollution is biggest hazards not only to human existence but also to the existence of all the gifts that nature has so kindly bestowed on mankind. Heavy industrialization and ever increasing urbanization have resulted in the problem assuming staggering proportions.

Man naturally endeavors to improve quality of life but this can be done only if quality of environment and need of development go together. The immediate need is that environmental management must undertake the task of regulating man's activities in such a manner that the same environment should be able to sustain the need of development unimpaired. Man's development quest should be accompanied by environmental assessment methods of environmental management concept, skills and strategies so that a balanced and dynamic equilibrium is maintained.

Although there is growing awareness that all our environmental problems are economically and ecologically inter related, there also exists belief that the development and environment are two conflicting concepts is not true and therefore, we should make all our efforts to establish a complementary relationship between the two, and devise ways and means to link economic activities with the environment in such a manner that the development process takes into consideration the environmental needs. There is also a need to ensure that the developing countries may not face problems in their pursuit of their economic development.
The Concept of Sustainable development came into national and international scenario to safe and improve the natural resources for the present and future generations and to maintain ecological balance between development and environment. The term ‘sustainable development’ was used at the time Cucuyoc Declaration on Environment and Development in the early 1970, since then it has become the trademark of international organizations dedicated to achieving environmentally benign or beneficial development. Brundtland Report (1987) defines sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. It knows as ‘our common future’.

Earth resources are finite and there are logical limits to growth, unless we alter our ways will sooner. Thus sustainable development is a technique of eating the portion of bread and butter by the present generation in such a way that it must last long so as to enable the future generations to enjoy over it. Sustainable development seeks to satisfy the compulsions of equity within generations of the humans and also of inter generational equity. Sustainable development includes reviving growth; changing quality of growth; meeting essential needs for food, energy, job, sanitation, water ensuring sustainable level of pollution; conserving and enhancing the resource base and merging environment and economic decision making. So sustainable development is a concept which promotes harmony between development and environment.

Sustainable development making balance between values of both, environment and development. It denotes economic growth without destroying the resource base and involves a new approach of integration
of production with resource conservation and enhancement, providing for adequate livelihood, and equitable access to resources.

Environmental degradations is also big problem before the India likewise other developed and developing countries. It is due to over exploitation of natural resources, unwise consumption, depletion of traditional resources, industrialization, urbanization, poverty and population explosion. However, India has never been oblivious of this fact. In fact India has always been in the forefront of taking all possible steps for the protection and improvement of the environment and aiming at sustainable development since ancient time. In India there has been a regular development of the law regarding the protection of the environment. India has enacted various laws at almost regular intervals to deal with the problems of environment degradation. At the same time the judiciary in India has played a pivotal role in interpreting the laws in such a manner which is not only helped in protecting environment but also in promoting sustainable development. In fact the judiciary in India has created a new “Environmental Jurisprudence”.

Protection of environment is also given in constitution of India as provision of directive principle of state policy and fundamental duties in part IV and part IV-A. It has not only outlined possible directions of development but also ensured protection and improvement of environment. These constitutional provisions directing the state to introduce various developmental projects programmes and schemes in this direction. Accordingly the state emphasized that environment should not merely be considered as one of the just factors of national development but also it should taken as a crucial guiding dimension for
development plans and programmes. A perusal of successive Five Year Plan reports of the planning commission of India particularly the fourth onwards, reveals on increasing recognition by the Government of India environmental aspects in planning and development.

Environment and development are interrelated to another. Without conservation no development and without development no conservation. We must rise above the traditional view that growth and environment are not compatible. The society shall have to prosper but not at the cost of the environment and in the similar vein the environment shall have to be protected but not at the cost of development of the society. Thus, sustainable development is the only answer and administrative action and legislative endeavour ought to proceed in accordance with. At the same time law courts should also raise upto the occasion to deal with the situation, at it demands in the present day context. It is now a well settled principle of law that socio economic condition of the country cannot be ignored by a court of law because the benefit of the society oath to be the prime consideration of law courts. Thus courts must take rapid action against environmental pollution.

In this way, it can be evaluated that environment protection is global issue not only local issue that how we protect environment without compromising the development activities, because development, too is must for making human’s life comfortable and free from hazards and impediments. But that development should not be at the cost of the interest of future generation. And in this backdrop, the necessity of sustainable development sprouts. Actually, sustainable development is
only the answer to protect the environment without compromising the
development activities, attracted me to write on it for research purpose.

Within the periphery of above approach researcher is tried to
achieve the object of this research work. On the basis of material
available the researcher is prepared himself to do work on this topic.

Outline of the Study

The entire work is divided into six chapters. The first chapter is
introductory which deals with the background of environmental
degradation and sustainable consumption and development.

The second chapter deals with environmental sustainability and
meaning of environment. This chapter explores the causes of
environmental degradation and its effects on environment.

The third chapter deals with the meaning and concept of
sustainable consumption and development and the protection of
environment in various periods like ancient, medieval and British period.
This chapter pertains to “the essential elements of sustainable
development”. The concept of sustainable development is dynamic one
and as such the list of elements is inclusive one.

The fourth chapter deals sustainable consumption and development
in international perspective (from Stockholm to Delhi Sustainable
Development Summit, 2009). These international conferences and the
documents carved out therein put flesh on the bones of the concept of
sustainable development.
The fifth chapter deals with legislative and judicial attitude regarding sustainable consumption and development. In legal scenario various legislations which are relating to environment protection have been discussed. In this part some main policies relating to environment and sustainable development have been discussed. A glimpse of environmental programmes has also been presented. Rule making powers of executive has been enumerated. This part reflects that upto what extent executive has implementing the principle of sustainable development in its activities.

In judicial scenario the main focus is on various judgments of High Courts and the Supreme Court in which the courts have either developed the principles of environment protection or applied them. The judgments show that how the Indian Judiciary has created a new, "environmental jurisprudence". It has always interpreted the legislations in a way to strike a balance between environment and development.

Chapter VI is the conclusion and suggestions of this entire research work. This chapter suggest that how we can safeguard our future generations by sustainable consumption and development of environment.