

Role of NGOs in Protecting the Environment: Response of Law

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Abstract

The protection of the environment is one of the important goals in sustainable development. The responsibility lies not only on the government but also on non- governmental organizations. India has introduced National Plans to address climate change and environmental degradation. NGOs are also playing an important role in framing the environmental policies, bringing public support and knocking the doors of Courts. Their work at the grassroots level brings local people with them and helps in understanding the ground realities. The methodology will be a doctrinal study of NGOs work towards environment along with legal provisions and judicial pronouncements. The author explores into the contribution made by these NGOs and will find out the issues still left unaddressed. The research will be concluded with viable suggestions.

Keywords: Environmental Protection, Degradation, NGOs, environmental policies

1.0 Introduction

Environmental protection requires policies and actions to preserve the natural resources and ensuring sustainable use of resources for the present and future generations. There has been a massive increase in the number of cases of environmental degradation. Government organizations are taking huge efforts to overcome the situation. NGOs also are making an important contribution due to the inadequacies faced by the government organizations. The present paper will delve into the contribution of ngos, as a point of critical intervention, where government mechanisms are facing inadequacy.

Air pollution has been on rise affecting the health of the people. In Delhi, the Aqi measures within the dangerous category also. The particulate matter levels particularly PM 2.5 reach 73 times above the threshold fixed by the World Health Organization.¹ Around 2,000,000 people early deaths are due to air contamination mainly heart conditions breathing disorders and causing long term illness.² In 2025, the annual AQI was 201 in Delhi with Zero good days.³ In spite of having various policy measures, there is an elevated increase in the pollution levels. It shows the failure in the implementation and foresightedness to provide clean environment.

It is not only the air pollution but also water pollution which is badly affecting the health of the people. Due to insufficient waste management mechanisms, there are several cases of untreated water being supplied to the public for drinking. The industries are also violating the rules relating to segregation of waste and disposing of the waste in the rivers. There has been a constant failure in providing public service. It resulted in contribution from the external parties to contribute and bring the change in the society.

Another pertinent danger is climate change which is discussed in environmental discussions. The impact of climate change is proving to be more severe as compared to water and air contaminations. It is becoming apparent from severe and frequent weather changes changing rainfall patterns and rising of sea level. These changes are directly violating the basic human right. In the case of *M.K. Ranjit Singh vs Union of India*⁴, 2024

¹ WHO global air quality guidelines: particulate matter (PM2.5 and PM10), ozone, nitrogen dioxide, sulfur dioxide and carbon monoxide, 2021

² India's air pollution killed 2 mn in 2023, worsening chronic diseases: Study available at <https://www.business-standard.com>

³ Delhi-NCR Pollution: Fresh Data Shows Annual Average AQI Stood At 201 In 2025 available at www.thedailyjagran.com as on 3rd Jan 2026

⁴ 2024 SCC OnLine SC 570

the Honourable Supreme Court of India noted biodiversity conservation is needed and favoured infrastructure based on renewable energy. It recognised “right to be free from adverse effects of climate change” as an integral part of Articles 14 and 21 of the constitution the decision emphasises the impact of climate change resulting in violation of fundamental rights and necessitating legislative and judicial bodies to safeguard the environmental health.

The public health emergencies cost due to water and air contamination which is further combined with the increasing risk in climate change has provided a viable justification to India’s environmental Ngos and citizens to intervene. These participants work in finding the actual gaps to resolve the shortcomings faced in the implementation of policy. Ngo form a crucial accountability system.

2.0 Survey Reports

2.1 Air Pollution

A May 2024 ambient air quality snapshot by the Centre for Research on Energy and Clean Air (based on CPCB data) reports that:

- 212 of 254 monitored cities had monthly average PM 2.5 below India’s daily National Ambient Air Quality Standard ($60 \mu\text{g}/\text{m}^3$), but only 12 complied with the WHO daily guideline ($15 \mu\text{g}/\text{m}^3$).⁵
- Faridabad (Haryana) was the most polluted city that month with PM2.5 at $119 \mu\text{g}/\text{m}^3$, exceeding the Indian standard on all days; Delhi ranked 11th, with levels about six times the WHO daily guideline and recording its most polluted May since at least 2018.⁶
- The “Towards Clear Skies 2025” analysis finds that NCAP (National Clean Air Programme) cities achieved an average reduction in particulate matter levels of about 24.45% between 2019 and 2024 (from 62.57 to $47.27 \mu\text{g}/\text{m}^3$), while the average across all monitored cities in India fell by about 26.84% over the same period, suggesting that broad measures are having some effect though levels remain unsafe.⁷

2.2 Water pollution: rivers and bathing quality

CPCB’s recent “polluted river stretches” assessments provide the clearest national picture of riverine water quality trends.

- CPCB’s 2025 report “Polluted River Stretches for Restoration of Water Quality”, based on 2022–23 monitoring at over 2,100 river locations, identifies 295 polluted river stretches (PRS) across 271 rivers in 32 States/UTs—defined where BOD exceeds 3 mg/L. This represents an improvement from 351 polluted stretches in 2018 and 311 in 2022.⁸
- The same report notes substantial improvement in many earlier hotspots: out of 220 polluted stretches flagged in 2018, water quality improved in 220 and 149 stretches are no longer classified as polluted, particularly in states like Assam, Goa, Gujarat, Kerala, Odisha and West Bengal.⁹
- As per the latest information available on the PRS report published by the Central Pollution Control Board, the number of PRSs has decreased from 351 identified in the year 2018 to 311 in the year 2022. Further,

⁵ <https://energyandcleanair.org> as accessed on 20th February 2026

⁶ <https://energyandcleanair.org> as accessed on 20th February 2026

⁷ Towards Clear Skies 2025: An In-Depth Analysis of Air Quality Improvements in Indian Cities (2019-2024) 2025 <https://cms.respirer.in/wp-content/uploads/2025/01> as accessed on 20th March 2026

⁸ Polluted River Stretches For Restoration Of Water Quality, Water Quality Management (I) Division, Central Pollution Control Board (CPCB) Ministry of Environment, Forests & Climate Change, September 2025 available at <https://dste.py.gov.in>

⁹ Around 16 % decline in polluted river stretches in last 7 years: CPCB report available at <https://sundayguardianlive.com>

106 PRSs have been delisted and improvement in water quality of 74 polluted river stretches have been observed in 2022 as compared to the report published in 2018.¹⁰

- A 2025 news report, drawing on CPCB's 2022 dataset of 603 assessed river stretches, notes that about 46% (279 stretches) were still polluted, down from around 70% in 2015; it attributes improvements to expansion of sewage treatment, better control of industrial effluents and waste management in several states.¹¹

2.3 Other pollution domains and data sources

- Government statistical compendia such as EnviStats India Volume II 2023 (MOSPI) and the MoEFCC Annual Report 2023–24 compile quantitative data on hazardous waste generation and treatment, industrial wastewater, fuel consumption and municipal solid waste across sectors and states, and are the main official references for non-air and non-river pollution indicators.

3.0 NGO: Definition

The phrase NGO came into use with establishment of United Nations organisation in 1945. United Nations Charter article 71 of chapter 10 mentions the consultative role played by organisations that are neither member states nor government. But the definition of international non government organisation is mentioned in ECOSOC Resolution 288 (X). INGO means an international organisation that is not founded by international treaty. Their relationship with United Nations offices and agencies differ depending on their aims, location and mandate of the particular Ngo. There are more than 10.6 million NGOs.¹²

Ngos are non Governmental and voluntary organisations that work for societal benefit and not profit making. These are legally constituted so as to operate independently without the stake of government at any level like local national or international. They are constituted for a particular cause or set of causes. They bring to the knowledge of legislators judicial officers government and policymakers the areas in which gap is existing. They work to fill that gap and protect the rights of the persons who lack of awareness, willpower are not coming forward to seek judicial address.

4.0 Sources of Funds

NGOs however cannot run without funds. It raises funds from the United Nations, Government organisations, private trusts and philanthropies, individual donations, religious institutions, and in many cases, other NGOs. Government should provide sufficient funds for such agencies. Due care should be taken that these NGOs are not misused by the political parties or foreign organisation for an ulterior motive. NGOs can and do contribute to democracy through challenging governments and promoting social interests, but they themselves are not democratic institutions and generally have no democratic accountability.

5.0 Constitutional Provisions

Indian Constitution does not expressly mention the word environment but it incorporates the principle of ecological protection in its articles. Article 21 of the Constitution mentions right to life as the basic right. The Supreme Court of India through broad judicial interpretation has included the "right to healthy environment" within its framework. This led to enactment of the law for environmental protection which is the basic entitlement of any person whose life or health is affected due to environmental damage. Also, Public interest litigations enable the ngos and citizens to seek justice when public interest is affected.

¹⁰ www.pib.gov.in as accessed on March 19 2026

¹¹ 279 of 603 river stretches examined in 2022 polluted: CPCB report, Hindustan Times on March 19 2026

<https://www.hindustantimes.com/india-news>

¹² www.globalgiving.org as on March 20 2026

The legal foundations are further reinforced under Fundamental duties and directive principles of state policy in the Constitution. Article 48A provides, "The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country". Though directive principles can't be enforced in the Court of law but they provide a guiding framework for the governance. Article 51 A (g) casts a fundamental duty on every citizen to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for the living creatures. These constitutional provisions provide a strong foundation for environmental care both as a right and a duty. It enables the quates to intervene and promote the involvement of ngos in public interest.

6.0 Legislative provisions

Water (Prevention and control of Pollution) Act, 1974 was enacted with the objective to prevent and control water pollution and to maintain the quality of water. It provides establishment of pollution control boards at central and state level. Section 25 provides restrictions on new outlets and new discharges. It provides penalties for noncompliance.

Air (Prevention and Control of Pollution) Act, 1981 was enacted with the object to control and reduce air pollution. It regulates the industrial emissions and empowers the pollution control board to monitor air quality it also declares air pollution control areas.

NGT, 2010 is enacted with the object to provide speedy disposal of environmental law cases by establishing specialised environmental courts. NGT is a specialize and positive judicial body mgt to address the concerns regarding environmental protection forest conservation and natural resources let include both judicial members as well as the expert members having knowledge in science and technology area also this helps in connecting the gap between legal decision making and complex scientific evidences.

7.0 National Action Plans

The National Action Plan on climate change, 2008 was launched by a government of India and provides eight national missions. It provides the framework to address climate change through reducing emissions and adjusting to climate impact. It includes

- i. National solar mission- The objective was to reduce the fossil fuel dependence to support long term emission reduction. It faces problems like land acquisition in some regions and financial instability of electricity distribution impacts the long term sustainability.
- ii. National Mission for sustainable Himalayan ecosystem- Due to geographical location, problem like difficult terrain and limited infratructure availability.
- iii. National mission for sustainable agriculture- It focuses on small agriculturists to build resilience through water management, climate resilient crops and risk reduction.
- iv. National mission on Sustainable Health- Due to expansion in urban living, smart cities can be seen. However, we can see that fragmentation is also occurring. People are unaware about their neighbours. There is limited enforcement of efficiency norms in cities. Safety is one of the important concern.
- v. National Water Mission- It focused on providing functional household tap connections to every rural household in India. The goal is to ensure a daily supply of 55 litres of potable water per person water management.¹³ However, it faced difficulties like water management, water insecurity and setting too high standards.
- vi. National mission on strategic knowledge for climate change- It supports evidence based policy making and encourages research networks. However, converting research into policy and implementation may take lot of time.
- vii. National mission for Green India- It aligns the climate change with the conservation of biodiversity.
- viii. National Mission For enhanced energy efficiency- It is technically difficulty to measure and verify the energy saved.

¹³ Jal Jeevan Mission faces credibility crisis in rural India | Policy Circle

8.0 NGOS CONTRIBUTION

- i. Centre for Science and Environment (CSE) focuses on air and water pollution as well as climate change, utilizing data visualization and open-source software in its work. The organization engages with policy through technical assistance, shadow reporting, and high-level consultations.¹⁴
- ii. Wildlife Trust of India (WTI) focuses on wildlife conservation and habitat restoration. It works to strengthen the cross border wildlife crime prevention and law enforcement between Nepal and India.¹⁵
- iii. Chakr Innovation Solutions (Chakr) focuses on Plastic Waste Management utilizing App-based platform for informal waste workers. It provides grassroots advocacy and business model innovation. It integrates with thousands of waste pickers into formal economy; scaled operations across states.
- iv. International Fund for Animal Welfare (IFAW) focuses on animal welfare, human-wildlife conflict utilizing drone surveillance, veterinary telemedicine. It engages in collaborative projects with government forest departments and helps in reducing human-wildlife conflict incidents through early warning systems.
- v. Kalpavriksh focuses on environmental law, policy advocacy and creating legal database development utilizing. It provides litigation support, policy drafting, capacity building for other ngos. It regularly files in NGT cases; provides legal expertise to communities. It works at local, national and global level.¹⁶
- vi. Gram Vikas focuses on rural development, renewable energy, solar power micro grids, biogas plants utilizing community-led implementation, and training local technicians. It works to provide clean energy access to thousands of households in Odisha.

9.0 Judicial Pronouncements

9.1 Limestone quarries

In *Rural Litigation and Entitlement Kendra vs State of UP*¹⁷ a Writ petition was filed by Rural Litigation and Entitlement Kendra, NGO relating to the mining of limestone quarries in Dehradun. It was causing ecological damage. The Honourable Supreme Court appointed Bhargava Committee led by Sri D.N. Bhargava to inspect the limestone queries in Doon Valley. The court heard that they should be closure of harmful queries all mining operations conducted through blasting should be stopped immediately. This case recognised environment as part of right to life and the Article 21 of the constitution. The Supreme Court underscored the necessity of keeping the balance approach to conservation and development. The court noted that such activities should not be done at the expense of environmental degradation and fundamental right to healthy environment. The government was directed to provide employment opportunities to the workers displaced by closure of quarries.

9.2 Tanneries

In *Vellore Citizens Welfare Forum vs Union of India*¹⁸, public interest litigation was filed by Vellore Citizens Welfare Forum against the pollution emission caused by Tanneries and Industries in the state of Tamil Nadu. The court referred the concept of sustainable development that means the development that meets the needs of the present times without compromising the availability of resources for the future generation. The Polluter Pays Principle is also interpreted by the court in this case. It means absolute liability for the harm caused to the environment requires not only compensating the victims of the pollution but also the cost to restore the environmental degradation. Article 21 provides Protection of life and personal Liberty as a fundamental right and Articles 47 and 48A and 51 A (g) were also mentioned in the case.

9.3 Chemical Industrial plant

¹⁴ www.cseindia.org

¹⁵ www.wti.org.in

¹⁶ www.kalpavriksh.org

¹⁷ AIR 1985 SC 652

¹⁸ AIR 1996 SC 2715

In *Indian Council for Enviro-Legal Action vs Union of India*¹⁹, a writ petition was filed by an environmentalist organization against the chemical industrial plants in Rajasthan. Due to hazardous affluent, soil contamination water pollution and public health impact suffered. The court reinforced the principle of polluters pay principal but also holds the industries liable for the environmental norm and to also compensate the affected communities.

9.4 Endangered species

In *Centre for Environmental Law WWF India vs Union of India*²⁰, a writ petition was filed for protection of endangered species namely relocation of Asiatic lions. The court observed the need to strengthen the wildlife protection regime and. It also emphasised the need for biodiversity conservation.

9.5 Mining

In *Goa Foundation vs Union of India*²¹, 2014 the case related to illegal mining activities in State of Goa. The Supreme Court decided in favour of Goa Foundation and cancelled the illegal mining leases. A balance between the environmental sustainability and economic development is highlighted. There is a need for responsible mining practises so as to maintain ecological balance.

9.6 Climate change

In the case of *MK Ranjit singh vs UOI*²², 2024 the case highlighted that adverse effect of climate change is a Fundamental right. In *Residents Welfare association vs Union Territory of Chandigarh 2023* the case highlighted about Environmental Impact assistance and sustainable development.

9.7 Environmental pollution

In the case of *MC Mehta v. UOI*, The environmentalist lawyer has filed various public interest litigations like industries polluting the Ganga River²³, Taj trapezium²⁴ and Oleum gas leak²⁵ cases. The court established the principle of absolute liability and held the industries accountable for the environmental damage.

10.0 Challenges

- i. **Pendency of cases in NGT-** NGT is a specialized specialised environmental court with principal bench in New Delhi and zonal benches at Chennai, Bhopal, Pune and Kolkata, empowered to adjudicate matters under laws such as the Water Act, Air Act, Environment (Protection) Act and Forest (Conservation) Act. More than 5000 cases are pending in these tribunals in 2026. This number was 3,500 in 2018.²⁶
- ii. **Vacancies in NGT-** Timely non-filling of vacant positions causes delay in timely justice. Regular appointments will help in solving the issues.
- iii. **Development-** It is needed to maintain the balance between development and deforestation.
- iv. **Lack of awareness and will-** People are busy in their life. They don't want to work for society or environment.
- v. **Mismanagement of funds-** The Supreme Court reprimanded the Uttarakhand government over the alleged misuse of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) funds. The CAG report revealed that between 2019 and 2022, Uttarakhand's forest authorities used CAMPA funds for buying iPhones, laptops, fridges, and coolers, as well as for renovating buildings and covering court expenses.²⁷

¹⁹ AIR 1996 SC 1446

²⁰ 2013 8 SCC 234

²¹ (2014) 6 SCC 590

²² 2024 SCC OnLine SC 570

²³ AIR 1988 SC 1115

²⁴ AIR 1997 SC 734

²⁵ AIR 1987 SC 1086

²⁶ www.greentribunal.gov.in as retrieved on 20th February 2026

²⁷ CAMPA Funds Misuse in India: A Repeated Pattern of Diversion and Ineffectiveness - Climate Fact Checks as on March 8, 2026

11.0 Suggestions

i. **Campaigns should be launched to create awareness-** In 2024, a plantation campaign “एक पेड़ माँ के नाम #Plant4Mother” has been launched on the occasion of World Environment Day 2024 to undertake plantation activities across the country. This campaign follows the “Whole of Government” and “Whole of Society” approach with participation of all stakeholders for increasing the green cover in the country. The campaign has contributed large scale plantation aiding the enhancement of green cover in the country and is being continued in the current year as well.²⁸ Awareness is the key to success. We should spread awareness through campaigns, advertisements, announcements, rhymes and nukkad natak.

ii. People should use public transport.

iii. Industrialists should work for protecting the environment not only as their duty but as a responsibility. They should not consider it as a charity. They must improve management of urban and agricultural waste, including capture of methane gas emitted from waste sites as an alternative to incineration (for use as biogas);

iv. We should grow fruit bearing trees like jamun, amrod, sharifa, ber. Also, we should grow local trees like neem, peepal and banyan trees.

v. Empower stakeholders with timely and reliable information.

vi. The government should expedite the creation of a single, public, and real-time environmental data portal. This platform must integrate official monitoring data from government stations with credible, independently verified datasets from NGOs and citizen science initiatives.

vii. The government should establish a mandatory requirement for consulting a representative cross-section of environmental NGOs during the drafting of all new environmental rules and regulations. This would move beyond viewing NGOs solely as litigators and instead utilize their on-the-ground expertise as a valuable resource for evidence-based policymaking.

viii. The government should legally mandate and fund the integration of credible NGO-collected environmental data into official government monitoring systems, recognizing their role as partners in verification.

ix. The Five-Year Plans and annual budgets should be aligned with environmental principles and SDG targets. It is a cumbersome process but this all-inclusive integration would contribute in environmental accountability into the core of national planning and budgeting.

This approach will make the environmental governance a cohesive and collaborative at the national level. The strengths of the state, civil society, and the judiciary will be combined effectively for the common good and create synergy.

²⁸ Press Release: Press Information Bureau from www.pib.gov.in