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Corporate Liability for Environmental harm in India

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ABSTRACT

Increased environmental degradation such as air pollution, water pollution and soil pollution is a result of India's rapid industrialization. Therefore, the idea of corporate responsibility for environmental damage has become important. The two most important pieces of legislation that make companies liable for environmental damage are the Environmental Protection Act 1986 and the Water (Prevention and Control of Pollution) Act 1974. To ensure that companies are liable for environmental damage, the interpretation and enforcement of these rules by the legal order were crucial. Under Indian law, companies can be held liable for environmental damage, even if it was unintentional or caused by suppliers or subcontractors. In addition, companies must take preventive measures to protect the environment, and if this is not done, they are responsible for any damage that may occur.

In India, enforcement of corporate convictions for environmental damage remains difficult, despite the existence of a legal framework. Public understanding of environmental issues and the legislative framework for environmental protection are inadequate, and pollution control agencies sometimes lack the necessary funding to implement the Water (Prevention and Control of Pollution) Act. It is difficult for citizens to hold companies accountable for environmental damage due to a lack of enforcement tools and public awareness. This essay examines corporate responsibility for environmental damage in India, as well as the functioning of the legal system, the judiciary, and the difficulties involved in enforcing these laws.

I. INTRODUCTION

India's brisk economic development has had a negative impact on the environment. The country is a major generator of greenhouse gases as well as air and water pollution in the world. The concept of corporate responsibility for environmental damage has grown to be a serious issue in this context since business operations frequently have a significant impact on environmental harm. In order to hold businesses accountable for environmental harm brought on by their operations, the Indian government has established a number of legal frameworks.

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The legal system, the courts, and the challenges of implementing these rules are all examined in this paper together with corporate culpability for environmental damage in India.

The Water (Prevention and Control of Pollution) Act of 1974 and the Environmental Protection Act of 1986 form the foundation of the legal framework in India for corporate liability for environmental harm. The Environmental Protection Act lays down the legal foundation for pollution prevention and control rules as well as environmental protection regulations. According to the legislation, both the federal and state governments have the authority to take action to improve and protect the environment as well as to punish offenders. To prevent and control water pollution, the Water (Prevention and Control of Pollution) Act forbids the discharge of pollutants into water bodies. These Acts allow for the liability of corporations for environmental damages brought on by their operations. By interpreting and administering the terms of these Acts, the Indian judiciary has played a critical role in ensuring that corporations are held accountable for environmental damage. The courts have held businesses accountable for environmental harm even when it was inadvertent or the fault of suppliers or subcontractors in several cases. Additionally, courts have determined that businesses are required to make efforts to protect the environment or risk being held liable for future harm.

In India, enforcing corporate culpability for environmental damage is still highly challenging despite the existence of the necessary legal structure. One of the biggest issues is the lack of effective enforcement mechanisms. State Pollution Control Boards are responsible for enforcing the Water (Prevention and Control of Pollution) Act, although frequently they are unable to do so because of a lack of funding. Additionally, there isn't enough of a deterrence because the fines levied on businesses that break environmental laws are frequently negligible. Due to a lack of public awareness of environmental issues and a lax legal system, it is also challenging for citizens to hold corporations accountable for environmental harm.

The lack of coordination between the various government authorities presents another difficulty in establishing corporate culpability for environmental harm. Environmental laws are governed and enforced by a few government agencies, including the SPCBs, the Central Pollution Control Board (CPCB), and the Ministry of Environment, Forest, and Climate Change (MoEFCC). On the other hand, there is frequently a lack of cooperation between these organizations, which results in inefficient enforcement and regulatory gaps.

II. LEGAL FRAMEWORK FOR CORPORATE LIABILITY FOR ENVIRONMENTAL HARM IN INDIA

The Environmental Protection Act of 1986 and the Water (Prevention and Control of Pollution)

Act of 1974 serve as the legal foundation for corporate liability for environmental harm in India. These Acts require businesses to protect the environment and set forth consequences for noncompliance. The Ministry of Environment, Forest, and Climate Change (MoEFCC) has created laws and regulations in addition to the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs) issuing directives.

The Environment Protection Act of 1986 serves as India's primary environmental protection statute. The goal of the law is to safeguard and enhance the environment by reducing risks to people, other animals, plants, and property. The Act grants the federal and state governments the authority to enact laws that safeguard and enhance the environment, as well as the authority to regulate and outlaw actions that damage it. Penalties for breaking the law are also specified in the legislation.

According to the Environmental Protection Act, the company is responsible for environmental damage caused by its activities. According to Section 5 of the Act, everyone is obliged to take the necessary measures to prevent environmental pollution. Penalties for violating the rules of the Act are imprisonment and fines under Chapter 7. The law also allows the federal and state governments to seek financial compensation for damages caused by wrongdoers.

A crucial legal framework for India's environmental preservation is the Water (Prevention and Control of Pollution) Act, which was passed in 1974. The purpose of the Act is to prevent and manage water pollution by controlling the release of contaminants into water bodies. The Act gives the federal and state governments the authority to set criteria for the caliber of water and to control the discharge of contaminants into water bodies. Along with fines and imprisonment, the Act also lists punishments for breaking its rules.

Corporate entities may be held accountable for environmental damage brought on by their operations under the Water (Prevention and Control of Pollution) Act. Penalties for breaking the Act's rules include imprisonment and fines, according to Section 24. The Act also gives state governments the authority to seek compensation for harm committed by violators.

The MoEFCC has developed laws and regulations that are part of the legal framework for corporate accountability for environmental harm in India. For the handling of hazardous waste, e-waste, and bio-medical waste, the MoEFCC has developed laws and regulations. Corporations must safely handle and dispose of these wastes within the terms of these laws and regulations, and they risk fines if they don't.

To protect the environment and reduce pollution, the CPCB and SPCBs also publish guidelines. These recommendations offer advice on several environmental protection-related topics, such

as waste management for both municipal and industrial purposes, reducing air and water pollution, and more. Additionally, the guidelines specify acceptable levels of emissions and effluent for businesses and provide sanctions for non-compliance.

The Environmental Protection Act of 1986 and the Water (Prevention and Control of Pollution) Act of 1974 serve as the legal foundation for corporate liability for environmental harm in India. These Acts require businesses to protect the environment and set forth consequences for noncompliance. Along with directives from the CPCB and SPCBs, the legislative framework also consists of rules and regulations developed by the MoEFCC.

In India, establishing corporate liability for environmental damage is difficult, although a legal framework exists. More enforcement is needed, as is public awareness of environmental issues.

III. ROLE OF THE JUDICIARY IN ENFORCING CORPORATE LIABILITY FOR ENVIRONMENTAL HARM IN INDIA

In India, the legal system is essential for ensuring that businesses are held responsible for environmental damage. The judge is also responsible for supervising legislative and administrative acts in addition to having the authority to interpret and execute laws and regulations pertaining to business liability for environmental damage. In this essay, the judiciary's role in India's efforts to hold corporations accountable for environmental damage is examined. Particular attention is paid to India's legal system, significant court rulings, and the challenges associated with enforcing environmental laws there.

1. Legal Framework

The Environment Protection Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 are the cornerstones of India's legal framework for corporate liability for environmental damage. These laws impose environmental protection requirements on companies and impose fines for violations. The Central Pollution Control Board (SAJ) and the State Pollution Control Board (SPCB) have both produced guidelines that form part of the legal framework. The Ministry of Environment, Forestry and Climate Change (MKM) has also developed laws and regulations.

2. Judicial Decisions

Over the years, the judiciary has played a critical role in enforcing corporate liability for environmental harm in India. The Supreme Court and High Courts have issued several landmark judgments, which have had a significant impact on environmental law in India. Some of the key judicial decisions are discussed below:

- **M.C. Mehta V/s Union Of India**²

One of the most famous and important environmental incidents in India is this. The case concerned pollution caused by tanneries in Kanpur, Uttar Pradesh. The Supreme Court ordered the tanneries to close until they set up sewage treatment plants to reduce pollution. The court further ordered the federal and state governments to take several measures to protect the environment, including the establishment of a commission to control urban pollution.

- **Vellore Citizens Welfare Forum v. Union of India**³

The subject of that legal case was tanneries' role in the pollution of Vellore, Tamil Nadu. The Supreme Court decided to ban tanning salons without a water treatment system and to punish those who disobeyed the decree. A number of environmental protection measures, including the creation of guidelines for the handling of hazardous waste, were also mandated by the court for implementation by the federal and state governments.

- **Indian Council for Enviro-Legal Action v. Union of India**⁴

That case concerns industrial pollution in the Madhya Pradesh city of Bhopal. In its judgment, the Supreme Court directed the federal and state governments to take several measures to protect the environment, including the establishment of a commission to control pollution in the city. In addition, the court-imposed fines on violators of its regulations and ordered the closure of all industries lacking sewage treatment plants.

- **Subhash Kumar v. State of Bihar**⁵

In this case, the problem was pollution caused by factories in the city of Dhanbad, Bihar. In its decision, the Supreme Court imposed sanctions on the violators and ordered the closure of all companies that do not have sewage treatment plants. The court also ordered the federal and state governments to take many environmental protection measures, including the creation of a commission to monitor municipal pollution.

3. Challenges

The Indian judiciary faces severe difficulties in enforcing corporate accountability for environmental harm. The judiciary confronts numerous difficulties in upholding environmental regulations despite the existence of a legal framework. Below is a discussion of some of the major obstacles the judiciary has to overcome in order to determine corporate culpability for

² 1987 SCR (1) 819; AIR 1987 965

³ AIR 1996 SCC 647

⁴ 1996 AIR 1446 1996 SCC (3) 212 JT 1996 (2) 196 1996 SCALE (2)44

⁵ 1991 AIR 420 1991 SCR (1) 5 1991 SCC (1) 598 JT 1991 (1) 77 1991 SCALE (1)8

environmental harm in India:

- **Lack of Resources**

The lack of resources is one of the biggest problems the judiciary faces in upholding environmental legislation. The judiciary might not have the resources needed to address environmental cases because they demand specialized knowledge and experience. It might be challenging for judges to make wise judgements when they lack the technical understanding necessary to comprehend intricate environmental issues.

- **Delayed Justice**

Environmental cases can delay the delivery of justice due to their long resolution time. Environmental cases are no exception to the litigious reputation of the Indian judiciary. Until the lawsuit is resolved, companies can continue to pollute, and delays in justice can worsen the environment. Additionally, because they do not have the financial resources to fight a protracted lawsuit, the long delay can discourage victims from pursuing legal claims.

- **Limited Penalties**

Sanctions imposed on companies that harm the environment in India are sometimes not enough to prevent further violations. Compliance costs are often higher than fines, making it cheaper for companies to continue to pollute. In addition, the lack of criminal responsibility for environmental damage in the legal system reduces the severity of the applicable sanctions.

- **Regulatory Capture**

Regulatory capture is a process in which the industries that regulatory bodies are supposed to control or influence start to exert influence over them. The CPCB and SPCBs, two Indian regulatory agencies tasked with upholding environmental regulations, have come under fire for allegedly being swayed by the companies they are meant to control. Due to lax regulation and insufficient fines, firms are now able to pollute without consequence.

- **Lack of Compliance**

Even though there is a legal system in place to safeguard the environment, many firms in India nevertheless break the rules. This is in part because there aren't many reliable enforcement methods in place, and there aren't many severe punishments for non-compliance. Furthermore, some businesses might be driven by financial gain rather than environmental protection.

- **Limited Jurisdiction**

Only cases that are brought before the judiciary are under its purview. This implies that the

judicial system cannot actively oversee and uphold environmental legislation. The judiciary's authority is also restricted to matters that fall under its territorial purview, which implies that businesses may be able to dodge legal responsibility by operating in areas with laxer environmental laws or by establishing subsidiaries abroad.

Indian courts have serious difficulties in holding accountable for environmental damage. Despite the existence of a legal framework, the court faces many difficulties in enforcing environmental regulations, including lack of funding, lack of jurisdiction, delays in justice, lack of strong sanctions, hijacking and irregularity. The judiciary, the executive and the parliament must work together to find solutions to these problems. Courts can play an important role in the enforcement of environmental legislation by ensuring that businesses are held accountable for environmental damage and by interpreting and enforcing the legal system in ways that protect the environment and promote sustainability.

IV. CORPORATE SOCIAL RESPONSIBILITY AND ITS IMPACT ON ENVIRONMENTAL PROTECTION IN INDIA

The term "corporate social responsibility" (CSR) describes the idea that organizations have a responsibility to conduct their operations in a way that promotes social progress and the long-term sustainability of the planet. This entails accepting liability for how their business practices affect the environment and putting protective measures in place. The practice of corporate social responsibility (CSR) has gained popularity in India as a way for companies to show their support for environmental and social problems. The notion of CSR will be looked at in this essay along with how it relates to environmental preservation in India.

The Companies Act 2013, which requires companies meeting certain financial criteria to spend 2% of their net profit on CSR activities, provides the legal basis for CSR in India. These activities include promoting sustainable development through environmental protection, conservation of natural resources and mitigation of climate change.

Corporate investment in environmental protection measures has increased as a result of the adoption of mandated CSR in India. Many businesses have started initiatives to lessen their impact on the environment, including buying renewable energy, cutting back on waste and pollution, and conserving natural resources. CSR programs have also helped businesses strengthen their stakeholder connections, attract and retain talent, and enhance their reputation and brand image.

One of India's most noteworthy CSR initiatives is the Clean Ganga campaign, which was started

by the country's government to clean the Ganges River. One of the most polluted rivers in the world, the Ganges, has seriously harmed both the environment and human health. Corporations have made considerable contributions to the effort, investing in initiatives to clean the river and restore its environment. As an illustration, organizations like Tata Steel, Mahindra & Mahindra, and Reliance Industries have made investments in the construction of sewage treatment facilities, afforestation, and riverfront development.

To promote environmental protection, some critics contend that obligatory CSR is ineffective because it doesn't deal with the underlying causes of environmental issues. Furthermore, because CSR is mandated, businesses may resort to tokenism, investing in token CSR initiatives to comply, as opposed to showing genuine dedication to social and environmental problems.

The impact of CSR on environmental conservation in India has been substantial notwithstanding these objections. Businesses' environmental footprints have decreased, and sustainable growth has been supported thanks to investments made by firms in environmental protection measures. Additionally, by using a CSR strategy, businesses have been able to strengthen their stakeholder relationships and reputation, which can help them remain sustainable over time.

Strong environmental rules and enforcement systems must still be in place, and CSR cannot be viewed as a replacement for either. Despite the fact that CSR activities have a chance to be helpful, they shouldn't be used as a substitute for strict laws that hold businesses responsible for environmental damage. When it comes to addressing the structural and systemic flaws that underpin environmental challenges, CSR activities frequently fall short.

Environmental protection in India has benefited from corporate social responsibility since it has encouraged businesses to engage in sustainability plans. CSR should be combined with robust legislative frameworks and enforcement mechanisms to make sure that businesses are held accountable for their environmental impacts. CSR should not be viewed as a solution to environmental issues, though. India can support an all-encompassing plan that incorporates both corporate social responsibility and legislative frameworks to promote sustainable development and save the environment for future generations.

The effectiveness of penalties and fines in deterring corporations from causing environmental harm in India

The effectiveness of sanctions and fines in deterring corporations from destroying the environment in India is an issue of major concern given the country's enormous environmental challenges, including air and water pollution, deforestation, and climate change. Corporate

accountability is essential since it is a significant contributor to these environmental problems. Penalties and fines are an essential tool for enforcing environmental regulations and deterring companies from hurting the environment.

A variety of laws and regulations are part of India's regulatory framework for environmental protection, and they are intended to prevent and reduce environmental harm brought on by corporations. The Air (Prevention and Control of Pollution) Act, 1981, the Environment Protection Act, 1986, and the Forest (Conservation) Act, 1980 are a few of India's most important environmental laws. Infractions of environmental standards are subject to penalties and fines under these laws.

Penalties and fines are a crucial enforcement tool for implementing environmental laws and dissuading businesses from harming the environment. The possibility of financial fines can be a potent inducement for businesses to abide with environmental laws and make investments in strategies to lessen their environmental effect. Additionally, the threat of monetary fines can operate as a deterrent, preventing businesses from starting environmental harming actions in the first place.

However, there are several variables that can affect how well penalties and fines work to prevent businesses from harming the environment. The severity of the punishment or fine is one of the crucial elements. Companies may continue to participate in ecologically hazardous activities if the fine is too low since they will see it as a little expense of doing business. On the other hand, if the fine is too high, it can be seen as being excessively harsh and could deter businesses from making any investments in green initiatives.

The method used to enforce fines and penalties is another crucial element. The effectiveness of penalties and fines depends on how they are applied, and ineffective application can reduce their deterrent power. Environmental laws are frequently not strictly enforced in India, and businesses may think there is little chance of getting detected and punished. This could result in a scenario where businesses carry on engaging in damaging environmental practices with little concern for the consequences.

Furthermore, if the underlying incentives that motivate environmentally damaging behavior are not addressed, sanctions and fines might not be enough to stop firms from harming the environment. For instance, market pressures or regulatory gaps that allow businesses to pass the costs of their operations onto society may encourage them to engage in environmentally destructive activities. Penalties and fines might not be enough in certain situations to deal with the underlying causes of environmental degradation.

The possibility of unexpected repercussions when using penalties and fines presents another difficulty. When fines are imposed, for instance, small and medium-sized businesses (SMEs) may be disproportionately affected because they lack the funding to invest in environmental protection measures. Penalties and fines in these situations may deter SMEs from making any investments in environmentally beneficial activities, which would result in a situation where larger firms with more financial resources rule the market.

Penalties and fines can be a useful strategy for discouraging businesses from harming the environment in India. Their success, however, is dependent on a number of variables, such as the severity of the penalty or punishment, the method used for enforcing it, and the underlying incentives that motivate ecologically hazardous behavior. The enforcement systems must be strengthened, the underlying causes of environmental harm must be addressed, and penalties and fines must be reasonable and free from unintended consequences if they are to be effective. In the end, promoting sustainable development and safeguarding the environment in India requires a comprehensive strategy that combines sanctions and fines with other mechanisms, such as environmental education and awareness, public participation, and incentives for environmentally beneficial activities.

V. COMPARATIVE ANALYSIS OF CORPORATE LIABILITY FOR ENVIRONMENTAL HARM IN INDIA AND OTHER COUNTRIES

Worldwide, corporate responsibility for environmental harm is a significant topic, and many nations have passed legislation to hold businesses responsible for their environmental impact. A comparison of corporate liability for environmental impact between India and other nations can reveal the advantages and disadvantages of various legal systems and point out opportunities for development.

The Environment Protection Act of 1986 and numerous other rules and regulations aimed at avoiding and reducing environmental harm brought on by companies serve as the foundation for India's legal system governing corporate liability for environmental harm. According to Indian law, businesses may be penalized and fined for failing to comply with environmental standards as well as held responsible for any environmental damage their operations cause.

The legal structure for corporate accountability for environmental harm differs greatly in other nations, in comparison. Corporate liability for environmental harm is founded on common law concepts and environmental statutes like the Clean Air Act and the Clean Water Act in several nations, including the United States. According to US law, businesses may be subject to civil and criminal penalties as well as fines and jail time for causing environmental harm through

their operations and for failing to comply with environmental laws.

Corporate liability for environmental damage is governed by several laws and regulations in Europe, such as the Environmental Liability Directive, which provides for strict liability for environmental damage caused by certain activities, and the Emissions Trading System, which sets limits for greenhouse gas emissions. gases and allows companies to trade emission rights.

The extent of criminal culpability is one of the main distinctions between the legal systems in India and other nations for corporate liability for environmental harm. Criminal responsibility in India is only applicable when there is a demonstrated purpose to do injury or recklessness in doing so. Contrarily, companies can be held criminally accountable in the United States and some European nations for environmental harm brought about by their operations, even if there was no malicious intent.

The involvement of civil society and environmental organizations in upholding environmental legislation is another significant distinction. In India, environmental and civil society organizations monitor and report environmental infractions and have the legal authority to bring public interest litigation (PIL) proceedings to hold corporations accountable for environmental harm. Other nations, like the United States, have legal frameworks that allow for stronger government oversight and enforcement, but environmental and civil society organizations nevertheless play a significant role in implementing environmental laws.

The seriousness and scope of the sanctions and fines levied for violating environmental laws also affect how effective corporate accountability for environmental harm is. The deterrent effect of the legal system may be weakened by the fact that environmental offenses in India typically carry smaller penalties and fines than they do in other nations. The efficiency of the legal system may further be further hampered by the fact that environmental restrictions are frequently not effectively enforced in India.

In contrast, the United States and certain European nations have more severe punishments and fines for environmental offenses, and environmental laws are generally more strictly enforced. This may operate as a more effective deterrent for businesses participating in ecologically hazardous practices.

Overall, a comparison of corporate accountability for environmental harm in India and other nations identifies the advantages and disadvantages of various legal systems and offers suggestions for areas that should be strengthened. The enforcement of environmental laws needs to be strengthened, environmental offenses need to carry stiffer fines and penalties, and criminal culpability for environmental harm needs to be expanded. In addition, more civil

society, and environmental group involvement, as well as improved government oversight and enforcement, can assist ensure that businesses are held responsible for their environmental impact and advance sustainable development.

VI. CORPORATE LIABILITY AND THE RIGHT TO A HEALTHY ENVIRONMENT IN INDIA

The Indian Constitution upholds the right to a healthy environment as a basic right, and corporate accountability for environmental harm is a crucial component of guaranteeing the protection of this right. In recent years, there has been a rising understanding of the necessity of holding businesses responsible for their environmental effects and ensuring that their operations do not infringe upon people's rights to a healthy environment.

According to Indian law, businesses can face penalties and fines for failing to comply with environmental standards as well as liability for any environmental harm their operations may have produced. Due to the strict liability theory that underpins this legal system, businesses may nevertheless be held accountable for any harm brought about by their operations even if no malicious intent was present.

The need to ensure that corporate responsibility for environmental damage is consistent with the right to a healthy environment is also increasingly recognized. This requires a careful balance of corporate and public interests and an awareness of the wider social and environmental impacts of business practices.

Making sure that businesses are held responsible for the entire spectrum of environmental effects of their operations is one of the biggest difficulties in this area. This covers both direct and indirect effects, such as greenhouse gas emissions that cause climate change as well as direct effects like pollution and habitat destruction.

Furthermore, it is crucial to understand that social duty as well as legal accountability are both aspects of business culpability for environmental harm. In addition to respecting the right to a healthy environment, corporations have a duty to act in ways that will lessen their negative effects on the environment and advance sustainable development.

Regarding corporate responsibility for environmental harm and the right to a healthy environment, there have been a number of significant changes in India in recent years. The National Green Tribunal, a specialized court set up to handle environmental matters, recognized the right to a healthy environment as a fundamental right, which is one of the most important of these.

Several important court decisions have also held corporations responsible for environmental damages, including air and water pollution, industrial accidents and violations of environmental laws. These cases emphasized the need for companies to be responsible for their environmental impacts and contributed to the development of a strict liability standard for environmental damages.

The right to a healthy environment must coexist with corporate culpability for environmental harm, but there are a number of issues that need to be resolved in the meanwhile. These include the need to broaden criminal accountability for environmental harm, toughen the enforcement of environmental laws, and enhance the fines and punishments for environmental infractions.

Additionally, it's critical to make sure that businesses are held responsible for both their direct and indirect environmental effects, such as greenhouse gas emissions. This necessitates a more thorough approach to corporate culpability for environmental harm, one that considers the whole spectrum of social and environmental repercussions of business activity.

Finally, it's critical to understand that social duty as well as legal accountability are both factors in business culpability for environmental harm. In addition to respecting the right to a healthy environment, corporations have a duty to act in ways that will lessen their negative effects on the environment and advance sustainable development. This necessitates a larger change toward a more socially conscious and environmentally friendly type of corporate governance that emphasizes the long-term needs of the environment and society.

VII. CONCLUSION

In conclusion, corporate responsibility for environmental harm is a crucial issue in India, where fast industrialization and economic growth have created serious environmental problems. The legal structure for corporate liability in India is founded on the strict liability principle, which holds businesses accountable for environmental harm brought on by their operations even if they have no malicious intent to do so. Even while there have been important advancements in recent years on the recognition of the right to a healthy environment and holding companies responsible for environmental harm, there are still big problems that need to be solved. These include the necessity of stepping up environmental law enforcement, escalating fines and penalties for environmental infractions, and extending criminal culpability for environmental harm.

Furthermore, it is crucial to understand that social duty as well as legal accountability are both aspects of business culpability for environmental harm. In addition to respecting the right to a healthy environment, corporations have a duty to act in ways that will lessen their negative

effects on the environment and advance sustainable development.

The need to balance the entitlement to a healthy environment with the company's obligation to repair environmental harm is a significant barrier in this situation. This calls for a careful balancing of corporate and public interests as well as an understanding of the broader social and environmental implications of business.

Overall, corporate liability for environmental harm in India is a complicated and varied subject that calls for a comprehensive strategy that considers legal, social, and environmental factors. Making sure that businesses are held responsible for their environmental impact and that everyone's right to a healthy environment is safeguarded will become more and more crucial as India continues to experience fast economic expansion and industrialization. We can only assure India's and the world's sustainability by doing this.

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