ENVIRONMENTAL JUSTICE: A NEW CHALLENGE TO THE DEVELOPING INDIA

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Abstract

Environmental justice is found to be one of the major challenges to the Indian Judiciary. The rapid economic growth and development propelled by industrialization and urbanization has coasted natural resources such as forest, water and land. The grabbing of land and other natural resources instigate traditional communities and other interest groups to rise against the developmental programmers to protect their rights and access to the natural resources. There is no dearth of environmental legislation in India and these laws have been modified and updated time and again to be in tune with the international laws and policies and to protect the rights of the stakeholders. However, Indian judiciary system has faced over-burdening of pending cases related to environmental disputes. Improper implementation of environmental laws and delayed justice delivery system are found to be primary reason behind this.

Keywords: Development, Environmental disputes, Justice, Litigation, Rights, Marginalized groups, Environmental Mediation

INTRODUCTION

India's growing need for industrialization and urbanisation for achieving developmental goals are causing serious environmental issues that are significant on a local, regional, and international scale (OCED, 2006). Developmental policies in India have been found to be more focused on the economic benefit while least attention have been paid to environmental protection and poverty elimination (Sherawat, Giri & Mohapatra, 2015). The OCED (2006) observed that the fast industrialization and urbanisation of India's major metropolises was pushing the limits of municipal services and producing serious environmental issues. Deforestation, soil erosion, water pollution, and land degradation were found to be worsening and impeding economic development in rural India (OCED, 2006; Chopra, 2016). The changing forest land and resources has caused serious challenge to the ecological health and livelihood securities of the people living there (Kumari et al., 2019). A developmental project is primarily set up on an inhabited land owned by the poor and marginal communities who rely on these land and natural resources extract from the land for their sustenance. The industrial economy has been criticised for the being practiced by shifting the costs to the poor and marginalised, to the future generations and other biological species (Martinez-Alier et al., 2016). During the unsustainable Industrial development, humankind has faced problems such as ecological degradation, food shortage, energy crisis, and environmental pollution that has intensified "ecological crisis" and decelerated economic growth, and raising the local social unrest (Shi et al., 2019).

Economists consider Natural resources as luxury goods ignoring the fact that these resources are 'GDP of the poor'. The extraction of natural resources, pollution in soil, air and water, and destruction of their habitats certainly made them insecure and they opposed it vigorously which leads to environmental disputes (Martinez-Alier et al., 2016). Pushpam Kumar and Pavan Sukhdev (2008) in the first TEEB report found that the most significant beneficiaries of forest biodiversity and ecosystem services are the poor and marginal communities, and the major economic impact of a loss or denial of these services challenges to the income security and well-being of the poor. They are the primary victims of any unsustainable developmental policies but their representation in the policy formulation and implementation is negligible (Mishra & Tripathi, 2022). Relationship between poverty and ecological degradation has been highlighted by the Guha (2000) and Martinez-Alier (2012). They argue that the poor have strong motivation to carefully manage the environment as their livelihood depends on the surrounding environment. Convention on Biological Diversity (CBD) states between 50% and 90% of the overall source of income for poor rural and forest-dwelling households comes from ecosystem services and other non-marketed items (CBD, 2016). Industrial development which extract the natural resources, pollute the soil, air and water, destruct their habitats and force them to move to a new place certainly made them insecure and they oppose it vigorously to secure their rights and accesses which result into an environmental dispute (Martinez, et al., (2016). This paper analyses the nature of environmental disputes in India, its types and trends, the laws which protect the environmental rights, challenges and probable solutions for them.

Environmental Dispute and its nature in India

'Conflict' or 'dispute' is a distressing word symbolizing a confrontation between opposing ideas and interests in which parties are polarised within adversarial political debates and beliefs. Environmental Disputes is a type of public policy confrontation which involves 'unresolved disagreement between competing interest groups' about some ecological land-space or ecosystem services (Sidaway, 2013, xiii). The Environmental Disputes are value-laden and politicised disputes in which conflicts are about the controlling the action of the other group or party, or access to the natural or semi-natural resources. Brown and Marriott (1993, 234) found that the due to ambiguity of the nature boundaries between costs and participants are often unclear. The politically and communally motivated interest groups and protagonists fight for their rights to the natural resources and the ecological services they depend on and which they believe would be confiscated in the name of development and/or conservation. The environmental conflicts are also referred as 'conflict of industrial democracy' as they are result of industrial injustices- industrial and urban waste; soil, water and air pollution; deforestation, commercial energy mismanagement; mining; urbanisation, etc. (McCormick, 1991). The extractive industries were introduced, their man-nature bonding get torn which ultimately forced them to move out from their historical natural habitat and also affect their livelihood and cultural practices. These environmental conflicts often overlap with gender, socio-economic class and caste, indigeneity, ethnicity, geopolitics, and policy and governance (Charbonnier, 2021, 8) and resulted in the 'environmentalism of the poor and marginal'. Chipko Movements of Himalaya, Chico Mendes of Brazil, Ogoni and Ijaw of Niger Delta (Martinez-Alier, 2021), Narmada Bachao Andolan, Ganga Satyagraha, Kodaikanal, etc. are a

few examples of the environmental disputes which are the result of industrialization, economic expansion, and policy negligence. However, sometimes any natural hazards or accidents made people realised about the environmental conflicts such as Bhopal Gas Tragedy. These disputes are not for monetary benefits but for non-monetary and moral values such as livelihood, territorial and cultural rights which combine with socio-economic and environmental concerns. Indian environmental conflicts range from biomass extraction to mining and industrial activities to power projects. Unlike the other developing countries in Latin America, South East Asia and Africa where foreign corporations engage in industrial and mining activities, Environmental conflicts in India is primarily against the public and private organisations (Martinez-Alier et al., 2016). However, there are certain conflicts which involve international companies or organisations such as Bhopal, Jaitapur, Kudankulum etc.

Maser and De Silva (2019) found that environmental conflicts are created by the social choices people make and thus can be resolved by electing different choices with resolution so firmly in mind that it naturally leads to a shared vision of the future toward which to build. Because people are often consciously blind to the motives of their choices, some kind of process is needed to help resolve conflicts by overcoming blind spots, the first step toward a shared vision based on, and leading to, cooperation. Those countries which are largely dependent on the primary resources for their survival are more vulnerable to the environmental conflicts (Humphreys, 2005). According to FAO, In India, 70 % of its total population are still dependent on the primary resources for their subsistence. When state fails to address the aspirations of the affected people because of the lack in policy implementation or influential intervention of some leaders or political organisations, a deadlock arises between the natives and state or industries. The general public, having bare minimum information of the facts and motivated by the environmental propaganda, considers that the developmental activities had turned down the ecology at a crisis level (Scheide et al., 2020). The environmental disputes are becoming more common, and they are also becoming more diverse and complex. This trend is being exacerbated by the conflict between the maximising of individual interests and the limitation of environmental resources.

The Western notion of 'post-materialistic' environmentalism (Inglehart, 1995) is believed to be originated from the cultural shift and is prioritized after the fulfilment of basic needs such as food, housing, and shelters (Martinez-Alier, 2021). Grass-roots environmentalism is different from the western 'cult of wildernesses and 'the gospel of eco-efficiency' and the ideology primarily rises in response to secure sustenance and livelihood of these nature-dependent communities. Most of these conflicts are ideological rather than factual (Sills, 1975) as this rhetoric is found to be a fundamental dispute over the beliefs and values (Miller & Cuff, 1986). However, meaning and understanding of Nature, environment and Environmentalism in India is subject to multi-cultural, multi-ethnic and multi-faith character of the nation; and historical disposition of the people about the symbiotic relationship between man and nature. Environmental values, in India, blends with values derived from 'faith-based traditions' that regulate conservation and sustainability in the living world (Shivaramakrishnan, 2015).

India's economic expansion combined with increasing population demand harnessing of the natural resources and results in fragile-ecological conditions which not only challenge the sustenance of the economically poor people but also restrict the sustainable development. State also plays a vital role in deciding the environmental status of a nation. On one hand, it takes suitable measures to protect the natural biodiversity, as a part of the signatory of various international environmental accords, by creating protected areas and on the other hand, it manages ecological habitat for economic growth. In both cases, the economically poor and natural resource-dependent communities are forced to migrate from their native habitat to a completely new place or they find themselves highly insecure in terms of their fundamental needs such as food and shelter (Agrawal & Redford, 2009). Indian environmental conflicts are more 'utilitarian' in nature, different from the western 'protectionist' model because it involves the disputes which affect their existence, livelihood, culture, knowledge system and most importantly the right to dignified life protected by Constitution of India under article 21. Environmental history suggests that industrial and economic expansions has played very integral role to the present problem of social inequality and oppression and these protests and disputes are against the big dams, mining and other infrastructural projects, protected areas, land acquisition, water disputes, etc. Indian environmental policies are found to be biased towards industrial and infrastructural development and there are very less or no participation of the poor in policy formulation. Therefore, policy failure and negligence sparked the conflict which gather supports from the local or national political organisations and turned to a large protest or dispute. According to Global Forest Watch, India has lost approximately 376kha forest cover in between 2001 to 2021 primarily due to the change of forests for industrial, agricultural, and infrastructural activities. These activities force the inhabitants to dislocate to a new and alien place. Their socio-cultural fabrics are disturbed and traditional ecological knowledge which they learned over a long period of cohabitation with nature also vanishes (Parrota et al, 2016). These losses cannot be compensated by money or any other physical compensation. On the basis of perception and context chosen for inquiry, the definition of environmental justice and environmental disputes vary. The governmental developmental programmes, construction of natural parks, big dams, mining activities, etc. and the industrial set up which confiscate their jal, jangal, jamin (water, forest and land), especially in the tribal areas ignited several tribal movements. The history of these movement can be traced to colonial era, as Xaxa (2019) mentioned,

> *The new land and revenue settlements resulting in the introduction of private property in land along with written documents in support of it, was one such instance that played havoc in tribal areas. This was the beginning of the alienation of tribal land to non-tribes.*

The land alienation and displacement of the Adivasis (Tribals) of India has been experienced several times. The mineral rich Santhal Pargana (Santhal Sub-division) of Chhotanagpur plateau has faced several tribal movements against the mining and industrial activities in the region. Recently, a government's initiative 'Land bank' (in which acres of non-cultivable lands were granted to the industries for development purposes) was believed to replenishing the colonial tradition (Singh, 2019). EPW (n.d.) found that the Chhotanagpur Tenancy Act, 1908 and Santhal Parganas Tenancy Act, 1949 regulate and prohibit the transfer of lands to non-

tribal but there are certain loopholes in the regulations passed in independent India which open opportunities for the industrial set ups under the name of developmental processes.
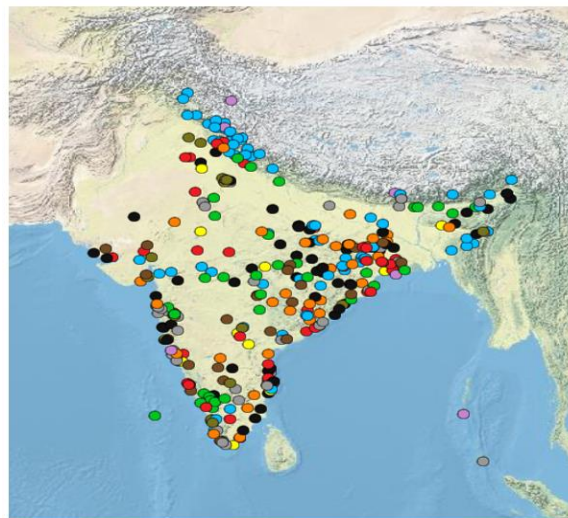
Types of Environmental Disputes in India

India is not the only country which faces environmental conflicts, but India has maximum number of the environmental dispute globally. However, No administrative action has been taken to measure to occurrence and frequencies of these environmental conflicts and protests (Temper et al., 2018). In the absence of any governmental records of the environmental contentious activities, The Global Atlas of Environmental Justice has prepared a unique global inventory of the case of socio-environmental conflicts. As Tempered and others (2018) mentioned, the inventory is 'built through a collaborative process between academics and activist groups which includes both qualitative and quantitative data'. These 'ecological distribution conflicts' was understood through the theoretical lenses of politico-ecology and ecological economics (Martinez-Alier, 1995). According to the EJ Atlas, there are 349 environmental disputes documented in India (as of September, 2022). The list represent only those disputes which are highlighted or documented by news and social media, there are number of incidences which are either not highlighted or not considered to be put in the category of the environmental disputes. The EJAtlas (n.d.) covered the social conflicts against the perceived negative social and environmental impacts with the following criteria.

1. Economic activity or legislation with actual or potential negative environmental and social outcomes;
2. Claim and mobilization by environmental justice organization (s) that such harm occurred or is likely to occur as a result of that activity
3. Reporting of that particular conflict in one or more media stories.

The Environmental conflicts are categorized into following 10 different domains based on the community's struggles for their right to natural resources, food, clean air, and health that have been jeopardized under the name of 'developmental progress'.

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1. Nuclear	2. Water Management
3. Mineral ores and building material extraction	4. Infrastructure and built environment
5. Waste management	6. Tourism recreation
7. Biomass and Land conflict	8. Biodiversity conservation conflicts
9. Fossil fuels and climate justice/energy	10. Industrial and utilities conflicts

The fig. 1 shows the distribution of environmental conflicts in different regions of India. The image shows that Maximum distribution of the conflicts are located to the regions which are rich in the natural resources and majorly inhabited by the indigenous communities. The Himalayan region has maximum numbers of disputes relate to the water management while Central India and Chhota Nagpur Plateau have maximum disputes which includes multiple domains mineral and ores and building material extraction, industrial and utilities conflicts, water management conflicts etc. The biodiversity Hotspot of the Western Ghats also has multiple disputes related to Infrastructure and built environment and Fossil Fuels and Climatic Justice/energy, etc.

Fig. 1: Distribution of the Environmental Disputes in India

In the domain wise distribution, the data suggest that maximum disputes fall under the water management category which includes dams and hydropower projects (see fig. 2). Disputes in this categories are related to displacement caused by the construction of dam, rehabilitation and remuneration, availability and accessibility to the water, sharing of the water among states or nations, etc. Conflicts related to water management are not restricted to the national level (such as in case of Cauvery, Krishna, Betwa, dams etc.) but are also found to be a reason for international conflicts (Indus, Jhelum, Brahmputra, Teesta, etc.). Most of these conflicts are related to water flow, salinization, water pollution, displacement due to hydro-projects, etc.

The chart suggests that Conflict-related to fossil fuels and climate justice and energy is found to be the second major aspect of environmental conflict in India. There are several cases of energy disputes in India which are associated with set up energy parks, thermal stations, nuclear power plants and other constructions associated with energy sectors.
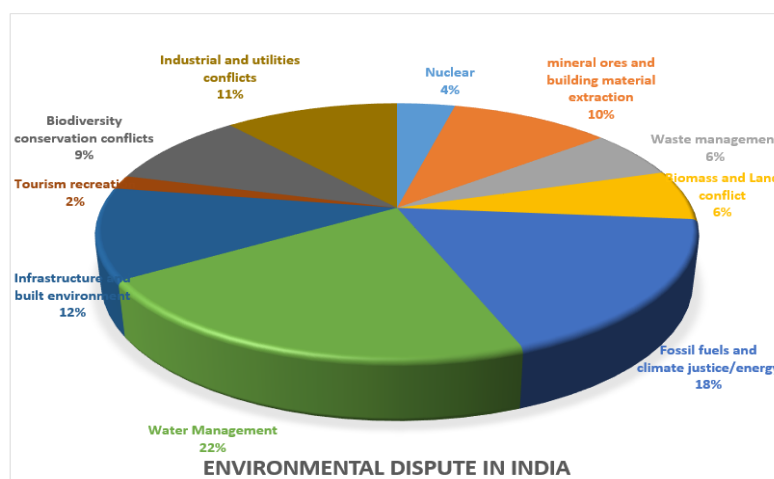
Fig. 2: Domain-wise distribution of Environmental Disputes in India

The conflicts caused by the built environment and infrastructural development is the third major category which is followed by disputes caused by Industrial development. These conflicts are primarily 'subaltern or poor environmentalism' in which protagonists are the poor and marginalized people. It has been found that 40% of the global protagonists are 'Indigenous or ethnically discriminated population' (Martizen-Alier, 2021). The graph does not provide an exhaustive list of environmental disputes and also did not explain whether these conflicts or movements were a success or failure.

Colonial Environmental Laws and Its Impact on the marginals and subaltern communities:

During the colonial period, India was subjected to various environmental laws that were designed to exploit and extract natural resources for the benefit of the British Empire. These laws were often detrimental to the environment and local populations, and their legacy can still be felt in India today. The colonial environmental policies were mainly concentrated to the Forest resources which have abundant natural resources to fulfil the colonial economic pursuits. Arun Bandhopadhyay divide colonial forest policy in three distinct phases –

i. 1796-1850s – when colonial leaders realised importance of teak and occupied Malabar forest for commercial purpose in 1796. In 1806, First conservator for Malabar-Travancore, Captain Watson, was appointed to regulate and manage the occupied forest patches. In 1823, conservatorship in Malabar was abolished after opposition raised by the teak merchants. During 1947-50, Britishers collected information on trees and their impact on climate and productiveness.

ii. 1850s-1880s- In this phase the forest conservation department had started shaping and Lord Dalhousie prepared a Memorandum of the GoI on Forest Conservancy. He also institutionalised forest department by appointing conservators and superintendent of Forests. In 1865, first forest legislation Indian Forest Act was enacted Forest Act 1878 divided forests into Reserved and Protected forests.

iii. 1894-1947: Forest policy of 1894 was introduced with a definite for serving the agricultural interest directly. In 1906, Imperial Forest Research Institute was set up in Dehradun, later in 1921 the forest has been become 'transferred subject and in 1935 it became subject of the Provinces and IG forest was concern to the general issues of the Forestry.

The Indian Forest Act of 1865 was one of the most significant environmental laws introduced during the colonial period. This act was designed to promote commercial forestry and restrict access to forest resources for local communities (Guha, 1983). It gave the British government the power to declare any area of land as a reserved forest, which meant that local people were no longer allowed to use its resources for their own subsistence.

The Forest Act was revised in 1878 and 1927, and additional laws were introduced to regulate hunting, fishing, and grazing in forest areas. These laws were often enforced through violent

means, including the use of armed guards and the imprisonment of local people who were caught violating the rules (Bandhopadyay, 2010).

Another significant environmental law introduced during the colonial period was the Land Acquisition Act of 1894. This act gave the British government the power to acquire land for public purposes, such as the construction of railways, without the consent of the landowners. This led to the displacement of many communities and the destruction of their traditional livelihoods (Desai, 2011).

In addition to these laws, the British also introduced policies that encouraged the export of raw materials, such as timber and minerals, from India to support the growing industries in Britain. This resulted in extensive deforestation, soil erosion, and other environmental problems.

Post-colonial environmental jurisprudence in India:

Post-colonial environmental jurisprudence in India refers to the body of laws and legal principles that have developed in India after its independence from British colonial rule in 1947, with a focus on protecting the environment and natural resources and serving environmental justice. Environmental laws in India have evolved over time to address a range of issues, from air and water pollution to deforestation and wildlife conservation. One of the most significant laws in this area is the Environmental Protection Act (EPA) of 1986, which provides a framework for the prevention, control, and abatement of environmental pollution.

The National Green Tribunal (NGT), established in 2010, is a specialized court for environmental disputes in India. The NGT has the power to hear cases related to environmental disputes, provide compensation for environmental damage, and issue orders for environmental restoration.

In addition to the EPA and NGT, India has a range of other environmental laws and policies, such as the Wildlife Protection Act of 1972, Forest Conservation Act of 1980, and National River Conservation Plan. These laws and policies aim to protect India's natural resources, promote sustainable development, and balance economic growth with environmental conservation.

A list of prominent Governmental law and Policies which serve environmental justice, directly or indirectly are as follow-

1. **The Water (Prevention and Control of Pollution) Act, 1974:** This law aims to prevent and control water pollution by regulating and monitoring the discharge of pollutants into water bodies. It also provides for the establishment of Central and State Pollution Control Boards.

2. **The Air (Prevention and Control of Pollution) Act, 1981:** This law aims to prevent and control air pollution by regulating and monitoring the emission of pollutants from industries, vehicles, and other sources. It also provides for the establishment of Central and State Pollution Control Boards.

3. **The National Green Tribunal Act, 2010:** This law established the National Green Tribunal, a specialized court that deals with environmental disputes and provides speedy and effective justice. It also provides for the compensation for victims of environmental damage.

4. **The Forest (Conservation) Act, 1980:** This law aims to conserve forests and protect wildlife by regulating the diversion of forest land for non-forest purposes.

5. **The Environmental Impact Assessment (EIA) Notification, 2006:** This policy requires all projects that are likely to have a significant impact on the environment to undergo an environmental impact assessment before they can be approved. It also provides for public participation in the decision-making process.

6. **The National Action Plan on Climate Change, 2008:** This policy aims to address the challenges of climate change by promoting sustainable development and reducing greenhouse gas emissions.

7. **The Wildlife Protection Act, 1972:** This law aims to protect wildlife and their habitats by regulating hunting, poaching, and trade in wildlife and their products.

8. **The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:** This law aims to recognize and vest forest rights and occupation in forest land in forest-dwelling communities.

Post-colonial environmental jurisprudence in India has also been shaped by international environmental law, such as the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement. India has ratified these international agreements and has committed to reducing its greenhouse gas emissions and promoting sustainable development. Also, Civil Societies play crucial role to raise voices for environmental justice to communities.

Environmental Justice in India: Present Status

Environmental Justice, in India, is still a secondary concern in the race of GDP- driven economic growth and development. India is presiding the G20 Nations and aspires to bring holistic and sustainable growth and development. India has also promised to the World that it will reduce the Carbon emission to zero by 2070. To keep many promises, India has to speed up its science and technology and find out new avenues for green energy producing units. Simultaneously, India has to protect their forest and other natural resources. The developmental pursuits and green conservation measures can cost the rights of the poor and marginals sections of society who in turns enter in the conflicts or plea for justice.

The environmental law and governance in India, is an amalgamation of various constitutional, legal, administrative laws, acts and provisions. It incorporates constitutional provisions, parliamentary laws and acts, International and national treaties and frameworks which India has signed, National and state-level environmental protection acts and policies, etc. The legal mechanism in India has provisions to safe people's rights and address their environmental concerns but 'poor and marginalised' people has limitation to access these legal provisions due to lack of knowledge, awareness, finance and legal language. Judiciary has taken necessary

measures to resolve environmental disputes- by empowering the state high-courts by establishing green benches, by creating National Green Tribunals, by accepting PILs and by introducing Environmental Impact Assessment (Dilay et. al., 2020). However, political influences have become one of the major challenges in addressing the environmental justice. In many cases, the ruling government negotiate, benevolently or forcefully, at the ground level and people accept it by considering it as the 'will of the government' (Eminent Domain) which they can not reject. The conflicts or movements start only if any other political party or civil society enters, Narmada Bachao Aandolan, Sangrur case, or Vedanta case are examples. In such conditions, the affected communities lost its land and livelihood and left with a burden of environmental degradation (Williams and Mawdsley, 2006).
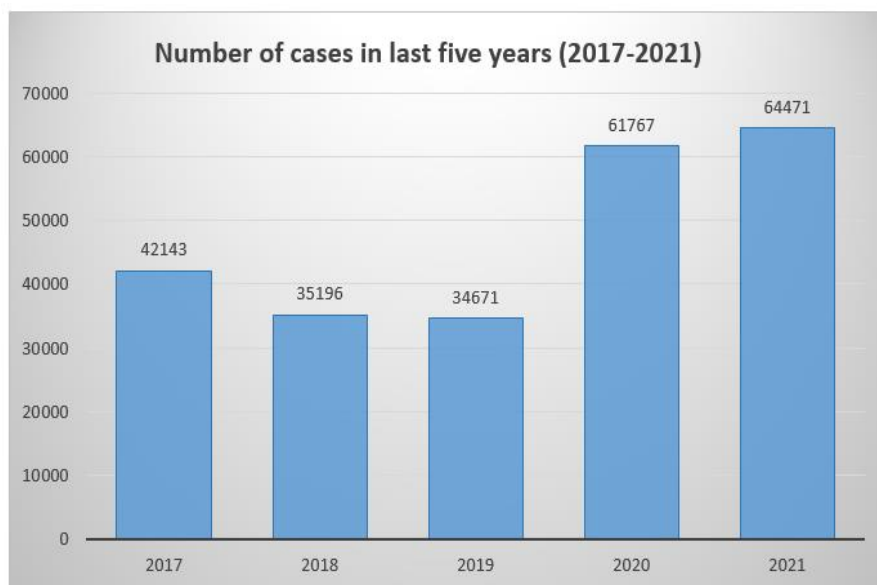
Image 3: Number for environmental complaints filed by Police in the last 5 years

Source: https://www.cag.org.in/blogs/environmental-crime-data-india-are-they-good-enough

The above graph suggested that the environmental crimes recorded by police in India is increasing nad have reached more than 64,000 cases. The maximum number of cases are filed from Tamil Nadu (138,031 in last five years) followed by Rajasthan (56,000), Kerala (22,109) , Uttar Pradesh (15,498) and Maharashtra (4,733). This data was released by NCRB which include Special and Local Laws (SLLs) cases reported by Police. These cases cover violation under Indian Forest Act, 1927; Wild Life (Protection) Act, 1986; Air (Prevention and Control Pollution) Act 1981; Water (Prevention & Control of Pollution) Prevention Act, 1974; Forest Conservation Act, 1980; Cigarettes and Other Tobacco Products Act, 2003; Noise Pollution Acts (State/Central); and National Green Tribunal Act 2010. However, these data are not standardised, and standardised environmental crime data can be made on the enforcement of environment protection laws.

Role of Judiciary in environmental Justice

The judiciary plays a crucial role in ensuring environmental justice by interpreting and enforcing laws related to the environment. Judiciary uses following instruments and powers to deliver justice in environmental cases:

1. **Landmark cases:** There have been several landmark cases that have set important precedents for environmental justice. For example, in India, the Supreme Court has passed several judgments related to air and water pollution, hazardous waste management, and the protection of wildlife and forests. These judgments have helped to strengthen environmental laws and ensure their effective implementation. Indian judiciary has given several landmark judgements and protect the rights of the people. Oleum Gas Leak (1987), Vellore Citizens Welfare Forum (1996), Bichhri Village Industrial Pollution case (1996), M.C. Mehta vs Union of India (1997), T. N. Godavarman Thirumalpad Vs Union of India (2006), etc. are such cases.

2. **Judicial review:** The judiciary also plays a role in reviewing the decisions of government agencies and ensuring that they comply with environmental laws. For example, in the United States, the Clean Air Act and Clean Water Act require government agencies to set and enforce standards for air and water pollution. The judiciary can review agency decisions and ensure that they are consistent with these laws.

3. **Public interest litigation**: In many countries, including India, public interest litigation has been an important tool for promoting environmental justice. Citizens and organizations can file lawsuits to protect the environment and hold polluters accountable. The judiciary plays a key role in hearing these cases and enforcing environmental laws.

4. **Environmental impact assessments:** In many countries, including the United States, projects that may have an environmental impact are required to undergo an environmental impact assessment (EIA) before they can be approved. The judiciary can review the EIA and ensure that it is accurate and comprehensive.

CONCLUSION AND SUGGESTION

Indian judiciary has certain limitation which not only delay the justice to the environmental justice victims but also provide ample scope to offenders to violate the law. Following aspects in the judiciary are found to be an obstacle in the justice delivery system in India-

1. **Limited resources:** The Indian judiciary is overburdened with a large number of cases, and this can be a challenge for environmental cases that require technical expertise and evidence. The lack of resources, including skilled personnel and adequate infrastructure, can make it difficult to handle such cases effectively.

2. **Delayed justice:** The Indian judicial system is known for its delays, and environmental cases are no exception. It can take years, and sometimes even decades, for a case to be resolved. This can undermine the effectiveness of environmental laws and discourage people from seeking justice.

3. **Political pressure:** The Indian judiciary has faced political pressure in environmental cases, especially when powerful corporations or individuals are involved. This can undermine the independence of the judiciary and compromise the outcome of the case.

4. **Inadequate implementation:** Even when the judiciary issues a favorable ruling in an environmental case, there can be challenges in implementing the decision. This is often due to a lack of cooperation from government agencies or the polluting industries, or weak enforcement mechanisms.

5. **Limited access to justice**: The high cost of legal proceedings can make it difficult for ordinary citizens to seek justice in environmental cases. This can be compounded by the lack of awareness and legal literacy among the general public.

6. **Lack of coordination:** Environmental issues often cut across multiple jurisdictions and involve multiple stakeholders. There is a need for better coordination among the different branches of government, civil society organizations, and the judiciary to effectively address these issues.

Indian Judiciary system need to address these challenges by using legal and administrative methods such as alternate dispute resolutions, environmental mediations, proper implementation of laws and rules and political and civil society co-ordination. Victims of environmental injustice are majorly poor and marginal communities who neither have access to justice nor able to understand the legal jargons so theyare more vulnerable to the environmental crime. India has made remarkable success in delivering justice in last few years but there is mile to go.

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