

3rd International Conference on Biodiversity & Sustainable Energy Development

June 24-26, 2014 Valencia Conference Centre, Valencia, Spain

The human right to sustainable environment in the Indian enviro legal perspective: A notion revisited

Shahab Shabbir

Aligarh Muslim University, India

The judicial paraphernalia in India has been painstakingly engaged in carving human rights to a sustainable environment out of traditional avenues of constitutional rights since a couple of decades. This motion has been made possible by placing the international environmental law and human rights in the tentative approach of a grundnorm. The third generation human rights have been fashioned by an array of the rapid growing influential environmental movements by expanding the traditional concepts of judicial entitlements which previously has proven its worth as being the stimulant for an amplitude of the judicial indoctrinations and now is ingraining the same to boost the process of establishment of the concrete notion of human rights that is supposed to deal solely with the sustainability. Thus in spite of an all round criticism of the limitation of environmental jurisprudence in the nation, it has gained a momentum towards attaining the sophistication which is all set to end up with the legal precepts of human rights to a sustainable environment against the well approved trend of the sustainable development. Indian being a nation of diversities sees it tough to bestow the present available enviro-human rights, thus a requirement of which exhibits its utmost maturity by incorporating its environmental rights silently and stealthily into its socio-legal setup by the existing vehicle of civil and political rights. This paper browses through the indispensability's and feasibilities of potential interference of the human rights in environmental jurisprudence in the context of legal tenets and judicial discourses in India as well as the possibilities of establishment and promotion of exclusive human rights for the sustainable environment.

baboosahab@gmail.com