

CASE LAW UPDATES

Case Brief: In Re: 2 Million Lives at Risk, Contamination in Jojari River, Rajasthan

Julie Nigam · 31 Oct 2026

The case asks a basic but urgent question: what does the right to life mean when the water on which people depend becomes poisonous? In, *In Re: 2 Million Lives at Risk, Contamination in Jojari River, Rajasthan*, the Supreme Court treated unchecked pollution not as a routine regulatory lapse, but as a continuing constitutional injury affecting people, animals, agriculture and the ecosystem.

Citation: 2025 INSC 1341

Case: Suo Motu Writ Petition (Civil) No. 8 of 2025

Date of judgment: 21 November 2025

Court: Supreme Court of India

Bench: Justices Vikram Nath and Sandeep Mehta

Relevant provisions: Articles 21, 47, 48A, 51A(g) and 142 of the Constitution, Water (Prevention and Control of Pollution) Act, 1974, National Green Tribunal Act, 2010

Facts of the Case

The Jojari River flows through Jodhpur. It is connected with the Bandi River, which passes through Pali, and both ultimately merge into the Luni River near Balotra, Rajasthan. These districts are important centres for textile, dyeing, printing and steel industries. The river system also supports villages, agriculture, animals and groundwater resources.

The Supreme Court took suo motu cognizance on 16 September 2025 after a documentary highlighted severe pollution in the Jojari region. The Court later expanded the matter to include the Bandi and Luni rivers. The material before it showed that untreated or partly treated industrial effluents and municipal sewage had entered the river system for years. The pollution had affected water, soil, agriculture, livestock and public health, placing the lives of nearly two

million people at risk.

The problem was not new. Proceedings had already taken place before the Rajasthan High Court and the National Green Tribunal (NGT). The NGT had constituted monitoring committees under **Justice P.C. Tatia**, a former judge, received reports about industrial effluents, inadequate treatment capacity, illegal discharge points and poor sewage management.

The NGT's final order dated 25 February 2022 directed the **Rajasthan State Pollution Control Board** (RSPCB) to stop discharge of untreated or partly treated pollutants. It also directed closure or sealing of continuing violators, assessment of environmental compensation under the **'Polluter Pays principle'**, regular monitoring and use of recovered money for environmental restoration. However, appeals against the NGT order resulted in an interim stay, and the remedial directions were not fully implemented.

By November 2025, the State reported some recent action. Several industrial units had been closed, bypass lines removed and illegal units demolished. It also proposed performance audits of Common Effluent Treatment Plants (CETPs), short-term pollution-control measures and long-term plans involving Zero Liquid Discharge systems. The Court found this response belated when compared with the scale and duration of the crisis.

Issues Before the Court

1. Whether prolonged regulatory inaction and untreated industrial pollution violated the affected population's rights under Article 21.
2. Whether the interim stay on the NGT's 2022 remedial directions should continue.
3. Whether the existing regulatory and treatment infrastructure was adequate to prevent pollution.
4. Whether a specialised oversight body was necessary for restoration, monitoring and accountability.
5. What directions should be issued for closure, remediation, monitoring and future compliance.

Arguments of the Parties

The State did not deny the seriousness of the pollution. It placed recent enforcement steps and proposed technical plans before the Court. It requested flexibility regarding the compensation

imposed on RIICO and other public authorities, arguing that liability should be fixed on industries responsible for the pollution.

The connected authorities and corporations also sought protection from adverse observations, while the State assured the Court that substantive directions could be implemented.

Judgment of the Supreme Court

The Supreme Court modified and clarified the interim stay on the NGT's order. The stay would continue only in relation to adverse remarks against RIICO and other authorities and the direction requiring them to pay environmental compensation of ₹2 crore. The substantive remedial, regulatory and preventive directions of the NGT were allowed to operate immediately.

1. Pollution can amount to a direct violation of Article 21

The Court reaffirmed that [Article 21](#) is not limited to protection against physical deprivation of life. It includes the right to clean water, unpolluted air, a healthy environment, health, dignity and conditions in which life can be meaningfully enjoyed. Safe drinking water is therefore a constitutional concern, not merely a matter of administrative policy.

The Court read Articles [47](#), [48A](#) and [51A\(g\)](#) together with [Article 21](#). These provisions place duties on the State to improve public health and protect the environment, and on citizens to safeguard nature. It is possible to impose the constitutional duty to protect the environment where in the case of pollution, the achievement of life and health for a large population is at risk.

2. Systematic failure was highlighted by crisis

The Court found that the pollution was not a single accident. It was nearly 20 years of regulatory stagnation, government disinterest and lack of infrastructure. Treatment capacity was not in proportion to the quantity of industrial effluent and municipal sewage. The Court also observed the continuing problem of discharge through drains, inadequate conveyance systems and lack of efficient reuse systems.

The recent closures and inspections were correct, but they did not wash away years of stagnation. Paper compliance is not enough when rivers, groundwater and agricultural land remain contaminated. Therefore, the court reminded that regulators should act, before environmental

damage becomes irreversible.

3. Remedial orders cannot be suspended by an overbroad stay

The NGT had conducted a detailed fact-finding exercise and prepared a remedial framework. Continuing the stay in a manner that prevented implementation would allow the pollution to continue and defeat the purpose of environmental law. The Court therefore revived the positive directions while keeping the limited protection concerning adverse remarks and compensation under consideration.

4. A High-Level Ecosystem Oversight Committee was necessary

The Court constituted a High-Level Ecosystem Oversight Committee under the chairmanship of **Justice Sangeet Lodha**, a former judge of the Rajasthan High Court. The Committee was designed as a fact-finding, monitoring and implementation body.

Its mandate included preparing a scientific and time-bound River Restoration and Rejuvenation Blueprint for the Jojari, Bandi and Luni rivers, mapping legal and illegal discharge points, auditing **Common Effluent Treatment Plant (CETPs)**, Sewage Treatment Plants and pipelines, recommending infrastructure improvements, identifying responsible officials and industries, and ensuring application of the Polluter Pays principle.

The Committee was also directed to ensure that water-quality data was published periodically and that local communities and Gram Panchayats could provide ground-level feedback. The State had to provide staff, office facilities, security, technical assistance and financial support. The Committee was required to submit its first report within eight weeks and further reports every eight weeks.

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Ratio Decidendi

Where prolonged and unchecked pollution threatens life, health, clean water and ecological balance, [Article 21](#) requires urgent and effective State action. Environmental protection is a constitutional duty, not a matter of administrative choice. The Supreme Court can use [Article 142](#) to do complete justice and continuing judicial supervision to revive remedial directions, require regulatory closure and create a specialised oversight mechanism when ordinary enforcement has failed.

Final Directions

The Court directed that the NGT's substantive remedial directions be implemented without any hindrance. To oversee this, the newly formed Oversight Committee was tasked with immediately launching a comprehensive river restoration blueprint. Under its guidance, authorities must map all waste discharge points, audit treatment infrastructure, and submit technical plans. The Committee may recommend prosecution of these industries and concerned officials under the provisions of applicable laws and recovery of compensation for the environment.

Importance for CLAT PG Students

It is important as it connects environmental law with constitutional law and judicial remedies. It illustrates that preservation of the environment and safe drinking water are covered under [Article 21](#). It also indicates Polluter Pay, mandamus, precautionary principle, and public trust doctrine of natural resources ownership in future generations and the public.

It is important to remember that the right to life includes the right to clean water and a healthy environment, and constitutional courts can insist on real implementation when regulatory failure places that right at risk.