



**THE APPLICATION OF ENVIRONMENTAL LAW PRINCIPLES  
BY THE JUDICIARY OF SRI LANKA - A COMPARATIVE  
ANALYSIS WITH INDIA**

**Submitted in Partial Fulfillment of the requirement of the Degree of Masters of Laws.**

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The primary aim of Environmental Laws is to safeguard the environment and establish regulations for the responsible use of natural resources. Environmental Law Principles play a significant role in shaping modern Environmental Law. However, Sri Lanka has yet to incorporate these principles into its domestic legal system. Since gaining independence, Sri Lanka has remained classified as a developing nation. In the past decades, Sri Lanka has been highly committed to achieving development goals within the context of globalization. Hence, considerable emphasis has been placed on soliciting investments and undertaking developmental initiatives to achieve the objectives of economic advancement. In the absence of a constitutional right to a clean and healthy environment, the judiciary plays a crucial role in upholding the rule of law and promoting national sustainability through the application, interpretation, and enforcement of Environmental Laws. Therefore, the ultimate objective of this research is to evaluate the application of Environmental Law Principles in Sri Lanka with Indian Jurisdiction. Specifically, this research will investigate the application of the Polluter Pays Principle, the Precautionary Principle, Intergenerational Equity, the Public Trust Doctrine and Sustainable Development by the judiciary in Sri Lanka to protect the environment. The research will employ a doctrinal approach and qualitative methods to explore and analyze the subject matter effectively. Also, the recommendations will be given to strengthen the application of Environmental Law Principles within Sri Lanka.

**Key Words:** Environmental Law Principles, Environmental Law Principles, Right to Clean and Healthy Environment.