

Intergenerational Environment Justice and Human Rights Re-envisioned: Lensing Legal Perspectives

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Abstract

Man, in order to survive, adapts itself to its environment but he rarely pays due attention to its improvement, either because of his indifference towards it or because of his ignorance of it. Intergenerational environmental justice and human rights are concepts that address the intersection of environmental concerns, social equity, and the rights of current and future generations. These ideas recognize that environmental issues often have far-reaching impacts that span across generations, and they emphasize the need to ensure that present and future generations have access to a healthy environment and equitable treatment. In today's time, environment protection and its preservation are the concern of all. The environment is one of the clearest examples of how all human activities on this earth are interconnected. The excessive discharge of industrial and sewage waste into the soil, water and air poses danger and hazards not only to human health but to the entire life on this planet earth. There is an urgent need to reassess the existing legal provisions for environmental protection and preservation.

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Introduction

The protection of the environment and its preservation is today the concern of all. The environment is one of the clearest examples showing that all human activities on this earth are interconnected. Intergenerational environmental justice refers to the fair and equitable distribution of environmental benefits and burdens across different generations. It recognizes that the decisions and actions taken today regarding resource use, pollution, and environmental degradation can have significant consequences for future generations. This concept emphasizes the responsibility to ensure that the actions we take today do not compromise the well-being and opportunities of those who come after us. The object of environmental law is to preserve and protect nature's gifts such as water, air, earth and atmosphere from pollution.²

The concept of intergenerational environmental justice, intertwined with the re-envisioning of human rights, represents a profound evolution in the realm of environmental law and ethics. This paradigm shift acknowledges the inseparable link between present actions, environmental impacts, and the well-being of future generations. It prompts a critical examination of legal perspectives surrounding environmental protection, transcending the

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² H. N. Tiwari, *Environmental Law* 1 (1997).

traditional boundaries of law and venturing into the broader realm of ethical responsibilities and moral obligations towards the planet and its inhabitants.

At its core, intergenerational environmental justice recognizes that the choices we make today reverberate across time, influencing the quality of life, natural resources, and overall ecological balance that our successors will inherit. This shift necessitates a departure from the short-termism that has often characterized policy-making and legal frameworks, urging us to consider the long-term consequences of our actions and policies. By re-envisioning human rights through this lens, a new dimension emerges wherein the right to a clean and healthy environment becomes inherently linked to the right to live in harmony with nature, not only for ourselves but for generations yet to come.

Lensing legal perspectives to accommodate intergenerational environmental justice involves a profound reimagining of legal principles. The concept recognizes that human rights extend beyond immediate individuals to encompass a broader sense of humanity, spanning generations. Thus, the principle of non-discrimination gains new dimensions, as it extends not only to present individuals but also to future generations who have no voice in current decision-making processes. This reconfiguration introduces the notion of legal guardianship of the environment, emphasizing the duty to protect and preserve natural resources and ecosystems for posterity.

Furthermore, this shift in perspective challenges the boundaries of jurisdiction and sovereignty. Environmental impacts do not respect political borders, and the consequences of actions taken by one generation can cascade across nations and ecosystems. As such, intergenerational environmental justice underscores the necessity of global cooperation and shared responsibility to mitigate and adapt to environmental challenges on a planetary scale. It prompts us to recognize that the violation of environmental rights in one region can echo through time and space, impacting the human rights of those geographically distant and yet interconnected through the complex web of Earth's ecosystems.

The re-envisioning of human rights through the lens of intergenerational environmental justice marks a transformative moment in legal discourse. It reflects an understanding that the pursuit of environmental protection and human rights is inextricably intertwined and requires a holistic, ethical, and forward-looking approach. As legal frameworks evolve to encompass the rights of future generations and embrace the concept of planetary stewardship, they hold the potential to reshape our relationship with the environment and establish a legacy of sustainability, equity, and justice for all living beings, both now and in the generations yet to come.

Human rights and environmental issues are closely intertwined. The right to a healthy environment is not explicitly recognized as a standalone human right in most international human rights frameworks, but it is considered an integral part of the broader right to life, health, and well-being. Numerous international agreements and declarations, such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, recognize the importance of environmental protection for the realization of human rights.³ India is at risk of various natural hazards, particularly cyclones and annual monsoon floods, and various combinations of poverty, population growth, increasing individual consumption, industrialization, infrastructural development, and poor agricultural practices. Human rights and the environment are closely associated. Many international human rights frameworks recognize the right to a healthy environment as a fundamental

³ http://en.wikipedia.org/wiki/Environmental_issues_in_India

human right. This right is often considered a part of broader economic, social, and cultural rights. Environmental degradation can directly affect people's ability to enjoy their basic rights, such as the right to life, health, clean water, and adequate housing. Therefore, ensuring a healthy environment is essential for upholding human rights.⁴

Environment Justice: Meaning and Relevance

The environment refers to natural things around us that sustain human life, such as the earth's atmosphere, healthy air and drinkable water, etc. The environment may be defined as that outer physical and biological system in which men and other organisms live with many interacting components.⁵

Environment means "*the conditions under which any person or thing lives or is developed; the sum-total of influences which modify and determine the development of life or character*".⁶ Similarly, according to *Black's Law Dictionary* "environment" is the totality of physical, economic, cultural, aesthetic, and social circumstances and factors which surround and affect the desirability and value of property and which also affect the quality of peoples' which influence or modify.

Environmental justice is a pivotal concept that addresses the disproportionate distribution of environmental benefits and burdens among different communities, particularly marginalized and vulnerable populations. At its core, environmental justice seeks to rectify the inequities that arise when certain communities, often characterized by socioeconomic disadvantage or minority status, bear a higher burden of environmental pollution, hazards, and degradation while having limited access to clean air, water, and healthy living conditions. This notion emerged in response to the stark realization that environmental challenges are not evenly distributed and that systemic inequalities intersect with environmental issues, creating a cycle of injustice.

The relevance of environmental justice lies in its potential to shed light on the multifaceted intersections between social, economic, and environmental factors. It underscores the interconnectedness of human well-being and ecological integrity, transcending traditional boundaries between environmentalism and social justice. By highlighting how marginalized communities often face the brunt of environmental hazards—whether it's toxic waste sites, polluted air, or lack of access to green spaces—environmental justice advocates for the rights of these communities to a safe, healthy, and sustainable environment.

Also, environmental justice challenges the prevailing notion that environmental protection is a luxury that only affluent communities can afford. It emphasizes that environmental well-being is a basic human right that should not be compromised due to factors beyond an individual's control. This principle holds particular relevance in rapidly urbanizing areas, where vulnerable populations are frequently located in close proximity to industries with heavy pollution emissions, leading to severe health consequences.

The relevance of environmental justice also extends to the global stage, as it highlights the disparities between developed and developing nations in terms of their contributions to environmental degradation and their capacity to adapt to its impacts. Climate change, for instance, disproportionately affects low-income countries that have contributed less to greenhouse gas emissions but are often the hardest hit by its consequences, such as extreme

⁴ <http://lcweb2.loc.gov/frd/cs/profiles/India.pdf>

⁵ Section 2 (a) of the Environment Protection Act, 1986.

⁶ The Oxford English Dictionary, Volume V, Second Edition, 315 (1991).

weather events and rising sea levels. This underlines the importance of an equitable and just response to global environmental challenges, taking into account historical responsibility and the rights of those who are most vulnerable. The concept of environmental justice is deeply relevant in a world where environmental concerns intersect with social and economic inequalities. It challenges us to rethink the way we approach environmental protection, moving beyond technical solutions to address the root causes of environmental inequities. By acknowledging that environmental degradation is not merely an abstract concern but a matter of human rights and social justice, environmental justice provides a powerful framework for advocating for fair and inclusive policies that ensure a healthier, more sustainable, and just future for all.

Kinds of Environmental Pollution

Environmental pollution refers to the introduction of harmful pollutants into the environment that can have adverse effects on living organisms, ecosystems, and the overall quality of air, water, soil, and other natural resources. There are several different types of environmental pollution, each with its own set of causes, consequences, and methods of mitigation. Here are some of the main types of environmental pollution:

Air pollution: Air is the mixture of gases that forms the earth's atmosphere and it extends up to the height of about 300 km above the earth's surface.⁷ The World Health Organization estimates that about two million people die prematurely every year as a result of air pollution while many more suffer from breathing ailments, heart disease, lung infections, and even cancer.⁸

Water pollution: Water pollution occurs when pollutants are introduced into bodies of water such as rivers, lakes, oceans, and groundwater. Sources of water pollution include industrial discharge, agricultural runoff, improper disposal of waste, and sewage. Contaminants can include heavy metals, pesticides, chemicals, and pathogens.⁹

Noise pollution: Noise Pollution is another major cause of environmental pollution which encompasses roadway noise, aircraft noise, industrial noise as well as high-intensity sonar. It is also termed a misplaced sound. It is of very high intensity. It produces a bad effect on health. The most commonly produced effect on health is the loss of hearing capacity and exhaustion.

Thermal Pollution: Thermal pollution occurs when the temperature of a water body is significantly altered due to industrial processes, power generation, or other activities. Elevated temperatures can negatively impact aquatic life and disrupt ecosystems.

Radioactive Pollution: Radioactive pollution involves the release of radioactive materials into the environment, often from nuclear power plants, nuclear accidents, and improper disposal of radioactive waste. These materials can pose serious health risks to living organisms.

Plastic Pollution: Plastic pollution is the accumulation of plastic waste in the environment, particularly in oceans and waterways. It can harm marine life, disrupt ecosystems, and degrade the environment over long periods of time.

⁷ <http://www.gits4u.com/envo/envo4.htm>

⁸ http://www.uccee.org/Environmental_Pollution.html

⁹ <http://en.wikipedia.org/wiki/Pollution>

Visual Pollution: Visual pollution refers to the presence of unsightly or visually disruptive elements in the environment, such as litter, billboards, and poorly designed infrastructure. It can detract from the aesthetic quality of landscapes and urban areas.

Land Pollution: Land is that part of the earth which holds terrestrial life. Terrestrial flora and fauna survive on it and man carries on various activities. Industries consume enormous amounts of natural resources, fresh ecological produce, raw materials and of course fresh water and air, etc., but produce poisonous gases, dangerous water, and other kinds of organic and inorganic pollutants along with their regular product, which is not only dangerous but suicidal for human health as such. Industries pour into the atmosphere a great variety of waste products like smoke, dust, noxious gases, and chemicals. The common practice is to dump the effluents into streams, rivers, and the sea which is used for human and animals' consumption. This toxic water causes multiple health hazards.¹⁰

Food Pollution: Every living being requires food to obtain energy through which he carries on his activities. If the food taken by him or it is polluted and adulterated it will have an injurious effect on him or it.¹¹

Light pollution: Also known as photo pollution or luminous pollution, it is excessive or obtrusive artificial light producing discomfort and adverse health effects. Light pollution is a ramification of industrial civilization. It is produced through building exterior and interior lighting, advertising, commercial properties, offices, factories, streetlights, and illuminated sporting venues. Like other forms of pollution (such as air, water, and noise pollution) light pollution causes damage to the environment.¹² It includes over-illumination, light trespass, and astronomical interference.

International Perspectives Concerning Environment and Climate Action

In the modern globalized world, the environment and climate change have emerged as critical issues that transcend national boundaries, demanding collaborative efforts from nations across the globe. International perspectives on these matters underscore the recognition that environmental challenges and climate impacts are shared concerns that require unified action. As such, international cooperation and multilateral agreements play a pivotal role in addressing these issues effectively.

One of the most significant international frameworks addressing climate change is the Paris Agreement. Adopted in 2015, this landmark agreement aims to limit global warming to well below 2 degrees Celsius above pre-industrial levels, with efforts to limit it to 1.5 degrees Celsius. The agreement exemplifies a cooperative approach, with nearly all countries in the world pledging to contribute toward emissions reductions and sustainable development. The Agreement not only reflects a commitment to mitigate greenhouse gas emissions but also emphasizes adaptation and the provision of financial support to vulnerable nations.¹³ The Declaration of the United Nations Conference on the Human Environment¹⁴ is the first formal international recognition of the need for the protection of the environment between persons of the same generation and between persons of present and future generations. The said

¹⁰ P. K. Bajpai, *Social Work Perspectives on Health* 197-198 (1998).

¹¹ Singh, B. (2019). Affordability of Medicines, Public Health and TRIPS Regime: A Comparative Analysis. *Indian Journal of Health and Medical Law*, 2(1), 1-7.

¹² http://en.wikipedia.org/wiki/Light_pollution

¹³ http://www.uccee.org/Environmental_Pollution.html

¹⁴ adopted at Stockholm on 16th June, 1972

declaration recognizes that development should be conditioned with due regard to environment and the international interest. It declared that nature shall be respected and its essential should not be impaired. The Montreal Protocol¹⁵ (Ozone Treaty), 1987 was aimed at the elimination of ozone-depleting substances like CFCs (Chlorofluorocarbons) at a uniform rate irrespective of the development status of a Country.

Similarly, the Earth Summit, was held in June, 1992 at Rio de Janeiro which forced the people worldwide to re-think how their lives affect natural environment and resources and to confront a new environment that determines the surroundings in which they live. The World community at Rio Conference showed unanimity on two aspects, i.e., to prevent global climate change and eradication of biologically diverse species. Accordingly, two legally binding conventions, i.e., the “Convention on Climate Change” and “Convention on biodiversity” were signed by the representatives of more than 150 countries. The first Convention on climate change requires the State to take steps to reduce their emissions of gases believed to contribute to global warming. The other convention on biodiversity requires the State to take steps for the protection and sustainable use of the world’s diverse plant and animal species.¹⁶

Environmental Issues in India: As a Result of Respecting Human Protection

The recognition of environmental issues in India and their linkage to human rights protection has become increasingly important in recent years. As the country experiences rapid economic growth, urbanization, and industrialization, there has been a growing realization that environmental degradation can have profound implications for the well-being and rights of its citizens.

Respecting human rights protection is intrinsically tied to addressing environmental challenges in India. Several key factors illustrate this interconnection:

Right to Health and Clean Environment: The right to health is a fundamental human right, and a clean and healthy environment is a critical determinant of overall health. Air pollution, water contamination, and the improper disposal of waste directly impact the health of Indian citizens. Recognizing and addressing these issues is not only a matter of public health but also an obligation to safeguard the right to health.

Vulnerable Communities: Marginalized communities, including indigenous peoples and rural populations, often bear the brunt of environmental degradation. Displacement due to industrial projects, loss of livelihoods, and contamination of natural resources directly infringe upon their human rights. Recognizing and protecting the rights of these communities is essential to achieving environmental justice.

Climate Change and Livelihoods: Climate change poses significant challenges to various sectors of India's economy, particularly agriculture and fisheries. The right to work and the right to a decent standard of living are threatened when extreme weather events disrupt livelihoods. Integrating climate adaptation strategies that prioritize human rights can help protect vulnerable communities.

¹⁵ Came into force from January 1, 1989

¹⁶ Singh, B. (2022). COVID-19 Pandemic and Public Healthcare: Endless Downward Spiral or Solution via Rapid Legal and Health Services Implementation with Patient Monitoring Program. *Justice and Law Bulletin*, 1(1), 1-7.

Right to Information and Public Participation: Environmental decision-making processes in India are closely linked to human rights principles such as the right to information and the right to participate in decisions that affect one's environment. Recognizing and respecting these rights can lead to more inclusive and transparent environmental policies and regulations.

Intergenerational Equity: Ensuring the right to a clean environment also involves considering the rights of future generations. By adopting sustainable practices and mitigating environmental damage, India acknowledges its responsibility to protect the rights of its citizens' descendants.

Legal and Policy Frameworks: India has enacted laws and policies that address environmental issues with a view to protecting human rights. The National Green Tribunal, for instance, was established to provide speedy and effective resolution of environmental disputes while upholding the right to a clean environment.

Judicial Activism: India's judiciary has played a crucial role in interpreting environmental laws in a manner that aligns with human rights principles. Landmark cases have highlighted the necessity of balancing development with environmental protection and respecting the rights of affected communities.

Recognizing the impacts of environmental degradation on human well-being, livelihoods, and overall quality of life underscores the importance of responsible and sustainable development practices. By upholding human rights in the context of environmental protection, India demonstrates a commitment to creating a more just and equitable society that respects the dignity of its citizens and the integrity of its natural resources.¹⁷

Expectations of Human Rights Protection: Concerning Issues of the Environment

The intersection of human rights and environmental issues underscores the fundamental interconnectedness between a healthy environment and the well-being of individuals and communities. As environmental challenges such as pollution, climate change, and habitat degradation intensify, there is a growing recognition of the need to ensure robust human rights protections in the face of these challenges.

Central to this perspective is the recognition that a clean and healthy environment is essential for the realization of numerous human rights. The right to life, as enshrined in international human rights instruments, directly implicates the need for an environment free from pollutants and hazards that could threaten human health. Similarly, the right to health is intrinsically linked to access to clean air, water, and food, without which the well-being of individuals is compromised.

Furthermore, the rights of indigenous peoples are closely tied to their traditional lands and resources. The degradation of these lands due to activities like deforestation or mining can not only threaten their way of life but also infringe upon their cultural and spiritual rights. Effective human rights protection necessitates respecting the rights of indigenous communities to manage and sustainably use their territories.

¹⁷ Singh, B. (2023). Blockchain Technology in Renovating Healthcare: Legal and Future Perspectives. In *Revolutionizing Healthcare Through Artificial Intelligence and Internet of Things Applications* (pp. 177-186). IGI Global.

A particularly vulnerable group in the context of environmental degradation is future generations. The principle of intergenerational equity asserts that present generations have a responsibility to ensure that their actions do not compromise the rights and well-being of generations to come. As such, environmental stewardship and the mitigation of climate change are both ethical imperatives and a reflection of human rights obligations towards the future.¹⁸

However, expectations of human rights protection concerning environmental issues face challenges. Balancing economic development and environmental conservation can sometimes result in conflicts. The right to development must be harmonized with the imperative of environmental sustainability, calling for innovative approaches that prioritize both. Moreover, marginalized communities often bear the brunt of environmental harms, amplifying social inequalities. Ensuring environmental justice involves safeguarding the rights of these communities and involving them in decision-making processes. International law, including the Universal Declaration of Human Rights and regional human rights treaties, reinforces the nexus between human rights and the environment. The ongoing recognition of the right to a healthy environment as a fundamental human right by some countries further underscores this connection.

Environmental Protection- A Constitutional Obligation

Right from mother's womb, one needs nutritious food to eat, unpolluted air to breath, uncontaminated water to drink, and hygienic condition to live in. These elements are *Sine Qua non* for sound development for human personality. The Constitution of India directly or indirectly provide provisions for the protection of environment. The "right to life" under Article 21 means a life of dignity to be lived in a proper environment free from the danger of disease and infection. The Supreme Court has expanded this right through its wisdom and activism.

The State shall, in particular, direct its policy towards securing that the citizens, men, and women equally, have the right to an adequate means of livelihood which means providing a safe and pollution-free environment is the duty of the State.¹⁹ Article 48A²⁰ provides that the State shall endeavour to protect and improve the environment and to safeguard forests and wildlife of the country. Though it is a directive principle and is not enforceable through courts, its directive character does not lessen its worthiness and the obligation of the State to protect and improve the environment.

Part IV-A of the Constitution which contains the Fundamental Duties of the Citizens of India. Article 51-A (g) says that, "*It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.*" Thus, it is the Constitutional obligation of the State and the citizens to protect and improve the environment.

Legislation Concerning Environment Protection

There are various statutory provisions in India that play a very important role in preventing and controlling all kinds of pollution. Indian Penal Code, 1860 designates the various acts affecting the environment as illegal actions. Sections 268 to 294-A deal with the offences

¹⁸ Singh, B. (2019). Affordability of Medicines, Public Health and TRIPS Regime: A Comparative Analysis. *Indian Journal of Health and Medical Law*, 2(1), 1-7.

¹⁹ Article 39 (a) of the Constitution of India, 1950.

²⁰ Added by the Constitution (42nd Amendment) Act, 1976.

affecting the public health, safety and convenience with a view to safeguard the public health by causing those acts punishable under Sections 426, 430, 431 and 432 deal with mischief.

Section 91 of the Code of Civil Procedure, 1908 also contains provisions for the abatement of air and water pollution when it becomes nuisance to the people. Similarly, the provisions of the Code of Criminal Procedure, 1973 can also be invoked to prevent the pollution of almost of all kinds.

Specific Legislative Measures to Control Environment Pollution

The Parliament of India has also passed some special statutes for the environment protection:

The Water (Prevention and Control of Pollution) Act, 1974: “Water” being a “State subject”, the Parliament can exercise the power to legislate on “water” only under Article 249 and 252 of the Constitution of India. The Parliament enacted the Water (Prevention and Control of Pollution) Act, 1974. Its main objectives are: to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, to establish Central and State Boards for the prevention and control of water pollution, to provide penalties for the contravention of the provisions of the Water Act and to establish Central and State water-testing laboratories.

The Air (Prevention and Control of Pollution) Act, 1981: It is a specialized legislative measure, meant to tackle one facet of environmental pollution. The main objectives of the Act are to provide for the prevention, control and abatement of air pollution, to provide for the establishment of Central and State Boards and to lay down the standards to sustain the quality of air.

The Environment (Protection) Act, 1986: This Act was enacted under the provisions of Article 253 of the Constitution with a view to implementing the decisions of the United Nations Conference on the Human Environment, which was held I Stockholm in the year 1972. The Environment Protection Act (EPA) was formulated pursuant to the need for a general legislation for environmental protection, and to fill in uncovered gaps in areas of major environmental hazards. Co-ordination of the activities of the various regulatory agencies, creation of authorities with adequate powers for environmental protection, regulation of the discharge of environmental pollutants and handling of hazardous substances, speedy response in the event of accidents threatening the environment and provision for deterrent punishment, were the objects of the legislation.²¹

Judiciary and Environment Protection: The Supreme Court and other Courts are paying due attention to environmental issues of the Country. The Courts have emphasized that such problems should be given prime importance and cases be decided as early as possible, because environmental pollution not only affects human life, flora and fauna, but also the atmosphere, the quality of life and national development. Atmospheric pollution gave birth to the ‘Green House Effect’ which has endangered the existence of mankind on the earth.

Future of Environmental Protection in India: The future of environmental protection in India holds both challenges and opportunities as the country navigates its development trajectory while addressing pressing environmental concerns. Several key trends and factors are likely to shape the path of environmental protection in India:

²¹ P Leelakrishnan, *Environmental Law in India* 172 (2005).

Sustainable Development Integration: As India pursues economic growth and development, there is an increasing recognition of the need to integrate sustainability into all sectors. Policies that balance economic progress with environmental preservation are likely to gain prominence, driven by the understanding that long-term prosperity hinges on maintaining a healthy environment.

Climate Change Mitigation and Adaptation: With India being highly vulnerable to the impacts of climate change, strategies for both mitigation (reducing emissions) and adaptation (building resilience) are critical. The expansion of renewable energy sources, increased energy efficiency, and adoption of climate-resilient agriculture practices are expected to be central to these efforts.

Circular Economy Practices: Adopting circular economy principles, which emphasize resource efficiency, waste reduction, and recycling, can contribute to minimizing environmental degradation. Initiatives that promote sustainable consumption and production patterns can reduce pressure on natural resources.

Urban Sustainability: As urbanization continues, the focus on sustainable urban planning and infrastructure development will grow. Smart cities and green urban spaces that prioritize clean air, efficient waste management, and public transportation can improve quality of life and reduce environmental impacts.

Environmental Technologies: Advancements in technology, such as improved air and water quality monitoring systems, can enhance environmental protection efforts. Innovative solutions in areas like waste management, pollution control, and sustainable agriculture can significantly contribute to environmental well-being.

Environmental Legislation and Enforcement: Strengthening environmental laws, regulations, and their enforcement mechanisms is crucial. The judiciary's role in holding industries and authorities accountable for environmental violations is expected to remain significant.

Public Awareness and Participation: Increased public awareness and activism surrounding environmental issues are likely to continue. Civil society organizations and citizens' movements can play a pivotal role in advocating for stronger environmental protections.

International Commitments: India's commitments under international agreements such as the Paris Agreement will influence its approach to climate action and environmental protection. Collaborative efforts with other nations can foster knowledge sharing and best practices.

Economic Incentives: Aligning economic incentives with environmental protection can drive positive change. Green financing, incentives for sustainable businesses, and eco-friendly technologies can motivate private sector involvement.

Education and Research: Investments in environmental education and research can yield insights that guide evidence-based policies and practices. Fostering a generation of environmentally conscious citizens and professionals is essential.

Conservation and Biodiversity: Protecting India's rich biodiversity and ecosystems is a critical component of environmental protection. Conservation efforts, including habitat preservation and wildlife protection, are integral to sustainable development.

The future of environmental protection in India hinges on the country's ability to strike a balance between economic growth and ecological integrity. By embracing sustainable

practices, leveraging technology, fostering public engagement, and aligning policies with international commitments, India can pave the way for a future where environmental concerns are effectively addressed, human well-being is enhanced, and the country's natural heritage is preserved for future generations.

Concluding Remarks

The Declaration of the United Nations Conference on the Human Environment is a first formal international recognition of the need for protection of environment between persons of same generation and between persons of present and future generations. The said declaration recognizes that development should be conditioned with due regard to environment and the international interest. It declared that nature shall be respected and its essential should not be impaired. There is a urgent need to reassess the existing legal provisions for the environment protection and preservation.

The journey into the realm of intergenerational environmental justice and the re-envisioning of human rights through an ecological lens culminates in a profound reimagining of our relationship with the planet and its inhabitants. As we reflect on the implications of this paradigm shift, it becomes evident that this transformative perspective holds the potential to shape a more equitable, sustainable, and compassionate world for current and future generations. The notion of intergenerational environmental justice serves as a moral compass, reminding us that the choices we make today will reverberate across time, influencing the quality of life and natural resources that our successors will inherit. By embracing this principle, we not only acknowledge the ethical responsibility we have towards future generations but also recognize that the preservation of a healthy environment is an inherent right for all living beings. The re-envisioning of human rights within this context amplifies the interconnectedness of our actions and their impacts on the planet, urging us to move beyond mere legal constructs and embrace a sense of custodianship over the Earth.

Lensing legal perspectives through the intergenerational environmental justice framework propels us beyond traditional legal boundaries, opening the door to a new era of jurisprudence that integrates ethical considerations and long-term consequences. This evolution prompts us to move beyond a reactive approach to environmental harm and adopt a proactive stance that prioritizes prevention, restoration, and sustainability. It challenges legal systems to recognize that the violation of environmental rights is not only a breach of the present generation's rights but a transgression against future generations, who are left voiceless in the decision-making processes that shape their world. In a world where climate change, biodiversity loss, and environmental degradation loom large, the re-envisioning of human rights and environmental justice is a clarion call for unity, empathy, and global cooperation. As we stand at the precipice of an uncertain future, this shift in perspective offers a ray of hope, reminding us that our actions today can chart a course towards a world where intergenerational equity is revered, ecological stewardship is a shared responsibility, and the rights of all living beings, both present and future, are upheld. In the grand tapestry of human history, this reimagining of human rights within the context of intergenerational environmental justice stands as a testament to our capacity for introspection, adaptation, and collective action. It invites us to transcend the constraints of time and self-interest, embracing the mantle of planetary guardians and champions of justice for all. As we embark on this transformative journey, let us weave a narrative of resilience, compassion, and legacy—a narrative that resonates through the ages and leaves a footprint of positive change for generations to come.

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