
VANISHING HORIZONS: ENVIRONMENTAL DEGRADATION FROM INDIAN HEARTLANDS TO THE HILLS OF HIMACHAL - A LEGAL AND ECOLOGICAL APPEAL

Shreya Gupta, B.A.LL.B.(H), The ICFAI Law School, Dehradun

ABSTRACT

Vanishing Horizons, as the word itself defines it, is the way the horizon appears to become an endless or recede, an unreachable boundary, or the unknown future. The term 'environment' has many connotations. It includes various elements that form our surroundings. Recently, a statement from the Supreme Court of India has left everyone in shock about the vanishing of Himachal Pradesh state into thin air in the next few years from the country's map. Environmental Degradation in India has been at an alarming rate, threatening both the fertile plains and the delicate ecosystem of the mountainous areas of Himachal Pradesh. This state has been in this position due to the unchecked developmental activities like hydropower projects, building of dams, roads, and tunnels, which cause a great loss of species of animals, deforestation & biodiversity, resulting in natural disasters like landslides, etc. This paper tries to highlight the critical need for a careful balance between development and conservation, emphasizing how the legal arbitration, including the Supreme Court's actions, must guide efforts to protect the state's natural heritage. In this paper, I want to bring together scientific knowledge along with active support from local communities. This paper urges everyone to come together to protect the future of Himachal Pradesh & tackle this problem.

Keywords: Environmental degradation, Himachal Pradesh, Supreme Court of India, Hydropower projects, Deforestation, Biodiversity loss, Natural disasters.

Introduction

“It’s not climate change that needs to be tackled. It is the political power of the fossil fuel industry.”

- *Richard Denniss, Chief Economist at The Australian Institute*¹

Standing at the edge of a Himachal ridge or the banks of the Ganges, one cannot miss the changing face of nature in India. Once vibrant hills, clear rivers, and fertile fields now speak a different language, a language of fatigue and quiet distress. India’s landscapes are not merely fading visually; they are losing their rhythm, their balance, and the timeless harmony between humans and nature that once shaped the subcontinent’s identity. Today, the horizons that once symbolized hope and continuity seem to be vanishing under the weight of industrial pursuits, population pressure, and fragmented governance.²

The environmental story of India stretches far beyond scientific papers or policy declarations. It is deeply interconnected with human lives and livelihoods. In the vast Gangetic plains, declining soil fertility and polluted rivers threaten generations of farmers. In the lush valleys of Himachal Pradesh, the sound of falling trees and roaring floods tells a story of ecological exhaustion. Degradation has become both a physical and philosophical crisis, forcing society to question the very idea of progress when it comes at the cost of survival.

India’s Constitution, environmental laws, and judicial interventions represent strong commitments to ecological preservation. Yet, implementation remains frail, often eclipsed by the pressure to sustain economic growth. The purpose of this article is to navigate this intricate intersection of law, environment, and human experience, from the heartlands that feed the nation to the mountains that cool its air, and to build a case for reimagining development through the lens of ecological justice.

The Shifting Patterns of the Heartland

The Indian heartland, stretching through Uttar Pradesh, Bihar, Madhya Pradesh, and

¹ Academike, *The Green Right: Environmental Justice as a Human Right in Contemporary Law*, Laxmikant Bhumkar (May 20, 2025), <https://www.lawctopus.com/academike/the-green-right-environmental-justice-as-a-human-right-in-contemporary-law/>.

² Supreme Court Defends Himachal Pradesh’s Ecology, *Supreme Court Observer* (Aug. 5, 2025), <https://www.scobserver.in/journal/supreme-court-defends-himachal-pradeshs-ecology/>.

Chhattisgarh, has long been the cradle of civilisation. Its rippling rivers like Ganga, Yamuna, Chambal, and Son are intertwined with myths, faith, and fertility. Yet beneath the surface of this seemingly endless abundance lies a deep ecological wound.³ Fertile farmlands are turning saline, groundwater tables are plummeting, and rivers are slowly becoming industrial drains.

A stroll along the riverbanks of Kanpur reveals the hard truth, foams of chemical waste floating atop sacred waters, plastic piles accumulating near ghats, and fishermen struggling to find life in dying ecosystems. Industries release untreated effluents despite legal mandates under the Water (Prevention and Control of Pollution) Act, 1974. Farmers, caught between rising crop demands and diminishing yields, resort to chemical fertilizers that damage soil structure and deplete micro-organisms vital for soil health. The shortest route to productivity often leaves behind the longest scars.

Urbanisation adds another layer of distress. Expanding cities like Lucknow, Varanasi, and Patna are encroaching upon fertile land, wetlands, and river floodplains. The dream of modernity often remains blind to ecological arithmetic. Air thick with dust and industrial fumes, roads heating under intense vehicle movement, and the disappearance of birds and insects indicate that the natural balance has tilted dangerously. While India has the Air (Prevention and Control of Pollution) Act, 1981, and a network of pollution control boards, weak enforcement and overlapping jurisdictions have dulled their impact.

The heartland's story is thus not one of ignorance, but of imbalance, between immediate needs and long-term vision. Farmers realize the soil's fatigue, children cough in polluted air; yet the system trudges ahead, more reactive than reflective.

The Fragile Crown: Himachal Pradesh and the Himalayas

If the plains represent exhaustion, the Himalayas symbolise fragility. Himachal Pradesh, often called the "Dev Bhoomi," is home to sacred groves, snow-fed rivers, and ancient forests. To many, it appears timeless—but beneath this illusion of permanence, the mountains are cracking, literally and metaphorically.

³ Dr. C. Thomas & Tourism and Cultural Heritage of India, [https://mis.alagappauniversity.ac.in/siteAdmin/dde-admin/uploads/3/_PG_M.A._History%20\(English\).pdf](https://mis.alagappauniversity.ac.in/siteAdmin/dde-admin/uploads/3/_PG_M.A._History%20(English).pdf) (last visited Nov. 4, 2025).

Over the past two decades, the rapid expansion of hydropower projects, unregulated tourism, and deforestation has deeply altered Himachal's landscape⁴. Hydroelectricity, often hailed as "green energy," has carried heavy ecological costs. Massive dams and tunnels cut through delicate mountain strata, destabilising entire hillsides. Landslides have become frequent in Kinnaur, Chamba, and Mandi, claiming lives and wiping away settlements overnight. The flash floods of 2023 were not a natural surprise; they were an accumulated consequence of ignoring geological warnings.

Tourism too has become a double-edged sword. Every summer, millions flock to Shimla, Manali, and Dharamshala in search of beauty and peace. But the influx leaves behind mountains of garbage, stressed water resources, and traffic snarls that choke towns built for far fewer residents⁵. Expanding hotels and guest houses consume groundwater faster than replenishment rates, leading to dry springs and water scarcity for locals. Ironically, the visitors seeking nature's charm often accelerate its decay.

The forest covers tell the same story. Road construction, hydro tunnels, and construction projects have steadily eaten into old forests that once served as natural barriers against erosion. The Forest Conservation Act, 1980, and the Indian Forest Act, 1927, provide strict prohibitions against diversion of forest land without central approval, yet loopholes in compensatory afforestation schemes often undermine their spirit. Artificial plantations rarely restore the lost diversity of native forests. In this tug-of-war between development and ecology, Himachal's hills stand battered.

For the mountain people, the damage is personal. When a hillside slips or a stream runs dry, it isn't only a natural event, it is a social tragedy. Orchards are lost, grazing areas vanish, and ancestral homes crumble. For many, migration to plains becomes inevitable, uprooting not just livelihoods but cultural heritage built over generations.

The Law's Role in the Arc of Preservation

India's environmental law system is one of the most evolved in the developing world. Its roots lie deeply in constitutional philosophy and judicial vision. Article 48A directs the State to

⁴<https://www.cwejournal.org/vol17no1/ecological-consequences-of-hydropower-development-in-himachal-pradesh-with-special-reference-to-chamera-dam>

⁵<https://timesofindia.indiatimes.com/city/shimla/how-himachal-pradesh-is-cleaning-up-its-act/articleshow/77907734.cms>

protect and improve the environment, while Article 51A(g) casts a moral and civic duty on citizens to do the same. Through judicial expansion, the right to a clean environment has been included within Article 21's guarantee of life and liberty, recognising that the right to live meaningfully includes breathing unpolluted air and drinking safe water.

The Environment (Protection) Act, 1986, acts as a comprehensive umbrella law, empowering the central government to regulate all forms of pollution and manage hazardous wastes. The judiciary has further strengthened environmental accountability through landmark rulings such as *Subhash Kumar v. State of Bihar* (1991),⁶ which recognised the right to pollution-free water, and *Vellore Citizens' Welfare Forum v. Union of India* (1996),⁷ which introduced the "precautionary" and "polluter pays" principles into Indian jurisprudence. The National Green Tribunal (NGT), established in 2010, serves as a dedicated body for quick redressal of environmental disputes and restoration orders.

However, in practice, the legal enforcement curve weakens as one moves away from the courtroom. Violation penalties are often too small to deter large industries, environmental clearance processes are hurried, and state agencies lack both manpower and resources for round-the-clock monitoring. In rural and hilly regions, communities rarely have access to legal representation or awareness to participate effectively in environmental hearings. The gap between law on paper and law in action continues to widen.

Public interest litigations and citizen activism have filled some of this void, but long judicial delays make redress slow⁸. For instance, cases related to illegal sand mining often stretch for years while rivers continue to suffer irreversible erosion. The challenge is no longer the absence of law but the absence of will and coordination to implement those laws efficiently.

Understanding Environmental Justice

Environmental Justice is a legal and moral commitment that emphasizes that regardless of any kind of discrimination and background, one should avail all the benefits, fair treatment,

⁶ *Subhash Kumar v State of Bihar* (1991).

⁷ *Vellore Citizens Welfare Forum v Uoi* (1996).

⁸ <https://www.legalserviceindia.com/legal/article-7626-public-interest-litigation-and-judicial-activism-in-india.html>

participation, and involvement in the environment-related policies⁹. All people, whether they are marginalized or disadvantaged, have the right to live in a clean and safe environment.

It can be understood by a very simple illustration, i.e., the Construction of dams on the water bodies proved advantageous for the substantial construction companies and can have a significant contribution in the development of the country but at the same time can be proved disastrous for the environment as it submerged the entire vegetation and forest area surrounding the dam and also for the local indigenous people whose livelihood will be snatched away and even did not receive an adequate compensation and rehabilitation facilities. They will not only bear the consequences of the environmental protection but also the cost of their lives and insufficient standard of living.

Intending to have a global approach, UNDP formulated a worldwide strategy on environmental justice, which aims to prevent inadequate access to the environment and to foster the environmental rule of law not only for the current generation but for future generations as well. It also seeks to achieve transparency and accountability by following three approaches:

- Developing, enhancing, and executing ecosystems policy and legislative frameworks for the management of and safeguarding the environment;
- Constraining and enabling sociable and responsive frameworks as primary architects of action towards such enforcement and implementation;
- Access and provision of legal education and litigation concerning the environment.

Thus, environmental justice is the juncture of environmental law, human law, and social justice. It considers the fact that environmental destruction is not only an environmental issue to manage but a violation of fundamental human rights in terms of health, accessibility to essential resources, cultural identity, and the general standard of living.

Human Costs Beyond the Numbers

Statistics can reveal the scale of degradation but rarely the suffering that accompanies it. Traveling through the heartlands offers countless encounters that reveal how environmental

⁹ <https://www.lawctopus.com/academike/the-green-right-environmental-justice-as-a-human-right-in-contemporary-law/>

collapse translates into daily human insecurity. A farmer in Bundelkhand watching his dried-up well represents not just a drought but the erosion of dignity. A child coughing through Delhi's winter smog speaks for an entire generation growing up with compromised lungs.

In Himachal, the cost of climate-induced disasters goes beyond physical loss. The psychological trauma of families displaced by floods or landslides is heavy. Elderly villagers recall with melancholy how predictable seasons once governed their farming calendars. Now, rains come either too late or too violently, while winters shrink and snowlines recede. The younger generation increasingly sees migration as the only viable option, breaking intergenerational ties to land and culture.

Women face the hardest burdens. In both the plains and hills, they balance domestic responsibilities, water collection, small-scale farming, and caregiving, all of which become harder as ecosystems collapse. When forests are cleared, they must walk farther for firewood or fodder. When water turns scarce, girls' education takes a back seat to household survival. Environmental decline therefore magnifies gender inequality, reinforcing social hierarchies that laws alone cannot undo.¹⁰

Governance Challenges and the Politics of Progress

Achieving sustainable development has been India's policy goal for decades, yet the translation of that promise into practice remains uneven. Institutions such as the Central Pollution Control Board and State Pollution Control Boards are chronically understaffed and technologically outdated. The process of granting clearances for major projects often bypasses meaningful consultation with local communities, undermining the participatory spirit envisioned by the Environmental Impact Assessment (EIA) framework.

Himachal Pradesh's hydropower debate captures this governance dilemma vividly. While energy demands are real, the environmental costs, landslides, sedimentation, and river disruption—have rarely been proportionally assessed. Political cycles often prioritise short-term visible infrastructure over long-term ecological health. In many cases, monitoring agencies are either bypassed or under political pressure to approve projects quickly.

¹⁰ http://www.agritech.tnau.ac.in/women_in_agri/pdf/articles/GM-E-intro.pdf

Corruption, bureaucratic red tape, and fragmented institutional responsibility further weaken enforcement. Different ministries, environment, forest, mining, energy, operate in silos, resulting in contradictory decisions. Local panchayats, though constitutionally empowered, often lack the technical knowledge or funds to resist powerful commercial actors. The democratic design of environmental law thus loses meaning when power asymmetry overrides accountability.

The Road to Restoration: Legal Reform and Social Renewal

Reversing environmental degradation demands both legal reform and moral introspection. India must move from compensatory frameworks to preventive governance, ensuring that degradation does not occur in the first place. Environmental Impact Assessments should be strengthened through transparent methodologies, cumulative assessments, and sustained community involvement. Instead of treating public hearings as procedural hurdles, they should become genuine platforms for deliberation.¹¹

Courts and tribunals must also explore restorative justice, where violators not only compensate financially but participate in ecological repair. Replanting trees, restoring wetlands, or rebuilding riparian vegetation can re-integrate human responsibility into compliance measures. Urban planning laws need revision to reserve ecological spaces, lakes, green belts, flood plains, as integral rather than expendable assets.

Grassroots participation holds the key to success. Himachal's local practices such as *Dev Vans* (sacred forests) and community-managed water springs offer living examples of indigenous wisdom. Legal recognition of such customary systems can fuse tradition with modern governance. Similarly, farmers adopting natural farming methods across Uttar Pradesh and Punjab show that ecological balance and productivity can coexist.

Technology too can help bridge enforcement gaps. Satellite imagery, sensor-based pollution tracking, and decentralized water harvesting systems can strengthen both accountability and efficiency. However, technology alone cannot replace human ethics. True ecological change begins when citizens internalise nature's wellbeing as part of their civic identity, when

¹¹ Environmental Methods Review: Retooling Impact Assessment for the New Century, https://iaia.org/wp-content/uploads/2025/07/Green-Book_Environmental-Methods-Review.pdf.

protecting a river or planting a tree is seen not as charity but as justice.

Environmental education at school and university levels should no longer be peripheral. It must become experiential, rooted in fieldwork, conservation projects, and policy simulations. Awareness should connect emotional empathy with legal understanding so that future lawyers, administrators, and citizens alike see the environment not as a separate sector but as a shared inheritance.

Conclusion: Reclaiming the Horizon

India stands at a crossroad where its ecological past and developmental future intersect uneasily. The heartlands that once symbolised fertility now whisper of exhaustion, the mountains that watched over generations now tremble under human ambition. Yet within this crisis lies an opportunity, a call to rethink what progress truly means.

Environmental degradation is not irreversible. Rivers can revive, forests can regrow, and air can turn clear again if society collectively realigns its values. The Constitution already guides this vision, embedding in its preamble a promise to secure justice, social, economic, and environmental. The law can no longer remain reactive; it must become transformative.

Restoring India's vanishing horizons requires unity between ecological sense, legal strength, and moral courage. Policymakers must ensure that development plans undergo rigorous environmental scrutiny. Citizens must shed indifference and claim their role as environmental stewards. Courts must interpret environmental rights broadly while holding violators accountable beyond financial fines. Together, these steps can re-root the nation in balance and respect for its natural heritage.

If the fields of the heartland bloom green again, and the streams of Himachal sing freely once more, India's horizons will no longer vanish; they will extend endlessly, reminding us that progress and preservation need not be adversaries but allies in the journey toward a sustainable future.