

ABSTRACT

CONSTITUTIONAL MORALITY VIS-A-VIS THE PRINCIPLES CONCERNING THE PROTECTION OF THE FRAGILE ECOSYSTEMS OF THE STATE OF ASSAM UNDER THE CONSTITUTION OF INDIA

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Literally speaking morality means the principles concerning the distinction between the right and the wrong. From Ecological point of view, it is right when we think about protection and conservation of our environment and it is wrong when we exploit our natural resources indiscriminately ignoring the importance of sustainability of the nature for the benefit of both present and future generations. Justice, therefore, demands that the fragile ecosystems must be protected to ensure sustainability of the earth. There cannot be any question, as such, on the issues of development without considering the importance and significance of environmental protection. Because the purpose of development is not to develop things but to develop man and environment. The burning issues of development must, therefore, be looked into from the eccentric point of view. The ecological issues of Dehing Patkai Reserve Forests in Assam need to be reviewed by the higher judiciary to ensure constitutional protection of the elephant corridors. This is the distinction between ecology and economy or right and wrong. Ecology is, indeed, the permanent economy. Both ecology and economy must be balanced within the meaning of Environment Impact Assessment (EIA) requirements. The constitutional vision, in this regard, is reflected in Articles 48-A, 14, 19 (1) (a) and 21 of the basic document. These mandates are the constitutional morality, as well, with regard to environment and development.

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