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Email Id: gsbabg@gmail.com.



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Theme

International Conference on Constitutionalism and Sustainable Development Goals

I. INTRODUCTION:

The relationship between constitutional governance and sustainable development has become a significant area of legal and policy discussion due to increasing concerns relating to environmental degradation, climate change, resource inequality, and social justice. Development in contemporary societies cannot be measured only through economic advancement; it must also incorporate ecological protection, equitable resource management, and responsibility towards future generations. In India, sustainable development has evolved as a constitutional principle through the interaction of Fundamental Rights, Directive Principles of State Policy, Fundamental Duties, and judicial interpretation. The Sustainable Development Goals (SDGs) adopted by the United Nations provide a global framework addressing climate action, environmental conservation, social welfare, and inclusive development. Achievement of these objectives requires constitutional governance mechanisms that promote accountability, sustainability, and responsible decision-making. This paper examines the role of constitutional principles in advancing sustainable development in India, particularly focusing on environmental justice, climate governance, and sustainable resource management.

II. CONSTITUTIONAL BASIS OF SUSTAINABLE DEVELOPMENT:

The Constitution of India provides a framework that connects environmental protection with human rights and governance obligations. Article 21, through judicial interpretation, has expanded the meaning of the right to life by including the right to a clean and healthy environment. This development has transformed environmental protection from a legislative responsibility into a constitutional obligation. The Directive Principles of State Policy further strengthen the constitutional commitment towards sustainable governance. Article 39(b)

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emphasizes equitable distribution of material resources, Article 47 addresses public health responsibilities, and Article 48A requires the State to protect and improve the environment. Article 51A(g) recognizes the constitutional responsibility of citizens towards environmental preservation. The relationship between Fundamental Rights, Directive Principles, and Fundamental Duties reflects a constitutional approach where development, environmental protection, and social welfare operate together.

III. ENVIRONMENTAL CONSTITUTIONALISM AND CLIMATE JUSTICE:

Environmental constitutionalism recognizes ecological protection as an essential element of constitutional governance. Indian environmental jurisprudence has developed through principles such as sustainable development, precautionary principle, polluter pays principle, and public trust doctrine. The Supreme Court of India has significantly contributed to this development by interpreting environmental protection within constitutional principles. In *Vellore Citizens' Welfare Forum vs. Union of India*, the Court recognized sustainable development as an important principle of environmental law.¹ The public trust doctrine developed in *M.C. Mehta vs. Kamal Nath*, established that natural resources are held by the State for public benefit and must be protected from arbitrary exploitation.² Climate change creates additional constitutional challenges because environmental harm often affects vulnerable communities disproportionately. Therefore, climate justice requires not only environmental protection but also equitable governance and protection of affected populations.

IV. PUBLIC TRUST DOCTRINE AND INTERGENERATIONAL EQUITY:

Natural resources represent shared assets that must be protected for both present and future generations. The principle of intergenerational equity requires decision-makers to consider the long-term consequences of environmental policies and development activities. The public trust doctrine places responsibility upon the State to manage natural resources as a trustee.

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Sustainable governance therefore requires transparency, accountability, and protection of ecological resources from unsustainable exploitation.

V. RENEWABLE ENERGY, RESOURCE DISTRIBUTION AND SUSTAINABLE GOVERNANCE:

The transition towards renewable energy demonstrates the relationship between environmental protection and constitutional resource governance. While energy availability is necessary for economic development, energy policies must also ensure ecological sustainability and equitable distribution. Article 39(b) provides constitutional guidance regarding the management of resources for public welfare. Renewable energy policies must therefore promote inclusive development while reducing environmental harm.

VI. JUDICIAL ROLE IN SUSTAINABLE DEVELOPMENT GOVERNANCE:

Indian courts have played an important role in strengthening environmental governance through constitutional interpretation and public interest litigation. Judicial decisions have contributed to recognition of environmental rights, accountability mechanisms, and sustainable development principles. However, sustainable development requires cooperation among legislative, executive, and judicial institutions. Effective environmental governance depends upon policy implementation, regulatory enforcement, and public participation.

VII. GOVERNANCE CHALLENGES AND POLICY ACCOUNTABILITY:

Despite constitutional recognition of environmental protection, implementation challenges continue to exist. Environmental degradation, climate vulnerability, and resource conflicts demonstrate the gap between constitutional objectives and practical governance. The achievement of SDGs requires stronger institutions, transparent environmental decision-

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making, effective impact assessment procedures, and community participation. Corporate responsibility through CSR and ESG frameworks can contribute to sustainable development, provided that accountability mechanisms ensure meaningful compliance.

VIII. RESEARCH METHODOLOGY:

The research adopts a doctrinal and analytical methodology. It examines constitutional provisions, judicial decisions, environmental principles, statutory frameworks, and international sustainable development instruments. A comparative approach is also used to understand evolving models of environmental constitutionalism.

IX. CONCLUSION:

Constitutional environmental justice provides a framework for balancing economic development with ecological protection and social equality. The Indian constitutional structure, through Fundamental Rights, Directive Principles, Fundamental Duties, and judicial interpretation, supports the achievement of sustainable development objectives. However, effective realization of sustainable development requires accountable institutions, transparent governance, and long-term policy commitment. Environmental justice must remain a central constitutional value to ensure that development satisfies present needs without compromising the rights of future generations.

Keywords:

**Constitutional Environmentalism; Sustainable Development Goals;
Climate Justice; Fundamental Rights; Public Trust Doctrine.**

Footnotes:

(Bluebook 21st Edition)

1. *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647 (India).

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