

**ECOCIDE : SHOULD DESTRUCTION OF ENVIRONMENT BE
PUNISHABLE?**

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“Whatever I dig from thee, O Earth, may that have quick recovery again. O purifier, may we not injure thy vitals or thy heart”. (For any inadvertent action leading to earth’s intemperate exploitation the seers prayed for forgiveness) –

12:34 Prithvi Sukta, Atharva
Veda.

Abstract

Environment and humans are co extensive components which survive on each other. Commercialised mindset of humanity has lead environment to reach to an alarming stage , to combat with a revised and stringent form of legislation is needed. Ecocide as a concept has developed and proved to be a combating measure in many countries which has effectively adopted and enforced it in domestic laws. Ecocide generally means killing of the environment. The jurisprudence behind the ecocide laws are recognising the rights of the nature and giving it the personhood which would bring the existence of nature on the same footing as that of humans. In India , although a no. of legislation has been enacted and judiciary had also developed right of environment upto a satisfactory level but still what is lacking is the deterrent effect which a stringent law could serve. The incorporation of ecocide laws in Indian legislature would serve the purpose and a new dimension of environmental legislation with more effective implementation would arise.

Keywords- Ecocide , Personhood , Deterrent , Stringent Law , Environmental Legislation.

INTRODUCTION

Justice is a force that, if it cannot produce, will at least destroy, according to G. Lowes Dickinson. Therefore, the question for the future is not if a revolution will occur, but rather whether it will be successful or unsuccessful. Politics now takes precedence over ethics in our Machiavellian age. Environmental justice has been directly impacted by this, which has resulted in its destruction, fragmentation, and confusion. The extent of ecological harm that has been done, both internationally and locally, demonstrates that environmental ethics is one of the most challenging issues and unresolved crises in international politics. Our earth is becoming into a place of sacrifice. Without the security that a civilisation's ability to create a secure environment gives, no civilization can endure.

The Independent Expert Panel on the Legal Definition of Ecocide's (IEP) recent proposal to designate ecocide (the killing of the environment) as a core international crime shows how

confident criminal law is in its ability to regulate society. Ecocide is the practise of engaging in "illegal or wanton activities with awareness that there is a strong possibility that those acts would inflict serious and either extensive or protracted damage to the environment." In essence, the proposal is a new Article 8 of the Rome Statute of the International Criminal Court (ICC), which would increase the number of core crimes from four to five and include ecocide (genocide, crimes against humanity, war crimes, and the crime of aggression).

The International Law Commission's 1991 Draft Code of Crimes and Security of Mankind proposed the crime of "wilful and serious damage to the environment," which falls within a larger trend of utilising (criminal) law to safeguard the environment (Article 26). The authors of the proposal believe that this would result in a shift in awareness; in other words, they advocate for a broad preventative impact that goes beyond simple deterrence. Basically, the word "ecocide" implies "to kill the ecosystem."

We all understand how important the environment and ecosystem are to our daily lives and the repercussions that occur if they are destroyed. Ecocide is the same idea; it is a catch-all phrase for all types of environmental degradation, from habitat destruction to emissions; it literally implies killing the environment and ecosystem. In other words, ecocide signifies mass harm or evisceration to environments, carried out with awareness of the threat. As a result, actual harm to the existing living world. Ecocide is being perpetrated on a massive scale in every region of the world today, and stringent international regulation is urgently required to prevent it.

STATEMENT OF PROBLEM The current state of affairs effectively demonstrates the insufficiency of the institutional framework of punishment that is in place, which has shown to be less effective as a deterrent. Additionally, it has been argued that punitive clauses should be used in cases when there is a significant environmental effect since administrative punishments would be insufficient.

While there are many issues with the current laws, a few of them include: having less than necessary regulatory/enforcing workforce in regulatory agencies roughly equivalent to the rising number of industries, the shortage of sufficient technical expertise required for regulations, the prevalence of reluctance to change problems, an overall limited financial resources, giving emphasis to only particular kinds of pollution, lack of a separate regulatory mechanism for environmental governance.

Criminalizing environmental crimes would also enable the accused's moral guilt to be contested in court. Instead, we are just diminishing the collateral damage that comes with having capitalistic expenses at the expense of a whole civilian society. To far, the Indian courts and green tribunals have imposed fines and responsibilities based on a few well-known concepts; nevertheless, there is no actual statute in existence to specify the precise amount of the fine. Additionally, Indian authorities don't keep any accurate records of the fines that courts have imposed.

In addition to complicated external issues, entrenched internal flaws also play a role in the implementation process, such as the courts' uneven use of implementation procedures, the necessity for stronger legal justification in their orders, and their poor regulatory framework integration.

Criminal culpability can be introduced to effectively handle all of these problems, saving the court's time while also having a deterrent effect. It is time for the nation to enact harsh criminal penalties that anyone who violate the laws about environmental degradation would have to bear.

JURISPRUDENTIAL FOUNDATION

The jurisprudence that ecocide laws are based on or that may be used to make environmental killing punishable accords the environment the status of a person. This idea has been promoted for years by a number of high courts, well-known jurists, and environmentalists. If we look around the world, we see that the idea of nature having a personhood is being discussed and recognised in many nations. Ecuador, a South American nation, was the first to authorise a legislation in 2008 that gave tropical forests, islands, rivers, and air the legal right to "exist, flourish, and evolve." Ecuador most recently awarded specific wild animals legal rights in April 2022.

Bolivia awarded its natural resources rights that of human in 2011. Mother Earth was given legal standing along with all of its parts, including the rights to life and existence, the freedom from human interference in natural cycles and processes, access to clean water and air, the maintenance of balance, and pollution-free living.

In March 2017, a resolution was approved by the legislature of New Zealand that gave the North Island river Whanganui and its surrounding ecosphere legal personality. Te Urewera National Park on Mount Taranaki, on the west coast of the North Island, became yet another success story for the protection of natural rights.

The Columbian constitutional court gave legal rights to the Atrato river, which is close to the Panamanian border, citing the example set in New Zealand. The country's Supreme Court also acknowledged that the Amazon environment has legal rights, declaring that it was entitled to "preservation, restoration, protection, ."

The legal rights to diverse natural ecosystems have also been accepted by Australia, the United States, and Bangladesh. In fact, Bangladesh went a step even further and declared all of its rivers to be living creatures with legal rights.

If we examine the Indian perspective, Article 51-A(g) of our constitution states that it is every citizen's basic responsibility to preserve wildlife and have compassion for all living things. These obligations, however, are not legally binding.

However, other High Courts around the country occasionally expressed the opinion that the environment should be given the living status. Ganga and Yamuna rivers, which are severely polluted, were given legal status by the Uttarakhand High Court in 2017 for the first time. In order to protect and safeguard the glaciers, including the Gangotri and Yamunotri rivers, the court used parents patriae jurisdiction (parent of the nation authority). But the Supreme Court overturned the decision.

The Punjab High Court expressed a similar opinion in 2020. However, the Madras High Court has reiterated the need for the personality of nature to be acknowledged in order to provide numerous safeguards. In reference to a previous ruling by the Uttarakhand High Court, Justice S Srimathy stated that previous generations have left Mother Earth in her pure splendour and that we are ethically obligated to do the same for the following generation. In

order to preserve and conserve them, she continued, "It is right time to declare/confer juristic status to the "Mother Nature." Accordingly, this Court, by exercising "parens patriae jurisdiction," hereby declares the "Mother Nature" as a "Living Being" with the status of a legal person, with all corresponding rights, duties, and liabilities of a living person."

"For their life, protection, nourishment, and resurgence in order to retain its status and to promote their health and welfare, they are also granted rights comparable to basic rights, legal rights, and constitutional rights. The State Government and the National Government are instructed to safeguard "Mother Nature" and to take all reasonable precautions to do so."

According to the analysis above, there has been a shift in the sincerity of environmental protection, and extending personality can be a crucial step in that direction because it will inevitably increase the seriousness of environmental offences. However, it will also make it more difficult to realise rights because, as the Honorable Supreme Court noted in its 2017 decision overturning the Uttarakhand High Court judgement, every natural resource is complex. However, we must take a cue from western nations and weigh the advantages and disadvantages of this idea before incorporating it into our legal system, which is urgently needed.

Historical Background

The ecocide has become one of the most common offences in today's society for disturbing world peace. The urgency of this crime has spread so far that some eminent attorneys, environmentalists, and academics are pleading with the UN to recognise ecocide as a global crime. The word "ecocide" was first used by Professor Arthur W. Galston, even though the crime had been committed for years. At the Conference on War and National Responsibility in Washington, Professor Galston first used the term "ecocide," and he also suggested a new international pact to outlaw it. Galston, a US researcher, recognised the defoliant properties of a substance that would eventually become Agent Orange.

It finally began to surface during the latter years of the Vietnam War (1955–1975), when the US army struck with a potent chemical weapon called Agent Orange that caused immense tragedy by killing thousands of people and destroying millions of hectares of barren land. The term "ecocide" was first used at the 1972 UN Environmental Summit, when all of the delegations from different nations argued that harming ecosystems should be seen as a crime against humanity. After five years, the UN passed the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques to protect our environment and prevent tragedies like those brought on by the Vietnam War.

An amendment to Roman law proposed by Polly Higgins to the UN in march 2010 requesting that the "ecocide" be legally recognised as the fifth international crime against human peace and mankind eventually launched the campaign for the recognition of offences against nature. Numerous nations, including Russia, Ukraine, Belarus, Ecuador, Kazakhstan, Kyrgyzstan, Moldova, Uzbekistan, Vietnam, Georgia, Armenia, and Tajikistan, have made Ecocide a crime within their territorial boundaries due to frequent events like large islands of dumped plastic in the ocean, tropical deforestation, oil spills, and wildlife exploitation. Even for perpetrating ecocide, sentences in Georgia and Armenia have reached fifteen years in jail. . In order to build the groundwork for an international environmental act, the National

Assembly of the United Nations approved the objective Towards a Global Pact for the Environment in 2018. The UN Environment Program released the first global evaluation of the condition of environmental legislation in 2019, but it wasn't optimistic. One of its statistics makes clear that a large number of the environmental accords made over the last 50 years are ineffective. This UN failure clearly shows that we need need to take environmental issues seriously and clearly identify the grounds for criminal prosecution since this sector is becoming more complex every day and we urgently need to adopt international and national law that lowers violaions against the environment and protects the ecosystem.

Right to environment in India – legislative Take and Judicial Responses

- **Legal framework in India:**

Crimes against the environment include breaking and disobeying existing rules and legislation designed to preserve the ecological balance of the natural world. In the name of progress and the ever-expanding capitalistic ideals of the society, the search for the affluent, wealthier, and wealthiest has neatly led to this terrifying condition of toxic waste. The legislature and the government have introduced numerous pieces of legislation for environmental protection, including the Water (Prevention and Control of Pollution) Act of 1974, the Environment (Protection) Act of 1986 (enacted in the aftereffect of the Bhopal Gas tragedy), the Water (Prevention and Control of Pollution) Cess Act of 1977, the Air (Prevention and Control of Pollution) Act of 1981, and others.

The meaningful execution of these sanctions and penalties against environmental crimes has several gaps and limitations despite the extensive legal landscape and diverse range of legislation. Despite having several enforcement mechanisms, the punitive sentence has shown to be ineffective since all of them are signs of institutional failure and inadequate legislation.

- **Constitution Of India**

India strives to fulfil its national commitment to advancing the cause of environmental conservation under the heading of basic obligations and the directive principle of state policy (DPSP). The country has used these articles as a reference point to guarantee that its citizens live in a healthy environment. Since Article 21 of the Indian Constitution acknowledges the fundamental substantive right to a healthy and pollution-free environment, all of these enactments, laws, and the implementation of them are the outcome of several public interest litigation.

Additionally, the 42nd amendment added the phrase "environment" to Article 48A of the Indian Constitution under the guiding principles of state policy, namely "Protection and enhancement of the environment and protection of forests and wild life." According to Article 51A(g), "the State's fundamental obligations include the protection and improvement of the natural environment, which includes forests, lakes, rivers, and wild life, as well as the preservation of the country's forests and wildlife. The State is also obligated to have compassion for all living things."

- Environment protection under the common law:

The common law remedies inevitably include environmental protection. The Code of Civil Procedure and Specific Relief Act give courts the authority to impose both interim and permanent injunctions for the purpose of reducing and regulating pollution. The following are a few of the remedies:

- Nuisance
- Trespass
- Negligence
- Absolute liability and strict liability

Environment protection under the penal/criminal law

- Indian Penal Code, 1860

The Indian Penal Code, 1860, has a variety of penal laws. The Code's Chapter XIV addresses offences involving public health and safety.

- First off, Section 268 designates environmental offences as public nuisances, and Section 290 punishes the offence by imposing a fine of up to Rs 200. Therefore, people who act or fail to act in a way that causes harm to others through environmental degradation may face legal action. It was determined, as it was in the case of *K. Ramakrishnan v. the State of Kerala* (1999), that smoking in public places produces public annoyance and is therefore unlawful under IPC. Again, the Supreme Court ruled in *Murli S. Deora v. Union of India* (2001) that smoking in public places violates people who choose not to smoke's basic right under Article 21.
- Section 277 is used to combat water pollution and carries a fine of up to Rs. 500 or three months in jail, or both. The phrase "public spring" or "reservoir" is used in the clause, but the courts have given it a very narrow construction that excludes rushing water from rivers, waterways, and canals. Similar to this, Section 278 imposes a fine of up to Rs 500 on anybody who voluntarily degrades the environment by making it unhealthy for anyone's health in a general home, while conducting business in the surrounding, or while passing by on a public pathway.
- In addition to this, IPC Sections 426, 430, 431, and 432 punish any pollution caused by mischief.

- Criminal Procedure Code, 1973:

Similar to Chapter X of the Indian Criminal Procedure Code of 1973, which deals with "Maintenance of Public Order and Quiet, Provides Preventive and Mitigating Measures for Public Nuisance Cases Relating to Water, Air, Soil, and Unsanitary/Unhygienic Conditions," Section 133 offers for the remedy to environmental pollution in broad sense by empowering a District Magistrate and Sub-Divisional Magistrate to stop the nuisance.

Any order issued in accordance with this clause may not be challenged in a civil court. The court gave a fairly broad definition of what constitutes a nuisance in the case of *Govind Singh v. Shanti Sarup* (1978), including the construction of structures, the conduct of occupations and trades, and the imprisonment or disposal of any harmful animals. This clause cannot be invoked in a private dispute; instead, there must be an immediate threat to the public good. Additionally, the penalties under other environmental legislation and laws are not applicable to this clause.

Other Major Environmental Legislation

1. Wildlife Protection Act, 1972
2. Water (Prevention And Control Of Pollution) Act, 1974
3. Water (Prevention And Control Of Pollution) Cess Act, 1974
4. Air (Prevention And Control Of Pollution) Act, 1977
5. Forest Conservation Act, 1980
6. Environmental Protection Act, 1986
7. Public Liability Insurance Act 1991
8. Biological Diversity Act, 2002
9. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA)

The Water (Prevention and Control of Pollution) Act of 1974 and the Environment (Protection) Act of 1986, however, include the majority of punitive penalties when it comes to environmental laws. According to Section 47 of the Water Act, a person who is in control of the firm's operations is held vicariously accountable for any violations committed by the corporation. Additionally, Section 16 of the Environment Act, which is analogous to Section 47 of the Water Act, is another.

Despite being seen as the protector and saviour against environmental crimes, these rules have since been revealed to be woefully insufficient because they only carry a minimal fine, which in most situations would prevent the prosecution from filing any charges.

Judicial Pronouncements

The Indian court has taken the lead in the country's efforts to safeguard the environment and promote sustainable development. The creative use of "public interest litigation" under Articles 32 and 226 of the Indian Constitution as a vehicle for social and environmental justice is the outcome of the judiciary's dedication to public benefit in broad and environmental conservation in particular.

The first connection between environmental quality and the right to life was established in the case of Charan Lal Sahu Etc. vs. Union of India and Others¹, popularly known as the Bhopal Case, which directly and indirectly included the right to a healthy environment.

The case of Rural Litigation and Entitlement Kendra v. the State of UP² (1985), for instance, held that it is not only the responsibility of the state, but also of its inhabitants, to safeguard the environment under Article 51A. (g). Additionally, the L. K. Koolwal v. State of Rajasthan³ and Others (1988) decision acknowledged the application of Article 51-A and clarified the establishment of a citizen's right to petition the court for the execution of this provision.

Additionally, it was stated in M.C. Mehta v. the State of Orissa⁴ (1992) that where there is a right, there is a duty, suggesting that it is the citizen's life that is impacted by unpleasant life conditions and the environment and that as a result, they must also do their obligation to assist and ensure that the state fulfils its responsibility towards the safeguard of their right.

Finally In AIIMS Students' Union v. AIIMS and Ors.⁵ (2001), the supreme court ruled that states cannot avoid their responsibility to implement the DPSP and fundamental duties, even though those rights—the right to information, the right to public participation, and the right to access justice—are procedural rights that are not subject to enforcement. In the case of Subhash Kumar v. the State of Bihar⁶, the Supreme Court of India interpreted Article 21 of the Indian

¹ 1990 AIR 1480,

² 1985 AIR 652

³ AIR1988RAJ2

⁴ AIR1992ORI225

⁵ AIR 2001 SUPREME COURT 3262

⁶ 1991 AIR 420Constitution to find that the right to life encompasses the right to a healthy environment, which includes the right to clean water and air for the purpose of fully appreciating life.

In this ruling, the Supreme Court declared that everyone has a fundamental right to a healthy environment.

There are many instances when the judiciary has upheld the rights of its citizens to a healthy environment, but what grabs our attention is the widespread practise of seeing the environment through a human lens. When environmental preservation has been discussed, for example, it has always been because humans have a right to the environment, and as a result, we need to preserve it. But in recent years, a new pattern has emerged, with lower courts appearing to be more environmentally conscious, for example A Tis Hazari court condemned a person to two years in jail on November 21, 2017.

The court sentenced the guy to prison for contaminating the Yamuna river, which distinguishes the verdict from others that include more common crimes like murder, rape,

theft, or kidnapping. How frequently does one hear about a trial court finding someone guilty of an environmental offence? We have frequently heard the higher courts discussing, sentencing, and even issuing warnings on environmental matters. The nation's top courts seized the initiative and put a spotlight on giving nature personality for improved prosecution and defense.

NEED OF ECOCIDE LAW IN INDIA

In India, there exist legislative systems that strive to protect the environment. Two famous Indian legal institutions that show a great deal of interest in protecting the environment are the Supreme Court of India and the Indian Constitution. Ecocide laws are not legislated in India, however there are some provisions of the Indian Constitution and laws created by the Supreme Court of India that do protect the environment in some ways. The Preamble of the Constitution states that the State is obligated to fulfil socialism's central promise of providing a fair standard of living for all people, which is only feasible in an environment free from pollution.

The fundamental rights in Part III of the Indian Constitution are those that can be enforced in court if they are violated in any way. The "Right to life" is a basic right under Article 21 and includes the privilege of enjoyment in pollution-free water and air for the fulfilment of daily living, according to the Supreme Court in a large number of judgments. A resident always has the right to approach through Article 32 for the elimination of that water or air pollution, which can be detrimental to personal pleasure, it was further stated.

The federal government is contacting every state in an effort to change their state-specific Tree Protection Act. Currently, permission is required before chopping down any trees, and anyone found guilty of doing so face fines up to 5000 rupees and up to six months in jail. The Indian Constitution's Article 48-A, which stipulates that it is the duty of the government to conserve the environment, including forests, animals, and aquatic life, is another clause that is added to the directive principles. The sections on fundamental responsibilities state that each person has a responsibility to take the greatest precautions to protect the ecosystem and the environment. There are several incidents occurring or having occurred in India that raise the issue of the urgent necessity for India to adopt ecocide legislation. With little time in between, three new cataclysmic disasters—Cyclones Amphan in West Bengal, Cyclone Nisarga in Maharashtra, and a grasshopper epidemic that affected western and northern India—happened recently in 2020. Together, these calamities had a negative influence on our biosphere. Later, researchers and scientists discovered that all of these are caused by environmental change, for which human civilization is exclusively to blame. ecosystem. Several construction initiatives carried out in India required the removal of trees of "Ancient value," thus the environment is likewise not safe there. A PIL was recently filed in opposition to the proposal to clear more than 300 trees in West Bengal in order to build bridges and enlarge highways.

On August 30, 2019, the BMC-affiliated Tree Authority in Mumbai granted permission to cut 2,702 trees in Aarey Forest, one of India's last surviving forested areas, in order to construct a Metro Shed. It was also discovered that Aarey Forest is home to a complex ecosystem of threatened animals, and that this tree-cutting will have a significant negative impact on the wildlife that lives there. 42 rivers in India have at least two hazardous metals,

according to a recent assessment by the Central Water Commission. Six separate rivers had unacceptably high concentrations of the four toxins, which were found to be contaminated with lead, chromium, copper, nickel, and nickel. In India, household wastewater and industrial waste from mining operations are the main sources of these dangerous metals. These findings suggest that the overuse and destruction of natural resources, biodiversity, and the environment may soon necessitate the urgent need for stringent legislation against ecocide. India is in a prime position to enact ecocide legislation and use it as a powerful shield to save the country's ecology and environment, which have a significant impact on the well-being of millions of citizens.

The ecocide law is a very proactive legislation that essentially provides a general set of social values and human rights that interact with nature. Ecocide law, which can incorporate anthropocentric, biocentric, and ecocentric methodologies, can be a potent public proclamation for the avoidance of significant environmental harm. The establishment of ecocide also satisfies the widespread desire to stop and reverse the harshest harm that any criminal legislation is required to inflict. As previously said, it will also, among many other things, safeguard the whole ecology and ecosystem from corporate crime, criminality against future generations, and enforcement of customary rights. . If an ecocide law is approved, it will first increase corporate sectors' and industrialists' awareness of the environment since right now, they are solely focused on making a profit without giving any thought to the environment or ecosystem. Environmentalists also think that laws against ecocide will make businesses answerable for environmental damage. Second, it will lessen the frequency of tree cutting for construction projects and result in the preservation of numerous forests and wildlife sanctuaries, giving threatened and endangered species, other animals, and birds a better area to dwell. Thirdly, implementing ecocide law will create a moral outrage among people and will help in reducing environmental pollution indirectly aiding in tackling global warming and other climatic change. The proposed legislation will also criminalize major commercial activities such as sand and tar oil extraction. This will render many destructive business models and allow other ecosystem-friendly start-ups to prosper. The ecocide law will immensely help the weaker states where industrial polluters are sometimes more powerful than national governments. In these places, chances of being prosecuted for the crime that took place in that situation are very small, But with a crime, that's not a problem. While political leaders and warlords have been common victims of the court, ecocide crimes can target business executives internationally as well.

Conclusion

The environment and a healthy eco-framework are two critical aspects for humans, animals, and birds to survive, and it is our job to treat them seriously. The most serious issue confronting humanity is most likely environmental degradation. However, when we look at how people behave, either individually or as a group, it's a complicated narrative to unravel. Individuals are convicted for killing other humans, thus they should also be tried for causing harm to the environment and ecosystem, because without them, we humans cannot spend our lives in peace and enjoyment. This is the entire foundation upon which ecocide laws are based, and it very effectively illustrates the need for ecocide laws. The term ecocide is not a new one but it took almost a span of 10 to 15 years to get appeared on any international platform as a matter of concern. Today, in commercialised world it is very necessary to set

a demarcating line between commodities and essentials of life and both can not overlap each other otherwise whole life will be not less than commodity itself. Ecocide might sound harsh but it is the need of the hour. Law of ecocide urges to put the environment on the same footing as the humans and as the killing of humans are considered as the gravest offence, same gravity should be granted to environment and killing of environment should also be made punishable. For a better future and as the sustainable development urges to give a sound environment to our upcoming generations, ecocide laws should be adopted. Ecocide rules should be established for a better future and as sustainable development compels us to provide a safe environment for future generations.

If we look at the Indian scenario, the legislature and court have elevated environmental rights to the status of a distinct right, yet the people still refuse to obey. Despite several laws and a dedicated court for environmental disputes, India continues to rank top in the world in terms of pollution. India now ranks 177th out of 180 nations in the Environmental Performance Index. In India, environmental law is in serious need of implementation. With rapid industrialization, deforestation, a brisk growth in population, and a general lack of understanding about the environment and pollution, our natural resources are depleting at an alarming rate. More rigorous environmental rules are desperately needed in India, both as a deterrent and to reaffirm the significance of the environment to human survival. The Indian attitude has been more remedial than precautionary, but there is now a need for a preventive strategy. Existing principles, legislation, case law, regulations, standards, resolutions, and so on form a large and sophisticated system of paper and powers granted on certain entities or individuals. Pollution caused by an excess of intricacy and the sheer quantity of rules, regulations, and authorities is far from the least of our living environment's challenges. Another issue to consider is the necessity to keep rules and regulations in this area generally open and adaptable to changes in direction as necessary.

Findings:

Globally a no. of countries had adopted ecocide laws in their domestic laws and very well implemented it . India should take lessons from such countries and take the initiative as India is a country which was blessed with abundance of nature which has also played a very vital role in our development but the commercialised approach and greedy mindset never let us stop or think to evaluate the limit of our acts. But , now it is our turn to pay the dues and grant the environment its status which at once was even above the us humans.

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