
ACCESS TO ENVIRONMENTAL JUSTICE: RETHINKING LEGAL BARRIERS FOR MARGINALIZED POPULATIONS

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ABSTRACT

Recently, marginalized communities have been disproportionately impacted by environmental degradation and are facing significant barriers in accessing environmental justice. These communities are seen to be most vulnerable to environmental degradation and climate change because they are mostly dependent on natural resources for their livelihoods. Environmental justice aims to address the disproportionate environmental damages incurred by marginalized groups. However, structural legal obstacles continue to limit access to environmental justice. In many developing nations, climate change's effects and the uncertainties accompanying it are particularly detrimental to the poor and vulnerable.

Even though most people in poor nations rely heavily on agriculture, forestry, and fisheries for their survival, these industries are the ones most vulnerable to climate change. This paper explores the impact of climate change on marginalized communities. Drawing on key Indian legislation, including the Environment (Protection) Act, 1986, the Forest Rights Act, 2006, and the National Green Tribunal Act, 2010, and examining relevant case laws, this research illustrates the challenges faced by marginalized communities in accessing effective remedies. It also aims to examine legal obstacles that hinder marginalized communities' access to environmental justice, focusing on climate change refugees and vulnerable populations. It draws attention to issues including complicated procedural frameworks, excessive litigation expenses, insufficient legal representation, and restricted standing criteria. The interconnectedness of social, economic, and environmental vulnerabilities, which worsen inequalities in legal access, is also examined in the research. To help create more efficient and just environmental justice frameworks, this research will stress the importance of inclusive and participatory environmental governance and provide a human rights-based strategy. A paradigm shift in environmental law and policy is urgently needed, according to the research's conclusion, to guarantee that everyone in society has fair access to justice and environmental protection.

Keywords: Environmental justice, Marginalized communities, Climate change, Legal barriers, Access to justice, Climate refugees and Vulnerable populations

Introduction

Fundamentally, environmental justice is a promise of equity—that the burdens and benefits of environmental preservation be allocated evenly.¹ However, this promise is still unfulfilled, particularly for the marginalized communities in India and many other countries. A lot of marginalized groups, such as low-income urban inhabitants, rural farmers, and Indigenous communities, rely on natural resources like forestry, agriculture, and fisheries to make a living.² Globally, the effects of the climate disasters are not universal; in fact, many marginalized groups are disproportionately affected by climate change. The negative effects are exacerbated by the fact that many of these vulnerable groups already have limited adaptive capacities to respond to these climate changes. Since about 650 million Indians rely on rain-fed agriculture for their livelihoods, 250 million reside along a 7500 km stretch of coastline that is highly vulnerable to the effects of climate change due to sea level rise and extreme weather events, many of the country's 10,000+ glaciers are rapidly receding, and deforestation is occurring, India is extremely vulnerable to the effects of climate change.³

Although there are many ways to describe environmental justice and the issue of environmental racism and inequality, it is crucial to remember that these are social concerns rather than primarily environmental ones. It is possible to overlook the fact that ecological violence is primarily a type of social violence that is motivated by and justified by social institutions and discourses if environmental justice is framed as an ecological issue. Environmental justice is often defined as treating everyone fairly when it comes to the creation, application, and enforcement of environmental laws, rules, and policies.

By addressing these disparities, environmental justice aims to provide fair protection and significant participation in environmental decision-making. However, access to effective remedies is still hampered by systemic legal barriers, especially in developing countries where the poor and vulnerable are disproportionately affected by climate change. This paper aims to highlight how marginalized communities are impacted due to climate change by looking at

¹ CHRISTOPHER H. FOREMAN, THE PROMISE AND PERIL OF ENVIRONMENTAL JUSTICE 09-10 (2011).

² Arabinda Roy et al., Exploring climate change impacts on rural livelihoods and adaptation strategies: Reflections from marginalized communities in India *Environmental Development* (2023), <https://www.sciencedirect.com/science/article/abs/pii/S2211464523001379> (last visited Mar 10, 2025).

³ Garg, Amit, Vimal Mishra and Hem Dholakia, 2015. "Climate Change and India: Adaptation Gap - A Preliminary Assessment." *Working paper of Indian Institute of Management Ahmedabad (IIMA)* W.P. No. 2015-11-01.

various case studies and examples. Further, it explains the legal framework which governs environmental justice in India through key legislations and case laws. A systematic critical analysis of the legislation's efficacy and application is also done. The author also makes some suggestions that can be considered.

Environmental Justice and Marginalized Populations

The fair allocation of costs and gains in the use and exploitation of commodities and natural resources of shared interest, such as air and water, is known as environmental justice. From a legal perspective, this idea guarantees fairness in settling environmental disputes and encourages the active involvement of those impacted by environmental decisions. The idea of environmental justice has its origins in ancient India. Regarding the preservation of the natural environment, the society has shown a deep awareness.

Following the events of 1972, environmental justice gained significant attention in the modern era. In this sense, the 42nd Amendment to the Indian Constitution, which includes Articles 48A and 51A(g) for environmental preservation, is noteworthy. In recent years, the Indian concept of environmental justice has gained prominence as a significant social movement and policy goal. This idea seeks to address the unequal distribution of environmental issues that underprivileged people face, particularly those related to pollution, resource exploitation, and environmental degradation. Indian communities have always coexisted peacefully with nature while adhering to traditional knowledge systems and practices. However, these customs were disrupted by the arrival of colonial powers, leading to extensive deforestation, resource exploitation, and the eviction of native communities.

India followed a path of rapid industrial growth and advancement after attaining independence in 1947, frequently at the expense of the environment and the local population. Major ecological and social upheavals were caused by large-scale projects including mines, dams, and industrial facilities. By adding environmental protection to Article 21, particularly the right to life and personal liberty, the judiciary has elevated it to the status of a fundamental right. A more thorough and in-depth interpretation has been offered by the Supreme Court, which has repeatedly declared that the "Right to a wholesome Environment is a Fundamental right." Numerous inherent liberties proposed in Article 21 of the Constitution have been acknowledged by the Court.

Environmental injustice disproportionately impacts underprivileged groups and is a serious violation of human rights. Due to industrial ventures, mining, and deforestation, marginalized populations are frequently uprooted, depriving them of their land and means of subsistence. Similarly, low-income populations and slum residents are disproportionately affected by pollution-related health dangers, which violate their right to health by exposing them to toxic waste, contaminated water, and unsafe air. The right to proper housing and livelihood is also violated by climate-induced migration, which drives many vulnerable communities to abandon their homes owing to droughts, rising sea levels, and extreme weather events. However, these groups frequently lack official protection and legal recognition.

The experience of marginalization is something that millions of individuals worldwide are affected from. Marginalized people have very limited control over their lives and the resources at their disposal. As a result, their ability to contribute to society is hindered. They are barred from engaging in local life because of the lack of supporting and constructive interactions, which creates a vicious cycle that further isolates them.

While urban slum inhabitants live in highly polluted neighbourhoods with inadequate sanitation, limited access to clean water, and poor waste management, low-income rural farmers rely on land and natural resources for survival but face challenges such as droughts, soil degradation, and water scarcity. Serious environmental injustices also affect caste-based and indigenous communities; Scheduled Tribes (Adivasis), who depend on forests for their livelihood, are regularly displaced because of mining, infrastructure projects, and deforestation, while Scheduled Castes (Dalits) are frequently forced into dangerous occupations like waste picking and sewage cleaning with little legal protection. Rural women are especially at risk since climate change makes it harder for them to access water and farmland, which increases their obligations.

Extreme hardships are also experienced by coastal and disaster-prone communities; fishermen and coastal populations face increasing sea levels, diminishing fish stocks, and frequent cyclones, while mountain communities face landslides, glacier melting, and water shortages, all of which exacerbate their economic difficulties. These intersecting vulnerabilities highlight how urgently inclusive environmental laws and policies are needed to protect vulnerable groups from the escalating effects of climate change and environmental degradation.

Impact of Climate Change on Marginalized Communities in India

Climate change is described as "a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere, and which is in addition to natural climate variability observed over comparable time periods" in Article 1 of the United Nations Framework Convention on Climate. Climate change is unquestionably one of the most significant environmental issues of the twenty-first century. Consequently, the world's scientific and political communities are now concerned about climate change and its grave effects in addition to society and the economy. Despite being a worldwide occurrence, the effects of climate change are primarily felt locally.

In India, marginalized communities are greatly impacted by climate change, which increases already existing disparities. Both the immediate effects of climate change and the unforeseen repercussions of mitigation measures frequently place an unfair burden on these people. The impoverished have a comparatively low ability to adapt to climate change; the majority lack the financial means to adjust to the changes in living conditions and lifestyles brought about by climate change. Climatic hazards, including floods and droughts, intensify food insecurity and malnutrition among these populations.⁴ Droughts and heat waves disproportionately affect rural women, who are primarily responsible for fetching water and working in agriculture, leading to increased exposure to extreme heat and severe health impacts.

The climate in India is already warming. Unusual and unprecedented hot weather events are now likely to happen much more frequently and affect a greater geographic area. The west coast and southern India are predicted to transition to new, high-temperature climatic regimes with substantial effects on agriculture under a 4°C warming scenario. Also, there has already been a noticeable decrease in monsoon rainfall since the 1950s. Events involving significant rainfall have also become more frequent. Even there is evidence that the number of droughts has increased and that some regions of South Asia have been drier since the 1970s. Droughts have serious repercussions. They have impacted over half of India's cropland in 1987 and 2002–2003, caused a sharp decline in agricultural yields. India is heavily reliant on groundwater since more than 60% of its agriculture is rain-fed. In addition to these issues, many parts of India are facing water scarcity, major health impacts, migration of populations

⁴ Adithya Pradyumna, Sheetal Patil & Madhuri Ramesh, Considering vulnerable communities in climate mitigation and adaption plans, India Bulletin of the World Health Organization (2023), (Mar 9, 2025, 10:02 AM), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9874371/>

from calamity-affected areas, etc. The marginalized communities are more prone to these issues as they lack the basic resources to tackle them.

One of the worst industrial catastrophes in history, the Bhopal Gas Tragedy, disproportionately affected underprivileged populations. Slums and informal settlements with a high population density near the Union Carbide factory.⁵ Low-income, marginalized people, such as daily wage workers and members of lower castes, made up most of the population in these places. They were particularly susceptible to the harmful gas because of their unstable living circumstances, which included poor living conditions and restricted access to medical treatment. The plant's placement in a low-income, densely inhabited neighbourhood is indicative of "environmental racism," a phenomenon in which vulnerable groups are disproportionately exposed to environmental risks. The sites' continuous contamination and poor remediation continue to endanger the health of these communities.⁶

Dima Hasao is a hill district in central Assam. Due to unlawful mining and climate change, it suffers major obstacles that affect its economy, environment, and the welfare of its underprivileged inhabitants. Climate-related risks are common in the area, and the indigenous population is especially at risk. In Dima Hasao, indigenous tribes rely mostly on traditional farming methods like shifting cultivation (Jhum) and natural resources. Their livelihoods and cultural legacy are at risk because to climate change and environmental degradation. Growing temperatures and unpredictable rainfall patterns are impacting the production of conventional food crops, which is causing a move toward more climate-resilient cultivars. There is increasing concern over the loss of native food plants from their diet. Hill farmers are susceptible to crop failure as a result of climate change since they depend on shifting agriculture.⁷

Another situation is of Vidarbha region in Maharashtra, which experienced severe droughts, leading to crop failures and high debts, which led to pushing thousands of farmers to commit suicide. They were mostly small-scale and landless farmers.⁸ Agriculture is no longer

⁵ Edward Broughton, The Bhopal disaster and its aftermath: A Review Environmental health : a global access science source (2005), (Mar 10, 2025) <https://pmc.ncbi.nlm.nih.gov/articles/PMC1142333/> .

⁶ Bhopal: A lingering legacy of contamination and injustice | OHCHR, United Nations High Commissioner for Human Rights, (Mar 10, 2025) <https://www.ohchr.org/en/press-releases/2024/12/bhopal-lingering-legacy-contamination-and-injustice> .

⁷ Rahul Karmakar, The Devastation in Dima Hasao and its after-effects, THE HINDU, May 24, 2022, at Page 1.

⁸ Farmers' suicides in the Vidarbha region of Maharashtra, India: a qualitative exploration of their causes (2012), (Mar 9, 2025) <https://pmc.ncbi.nlm.nih.gov/articles/PMC3291283/>.

sustainable due to the worsening of erratic monsoons and extended dry periods brought on by climate change. Due to their frequent lack of land titles, women farmers are more likely to experience financial instability and be shut out of aid programs. Still, the situation is like that maybe even worse as Maharashtra saw 2,489 farmer suicides between January 1 and November 30, 2021, and 2,547 farmer suicides in 2020, with the Vidarbha region of the state accounting for more than 50% of the deaths in both years.⁹

Through migration, loss of livelihood, health risks, or exclusion from legal remedies, these case studies demonstrate how vulnerable populations in India bear the brunt of climate change. Environment justice is nonetheless hampered by structural injustices and enforcement gaps, notwithstanding India's progressive environmental laws and court interventions. To preserve the rights of the most vulnerable, addressing these concerns calls for more robust legal safeguards, climate-resilient policies, and participatory governance.

Legal Framework Governing Environmental Justice in India

An in-depth examination of Indian environmental law reveals a love, respect, and preservation of the environment that dates back to the civilization of the Indus Valley. In India, the Manu-smriti is considered to be the most authoritative text in the Hindu code (Dharma-shastra). Officially called as Manava-dharma-shastra, the work is commonly referred to as Manu-smriti. It is credited to Manu, the fabled first man and lawgiver. The text that was received was written around 100 CE. Manusmriti outlines several penalties for harming plants. The Charaka-Samhita is a thorough book on ancient Indian medicine that is attributed to Charaka, a practitioner of the Ayurvedic medical system. It is believed that the period of Charaka occurred between the 2nd century BCE and the 2nd century CE. According to Charak Samhita, the biggest threat to humankind is the disappearance of trees.

The fundamental principles of our religion are truth, non-violence, respect, and love for all living things. For people, a pollution-free environment was essential. As a result, certain policies were put in place to both punish offenders and bring the environment back into balance. In this endeavour, historical texts acted as a uniting factor that connected the need to protect the environment with the right to utilize it. The idea of "sustainable development" is

⁹ Alok Deshpande, Vidarbha continues to record higher farmer suicides, THE HINDU, January 22, 2022, Page 4

now widely accepted as this principle.

To address environmental justice, India has a thorough institutional and legal system that includes regulatory agencies, statutory legislation, judicial pronouncements, and constitutional provisions. Nevertheless, vulnerable populations still encounter obstacles when trying to get environmental justice despite these legislative protections.

India follows the principles of common law; hence the British legal system serves as a major influence on its current judicial system. Nonetheless, the British legal system dominates India's legal system, which is dotted with elements of other international legal systems. The common law has historically given little respect or protection to public rights in the environment and instead placed a high priority on the protection of private property and individuals.¹⁰ In the field of tort law, the common law system's emphasis on environmental protection is evident. The majority of pollution claims under tort law fall under the purview of strict liability, carelessness, trespass, and nuisance laws. The Supreme Court has added the new idea of absolute liability to these established categories.¹¹

The Statutory Provisions for environmental preservation can be elaborated as below:

Civil Procedure Code, 1908: It gives the right of action in the cases of public nuisance. Representative suit or class suit are given in Order 1 Rule 8 of the Code.¹²

Environment (Protection) Act, 1986: Regardless, there are regulations that deal directly or indirectly with a number of environmental issues, and they usually concentrate on particular kinds of pollution or dangerous material categories. Nevertheless, these particular laws do not address all environmental hazards.¹³ As a result, the Environment (Protection) Act of 1986 was passed, which addresses issues related to environmental protection and enhancement.¹⁴ This Act is organized into four chapters and twenty-six sections. The Act seeks to enhance and safeguard the environment. By holding environmental polluters accountable for their actions, the Act also established a potential deterrence. There are now penalties for even aiding and

¹⁰ Vidya Bhagat Negi, ENVIRONMENTAL LAWS: ISSUES AND CONCERNS 226(2011).

¹¹ Union Carbide Corporation v. Union of India, AIR (1989)(1)SCC 674: AIR 1992 SC 248.

¹² The Civil Procedure Code, 1908 (India).

¹³ S.C.Tripathi, ENVIRONMENTAL LAW 23 (2022).

¹⁴ Preamble, Environment (Protection Act), 1986 (India).

abetting environmental contamination.

National Green Tribunal Act, 2010: Establishing a specialized tribunal to address the diverse challenges inherent in environmental matters was deemed necessary due to the growing number of cases involving various environmental issues. The National Green Tribunal Act of 2010 established the National Green Tribunal (NGT), which makes it easier to settle environmental issues quickly. Historical cases like *M.C. Mehta vs. Union of India* and *Vellore Citizens Welfare Forum vs. Union of India* demonstrate how the Indian judiciary has been aggressive in allowing Public Interest Litigations (PILs) to address environmental issues and have established important precedents. The Act requires the creation of a NGT in order to promote environmental justice. Its main functions include monitoring industrial pollution and giving resentful parties a forum to pursue legal action for the failure to enforce environmental laws. In ordinary language, a court refers to a body created by state law that is supervised by a judge for a set amount of time, while a tribunal includes both judicial bodies and administrative hearing boards. The Act established the NGT as a substitute forum for the efficient and economical administration of environmental justice. This specialist organization has the necessary expertise to resolve environmental issues involving a range of transdisciplinary topics. The Supreme Court of India first raised the idea of environmental courts in important rulings, urging the creation of "environment courts" to expedite the settlement of environmental conflicts.

The Water (Prevention and Control of Pollution) Act, 1974: In accordance with clause (1) of Article 252 of the Constitution, this Act was passed- to provide for the prevention and control of water pollution as well as the maintenance or restoration of the wholesomeness of water. It also established boards for the prevention and control of water pollution with the intention of achieving the aforementioned goals, and it granted and assigned to these boards the authority and functions related to these boards and related matters.¹⁵ There are VIII chapters and 64 sections in the act. The act covers a lot of ground and includes provisions for the creation of State Boards and Central Boards for the Prevention and Control of Water Pollution, which are independent organizations under the act. The Water (Prevention and Control of Pollution) Act of 1974 governs water quality across all State Pollution Control Boards and manages and

¹⁵ INDIA CONST. Art. 252, Cl. 1.

monitors water pollution. The Act also aims to reduce pollution, mostly by means of the boards' consent orders and criteria that they will establish.¹⁶

Furthermore, there are several other legislations like the Air (Prevention and Control of Pollution) Act, 1981, the Forest (Conservation) Act, 1980, the Wildlife Protection Act, 1972, etc. which look into specific environment issues that are related to air pollution, forest and wildlife preservation.

Legal Barriers Impeding Access to Environmental Justice

Although several environmental laws and regulations exist in India that play an important role in shaping the division of environmental risks and benefits, these frameworks frequently fail to provide sufficient protection for underprivileged people, resulting in environmental injustices. These barriers arise from complex procedural frameworks, financial constraints, restrictive standing criteria, insufficient legal representation, inequitable enforcement of environmental laws, and weak enforcement mechanisms of environmental laws and regulations.

For marginalized communities with limited resources and legal knowledge, environmental litigation can be especially difficult due to its complex procedural regulations and strict evidentiary standards. Numerous statutes, including the Environment (Protection) Act of 1986, the Forest Rights Act of 2006, and the National Green Tribunal Act of 2010, each with specific procedural requirements, must frequently be navigated while engaging in environmental litigation. Because these procedures are complex, it can be challenging for those who might not be well-versed in the law—to properly register grievances and pursue justice. They may find it challenging to make their cases persuasively in court due to the intricacies of environmental laws and regulations as well as the requirement for substantial scientific and technical evidence.

Financial limitations and high legal costs also serve as a significant impediment. Economically disadvantaged communities cannot afford the costly legal bills, expert testimony, and prolonged court hearings that are frequently required when filing environmental cases.¹⁷ Despite the existence of procedures such as Public Interest Litigation (PILs), the cost and

¹⁶ Sections 19, 22, 23, 24 and 25, Water (Prevention and Control of Pollution) Act, 1974.

¹⁷ Indian Council For Enviro-Legal Action v Union of India and Ors.Etc, 1996 AIR 1446

duration of judicial proceedings deter vulnerable groups from seeking legal action. A community may receive little to no compensation for the harm they have endured if they are successful in court since the expenses of litigation may exceed the benefits.

Restricted standing requirements in environmental proceedings provide yet another major obstacle. Even while PILs have made environmental litigation more accessible, some laws and court rulings continue to restrict who can file a complaint, frequently requiring direct harm or injury. This makes it impossible for communities to resist environmental injustices together, especially when an area as a whole is impacted by pollution, deforestation, or displacement rather than just one person.

Furthermore, access to competent legal counsel with knowledge of environmental law is frequently limited for marginalized populations. Communities may lack proper legal representation because pro bono lawyers and legal aid agencies are overworked or inexperienced in handling complicated environmental disputes. Lack of strong legal counsel can significantly disadvantage communities in court, making it more difficult for them to argue for their rights and navigate the legal system.

Systemic bias is the result of unfair enforcement of environmental laws, whereby environmental regulators show tolerance for polluting industries situated in underprivileged areas. Compared to wealthy communities, this leads to less oversight, fewer priority inspections, and less penalties. As a result, marginalized populations face greater health risks, environmental deterioration, and pollution exposure. This discrepancy worsens already-existing social and economic disparities by undermining confidence in government institutions and sustaining a cycle of environmental injustice in which those who are already at risk are disproportionately affected by environmental risks.

Ultimately, vulnerable populations may not experience effective enforcement of environmental laws and regulations even when they are in place. It's possible that government organizations lack the funding or political will necessary to properly monitor and inspect hazardous facilities, look into complaints, or bring legal action against infractions. Because they are unlikely to be held responsible for their activities, businesses may be able to operate with impunity as a result. Ineffective enforcement can damage the legal system's reputation and deter communities from pursuing legal action. On paper, India's environmental regulations are strict, but bureaucratic inefficiency, corruption, and a lack of institutional capacity make it difficult to implement them.

With pollutant emissions and effluent discharge, more than 6% of India's 4,40,989 operating enterprises violate environmental regulations, endangering the country's air, water, and soil. Understaffed and underfunded regulatory agencies, such as the Pollution Control Boards (PCBs), result in poor oversight and a lack of accountability for infractions. According to a recent survey, even though they generate surplus revenue every year, the majority of Indo-Gangetic state pollution boards are understaffed and underequipped.

Accessing environmental justice is made more difficult for marginalized populations by these legal obstacles, which put them at a systematic disadvantage. Legal reforms, strengthened enforcement strategies, funding for legal action, and increased public involvement in environmental decision-making are all necessary to address these issues.

Towards Inclusive and Participatory Environmental Governance

The structures and procedures in place to manage natural resources and safeguard the environment are referred to as environmental governance. It includes the rules, regulations, programs, and establishments that govern how people interact with the natural world. To put it another way, it concerns how we decide on environmental issues, who makes those decisions, and how those decisions are carried out. In India, environmental governance refers to the laws, customs, regulations, and establishments that influence how citizens engage with the environment. It outlines how the nation and its citizens deal with and care for its natural resources and environment.

Frameworks for inclusive and participatory environmental governance are essential for meeting the demands of communities and promoting social justice, especially for underprivileged groups that bear an unfair share of the environmental cost. By integrating a variety of viewpoints and expertise into the decision-making process, these strategies guarantee that policies are fair, representative, and successfully executed.

A diversified strategy is necessary to strengthen environmental protection in India. Strong institutions must be empowered via improved capacity and smooth collaboration at the federal and state levels. Strict enforcement of environmental regulations is necessary for effective implementation; this is accomplished by more transparency, harsher penalties for non-compliance, and strict monitoring, all of which guarantee regulatory compliance. In addition, increasing public knowledge and involvement in environmental decision-making promotes

inclusive and efficient governance. Economic growth and ecological preservation are balanced when environmental factors are incorporated into development planning and sustainable practices are used. A route to better environmental management, pollution reduction, and a more sustainable future is also provided by the development of green technology, such as renewable energy sources.

Participation in environmental choices is increased through inclusive governance, which shifts from top-down methods to include the opinions and expertise of underrepresented groups like women, youth, and indigenous people. It guarantees that environmental regulations are fair, just, and efficient. Involving marginalized groups in the decision-making process helps politicians better understand the difficulties they experience and create more equitable policies that address the underlying causes of social and economic inequality as well as environmental issues. By granting marginalized populations more influence over decisions that impact their lives, this strategy also strengthens their feeling of civic involvement and ownership over environmental resources.

In India, multiple stories indicate how community participation, legal interventions, and decentralized governance have led to good environmental conservation and justice outcomes.

One of those is the Narmada Bachao Andolan which showcases community resistance and a legal victory. With the Sardar Sarovar Dam Project on the Narmada River threatening to uproot thousands of Adivasi and rural communities without adequate rehabilitation or environmental protections, the Narmada Bachao Andolan became a potent grassroots movement. Under the leadership of Medha Patkar and impacted communities, the campaign demanded sustainable resettlement policies and equitable compensation in their fight for social and environmental justice. After the dispute made it all the way to India's Supreme Court, stringent resettlement and rehabilitation regulations were put in place to safeguard displaced people. In order to reduce the project's ecological impact, changes were influenced by international organizations and public consultations. Its efforts strengthened environmental governance in India by forcing changes in compensation and rehabilitation programs, setting a precedent for environmental impact assessments and public engagement in large-scale infrastructure projects, even though the dam was eventually built.

India's environmental governance has been changing steadily in response to the necessity to handle the various environmental issues facing the nation. India seeks to preserve the

environment while seeking sustainable development through a variety of environmental laws, policies, programs, and institutional frameworks. Improving environmental protection in India and guaranteeing a healthier and more sustainable future would require addressing current issues and putting effective solutions in place.

Conclusion

The harsh reality of environmental injustice that marginalized groups in India suffer has been brought to light by this research. Despite the country's long history of environmental awareness, which is documented in both ancient writings and contemporary laws, the realities faced by marginalized communities present a different image. Development projects in areas like Dima Hasao, industrial catastrophes like the Bhopal Gas Tragedy, and climate change disproportionately affect people who are already struggling with socioeconomic inequality.

Despite having extensive protections, the legal structure struggles to be implemented. Justice is severely hampered by intricate legal procedures, budgetary limitations, stringent standing requirements, and unfair environmental law enforcement. For people that depend on natural resources, such coastal communities, rural farmers, and tribal groups, whose livelihoods and cultural identities are inextricably linked to the environment, these challenges are especially severe.

The case studies, which range from the Narmada Dam's impacted communities to Vidarbha farmers, clearly illustrate the human cost of environmental deterioration and legal shortcomings. These accounts highlight how urgently India's environmental governance needs to change its worldview.

A multifaceted strategy is essential to achieving real environmental justice. First and foremost, it is imperative to improve institutional coordination and capacity at the federal and state levels. This calls for strict implementation of current legislation through improved oversight, harsher sanctions for noncompliance, and increased openness. Secondly, fostering inclusive and participatory governance is essential. Empowering marginalized communities to actively engage in decision-making processes ensures that their voices are heard and their needs are addressed.

Thirdly, encouraging sustainable practices and including environmental factors into

development planning are essential. To lessen the effects of climate change, this involves switching to green technology like renewable energy sources. Fourth, in order to streamline processes, broaden standing requirements, and offer legal assistance to underserved groups, legal reforms are required.

A comprehensive strategy that acknowledges the interdependence of social, economic, and environmental vulnerabilities is necessary for India's journey towards environmental justice. India can genuinely achieve its constitutional mission of providing a clean, healthy, and sustainable environment for all by promoting the rights and demands of underprivileged communities and bridging the gap between legal theory and lived reality. In addition to protecting the environment, this paradigm change will preserve the core values of justice and equity, guaranteeing that no one is left behind in the quest for a sustainable future.