

## Call for Book Chapter Proposals

# Environment and Human Rights in India

In July 2022, the United Nations General Assembly in its Resolution (A/76/L.75) has recognized the human right to a clean, healthy and sustainable environment as a human right, but the resolution is legally non-binding. Relationship between human rights and the environment remains contested, as it encompasses not only the rights of people, but also concerns of the state and rights of nature. Humankind around the globe is facing tremendous environmental challenges in the form of global warming, climate change, pollution, deforestation, loss of biodiversity and desertification and so on. As per 2006, Living Planet Report “The earth’s regenerative capacity can no longer keep up with demand—people are turning resources into waste faster than nature can turn waste back into resources. Humanity is no longer living off nature’s interest but drawing down its capital.” The international environmental legal framework, as well as national efforts in environmental policy making, are abundant. The international human rights system has expanded its ambit by including the human right to environment as a new right but these new rights are not easily accommodated in the existing system. Initially, the right to healthy environment as a human has been accepted as a derivative right by international and national courts, but there is no such binding international environmental treaty which establishes it as a separate right.

So far as national human rights efforts in India are concerned, they have been elaborately accepted and developed in India. Right to healthy environment has been extended as a fundamental right as a facet of right to life under article 21 ‘Right to Life and Liberty’ and other socio-economic rights under Part IV (Directive Principles of state policy) of the Constitution. The judicial system in India has been playing a vital role in extending scope of environmental rights by invoking international human rights and international environmental law.

India, being a developing nation, struggles to balance its development goals with environmental protection, leading to various environmental issues. Despite a plethora of environmental legislation aimed at protecting the environment, challenges persist.” These laws include the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981; the National Environment Tribunal Act, 1995; the National Green Tribunal Act, 2010; the Biological

Diversity Act, 2002 and the Hazardous Wastes (Management and Handling) Amendment Rules, 2003 etc. Criminal law also plays a very significant role when environmental rules are violated especially Bharti Nyaya Sanhita 2023 and other procedural laws. The courts have been shifting from an anthropocentric approach to an ecocentric approach, interpreting environmental and human rights issues in a harmonious manner.

The current book project seeks to explore how has environment been defined as a human right and what are its philosophical foundations? How constitutional courts through judicial activism are enhancing the scope of environmental rights in India? What role is environmental philosophy playing in expanding the horizon of environmental rights in India? How effectively courts are interpreting human rights, environment and development harmoniously? What are the major issues before the courts when constitutional and development issues are contested? How environmental degradation is impacting rights of the vulnerable sections of society such as Scheduled Castes, Scheduled Tribes, Women and Minorities in India? How effectively are human rights concerns being integrated into environmental law and policy through legislation? What measures can be taken to strengthen environmental rights in India?

Topics may include but not confined to:

- Theoretical underpinnings of human rights and environmental justice.
- The philosophical foundations of the right to healthy environment as a human right.
- The implementation of international human rights and environmental rights standards in India.
- Natural resource Management and environmental sustainability in human rights context in India.
- Human rights, environment and sustainable economic development in India.
- Environment, human rights and vulnerable sections of society.
- Role of legislature addressing human rights concerns in environmental law and policy.
- Pathways for sustainable environmental governance and collective action and human rights.

Topics can be interdisciplinary in nature not confined to legal and human rights framework but must reflect the main objectives of the book.

Abstract must not be less than 500 words, covering significant issues, research outlines and 5-6 keywords. Co-authorship is limited to a maximum of two authors. An abstract must be submitted along with a cover-letter. Submit your abstract at: [gillkulwinder120@gmail.com](mailto:gillkulwinder120@gmail.com).

Abstract Submission deadline:	25 October 2024
Notification of acceptance of Abstract:	15 November 2024
Full Chapter Submission:	15 February 2025

**Note:** Draft chapters should be between 7000-9000 words with an abstract of 250 words and 5-6 keywords (excluding references). Full chapters must be submitted along with Turnitin Plagiarism Report, with a similarity index of no more than 10%. Guidelines for full chapter submission will be shared with authors whose abstracts will be selected. Potential publishers will be Routledge (Taylor and Francis)/ Zed Books/Sage Publication.

There will be no publication charges.

**Editor:** Kulwinder Singh (LLM from the West Bengal National University of Juridical Sciences, Kolkata)

Editor is an independent legal researcher with two years of teaching experience. Editor has authored various law research papers. Editor is currently co-authoring a book on Environmental rights of Indigenous peoples which will be published by Routledge (Taylor and Francis) in June-July 2025.

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