BLOGS

50 Landmark Judgments on Environmental Law for CLAT PG

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The CLAT PG exam takes a unique approach to delicate environmental principles in that it does not normally require candidates to define them as such. Instead, the exam tends to focus on queries such as the court's ruling and the applicable legal doctrine. The following is a collection of 50 Landmark Judgments on environmental law.

Each case is followed by a summary of the court's finding. Candidates may find this collection useful alongside the Landmark Cases on environmental law and Part 2 of statutes then check their recall with the passage-based test on environmental law. The environmental law collection encapsulates a broader actuary.

I. Constitutional Foundations and the Right to a Clean Environment

1. ***Subhash Kumar v. State of Bihar*** **:** Herein, the Court interpreted ***Article 21 to include the right to clean water and air.*** However, since there was no public interest, the case was dismissed.
2. ***M.C. Mehta v. Union of India (Oleum Gas Leak)*** **:** After oleum leaked from a Delhi fertiliser plant, the **Court dropped the exceptions in Rylands v. Fletcher and created absolute liability.** *An enterprise in a hazardous activity must pay for all harm it causes, in an amount that matches its size and capacity.*
3. ***M.K. Ranjitsinh v. Union of India*** **:** A case about the Great Indian Bustard and overhead power lines led the Court to **recognise a right to be free from the adverse effects of climate change.** It placed that right within Articles 14 and 21.
4. ***Rural Litigation and Entitlement Kendra v. State of U.P.:*** This Doon Valley case is among the first where the Court dealt with ecological imbalance. **It closed several limestone quarries and accepted the loss of jobs and revenue as the price of protecting the hills.**

5. ***Charan Lal Sahu v. Union of India*** **:** In it, the Court upheld the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 as it determined that **the state may file suits on behalf of persons harmed since they cannot afford to individually pursue corporations.**
6. ***Sachidanand Pandey v. State of West Bengal*** **:** The Court said that whenever an environmental problem comes before it, **it must keep Article 48A and Article 51A(g) in mind.** The case arose from a hotel planned near the Calcutta zoo.
7. ***L.K. Koolwal v. State of Rajasthan*** **:** The case ruled that a **municipality's failure to keep Jaipur clean violates Article 21 of the Constitution, and the citizens can take action under Article 51A(g) by filing a lawsuit.**
8. ***Animal Welfare Board of India v. A. Nagaraja*** **:** The Court expressed that the meaning of the word **"life" in Article 21 includes the dignity and welfare of animals.** In this case, the court held that the **Jallikattu and bullock cart race violate the provisions of the Prevention of Cruelty to Animals Act of 1960.** Later, a constitution bench upheld the amendment of Tamil Nadu allowing the sport in 2023.
9. ***M.C. Mehta v. Union of India (environmental education)*****:** The court ordered the central government to carry out the campaign for environmental awareness and to do it through cinema halls. It had later orders for making it **compulsory to study the environmental education by the students.**
10. ***T. Damodhar Rao v. Special Officer, Municipal Corporation of Hyderabad*** **:** This case was a ruling of Andhra Pradesh High Court where the court stated that a **clean environment is part of the right to life under Article 21** and halted construction over an area where it had been reserved for open parks and recreation purposes.

II. Sustainable Development, Precautionary Principle, and Polluter Pays

1. ***Vellore Citizens Welfare Forum v. Union of India*****:**Tanneries in Tamil Nadu were poisoning the Palar river. **The ruling revealed that the precautionary and polluter pays principles were already established as mandated by Indian law.** The tanneries were directed to pay for their violations under the Environment (Protection) Act of 1986.

2. ***Indian Council for Enviro-Legal Action v. Union of India*** **:**Chemical units at Bichhri village had left toxic sludge that contaminated the groundwater.The ruling helped in **applying the principles of absolute liability.**
3. ***A.P. Pollution Control Board v. M.V. Nayudu*** **:** The Court **explained the precautionary principle in detail and placed the burden on the developer to show that the activity is environmentally safe.** It also urged the **creation of environmental courts with expert members.** provided a more detailed explanation of precautionary principle wherein the burden of environmental safety was put onto the developers.
4. ***Narmada Bachao Andolan v. Union of India*** **:**The Court let work on the Sardar Sarovar dam continue in stages. It tied this to **genuine resettlement of displaced families and to environmental safeguards.**
5. ***N.D. Jayal v. Union of India*** *:* The Court considered **sustainable development as part of Article 21 in Tehri dam case.** The Court stated that large projects require **environmental assessment which is to be conducted periodically, not once and for all.**
6. ***Essar Oil Ltd. v. Halar Utkarsh Samiti*** *:* This case dealt with a refinery that was proposed to be set up near marine sanctuary in Gulf of Kutch. The Court allowed the **project to proceed under certain conditions and stated that sustainable development means development along with conditions of protection.**
7. ***Research Foundation for Science Technology and Natural Resource Policy v. Union of India*** **:**This case related to i**mport of hazardous waste and toxic waste where the Court used the precautionary principle along with obligations of India under Basel Convention to impose restrictions on such imports.**
8. ***Intellectuals Forum v. State of A.P.*** **:**The Court reiterated the **precautionary principle along with public interest doctrine while dealing with environmental problems in Tirupati in this case.**
9. ***Tirupur Dyeing Factory Owners Association v. Noyyal River Ayacutdars Protection Association*** **:** Dyeing units in Tirupur had left the Noyyal river unfit for irrigation or drinking. The Court held the *association and its members liable to compensate the affected farmers and to prevent further pollution, applying polluter pays.*
10. ***Karnataka Industrial Areas Development Board v. C. Kenchappa*** **:** Villagers had lost grazing land to an industrial allotment. The Court directed that the **impact on ecology be**

assessed before land is acquired for industry, and that allottees get pollution control board clearance before the agreement is executed.

III. Public Trust Doctrine and Protection of Natural Heritage

1. ***M.C. Mehta v. Kamal Nath*:** A motel had interfered with the course of the Beas river. The Court brought the public trust doctrine into Indian law and held that the State cannot hand over rivers, forests, and similar resources for private commercial use.
2. ***M.C. Mehta v. Union of India (Taj Trapezium)*:** The case involved industrial emissions causing discoloration of the Taj Mahal. The court mandated **polluting industries in the Taj Trapezium area to change to natural gas or move their locations.**
3. ***Municipal Council, Ratlam v. Vardhichand* :** Residents suffered from open drains and stench. **Using Section 133 of the CrPC, the Court ordered the municipality to build drains and held that a lack of funds does not excuse a failure of statutory duty.**
4. ***M.C. Mehta v. Union of India (Ganga Pollution, Kanpur Tanneries)* :**Tanneries at Kanpur were releasing untreated effluent into the Ganga. The Court ordered those **without primary treatment plants to stop operating, ranking public health and the river above revenue and jobs.**
5. ***Orissa Mining Corporation v. Ministry of Environment and Forests* :**Known as the Niyamgiri case, it involved a bauxite mining plan on hills sacred to the Dongria Kondh. The Court **directed the gram sabhas to decide whether the project would affect their religious and community rights under the Forest Rights Act, 2006.**
6. ***M.I. Builders Pvt. Ltd. v. Radhey Shyam Sahu* :**A shopping complex had been built beneath a public park in Lucknow. **Applying the public trust approach, the Court ordered its demolition and the restoration of the park.**
7. ***Perumatty Grama Panchayat v. State of Kerala* :**This Kerala High Court ruling on a **cold-drink plant's water use treated groundwater as a shared resource.** It held that the **State is its trustee and that a landowner has no unlimited right to draw it.**
8. ***Susetha v. State of Tamil Nadu* :** The Court refused to let a village water tank be converted to another use. **It held that water bodies are public trust property which the State must protect.**

9. ***Jagpal Singh v. State of Punjab*** **:**The Court **directed state governments to evict illegal occupants from village commons, including ponds.** It allowed regularisation only in narrow cases, since such land belongs to the community.
10. ***Lal Bahadur v. State of Uttar Pradesh*** **:**The Court quashed the conversion of a Lucknow green belt into residential land in the Master Plan 2021. **It held that such a change breaches Articles 21, 48A, and 51A(g).**

IV. Forests, Wildlife, and Tribal Interests

1. ***T.N. Godavarman Thirumulpad v. Union of India*** **:**This **continuing mandamus gave "forest" its dictionary meaning under the Forest (Conservation) Act, 1980, whatever the ownership or classification.** The Court has since supervised felling, mining, and forest land diversion.
2. ***Tarun Bharat Sangh, Alwar v. Union of India*** **:**The petition challenged mining inside the Sariska Tiger Reserve. The Court **stopped the mining and held that work within a notified sanctuary must comply with wildlife and forest laws.**
3. ***Pradeep Krishen v. Union of India*** **:**Pradeep Krishen v. Union of India (1996) 8 SCC 599. The case raised the issue of validity of a notification in Madhya Pradesh permitting local villagers to collect 'tendu' leaves and forest produce from sanctuaries and national parks. The Court held that commercialization is not supported by the Wild Life (Protection) Act, 1972 and directed that rights must be settled by the State.
4. ***State of Bihar v. Murad Ali Khan*****:** The Court **did not entertain the plea for quashing there prosecution in the case concerning killing of elephants.** The Court emphasized the importance of the Wild Life (Protection) Act in conserving species and maintaining ecology.
5. ***Sansar Chand v. State of Rajasthan*****:** The case revealed that **certain criminals were involved in an organized syndicate involved in trade of tiger skins and animal parts.**
6. ***Centre for Environmental Law, WWF-India v. Union of India*****:** The Court ordered that a few Asiatic lions be transferred from Gir in Gujarat to Kuno in Madhya Pradesh. **The rationale was that the single population is prone to diseases and disasters.**
7. ***Animal and Environment Legal Defence Fund v. Union of India*****:.** Tribals **displaced by a dam sought fishing rights in the Pench reservoir. The Court allowed regulated fishing for them** and stressed that national parks exist for conservation.

8. ***Lafarge Umiam Mining Pvt. Ltd. v. Union of India*** **:**The Court **tested a limestone mining proposal on forest land in Meghalaya against sustainable development, the precautionary principle, and intergenerational equity.** It made clear that forest and environmental clearances are open to **judicial review.**
9. ***Nature Lovers Movement v. State of Kerala*** **:**Kerala wanted to regularise encroachments on forest land. The Court held this **illegal without Central approval under the Forest (Conservation) Act.**
10. ***Samatha v. State of Andhra Pradesh*** **:**The Court quashed the mining lease granted to private companies on government land in the Scheduled Areas of the country and directed that a **share of net profit should go to the tribal development funds as a part of land protection under the Fifth Schedule.**

V. Pollution Control, Clearances, and Green Tribunal Powers

1. ***Sterlite Industries (India) Ltd. v. Union of India*** **:**The Court ruled that Sterlite's smelter in Tuticorin was **running without any legal consent; the Court quashed the order of closure imposed by the High Court,** imposing a compensation amount of ₹100 crores based on the principle of the polluter pays.
2. ***Alembic Pharmaceuticals Ltd. v. Rohit Prajapati*** **:** The Court rejected **ex post facto environmental clearance for projects that started before approval.** Clearance must come first, or the precautionary principle is defeated.
3. ***Mantri Techzone Pvt. Ltd. v. Forward Foundation*** **: The Court upheld the National Green Tribunal's direction on buffer zones around Bengaluru's lakes.** It held that the Tribunal can require larger buffers than local planning rules provide.
4. ***In Re: Noise Pollution*** **:** The Court held that **noise violates the right to life and that nobody has a fundamental right to make noise.** It restricted loudspeakers at night, from 10 p.m. to 6 a.m., with limited exceptions.
5. ***Techi Tagi Tara v. Rajendra Singh Bhandari*** **:** The Court required **State Pollution Control Board chairpersons and members to be chosen for expertise through a transparent process.** It rejected bureaucratic postings.
6. ***Hanuman Laxman Aroskar v. Union of India*** **:**In the case of the Mopa airport, the **environmental clearance was set aside because the expert committee had not**

examined critical impacts of the project. The Court emphasized the importance of a transparent and honest review of the aspects of the environment.

7. ***Municipal Corporation of Greater Mumbai v. Ankita Sinha*** **:**The Court held that the **National Green Tribunal can act suo motu. It reasoned that the Tribunal's protective purpose under the National Green Tribunal Act, 2010 is not limited to cases brought by petitioners.**
8. ***Common Cause v. Union of India*** **:**The case dealt with illegal iron and manganese ore mining in Odisha. The Court held that **mining beyond the approved clearance is unlawful and ordered recovery of the full value of ore extracted in excess.**
9. ***M.C. Mehta v. Union of India (Vehicular Pollution)*** **:**To cut Delhi's emissions, the Court **ordered the public transport fleet to move to compressed natural gas.** Read it with our notes on the Air (Prevention and Control of Pollution) Act, 1981.
10. ***Almitra H. Patel v. Union of India*** **:**The Court examined **how Indian cities handle municipal solid waste. Its directions fed into the national solid waste rules and set a framework for municipal responsibility.**

Keep Revising

Revise these cases in sequence with our landmark cases on environmental law, Part 1 and Part 2. Test yourself on the passage-based test, then revisit the Air Act, 1981 notes and the environmental law roadmap.