



# Role of Judiciary in Achieving Sustainable Development Goals (SDGs) in India

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## Abstract

The Sustainable Development Goals (SDGs) were adopted by the United Nations to promote development that is environmentally sustainable, socially inclusive and economically balanced. India, as a developing country, faces several challenges in achieving these goals due to rapid industrialization, environmental degradation and weak implementation mechanisms. In such circumstances, the role of the judiciary becomes significant in ensuring that development does not take place at the cost of environmental protection. This paper examines the role of the Indian judiciary in achieving Sustainable Development Goals in India. The judiciary has played an important role by interpreting Article 21 of the Constitution to include the right to a clean and healthy environment as a part of the right to life. Further, Articles 48A and 51A(g) provide constitutional support for environmental protection and sustainable development. Through judicial activism and public interest litigation, Indian courts have applied important environmental principles such as sustainable development, precautionary principle, polluter pays principle and public trust doctrine. The study refers to landmark judgments such as *Vellore Citizens Welfare Forum v. Union of India*, *M.C. Mehta v. Union of India* and *Subhash Kumar v. State of Bihar* to highlight how judicial intervention has strengthened environmental governance and supported Sustainable Development Goals related to climate action, protection of natural resources and access to clean water. The paper concludes that although the judiciary cannot act as a policy-making body, it plays a crucial role as a guardian of constitutional values and acts as a catalyst in guiding the State towards achieving Sustainable Development Goals in India.

**Keywords:** Sustainable Development Goals; Indian Judiciary; Environmental Protection; Article 21; Judicial Activism; Sustainable Development

## Introduction

Sustainable development has become a central principle in environmental governance, aiming to harmonise economic development with environmental protection and social equity. The adoption of the Sustainable Development Goals (SDGs) by the United Nations in 2015 reflects a global commitment to addressing pressing issues such as climate change, environmental degradation, and inequality. For India, a developing nation experiencing rapid industrialisation and urban expansion, the challenge lies in achieving economic growth without compromising environmental integrity. Although India possesses an extensive framework of environmental laws and policies, weak enforcement and implementation gaps often undermine their effectiveness. In this context, the role of the judiciary has assumed critical importance. The Supreme Court and High Courts have expanded the scope of environmental protection by interpreting constitutional provisions in a dynamic and progressive manner.

Article 21 of the Constitution, which guarantees the right to life and personal liberty, has been judicially interpreted to include the right to a clean and healthy environment. This interpretation has elevated environmental protection to the status of a fundamental right. In addition, Article 48A directs the State to protect and improve the environment, while Article 51A(g) imposes a duty on citizens to safeguard natural resources. Through Public Interest Litigations (PILs) and judicial activism, courts have ensured access to environmental justice and accountability. Judicial doctrines such as sustainable development, the precautionary principle, polluter pays principle, public trust doctrine, and inter-generational equity have been firmly embedded in Indian environmental law through judicial pronouncements. By balancing developmental needs with ecological protection, the Indian judiciary has acted as a guardian of sustainable development, ensuring that progress does not occur at the cost of environmental degradation or public health.

## Concept of Sustainable Development

The concept of sustainable development has emerged as a central principle in environmental jurisprudence and international environmental law. It seeks to strike a balance between economic development and environmental protection, ensuring that developmental activities do not compromise the ability of future generations to meet their own needs. In the contemporary world, rapid industrialisation, urbanisation, and technological advancement have significantly contributed to environmental degradation, making sustainable development a necessity rather than a matter of choice. The most widely accepted definition of sustainable development was provided by the World Commission on Environment and Development (WCED) in its 1987 report *Our Common Future*, commonly known as the Brundtland Report. According to the report, sustainable development means “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.” This definition highlights two essential elements: the prioritisation of essential human needs, particularly of the poor, and the recognition of environmental limitations imposed by existing technology and social organisation.

## Evolution of the Concept

Although the term “sustainable development” gained prominence in the late twentieth century, the underlying idea of conserving natural resources for future generations has existed for centuries. Traditional societies followed practices that ensured sustainable use of land, forests, and water resources. The modern articulation of sustainable development, however, emerged through international environmental initiatives. The Stockholm Declaration, 1972, recognised the need to protect the human environment alongside development, while the Rio Declaration, 1992, firmly established sustainable development as a guiding principle. Principle 3 of the Rio Declaration emphasises that development must equitably meet the environmental and developmental needs of present and future generations.

## Pillars of Sustainable Development

Sustainable development rests on three inter-related pillars: economic sustainability, which focuses on growth without exhausting natural resources; environmental sustainability, which emphasises protection of ecosystems and biodiversity; and social sustainability, which aims to promote equity, justice, and an improved quality of life. These pillars are interconnected and must operate in harmony to achieve long-term development.

## Sustainable Development in the Indian Context

In India, sustainable development assumes particular importance due to the dual challenge of economic growth and environmental protection. Environmental issues such as pollution, deforestation, climate change, and depletion of natural resources have necessitated the adoption of sustainability as a guiding legal and policy principle. Indian environmental legislation and judicial interpretation reflect this approach by regulating development in a manner consistent with environmental protection and the right to life under Article 21 of the Constitution.

## Constitutional Framework For Environmental Protection In India

The Indian Constitution provides a strong framework for environmental protection, even though it did not originally contain explicit provisions on the environment. Through constitutional amendments and progressive judicial interpretation, environmental protection has evolved into a constitutional obligation. This framework reflects India’s commitment to sustainable development by balancing environmental protection with economic and social development. Article 21 of the Constitution guarantees the right to life and personal liberty. The judiciary has expansively interpreted this provision to include the right to live in a clean, healthy, and pollution-free environment. Environmental degradation that adversely affects human health and quality of life has been recognised as a violation of the right to life, thereby elevating environmental protection to the status of a fundamental right.

The Forty-Second Constitutional Amendment Act, 1976 introduced Article 48A under the Directive Principles of State Policy, directing the State to protect and improve the environment and safeguard forests and wildlife. Although non-justiciable, Article 48A serves as an important guiding principle for environmental governance and policy formulation. Article 51A(g) imposes a fundamental duty on every citizen to protect and improve the natural environment, including forests, lakes, rivers, and wildlife. This provision highlights that environmental protection is a shared responsibility of the State and citizens, encouraging public participation in environmental conservation.

Articles 14 and 19 further support environmental protection by ensuring environmental justice and permitting reasonable restrictions on trade and business in the interest of public health and environmental safety. When read harmoniously, Articles 21, 48A, and 51A(g) establish a constitutional mandate for sustainable development in India.

## Constitutional Basis for Sustainable Development

The constitutional framework adopts an integrated approach that balances development with ecological protection. By harmonising fundamental rights, directive principles, and fundamental duties, the judiciary has ensured that development does not result in irreversible environmental harm. This constitutional vision aligns

closely with the objectives of the Sustainable Development Goals, particularly those relating to environmental protection, public health, and inter-generational equity.

### **Role of Judiciary In Environmental Protection And Sustainable Development**

The Indian judiciary has played a proactive and transformative role in promoting sustainable development by ensuring effective enforcement of environmental laws and constitutional principles. In situations where legislative and executive measures have proved inadequate or ineffective, courts have intervened to protect environmental interests while balancing developmental needs. Through judicial activism, innovative interpretation of constitutional provisions, and the mechanism of Public Interest Litigation (PIL), the judiciary has significantly strengthened environmental governance in India.

Public Interest Litigation has emerged as a powerful tool enabling citizens, environmental groups, and social organisations to approach courts on matters affecting the environment and public health. PILs have expanded access to environmental justice, particularly for marginalised communities who may otherwise lack the resources to seek legal remedies. By relaxing procedural requirements, courts have addressed large-scale environmental issues such as pollution, deforestation, illegal mining, and improper waste management. The judiciary has also developed and applied key environmental principles that form the foundation of sustainable development. These include the principle of sustainable development, which seeks to balance economic growth with environmental protection; the precautionary principle, which mandates preventive action in cases of environmental uncertainty; and the polluter pays principle, which holds polluters financially responsible for environmental damage. In addition, the public trust doctrine has been applied to recognise that natural resources are held by the State in trust for the benefit of the public and future generations. Through these principles, Indian courts have ensured that environmental considerations are integrated into decision-making processes related to development projects. Judicial scrutiny of environmental clearances and compliance with statutory requirements has helped prevent irreversible ecological damage and promoted accountability among industries and public authorities.

The judiciary has further contributed to sustainable development by harmonising environmental protection with fundamental rights. By interpreting the right to life under Article 21 to include the right to a clean and healthy environment, courts have elevated environmental protection to the level of a fundamental right. This approach has strengthened the legal basis for environmental governance and reinforced the judiciary's role as a guardian of sustainable development. Overall, the Indian judiciary has acted as a balancing authority, ensuring that developmental activities proceed in a manner consistent with environmental protection. While it cannot replace the functions of the legislature or executive, judicial intervention has been instrumental in guiding India towards a model of development that is environmentally sustainable, socially equitable, and constitutionally grounded.

### **Landmark Judicial Pronouncements On Environmental Protection And Sustainable Development**

The Indian judiciary has played a decisive role in shaping environmental jurisprudence through a series of landmark judgments that have firmly embedded the principles of sustainable development into Indian law. These decisions have strengthened environmental governance by balancing developmental needs with ecological protection. In *Vellore Citizens' Welfare Forum v. Union of India*, the Supreme Court formally recognised the principles of sustainable development, the precautionary principle, and the polluter pays principle as part of Indian environmental law. The Court held that industries causing environmental pollution must bear the cost of remedial measures and emphasised that environmental protection is an essential component of sustainable development. This judgment laid the foundation for integrating environmental considerations into industrial and developmental activities.

In *M.C. Mehta v. Union of India*, a series of cases addressed critical issues such as industrial pollution, vehicular emissions, and environmental hazards. The Supreme Court expanded the scope of Article 21 by recognising the right to clean air and water as integral to the right to life. The Court also introduced the principle of absolute liability for hazardous industries, thereby strengthening accountability and environmental protection. The decision in *Subhash Kumar v. State of Bihar* further reinforced the constitutional status of environmental rights. The Court held that pollution of water bodies affecting public health constitutes a violation of the right to life under Article 21. This judgment affirmed that access to clean water and a pollution-free environment is a fundamental right enforceable through constitutional remedies.

In *T.N. Godavarman Thirumulpad v. Union of India*, the Supreme Court adopted a proactive approach towards forest conservation. Through continuous monitoring and directions, the Court addressed illegal deforestation and misuse of forest land, emphasising the importance of conserving natural resources for future generations. This case significantly strengthened the application of the public trust doctrine and inter-generational equity.

Collectively, these landmark judgments demonstrate the judiciary's commitment to protecting the environment while ensuring sustainable development. By interpreting constitutional provisions dynamically and applying

environmental principles effectively, Indian courts have ensured that developmental activities do not result in irreversible environmental damage. These decisions continue to guide environmental policy and reinforce the judiciary's role as a guardian of sustainable development in India.

### **Judiciary And Achievement Of Sustainable Development Goals (SDGs) In India**

Although the Sustainable Development Goals are not legally binding, the Indian judiciary has played a significant role in advancing their objectives through constitutional interpretation and enforcement of environmental laws. Judicial intervention has ensured that environmental protection, public health, and social welfare—core components of the SDGs—are integrated into governance and development processes. Through expansive interpretation of Article 21 of the Constitution, courts have strengthened environmental rights that directly align with several SDGs. Judicial decisions addressing water pollution, sanitation, and access to clean drinking water contribute to SDG 6 (Clean Water and Sanitation). Orders regulating industrial emissions, vehicular pollution, and waste management support SDG 11 (Sustainable Cities and Communities) and SDG 13 (Climate Action) by promoting cleaner urban environments and climate-conscious development.

The judiciary has also contributed to ecosystem protection through decisions related to forest conservation, wildlife protection, and biodiversity preservation. Judicial scrutiny of deforestation, mining activities, and land-use change aligns with SDG 15 (Life on Land) by safeguarding terrestrial ecosystems and ensuring sustainable use of natural resources. Similarly, protection of rivers, wetlands, and coastal areas supports SDG 14 (Life Below Water) by preventing ecological degradation of aquatic environments. By applying principles such as sustainable development, the precautionary principle, polluter pays principle, public trust doctrine, and inter-generational equity, courts have ensured that environmental decision-making remains consistent with long-term sustainability goals. Judicial oversight has also strengthened compliance with environmental laws and accountability of public authorities and private actors.

While the judiciary does not directly implement development policies, its role as a constitutional guardian has been instrumental in translating the objectives of the SDGs into enforceable legal standards. Through continuous judicial engagement, Indian courts have reinforced the commitment to sustainable development, ensuring that economic progress does not undermine environmental protection or public welfare.

### **Limitations And Challenges In Judicial Intervention**

Despite the significant contribution of the Indian judiciary in advancing environmental protection and sustainable development, judicial intervention faces several limitations and challenges. One of the primary concerns is the implementation gap. While courts issue progressive directions and guidelines, effective enforcement largely depends on executive agencies, which often suffer from administrative inefficiency, lack of resources, and weak monitoring mechanisms. As a result, judicial orders do not always translate into tangible environmental outcomes on the ground.

Another challenge is the issue of judicial overreach. Excessive judicial intervention in policy and administrative matters may blur the constitutional separation of powers between the judiciary, legislature, and executive. Environmental governance requires technical expertise, scientific assessment, and long-term policy planning, areas where courts may have limited institutional capacity. Over-dependence on judicial solutions can also reduce the accountability of executive authorities responsible for environmental regulation. The burden of backlog and delay in courts further restricts effective environmental adjudication. Indian courts are already overburdened with pending cases, which can delay timely resolution of environmental disputes where immediate intervention is often necessary to prevent irreversible damage.

Additionally, courts rely heavily on expert committees and government reports for technical inputs. The absence of specialised scientific expertise within the judicial system may affect the quality of environmental decision-making in complex cases involving climate change, biodiversity, and industrial regulation. These limitations highlight that while the judiciary plays a crucial role in promoting sustainable development, it cannot act as the sole institution responsible for environmental governance. Effective achievement of sustainable development goals requires coordinated efforts between the judiciary, legislature, executive, and society at large.

### **Conclusion**

The Indian judiciary has played a vital role in advancing sustainable development by strengthening environmental protection through constitutional interpretation and judicial innovation. By expanding the scope of Article 21 to include the right to a clean and healthy environment, courts have elevated environmental protection to the status of a fundamental right. Judicial principles such as sustainable development, the precautionary principle, polluter pays principle, public trust doctrine, and inter-generational equity have significantly shaped environmental jurisprudence in India. Through landmark judgments, the judiciary has ensured a balance between developmental needs and ecological preservation. Although the judiciary cannot act as a policy-making authority, its role as a

constitutional guardian has been crucial in addressing governance gaps and promoting environmental justice. Overall, judicial intervention continues to play an essential role in guiding India towards environmentally sustainable and responsible development.

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### Author Contributions

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