

# **Title : Precautionary principle in Environmental laws and its evolution in light of National Green Tribunal (NGT) judicial decisions with special focus on North-Eastern states**

## **1. INTRODUCTION**

The precautionary principle is a fundamental tenet of environmental laws advocating for preventive measures to address potential risks to the environment and public health even in the absence of scientific consensus. The national green Tribunal(NGT) in India has been instrumental in adjudicating environmental matters, including cases related to the north-eastern states, are characterised by unique ecology and diversity and environmental challenges. This research proposal aims to explore the application of precautionary principle decisions, with a specific focus on the north-eastern states of India.

## **2. OBJECTIVES**

The primary objective of the research are as follows:

- To critically analyse the concept of precautionary principles and environmental law and its relevance to the Indian legal framework.
- To Examine selected NGT decisions pertaining to environmental issues in the north-eastern states and assess the extent to which precautionary principle have been applied.
- To identify the challenges and opportunities in the effective implementation of precautionary principles in the context of environmental adjudication, particularly in the north eastern region.
- To propose recommendations for enhancing the application of precautionary principles in NGT decisions, with a view to promoting sustainable environmental management in the north-eastern states.

## **3. LITERATURE REVIEW**

The literature review will encompass in-depth exploration of scholarly articles, legal provisions, and case law relating to precautionary principle in environmental law, the role of NGT in environmental adjudication , and the specific environmental issues prevalent in the north-eastern states of India. Furthermore, international perspective on the application of precautionary principles in environmental governance will be examined to provide a comparative analysis.

## **4. METHODOLOGY**

The research will adopt a qualitative approach, employing combination of Doctrinal research and case analysis. Primary data will be collected through extensive review of NGT judgements related to environmental cases in the north-eastern states. Secondary data shall be gathered through a comprehensive review of relevant statutes, scholarly articles, and reports from governmental and non-governmental organisations.

## **5. EXPECTED OUTCOMES**

The research aims to contribute to the existing body of knowledge by shedding light on the application of precautionary principles in NGT decisions, particularly in context of the north-eastern states. The

findings are expected to provide insights into the challenges and opportunities associated with the implementation of precautionary measures in environmental adjudication and propose recommendations for enhancing the effectiveness of such principles in the region.

## **6. SIGNIFICANCE OF THE STUDY**

The study holds significance as it addresses a crucial aspect of environmental law and governance, specific focus on a region that is often marginalised in the discourse on environmental protection. By examining the application of precautionary principle in NGT decisions, the research seems to offer valuable insights for policymakers, legal practitioners and environmental experts.