# **IJARSCT**



International Journal of Advanced Research in Science, Communication and Technology (IJARSCT)

International Open-Access, Double-Blind, Peer-Reviewed, Refereed, Multidisciplinary Online Journal

Volume 4, Issue 6, March 2024

# Review on the "Role of National Green Tribunal (NGT) in the Outline of Protection of Environment with Special Reference to Fundamental Rights in India"

### Dr. Umeshchandra Jaikumar More

LL.M 4 th Semester School of Law, Sandip University, Nashik, Maharashtra, India moredumbo123@gmail.com

**Abstract:** A pollution free environment is the basic need of every individual as well as the basic fundamental right under our constitution and other International instruments.

Day by day with the concept of globalisation and urbanisation and with the inventions of advanced technologies life of human being has been very comfortable and luxuries, but development and growth at the cost of environment, this creates un-equilibrium between development and environment protection. This existing un-equilibrium caused many problems like global warming, polluted air and water, acid rain, greenhouse effect, ozone depletion, loss of biodiversity and bad impact on Flora and Fauna. Whole universe has to pay for it .For that it is very essential to deal with this issue and to find out urgent solution.

Pollution free environment is fundamental right under Article 21 of the Indian Constitution present paper enlighten on important issues as ,Whether the existing constitutional and statutory provisions are enough to solve all the environmental problems ?or whether the development is permissible at the cost of environment or health? orwhether development and pollution free environment can exist together? With this questions in mind scholar analysis the role of national green tribunal in the protection of environment and handling of environmental issue.

The present study focus on the importance of environmental protection for the life of human being in present era and the role of national green tribunal in the protection of environment

Keywords: Environment ,protection ,fundamental right ,national green tribunal.

# REFERENCES

- [1]. Amirante, D. (2011). Environmental Courts in comparative perspective: preliminary reflections on the National Green Tribunal of India. Pace Envtl. L. Rev., 29(August 2002), 441.
- [2]. Chowdhury, N., &Srivastava, N. (2018). The National Green Tribunal in India: Examining the question of jurisdiction. Asia Pacific Journal of Environmental Law, 21(2), 190–216. https://doi.org/10.4337/apjel.2018.02.06
- [3]. Dilay, A., Diduck, A. P., & Patel, K. (2020). Environmental justice in India: a case study of environmental impact assessment, community engagement and public interest litigation. Impact Assessment and Project Appraisal, 38(1). https://doi.org/10.1080/14615517.2019.1611035
- [4]. Gill, G. (2017). Environmental Justice in India.In Routledge Taylor and Francis group. https://doi.org/10.4324/9781315686592
- [5]. Gill, G. N. (2014). The National Green Tribunal of India: A Sustainable Future through the Principles of International Environmental Law. Environmental Law Review, 16(3), 183–202. https://doi.org/10.1350/enlr.2014.16.3.217

Copyright to IJARSCT www.ijarsct.co.in

DOI: 10.48175/568

# **IJARSCT**



## International Journal of Advanced Research in Science, Communication and Technology (IJARSCT)

International Open-Access, Double-Blind, Peer-Reviewed, Refereed, Multidisciplinary Online Journal

### Volume 4, Issue 6, March 2024

- [6]. Gill, G. N. (2016). Environmental Justice in India: The National Green Tribunal and Expert Members. Transnational Environmental Law, 5(1), 175–205. https://doi.org/10.1017/S2047102515000278
- [7]. Gill, G. N. (2019). The precautionary principle, its interpretation and application by the Indian judiciary: 'When I use a word it means just what I choose it to mean-neither more nor less' Humpty Dumpty. Environmental Law Review, 21(4), 292–308. https://doi.org/10.1177/1461452919890283
- [8]. Patra, S. K., & Krishna, V. V. (2015). National green tribunal and environmental justice in India. Indian Journal of Geo-Marine Sciences, 44(4), 445–453.
- [9]. Preston, B. J. (2014). Characteristics of successful environmental courts and tribunals. Journal of Environmental Law, 26(3), 365–393. https://doi.org/10.1093/jel/equ019
- [10]. Pring, G., & Pring, C. (2016). Environmental Courts & Tribunals: A guide for policy makers. In Unep

DOI: 10.48175/568

