



Sustainable Development: A Comprehensive Analysis of Public Trust Doctrine

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Abstract

The concept of sustainable development has emerged as a globally recognized framework for harmonizing economic growth, social equity, and environmental protection. At the same time, the public trust doctrine, a legal principle with ancient origins, asserts that certain natural resources must be preserved for public use and enjoyment. Environmental laws primarily aim to safeguard the environment and regulate the use of natural resources. These laws operate at various levels, incorporating conventions, declarations, treaties, and legislative provisions designed to protect the environment. They are also grounded in key doctrines and legal theories that provide insight into legislative intent. The 21st century faces critical global challenges such as climate change, biodiversity loss, and resource depletion. Sustainable development, formally defined in the 1987 Brundtland Report as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs," offers a strategic approach to addressing these issues. The public trust doctrine, rooted in Roman and English common law, establishes the state's duty to safeguard natural resources for the public's benefit. This paper explores the interplay between sustainable development and the public trust doctrine, examining how these two principles can work together to advance environmental sustainability, social equity, and intergenerational justice.

This paper explores the intersection of sustainable development and the public trust doctrine, analysing how these concepts can complement and reinforce one another in legal and policy frameworks. It also examines the challenges and opportunities in aligning the two principles to address contemporary environmental and social issues.

Keywords: Development, Environment, Natural Resources, Public Trust, Sustainable Development, Technology etc.

INTRODUCTION

To Live a happy, prosperous, progressive and purposive life on Earth, the environment must be protected and pollution must be prevented. A clean environment keeps both body and mind, i.e. physically and intellectually clean which helps in the prosperity of the individual which in turn contributes to the progress of the country in general and the world at large. The unmindful use of technology, lack of control over the use of pollutants, industrial development, failure in food protection, discharge of pollutants, inappropriate management of solid

waste etc are obstructions to protecting environment.¹ Environment is no ‘middle class luxury’ but it is a question of our very survival and continued existence.²

Human development has often been detrimental to the environment due to the essential interdependence between the environment, biological, physical, and social factors that sustain life. When the balance of the planet’s ecosystems is disrupted, human vulnerability increases. The environment and life are closely connected, and damaging the environment leads to the destruction of all living beings, including humans. Factors such as overproduction, excessive resource exploitation, nuclear radiation, industrial waste, accidents, deforestation, unchecked mining, pollution of water bodies, and escalating air and noise pollution all contribute to environmental degradation. Issues like global warming, ozone depletion, and pollution are some of the harmful outcomes of current development approaches, which negatively impact human life and all forms of life on Earth.³ The modern technological era has heightened the tension between environmental concerns and developmental demands. Legal approaches are essential to address this conflict and promote sustainable development. The idea of sustainable development became widely recognized with the Brundtland Report in 1987, which highlighted the importance of balancing economic growth, environmental protection, and social fairness. At the same time, the Public Trust Doctrine (PTD) has developed as a legal tool to safeguard resources like air, water, and biodiversity. This paper examines how the PTD can support sustainable development by holding governments accountable for managing vital environmental resources.

The Public Trust Doctrine is founded on the principle that certain resources, such as air, seas, waters, and forests, hold such immense value for all people that it would be unjust to allow them to be privately owned. Since these resources are natural gifts, they should be accessible to everyone, regardless of social position. This concept mandates that the government act as a trustee, protecting these resources for the public's benefit rather than permitting their exploitation for private ownership or commercial purposes.⁴ In three recent cases—the first in 1997 and the other two in 1999—Indian courts clearly applied the public trust theory, which they accepted as a component of common law. The principles of jurisprudence are also provided in Articles 48A⁵ and 51A⁶ of the Indian Constitution. According to this theory, the state has an obligation under Art. 48A as a trustee to preserve the nation's woods and wildlife as well as to protect the environment. Article 21⁷ of the Constitution served as the foundation for this public trust doctrine.

CONCEPT OF SUSTAINABLE DEVELOPMENT

Sustainable development was initially conceived within the framework of international environmental law. However, in today's globalized world, restricting this principle solely to environmental protection and development would be an oversimplification. It has evolved into a pivotal and far-reaching legal and policy-making principle, influencing various fields of activity. Notably, it serves as an essential tool in shaping and managing development law.

Meaning of Sustainable Development

Sustainable development refers to a strategy for a country’s economic growth that does not compromise the environmental quality for future generations. In the pursuit of economic progress, environmental harm is often incurred through issues like land degradation, soil erosion, air and water pollution, and deforestation.

¹ G. Indira Priya Darsini and K. Uma Devi, *Environmental Law and Sustainable development* 41 (Regal publications, New Delhi, 1st edn, reprint edn.2013)

² Raja Lakshmi, N. and Dhulasi Birunda, *Environmental Law and Sustainable development*, 189 (Allied Publishers, 1999)

³ Rakesh Kumar Singh, *“Environmental Law”* 1 (University Book house Pvt, Ltd. 2nd edn. 2019, Jaipur)

⁴ Prabhdeep Kaur Marwa, “A Study on The Position of Public Trust Doctrine in India” Volume III Issue III *Indian Journal of Integrated Research in Law* 2

⁵ The Constitution of India, art. 48A

⁶ The Constitution of India, art. 51A

⁷ The Constitution of India, art.21

However, the negative impact of this damage may outweigh the benefits of increased production and higher-quality goods and services.

The Brundtland Report introduced the most frequently quoted phrase to define the concept of sustainable development as “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs.*”⁸ The central elements of this definition revolve around two interconnected concepts: the needs of both current and future generations, and the constraints placed by technological and social advancements on the environment's capacity to meet those needs. The Brundtland Report, produced by the World Commission on Environment and Development, was titled "Our Common Future."

The Origins of the Principle

The commonly shared view is that the 1987 Brundtland Report is the watershed mark from which sustainable development became a broad global policy objective and set the international community on the path which led UNCED and the body of rules referred to as international law in the field of sustainable development, but distinguished from international environmental law.

The Brundtland Report outlined key objectives for environmental and development policies within the framework of sustainable development, including revitalizing growth and improving its quality, addressing essential needs for employment, food, energy, water, and sanitation, conserving and enhancing resources, reorienting technology and managing risks, and integrating environmental and economic considerations in decision-making. The 1992 Rio Declaration on Environment and Development, which summarized the outcomes of the Rio Conference on Environment and Development, solidified the principles of sustainable development. To fully grasp the significance of the Rio Declaration, it is essential to examine its predecessor, the 1972 Stockholm Declaration, which emerged from the 1972 Conference on the Human Environment. The Stockholm Declaration served as the foundation for the future development of sustainable development principles, eventually leading to the Rio Declaration.⁹

The objectives of sustainable development aim to achieve a balance between economic growth, social inclusion, and environmental protection. The key goals are:

1. End poverty and hunger while ensuring health and well-being.
2. Promote quality education and gender equality.
3. Ensure access to clean water, sanitation, and affordable clean energy.
4. Foster economic growth, decent work, and innovation.
5. Build sustainable cities, reduce inequalities, and promote responsible consumption.
6. Take climate action and protect life on land and life below water.
7. Promote peace, justice, and strong institutions.
8. Strengthen global partnerships for sustainable development.

These objectives aim to create a sustainable future for all, ensuring environmental preservation, economic progress, and social equity.

Three Dimensions of Sustainable Development

A new concept, known as environmental economic development, has emerged. In this approach, economic development is no longer the central focus but is instead viewed as part of a broader system. It emphasises the interconnectedness of economic growth, social progress, and environmental protection, recognising them

⁸ The World Commission on Environment and Development's (the Brundtland Commission) report Our Common Future 1987

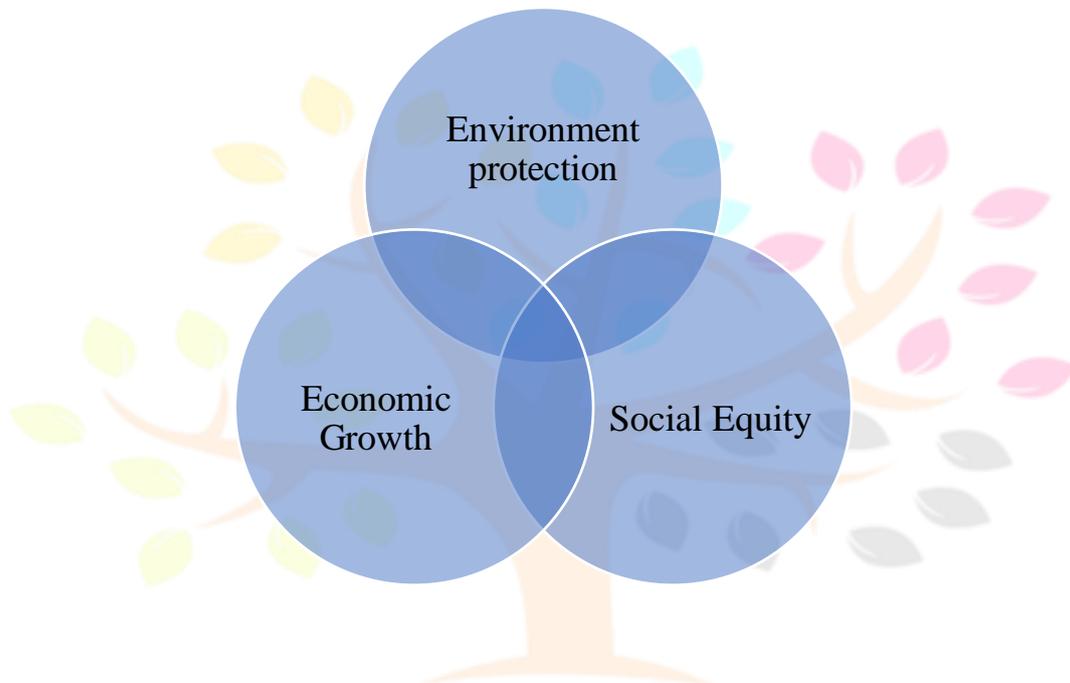
⁹ <https://www.eolss.net/sample-chapters/c13/e6-67-03-02.pdf> last accessed 15-12-2024

as mutually reinforcing pillars. A holistic approach to sustainable development integrates environmental, economic, and social sustainability. Rather than concentrating solely on environmental concerns, sustainable development adopts a multidimensional framework. The World Bank, in its *World Development Report* (1992), defined sustainable development as "development that lasts."¹⁰ Sustainable development rests on three Dimensions:

Environmental Protection: Natural resources must be conserved and managed sustainably to maintain ecological balance.

Social Equity: Policies must ensure equitable access to resources, addressing disparities within and between generations.

Economic Growth: Development must be pursued in ways that do not compromise environmental or social well-being.



CONCEPT OF PUBLIC TRUST DOCTRINE

The Public Trust Doctrine originates from Roman Law and has evolved in recent years to impose a duty on the state to manage environmental resources in trust for the public's benefit. In its broadest sense, it can be used by courts as a means to safeguard the environment from various forms of degradation. In certain countries, the doctrine has served as the foundation for environmental policy legislation, enabling citizens to take legal action against the state (either directly or indirectly) for violating the public trust. This principle is firmly grounded in common law and has significantly influenced the legal framework for protecting our essential natural resources.¹¹

The international instruments relating to environment demonstrate the concern of the international community for a healthy environment for all life forms including human beings through sustainable development. Sustainable development according to Brundtland Report (1987) is the development that "meets the needs of the present without compromising the ability of the future generations to meet their own needs". The public trust doctrine is an essential element of judicial process to facilitate towards sustainable development.¹²

¹⁰ World Bank, *World Development Report*, 1992: 'Development and the Environment' 34 (New York: Oxford University Press, 1992)

¹¹ Harrison C. Dunning, "The Public Trust Doctrine in Natural Resources Law and Management: A Symposium," 14 *U.C. Davis Law Review* 181 (1980)

¹² <https://journals.sjp.ac.lk/index.php/fesympo/article/view/1793> last accessed 15-12-2024

The public trust doctrine essentially asserts that the powers granted to public authorities are not unlimited or unconstrained. Rather, these powers are entrusted to them for the benefit of the public and must be used exclusively for the purposes for which they were granted. These actions are subject to judicial review to ensure they align with their intended purposes. Any administrative actions or decisions that violate the public trust doctrine or infringe upon human rights are considered an abuse or misuse of power and are therefore void.

Certainly, the State has the right to utilize its resources in accordance with its environmental and development policies and laws. Effective planning is crucial for balancing the demands of development with the need to protect and enhance the environment. People are central to the concept of sustainable development. To achieve this, the decision-making process must align with the principles of the public trust doctrine.¹³

Key Elements

The Public Trust Doctrine is a fundamental concept in environmental law. According to this principle, elements of our natural heritage are not simply property but are entrusted to the government to protect and manage for the benefit of the public.¹⁴

• Government's Fiduciary Duty

The government is responsible for acting as a trustee in protecting public resources. This fiduciary role requires finding a balance between promoting economic growth and the development of commerce and industry, while also ensuring the conservation of natural resources.

• Balancing Economic Growth with Environmental Protection

The challenge lies in aligning economic goals with the need to protect the environment. This delicate balance requires decisions that not only preserve the public's right to access and use resources but also reduce negative ecological impacts. The doctrine serves as a guiding principle, encouraging policymakers to consider the long-term consequences of their decisions on resource management.¹⁵

Historical background of the Doctrine

On a hot summer day, the thirsty soil shows its appreciation for a gentle rain by releasing a divine fragrance, infused with the scent of pinion pine, a natural aroma that no flower or perfume can replicate. The French have created a fragrance called "Vetivert," but it is merely a pale imitation. If human endeavors cannot recreate such a fragrance, it highlights the need to protect the natural scents, beauty, and resources of nature. The Public Trust Doctrine emphasizes the value of these natural gifts and strives to safeguard them—gifts that no computer can capture or record. "The Ancient Roman Law formulated a legal concept which the modern system of jurisprudence describes as 'Doctrine of Public Trust'. The basis of this doctrine is that all natural resources like rivers, seas, shores, forests and air are held by the sovereign in trusteeship for the free and unimpeded use of the general public. Under Roman Law, these were called nullius i.e. owned by no one or "Res-communius" i.e. owned by everyone. When this concept came to be operated by the English Common Law, then it was indicated that the Sovereign could own these resources but the ownership was limited in nature. These resources were treated to have been held in trust by the Crown for the benefit of the general public."¹⁶

¹³ *Ibid*

¹⁴ Joseph L. Sax, "The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention," 68 *Michigan Law Review* 471–566 (1970)

¹⁵ Kenneth Kilbert, "The Public Trust Doctrine and the Great Lakes Shores," 58 *Cleveland State Law Review* (2012).

¹⁶ T. S. Doabia, *Environmental & Pollution Laws in India*, 421-422 (Wadhwa and company, Nagpur 1st edn 2005)

The Supreme Court of India has invoked the "Doctrine of Public Trust" on multiple occasions. This environmental law principle holds that natural resources such as air, water, forests, lakes, rivers, and wildlife are public assets, "entrusted" to the Government for their safe and proper management and protection. Public Trust Law recognizes that certain natural resources are held in trust by the Government for the benefit of the public. The "Doctrine of Public Trust" was developed to prevent the exploitation and depletion of natural resources. While it is an ancient concept rooted in Roman and British law, it has only recently been rediscovered by environmental lawyers as a widely applicable theory for environmental litigation.

Relationship between Public Trust Doctrine and Sustainable Development

Both frameworks aim to protect natural resources for present and future generations, emphasizing long-term ecological and social sustainability. The public trust doctrine provides a legal foundation for enforcing sustainable practices. Sustainable development broadens this scope to include economic and social dimensions. Sustainable development's emphasis on intergenerational equity aligns with the public trust doctrine's commitment to preserving resources for future generations. For example, courts may invoke the public trust doctrine to prevent environmentally harmful activities that jeopardize future resource availability. The interrelationship between sustainable development and the public trust doctrine lies in their shared commitment to safeguarding natural resources for both present and future generations. The public trust doctrine emphasizes the state's responsibility to manage and protect resources, such as air, water, and forests, as a trustee for the public. Similarly, sustainable development advocates for the balanced use of these resources to meet current needs without compromising their availability for future generations. Together, they reinforce the principle of equitable resource management, ensuring that environmental, economic, and social considerations are integrated into policymaking and governance. By aligning the goals of sustainable development with the legal and ethical mandates of the public trust doctrine, societies can work towards preserving the integrity of ecosystems while fostering long-term human well-being.

Legal Accountability and Governance

Public Trust Doctrine establishes the state's fiduciary duty to protect resources essential for public welfare. This obligation aligns with sustainable development's emphasis on intergenerational equity, ensuring that governments prioritize long-term resource conservation over short-term exploitation.

Climate Change and Resource Management

Recent litigation invoking Public Trust Doctrine, such as *Juliana v. United States*, highlights its potential to address climate change by mandating governmental action to curb greenhouse gas emissions. By framing environmental degradation as a violation of public trust, these cases link legal responsibility to sustainable development goals.

Biodiversity and Ecosystem Preservation

The doctrine's emphasis on safeguarding natural resources supports the protection of biodiversity and ecosystems, which are critical to maintaining life-support systems and achieving sustainability targets.

Recommendations for Strengthening Public Trust Doctrine in Sustainable Development

- **Codification and Expansion:-** Explicitly integrating Public Trust Doctrine into national legal frameworks can provide clearer guidance for governments and stakeholders.
- **International Collaboration:-** Harmonizing Public Trust Doctrine principles across borders can address transboundary challenges like climate change and biodiversity loss.
- **Enhanced Public Participation:-** Involving communities in resource management fosters accountability and ensures that policies reflect public interests.

ROLE OF JUDICIARY ON PUBLIC TRUST DOCTRINE

By recognizing the Public Trust Doctrine as part of common law, Indian courts have explicitly applied it in various cases. Articles 48A and 51A of the Constitution of India also provide the foundational principles for this doctrine. Under this framework, the state, as a trustee under Article 48A, is obligated to protect and improve the environment, as well as to preserve the country's forests and wildlife. The Public Trust Doctrine has evolved from the right to life guaranteed under Article 21 of the Indian Constitution.

The doctrine of Public Trust got recognition in leading *American Illinois Central Railroad Co. v. People of the State of Illinois*¹⁷, In 1869, the Illinois Legislature made a significant grant of submerged land along the shores of Lake Michigan, extending one mile from the shoreline to the Illinois Central Railroad. However, this grant was repealed in the same year. The State of Illinois filed a lawsuit to reclaim the title to the land. In this case, the U.S. Supreme Court distinguished between the type of state title for land intended for public use and the title for land designated for sale or other commercial purposes.

In *National Audubon Society v. Superior Court of Alpine County*¹⁸, The Supreme Court of California examined whether a permit could be granted to the Department of Water and Power of the City of Los Angeles to appropriate water from four of the five streams flowing into Mono Lake, the second-largest lake in California. The lake is saline and devoid of fish, but it supports a significant population of brine shrimp and bird life, in addition to being a tourist attraction. The Supreme Court of California affirmed the application of the Public Trust Doctrine in this case.. The Court also opined that ‘the public trust is more than an affirmation of State power to use public property for public purposes. It is an affirmation of the duty of the State to protect the people’s common heritage of streams, lakes, marshlands, and tidelands, surrendering that right of protection only in rare cases when the abandonment of that right is consistent with the purposes of the trust...’

Indian jurisprudence on the principle of public trust The first use of this doctrine can be found in *M.C. Mehta v. Kamal Nath*¹⁹, (Span Motel Case), The club was constructed by encroaching upon 27.12 bighas of land, including a significant portion of forestland, in 1990. The land was later regularized and leased to the company on April 11, 1994, by the Himachal Pradesh State Government. A report in a national newspaper alleged that the motel management had altered the natural course of the river to prevent future flooding and protect the motel. Environmentalist and lawyer M.C. Mehta filed a Public Interest Litigation (PIL) regarding the matter. The Court observed that a large portion of the riverbank of the Beas, which was part of a protected forest, had been leased to the motel purely for commercial purposes. The Court held that the Himachal Pradesh government had violated the public trust by leasing ecologically sensitive land to the motel management.

Justice Kuldip Singh writing for himself and Justice S. Saghir Ahmed opined that “The Public Trust Doctrine primarily rests on the principle that certain resources like air, sea, waters and the forests have such a great importance to the people as a whole that it would be wholly unjustified to make them a subject of private ownership. The said resources being a gift of nature, they should be made freely available to everyone irrespective of the status in life. The doctrine enjoins upon the government to protect the resources for the enjoyment of the general public rather than to permit their use for private ownership or commercial purposes. The State is the trustee of all natural resources which are by nature meant for public use and enjoyment. Public at large is the beneficiary of the sea- shore, running waters, air, forests and ecologically fragile lands. The State as a trustee is under a legal duty to protect the natural resources. These resources meant for public use cannot be converted into private ownership.”

The court also opined that in the absence of any legislation, “the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or for commercial use”.

¹⁷ 146 US 387 (1892),

¹⁸ 33 Cal 3d 419

¹⁹ (1997) 1 SCC 388

*In M.I. Builders (P) Ltd. v. Radhey Shyam Sahu*²⁰, “the appellant was given possession of a park, the single open space in the market of Aminabad, in violation of the law, so that they could construct an under-the-ground shopping complex and under-the-ground parking with the pretence of relieving the area from congesting. The Supreme Court, while applying the principle of public trust, relied on the treatise “Environmental Law and Policy: Nature, Law, and Society” by Plater, Abrams and Goldfarb¹¹ and expounded that the philosophy of public trusteeship rests upon three connected principles. Firstly, it would be unwise to make certain interests — “like the air and the sea” — the subject of private ownership for the reason that these are so crucial for the community as a whole. Secondly, they have to be available for everyone without any cost, regardless of economic situation, since they are largely a product of the bounty of nature instead of any personal or private commerce. And finally, instead of redistributing public commodities from wide public uses to narrow private use or benefits, one of the Government’s main goals is to advance the interests of the entire populace. The Court ultimately decided that the underground development broke the public trust principle”.

In *Jamshed Hormusji Wadia v. Board of Trustee, Port of Mumbai*²¹, “the Supreme Court of India held that the State’s actions and the actions of its agencies/instrumentalities must be for the public good, achieving the objects for which they exist and should not be arbitrary or capricious. In the field of contracts, the State and its instrumentalities should design their activities in a manner which would ensure competition and non-discrimination. They can augment their resources but the object should be to serve the public cause and to do public good by resorting to fair and reasonable methods”.

In *Bikram Chatterji v. Union of India*²², “the State Government of Noida had taken agricultural land for the aim of housing and infrastructure requirements and given it to the relevant authorities for building. In that case, various defaults were committed by the construction company and money taken from the public was siphoned off. The Court determined that the actions of the authorities’ representatives clearly violated the trust of the public. The State authorities have a responsibility to make sure that neither the leased property nor the money from the house buyers are frittered away. Affirmative action was unquestionably required of them under the principle of public trust as well as the statutory provisions of several enactments. However, in the present case there is no question of right of common public is involved, rather the dispute relates only to those individuals whose land were acquired. Apart from that there is no question pertaining to contemporary issues of environmental quality. None of the above discussed three principles which justify the public trust doctrine are relatable in the present case and therefore it does not warrant the application of public trust doctrine”.

In *Intellectuals Forum, Tirupathi v. State of A.P.*²³, while reiterating that State is the trustee of all natural resources of the country which are by nature meant for public use and enjoyment, the Supreme Court summarised the very concept:

“Public trust is more than an affirmation of State power to use public property for public purposes. It is an affirmation of the duty of the State to protect the people’s common heritage of streams, lakes, marshlands and tidelands, surrendering the right only in those rare cases when the abandonment of the right is consistent with the purposes of the trust. This is an articulation of the doctrine from the angle of the affirmative duties of the State with regard to public trust. Formulated from a nugatory angle, the doctrine does not exactly prohibit the alienation of the property held as a public trust. However, when the State holds a resource that is freely available for the use of the public, it provides for a high degree of judicial scrutiny on any action of the Government, no matter how consistent with the existing legislations, that attempts to restrict such free use. To properly scrutinise such actions of the Government, the courts must make a distinction between the

²⁰ AIR 1999 SC 2468

²¹ (2002) 3 SCC 214

²² (2019) 19 SCC 161

²³ (2006) 3 SCC 549.

Government's general obligation to act for the public benefit, and the special, more demanding obligation which it may have as a trustee of certain public resource”.

In ***Fomento Resorts and Hotels Ltd. v. Minguel Martins***²⁴ In a case where permission was granted to a private company, Fomento Resorts and Hotels Ltd. and others, to construct a hotel on land previously used as a pathway to the beach, the Supreme Court reaffirmed its earlier rulings. The Court emphasized that the public trust doctrine mandates proactive measures to protect the public's right to access natural elements such as light, air, and water, as well as to preserve natural ecosystems like rivers, seas, trees, tanks, and forests. The Court underscored that the public trust principle serves as a vital legal instrument to honor the obligation of safeguarding resources for future generations..

In ***Centre for Public Interest Litigation v. Union of India (2G Scam case)***²⁵ “the Supreme Court firstly, endeavoured to define the term “natural resources”. It observed that natural resources are usually defined as the elements having intrinsic utility to humans which can be renewable as well as non-renewable. These are taken of as the particular elements of nature which give social and economic service to society and are taken as a lot more valuable in their natural and unmodified form. The importance of a natural resource is vested in the quantity and quality of the resource present and its demand. The former is determined by its importance to production. The Supreme Court also referred to “spectrum” as a natural resource. Further, relying on the principle of public trust is held that the Government has an inherent right to distribute natural resources; however, constitutionalism and equality must be reflected in each and every state of the allocation of the resources of nature”.

In ***Rajeev Suri v. DDA***²⁶, “the Supreme Court said that the Constitution postulates this principle in various places, especially in Part IV. For instance, Article 39(b) obligates justness in “ownership and control of material resources” so as to “subserve common good”. Article 48-A of the Constitution enjoins the Government to improve, enhance and protect the environment. Article 49 of the Constitution mandates the Government to protect monuments of historic and artistic importance. Article 49 reveals an important aspect of the public trust. The Bench said that to prove a disregard for the principle of public trust, it is the obligation of the petitioner to show that common public natural resources are being wasted or misused or are being planned to be treated in such a way which cannot be referred to as beneficial public use. The judiciary will look for the real deprivation of the peoples’ rights over shared natural resources. As far as the respondents are concerned, it is their obligation to show that the use of the shared public natural resources in question is for the purpose of beneficial and bona fide use and in the interest of the public. The principle of public trust does not proscribe the bona fide use of shared public resources. The balance should not be inclined towards maintaining the status quo of shared public resources when the use is for legitimate development in the interest of the people”.

CONCLUSION

From the above discussion on the doctrine and various case laws, it is clear that the state does not own the country's natural resources but acts as a trustee with a fiduciary responsibility toward its people. By accepting this role, the government is obligated to prioritize the interests of its citizens, discharge its duties faithfully, and involve the public in decision-making processes related to the management of natural resources. The Public Trust Doctrine offers a framework to enhance the effectiveness of environmental impact assessment laws. Under this doctrine, the state has a constitutional duty, as outlined in Article 48A, to protect and improve the environment while safeguarding the country’s forests and wildlife. Additionally, while enforcing Article 21 (right to life), the state must consider Article 48A, a Directive Principle of State Policy. The state's trusteeship responsibilities have thus evolved to include ensuring the right to a healthy environment. The

²⁴ (2009) 3 SCC 571

²⁵ (2012) 3 SCC 1

²⁶ (2022) 11 SCC 1

Indian Supreme Court, by invoking Articles 21, 48A, and 51A(g) of the Constitution, extended the application of the public trust doctrine to various environmental issues. This move has significantly contributed to promoting sustainable development and maintaining ecological balance.

In conclusion, sustainable development is a multifaceted concept encompassing three key dimensions: ecology, economics, and ethics. Achieving sustainable development requires meeting essential conditions, including ecological security, economic efficiency, and social equity. It extends beyond merely sustaining the environment and resource systems, emphasizing the need for the sustainability of economic and social systems as well. Public trust doctrine and sustainable development are connected because both concept emphasis on preservation of natural resources for future generation.

