

# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary  
Peer Reviewed

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# **POLLUTER PAYS PRINCIPLE IN INDIA: A PILLAR OF ENVIRONMENTAL JUSTICE**

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## **Abstract:**

The Polluter Pays Principle (PPP) is a foundational environmental law concept that asserts that those who cause pollution should bear the costs of managing it to prevent damage to human health and the environment. In the Indian context, this principle has gained significant recognition through judicial activism and legislative reforms. The Supreme Court of India has played a pivotal role in embedding PPP into environmental jurisprudence, particularly through landmark cases like *Indian Council for Enviro-Legal Action v. Union of India* and *Vellore Citizens' Welfare Forum v. Union of India*. These judgments have reinforced the accountability of polluters, both private and public, and have pushed for remediation, compensation, and sustainable practices. Despite its integration into policy and law, the practical enforcement of PPP in faces challenges such as regulatory inefficiencies, lack of data transparency, and socio-political pressures. This abstract explores the evolution, application, and effectiveness of PPP in India, emphasizing the need for stronger institutional mechanisms and public participation to ensure environmental justice and long-term sustainability. Environmental degradation has become among the most pressing global concerns of the 21st century. As nations struggle with balancing economic growth and environmental sustainability, the PPP has gained prominence as a key tenet of environmental jurisprudence. In India, a country grappling with rapid urbanization, PPP serves as a cornerstone for enforcing environmental accountability. This article explores evolution, application, and significance of PPP in India, emphasizing its role in promoting environmental justice.

The PPP is a globally recognized environmental policy that holds the polluter responsible for the damage caused to the environment. In India, this principle has been firmly embedded into environmental jurisprudence and policymaking, serving as a crucial tool for ensuring accountability and sustainability in development.

### **Understanding the Principle-**

At its core, the Polluter Pays Principle mandates that those who produce pollution should bear the costs of managing it to prevent damage to human health or the environment. This includes direct remediation, compensation to affected communities, and preventive measures. The PPP is a legal and economic concept that holds those who cause damage financially responsible for managing and mitigating the harm. Originating from the OECD in 1972, PPP aims to internalize environmental costs and deter potential polluters. In essence, PPP ensures that costs associated<sup>1</sup> with pollution whether they pertain to prevention, control, or remediation are borne by the entity responsible for the pollution, rather than the society .

Internationally, the principle gained prominence through the **Rio Declaration on Environment and Development (1992)**. In India, it has found strong footing through the proactive role of the judiciary, particularly the Supreme Court and the NGT.

### **Evolution of PPP in India-**

The foundation of PPP in India is enshrined in the Constitution, environmental statutes, and judicial pronouncements. Article 48A and Article 51A (g) of the Indian Constitution direct the State and citizens to protect and improve environment. The principle is deeply embedded in Indian environmental jurisprudence through the following milestones:

#### **Role of Judiciary in Enforcing PPP-**

The Indian judiciary has been instrumental in shaping and enforcing the Polluter Pays Principle. Courts have expanded the scope of PPP beyond mere compensation, mandating restorative and preventive measures.

- Restorative Justice: Courts have required polluters to undertake environmental restoration activities, such as afforestation, soil remediation, and water purification.
- Deterrence and Accountability: By imposing hefty fines and criminal liability, courts aim to deter future violations and instill a culture of corporate environmental responsibility.
- Landmark Cases:
  - Sterlite Industries Case: The Tamil Nadu Pollution Control Board and NGT ordered the closure of the Sterlite copper plant in Tuticorin for environmental violations.

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<sup>1</sup> <https://lawfullegal.in/category/legal-article/>

- Art of Living Foundation Case: The foundation was directed to pay compensation for ecological damage caused during a cultural festival on the Yamuna floodplains.

The rise of Environmental, Social, and Governance (ESG) metrics has encouraged Indian corporations to internalize PPP in their business practices. Companies now conduct Environmental Impact Assessments (EIAs), implement waste management systems, and adopt green technologies to reduce their environmental footprint.

However, the enforcement remains uneven.

**Bhopal Gas Tragedy (1984):** The catastrophic gas leak at the Union Carbide plant marked a turning point in India's approach to environmental regulation. The aftermath highlighted the dire need for holding corporations accountable for environmental harm.

#### Introduction

The Bhopal Gas Tragedy is considered one of the world's worst industrial disasters. It occurred on the night of December 2–3, 1984, in Bhopal, Madhya Pradesh, India. The tragedy highlighted severe lapses in corporate responsibility, regulatory oversight, and environmental safety.<sup>2</sup>

This case study not only analyzes the events and impacts of the Bhopal Gas Tragedy but also illustrates the relevance of the Polluter Pays Principle (PPP) in environmental law and justice.

#### Background of the Incident-

##### *The Disaster*

On the night of December 2, 1984, water entered a MIC storage tank (Tank 610), triggering an exothermic reaction. This caused the tank's pressure to rise uncontrollably, leading to the release of around 40 tonnes of MIC gas into the atmosphere. The gas spread over densely populated areas near the plant, affecting residents while they slept.

##### *Causes of the Tragedy*

Several technical and managerial failures contributed to the disaster:

**Negligence:** Warning systems and emergency protocols were either inadequate or not followed.

**Cost-cutting:** Reduction in staff and maintenance to save costs led to compromised safety.

**Lack of training:** Workers were not adequately trained to handle MIC safely.

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<sup>2</sup> <https://www.bhopal.com/document/case-study.pdf>

**Impact of the Tragedy-**

*Long-term health effects:* More than 15,000 later died from gas-related illnesses; over 500,000 suffered from respiratory issues, eye problems, birth defects, cancers, and psychological trauma.

*Inter-generational effects:* Studies suggest continuing genetic and reproductive health issues in descendants of those exposed.

**Environmental Impact**

The soil and groundwater in this areas remain contaminated even decades later due to chemical waste dumped by the plant. Agricultural productivity in the area was significantly impacted.

**Legal and Judicial Response-***Settlement and Compensation-*

In 1989, SC of India brokered a settlement where Union Carbide paid \$470 million in compensation. This was considered grossly inadequate compared to the scale of damage.

*Criminal Liability-*

In 2010, seven former UCIL executives were convicted of negligence and sentenced to two years in prison, a verdict criticized as too lenient.

*Ongoing Litigation-*

Legal efforts continue in both Indian and U.S. courts, seeking further accountability and cleanup of the contaminated site.

**Polluter Pays Principle -**

In India, the PPP has been upheld by the Top Court in several landmark judgments.

Vellore Citizens' Welfare Forum vs Union of India (1996): Integrated PPP with the "precautionary principle" for environmental governance.<sup>3</sup>

*Application in Bhopal Case-*

Despite being a classic case where the PPP should have been applied, its execution was

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<sup>3</sup> <https://lawbhoomi.com/polluter-pays-principle-in-india/>

minimal:

The \$470 million compensation was significantly below actual damage costs.

No adequate environmental restoration was undertaken by Union Carbide.

Indian government had to bear much of the medical and environmental rehabilitation costs.

The U.S. parent company avoided major liability through jurisdictional challenges.

### **Criticisms and Lessons Learned-**

#### *Inadequate Implementation of PPP-*

The tragedy exposed a major gap in enforcing the Polluter Pays Principle:

Compensation did not reflect the scale of pollution.

Long-term clean-up was neglected.

The polluter (UCC) evaded substantial responsibility.

#### *Regulatory Reforms Post-Bhopal-*

The disaster led to significant reforms in Indian environmental and industrial laws:

Environment (Protection) Act, 1986: Empowered the central government to take measures for protecting the environment.

Public Liability Insurance Act, 1991: Made it mandatory for industries to take insurance to provide immediate relief to affected persons.

#### *Corporate Accountability-*

Bhopal highlighted the dangers of weak corporate oversight in developing countries and the importance of multinational accountability. The tragedy continues to influence global discussions on environmental justice, corporate liability, and the ethical responsibilities of transnational corporations.

### **Vellore Citizens Welfare Forum v. Union of India (1996):<sup>4</sup>**

This landmark Supreme Court case explicitly recognized PPP as part of Indian law.

#### *Introduction-*

The landmark judgment in this case by the Supreme Court of India marked a turning point in environmental jurisprudence.

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<sup>4</sup> <https://www.legalserviceindia.com/legal/article-13637-case-analysis-vellore-citizens-welfare-forum-v-s-union-of-india.html>

*Background of the Case-*

The case originated in the town of Vellore, Tamil Nadu, which had large number of tanneries operating in and around it. These tanneries were discharging untreated effluents—especially toxic chromium and other chemicals—into nearby water bodies, including the Palar River. This contamination severely affected the local environment, especially groundwater, agriculture, and the health of the local population.

The VCWF, a non-governmental organization, filed a writ petition under Article 32, seeking appropriate directions against these polluting tanneries and urging the implementation of effective pollution control measures.

*Legal Framework Involved-*

The case was analyzed within the framework of several environmental laws and constitutional provisions:

Article 21: Right to life, interpreted to include the right to a healthy environment.

Water (Prevention and Control of Pollution) Act, 1974

Environment (Protection) Act, 1986

Forest (Conservation) Act, 1980

The court also relied on international environmental law principles and previous Indian judgments such as:

M.C. Mehta v. Union of India (Ganga Pollution Case)

Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh

*Court's Observations-*

The Supreme Court, in a judgment delivered by Justice Kuldip Singh, made the following significant observations:

*Environmental Damage by Tanneries-*

The court acknowledged the economic importance of the tanneries but emphasized that no industry can be allowed to continue polluting the environment under the guise of economic development.

*Right to Clean Environment-*

The Court reinforced that the right to a clean and healthy environment is a fundamental right under Article 21. Environmental protection is thus part of the constitutional mandate.

*Sustainable Development-*

The Court introduced and firmly established the principle of sustainable development into Indian environmental law. It held that development must balance environmental protection and economic growth.

*Precautionary Principle-*

This principle was recognized as a part of Indian law.

*Polluter Pays Principle-*

Court adopted this principle, stating that polluters must bear the cost of pollution, including compensating victims and restoring environmental damage. It is not merely a regulatory tool but an essential part of environmental governance.

*Public Interest Litigation -*

The case highlighted how PIL can be an effective tool for environmental justice, allowing citizens' groups like the VCWF to seek redress for collective environmental harm.

*Directions Issued by the Court-*

The Court issued several binding directions, including:

The Court directed the closure of all tanneries that failed to set up effluent treatment plants (ETPs).

The Tamil Nadu Pollution Control Board (TNPCB) was instructed to monitor the situation and ensure compliance.

A Green Bench (environment bench) was suggested for high courts to ensure continuous monitoring and swift disposal of environmental matters.

**Significance of the Judgment-**

This case is a landmark for several reasons:

*Introduction of Environmental Principles-*

For the first time, the Precautionary Principle and Polluter Pays Principle were clearly and

authoritatively recognized and enforced as part of Indian law.

*Expanding Article 21-*

The judgment expanded the scope of Article 21, confirming that environmental protection is intrinsically linked to the right to life and personal liberty.

*Judicial Activism-*

The judgment exemplified judicial activism, where the court stepped in to fill the gaps in administrative enforcement of environmental laws and ensured accountability of both the state and polluting industries.

*Environmental Governance-*

The ruling spurred reforms in environmental policy and governance. It influenced subsequent legal interpretations and administrative guidelines concerning environmental protection, sustainable development, and industrial regulation.

*Public Awareness-*

The case also significantly raised public awareness about environmental rights and responsibilities and empowered civil society to demand accountability.

*Criticisms and Limitations-*

While the judgment was progressive, it was not without criticism:

*Implementation Issue-*

Many tanneries failed to fully comply with the orders, and enforcement by regulatory authorities was inconsistent.

*Compensation Mechanism-*

The mechanism for calculating and disbursing compensation was not clearly defined.

*Over-reliance on Judiciary-*

Critics argue that such issues should ideally be resolved through effective legislation and executive action rather than continuous judicial intervention.

*Legacy and Influence-*

This case remains a cornerstone of Indian environmental law. It has been cited in numerous subsequent judgments and remains an authoritative source for applying environmental principles in Indian jurisprudence.

Its legacy lives on in cases such as:

T.N. Godavarman Thirumulpad v. Union of India (Forest Case)

Narmada Bachao Andolan v. Union of India

Lafarge Umiam Mining Pvt. Ltd. v. Union of India

The case laid the foundation for a rights-based approach to environmental protection, blending constitutional guarantees with international environmental principles to foster a more ecologically sustainable future for India.

**Indian Council for Enviro-Legal Action v. Union of India (1996):**<sup>5</sup>

The Supreme Court reinforced the PPP, emphasizing that economic development cannot be at the cost of ecological balance. The Court mandated strict liability on polluters for environmental remediation.

*Introduction-*

This case stands as a cornerstone in the evolution of Indian environmental law. It is particularly renowned for reinforcing the Polluter Pays Principle (PPP) as a binding legal doctrine. This case focused on environmental degradation caused by chemical industries and established that polluters must compensate not only for environmental damage but also for restoring the ecological balance.

*Background of the Case-*

This case was filed by a non-governmental organization, Indian Council for Enviro-Legal Action (ICELA), under Article 32, which allows for the enforcement of fundamental rights. Petition was filed against six chemical industries situated in Bichhri village, Udaipur district, Rajasthan.

These industries were engaged in the production of 'H' acid (a chemical used in dye manufacturing), and they discharged toxic waste and untreated effluents into the environment.

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<sup>5</sup> <https://indiankanoon.org/doc/1818014/>

This led to the severe contamination of land, groundwater, and surface water in the region. Agricultural lands became barren, drinking water became unsafe, and many local residents suffered from health problems.

The ICELA sought the intervention of the Supreme Court to:

Hold the polluting industries accountable,

Compel them to clean up the environmental damage,

Enforce the Polluter Pays Principle,

Protect the fundamental rights of the affected population under Article 21 (right to life).

#### *Issues Raised-*

Key legal and environmental issues raised in the case included:

Whether the chemical industries violated environmental laws by discharging hazardous waste.

Whether environmental degradation affected the right to life under Article 21 of the Constitution.

#### *Legal Framework-*

Several key environmental laws and constitutional provisions were involved:

Article 21 of the Constitution (Right to life)

Environment (Protection) Act, 1986

Water (Prevention and Control of Pollution) Act, 1974

Hazardous Wastes (Management and Handling) Rules, 1989

Factories Act, 1948

The court also considered international environmental principles, especially those developed in the Stockholm Conference (1972) and the Rio Declaration (1992).

#### *Observations by the Court-*

Judgment delivered by Justice B.P. Jeevan Reddy, made several crucial observations:

#### *Gross Environmental Negligence-*

The court found that the industries had deliberately and illegally discharged hazardous waste without treatment. The waste had contaminated groundwater and rendered agricultural lands unusable.<sup>6</sup>

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<sup>6</sup><https://lawbhoomi.com/indian-council-for-enviro-legal-action-v-union-of-india/>

*Violation of Fundamental Rights-*

The environmental degradation caused by the industries violated the fundamental right to life (Article 21) of the local villagers.

*Absolute Liability-*

The Court invoked the doctrine of absolute liability. Under this, the industries cannot escape liability by arguing that they followed standard precautions or acted without negligence.

*Key Directives Issued by the Court-*

The six polluting industries were directed to pay ₹37.385 crores (approx. \$10 million at the time) as cost of environmental remediation.

The Ministry of Environment and Forests (MoEF) and the Pollution Control Boards were ordered to oversee the cleanup of the affected area. A monitoring committee was to be set up to ensure the implementation of these directives.

Court held that delay in justice could not be an excuse for denying relief to those affected by environmental harm.

*Significance of the Judgment-*

This case is monumental in the history of Indian environmental law for the following reasons:

*Formal Recognition of the PPP-*

This was the first major case where the Polluter Pays Principle was not only recognized but also enforced with specific financial penalties and remediation directives. It moved the principle from a moral or ethical guideline to a legal rule.<sup>7</sup>

*Environmental Restoration-*

The judgment emphasized that polluters must restore the environment, not just compensate victims. This holistic approach recognizes the intrinsic value of nature and the need for ecological balance.

*Strengthening Article 21-*

The Court deepened the understanding of Article 21 by declaring that environmental health is

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<sup>7</sup> <https://www.dhyeyalaw.in/indian-council-for-enviro-legal-action-v-onion-of-india-1996>

inseparable from the right to life. This set a precedent for future cases on pollution, deforestation, and industrial contamination.

#### *Judicial Activism for Environmental Justice-*

This case is a classic example of judicial activism, where Supreme Court intervened proactively to protect the environment and the rights of marginalized rural communities.

#### *Deterrence to Polluting Industries-*

By holding the industries strictly and financially accountable, the Court sent a strong signal to all industrial polluters in India: environmental degradation will not be tolerated and will incur heavy costs.

#### *Criticisms and Challenges-*

*Enforcement Delays-* There were reports of delayed or partial enforcement of the cleanup order, highlighting issues with regulatory implementation.

*Calculation of Damages-* Critics argued that the methodology to calculate environmental damages and remediation costs was not fully transparent.

*Need for Statutory Codification-* Although the Polluter Pays Principle was judicially declared, there were calls for explicit statutory backing to strengthen its enforceability.

#### *Legacy and Influence-*

The judgment continues to influence Indian environmental law and policy. Its principles have been cited in numerous subsequent decisions, including:

Sterlite Industries v. Union of India (2013)

M.C. Mehta v. Kamal Nath (1997)

The PPP, as affirmed in this case, also influenced policies such as the National Environmental Policy (2006) and provisions under the NGT Act.

This is a landmark case that gave legal force to the Polluter Pays Principle in India. It redefined the scope of environmental responsibility by holding industries strictly liable for environmental harm and set a precedent for future litigation and environmental governance. The case underscores the judiciary's role in safeguarding both constitutional rights and ecological

integrity in the face of industrial development.

MC Mehta Cases: Environmental activist MC Mehta's series of PIL led to several progressive judgments that invoked PPP to hold industries accountable.

#### *Introduction-*

This principle was significantly reinforced in Indian jurisprudence through a series of Public Interest Litigations (PILs) filed by environmental lawyer M.C. Mehta, who has played a seminal role in shaping India's environmental regulatory framework.

M.C. Mehta's litigations, particularly those relating to the Oleum Gas Leak Case (1986) and the Ganga Pollution Cases, among others, led to key judicial pronouncements that firmly embedded the PPP within Indian law.

#### *Background: M.C. Mehta and Public Interest Litigation-*

M.C. Mehta is a public interest attorney who has filed numerous environmental cases before the Supreme Court of India since the 1980s. His cases have addressed a wide array of issues, including industrial pollution, vehicular emissions, deforestation, and the degradation of rivers.

Through the PIL mechanism, Mehta challenged industries, state authorities, and policies, resulting in landmark judgments. One of the most impactful principles derived from these cases is the PPP, which the Supreme Court explicitly recognized and applied in its decisions.

#### *Key Case:*

Oleum Gas Leak Case (M.C. Mehta v. Union of India, 1986)

#### *Facts of the Case-*

This case arose from a gas leak from the Shriram Food and Fertilizer Industries plant in Delhi, which resulted in the death of one person and injuries to several others. The incident occurred soon after the infamous Bhopal Gas Tragedy (1984), intensifying concerns about industrial safety and environmental accountability.

M.C. Mehta filed a PIL seeking compensation for the victims and demanding stricter regulations on hazardous industries operating in populated areas.

*Judgment and Significance-*

The Supreme Court, in its judgment, held that:

Industries engaged in hazardous or inherently dangerous activities owe an absolute and non-delegable duty to ensure that no harm results to anyone due to their activities.

In the event of harm, the enterprise is absolutely liable, regardless of any fault or negligence (a departure from traditional fault-based liability).

This led to the evolution of the principle of absolute liability, unique to India and stronger than the “strict liability” principle from English law.

While this case did not use the term “Polluter Pays Principle” explicitly, it set the groundwork for its future application by establishing that polluters must bear the cost of compensation and environmental restoration.

**Application of PPP in Ganga Pollution Case-***Facts of the Case-*

M.C. Mehta filed a PIL concerning the severe pollution of the Ganga River, caused by untreated industrial effluents and municipal waste. He named multiple industries, municipalities, and pollution control boards as respondents.<sup>8</sup>

*Supreme Court’s Intervention-*

The court ordered:

Mandatory effluent treatment plants (ETPs) for polluting industries.

Local bodies and municipalities to take immediate steps to treat domestic sewage before discharging it into the river.

Here, the court explicitly endorsed the Polluter Pays Principle and mandated that:

“It is the duty of the polluter to pay for the cost of the damage done to the environment as well as to the individuals who suffer from the pollution.”

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<sup>88</sup> <https://www.thecasecentre.org/products/view?id=191830>

This decision marked a definitive moment in Indian environmental law, where the judiciary embraced PPP as a guiding principle for environmental protection and justice.

#### *Other Notable M.C. Mehta Cases Supporting PPP-*

Taj Trapezium Case (M.C. Mehta v. Union of India, 1996)

To protect the Taj Mahal from pollution caused by industries in Taj Trapezium Zone, the court ordered:

Closure or relocation of more than 200 industries.

The court reiterated that industries responsible for environmental degradation must either bear the cost of mitigation or cease operations.

Vehicular Pollution Case (M.C. Mehta v. Union of India, 1998)

Concerned with the worsening air quality in Delhi, Mehta filed a PIL leading to:

Conversion of public transport vehicles to Compressed Natural Gas (CNG).

Introduction of unleaded petrol and stricter emission norms.

The court again applied PPP, compelling vehicle manufacturers and fuel suppliers to comply with cleaner standards and contribute to pollution mitigation.

#### **Role of Judiciary in Enforcing PPP-**

The Indian judiciary has been instrumental in shaping and enforcing the Polluter Pays Principle. Courts have expanded the scope of PPP beyond mere compensation, mandating restorative and preventive measures.

- **Restorative Justice:** Courts have required polluters to undertake environmental restoration activities, such as afforestation, soil remediation, and water purification.
- **Deterrence and Accountability:** By imposing hefty fines and criminal liability, courts aim to deter future violations and instill a culture of corporate environmental responsibility.
- **Landmark Cases:**
  - *Sterlite Industries Case:* The Tamil Nadu Pollution Control Board and NGT ordered the closure of the Sterlite copper plant in Tuticorin for environmental violations.
  - *Art of Living Foundation Case:* The foundation was directed to pay compensation for ecological damage caused during a cultural festival on the Yamuna floodplains.

The rise of Environmental, Social, and Governance (ESG) metrics has encouraged Indian corporations to internalize PPP in their business practices. Companies now conduct Environmental Impact Assessments (EIAs), implement waste management systems, and adopt green technologies to reduce their environmental footprint.

However, the enforcement remains uneven. While major corporations often comply due to visibility and regulatory scrutiny, smaller enterprises frequently escape accountability due to limited oversight.

Despite its robust legal foundation, PPP faces several implementation challenges in India:

### **Recent Developments and Reforms-**

Recent years have seen significant developments aimed at strengthening PPP in India:

- **Corporate Environmental Responsibility (CER):** Introduced under the Companies Act, CER mandates certain companies to undertake environmental projects as part of their CSR obligations.
- **Amendments to Environmental Impact Assessment (EIA) Regulations:** These reforms aim to improve transparency and public participation in environmental decision-making.
- **Technological Interventions:** Use of satellite imagery, drones, and remote sensing for environmental monitoring has improved accountability.
- **Digital Platforms:** Initiatives like the National Air Quality Index (NAQI) and online portals for filing environmental grievances have empowered citizens.

### **International Influence and Commitments**

India's commitment to international environmental conventions—such as the Paris Agreement, Convention on Biological Diversity, and UN Sustainable Development Goals has reinforced the domestic application of PPP.

Moreover, transboundary environmental issues, such as river pollution and air quality, necessitate regional cooperation based on PPP.

### **Case Studies-**

1. **Ganga Pollution Case:** The Supreme Court and NGT have passed multiple orders invoking PPP to hold municipalities and industries liable for polluting the Ganga River.
2. **LG Polymers Gas Leak (2020):** The Andhra Pradesh High Court and NGT imposed penalties and compensation for victims, invoking PPP principles.

3. **Vedanta Bauxite Mining Case:** The Supreme Court applied PPP and the precautionary principle to halt mining in Niyamgiri Hills, citing environmental and tribal rights.

### **Role of the National Green Tribunal -**

The **National Green Tribunal Act, 2010**, incorporates the PPP explicitly in Section 20. The NGT has applied the principle rigorously in various cases, often directing erring industries or individuals to pay compensation, restore damaged ecosystems, and take preventive action.

A notable case is the **Sterlite Industries case** in Tamil Nadu, where the NGT invoked PPP to justify the imposition of fines and damages for environmental degradation and health hazards caused by the factory's emissions.

### **Challenges in Implementation-**

Despite strong legal backing, the implementation of the PPP in India faces challenges:

- **Weak enforcement mechanisms**
- **Political interference**
- **Delayed judicial processes**

### **Lack of transparency and monitoring**

Industries often bypass environmental regulations through lobbying or by exploiting legal loopholes. Moreover, affected communities sometimes struggle to get compensation or remediation due to procedural hurdles.

### **Conclusion-**

The Polluter Pays Principle is vital to India's pursuit of sustainable development. While the legal framework is robust, the onus now lies on effective enforcement, transparency, and public participation. Strengthening environmental governance and ensuring that polluters are held truly accountable will be essential to protect India's rich ecological heritage for future generations. The Polluter Pays Principle in India represents a powerful mechanism for achieving environmental justice. While the principle has been effectively integrated into the legal and judicial framework, its implementation requires continual strengthening through institutional reforms, technological support, public participation, and corporate accountability. As India strides towards sustainable development, PPP will remain a vital instrument in balancing ecological integrity with economic aspirations.