

CHAPTER 2

PRECAUTION PARAMOUNT: FORGING A NEW ERA OF RIGOROUS ENVIRONMENTAL IMPACT ASSESSMENTS IN INDIA

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ABSTRACT

From humble roots as a country that inspired many laws and other principles, India's environmental jurisprudence has come a long way. This chapter untangles the web of environmental law in the world's most populous democracy and traces it from birth to maturity. Rooted in the cornerstones of present-day environmentalism, such as the Precautionary Principle, the Polluter Pays Principle, Intergenerational equity, and Environmental Impact Assessments, India's mindset evolved in tandem with the world as a whole. This chapter traverses the cutting edge of judicial spirit, as judges on a quest redefined the meaning of "precaution" and punished the corporations more justly. At the same time, the involvement of the National Green Tribunals is depicted. It emphasizes their novelty while catching a brief glimpse of the future of crime. Finally, the chapter explains the role of the state, citizens, and environmental NGOs in creating a greener and cleaner India by glimpsing the future. It is more than a legal trek; it is a guide to environmental management at a critical juncture.

Keywords: *Sustainability, Polluter Pays Principle, NGT, Equity, EIA*

BACKGROUND

Morality of environment has always been an essential component of Indian religious beliefs and philosophy. Preservation of natural resources and forests has been included in Dharma since antiquity. The belief system surrounding the Sun, Moon, Earth, Air, and Water, among other natural forces, was not rooted in a primitive man's fear of the unknown or anxiety about their normalcy. Rather, they were revered as divine forces that upheld the harmony of human life on Earth.

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