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Q1

"The most significant achievement of modern law in India is the constitutionalization of environmental problems by the Supreme Court." Discuss this statement with the help of relevant case laws.

UPSC Civil Services Mains 2022 · GS II · 10 marks · Executive and Judiciary

Structure, organization and functioning of the Executive and the Judiciary - Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

<https://wrapexams.com/upsc/mains-answers/gs-2/2022/the-most-significant-achievement-of-modern-law-in-india-is-the-constitutionalization-of-environmental-problems-by-the-supreme-court-discuss-this-statement-with-the-help-of-relevant-case-laws/>

Article 48A

Directive Principle, inserted by the 42nd Amendment, requiring the State to protect and improve the environment and to safeguard forests and wildlife.

Article 51A(g)

Fundamental duty to protect and improve the natural environment, including forests, lakes, rivers and wildlife, and to have compassion for living creatures.

M.C. Mehta v. Union of India (Oleum gas, 1986-87)

Held hazardous enterprises absolutely liable for harm, without the exceptions of *Rylands v. Fletcher*.

Vellore Citizens' Welfare Forum v. Union of India (1996)

Recognised precautionary principle, polluter-pays principle and sustainable development as part of Indian environmental law under *Article 21*.

Environment (Protection) Act, 1986

Umbrella statute under which many of the Court's later directions to governments and boards are implemented.