



# The Indian Journal for Research in Law and Management

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## MC MEHTA VS UNION OF INDIA

*Nazneen Mushthak*

### INTRODUCTION

Environmental degradation is currently one of the most pressing issues around the world, let alone India. Despite several warnings that have been from both the scientists and from nature itself, humans have continued to show their disregard for nature. So much so that the river that was considered sacred by the people is now filled with sewage and industrial waste. And the alarming deterioration of the Taj Mahal despite it having such significant cultural and historical significance.

It was MC Mehta, an environmentalist and a lawyer, who filed a PIL in the Supreme Court raising concerns about the amount of pollution happening in the Ganga River and surrounding the Taj Mahal. These cases not only show the role of the judiciary in environmental protection but also MC Mehta's commitment in protecting India's environment and cultural heritage for the present and the future generations of the country.

### BACK IN 1987

#### THE FACTS

There were several contributors to the pollution of the river but one of the main offenders were the leather tanneries located in Jajmau, Kanpur which was one of the most populated cities in

Ganga. They let out into the river wastes that were extremely toxic in nature. Those effluents not only ruined the aquatic life in the river but also completely ruined it for human use which affected their health and livelihood.<sup>1</sup>

Once an accident happened in Haridwar, a holy city on the Ganga. A man smoking once dropped a matchstick into the river which caused the Ganga to catch on fire and it stayed lit up for more than 30 hours all because of the layer of toxic chemicals on top of it. This alarming incident raised heads and concerns regarding how serious the problem of pollution is.<sup>2</sup>

### **THE JUDGEMENTS**

The supreme court acknowledged MC Mehta's concerns and agreed that the pollution is deadly. The court mandated that the leather tanneries must install pollution controlling primary effluent treatment plants. The court took the case under Article 32 and emphasized the constitutional duty under Article 48A and Article 51A.<sup>3</sup>

This was a landmark case which introduced the importance of the polluters pay principle. It also showed that environmental protection is not only a public duty but also a constitutional and governmental duty.

### **THEN IN 1997**

MC Mehta once again filed a case in the Supreme Counter under Article 32 raising concerns about the pollution, this time related to the Taj Mahal and its surrounding environment. It urged that immediate attention must be paid to the harmful effects of industrial development on the environment and how it must be done so as to give equal importance to environmental protection. .

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<sup>1</sup> Rushithasravani, *CASE ANALYSIS EDUINDEX NEWS* (2021), <https://eduindex.org/2021/07/29/case-analysis-2/> (last visited Jul 19, 2025).

<sup>2</sup> Team LawFoyer, *MC MEHTA VS UNION OF INDIA: GANGA POLLUTION CASE LAWFOYER* (2021), <https://lawfoyer.in/mc-mehta-vs-union-of-india-ganga/> (last visited Jul 19, 2025).

<sup>3</sup> *MC MEHTA V. UNION OF INDIA - [GANGA POLLUTION CASE] ...*, [https://judicateme.com/wp-content/uploads/2021/11/M.C.-Mehta-v.-Union-of-India\\_JudicateMe.pdf](https://judicateme.com/wp-content/uploads/2021/11/M.C.-Mehta-v.-Union-of-India_JudicateMe.pdf) (last visited Jul 19, 2025).

It put judicial pressure on the offenders and its authorities to clean both their actions and the river by enforcing stricter environmental laws and informing the public about their constitutional duties. This was another case that acted as a cornerstone in India's environmental legal history focused on protecting the environment<sup>4</sup>

## **The Facts**

The serious issue of air pollution can be seen nowadays and the main cause of it being the harmful emissions coming from the industrial activities and from the emissions from vehicles. Another main offender was the Mathura Refinery within the designated Taj Trapezium Zone i.e TTZ. harmful emissions such as Sulphur Dioxide which when combined with moisture causes acid rain, which ruins the surface of the monument changing its colour. Given the cultural and historical significance of Taj Mahal by UNESCO World Heritage Site, the issue of pollution was considered critical and needed to be fixed immediately.<sup>5</sup>

## **THE JUDGEMENT**

In December 1996, the Supreme Court delivered a judgment regarding the Taj Trapezium Case and stated the dangers that issue has on the environment. The judgment was based on various Articles from the Indian Constitution including, Article 21, Article 47, Article 48A and Article 51A (g). The Court directed 292 industries within the Taj Trapezium Zone to either switch to natural gas or to relocate while making sure that the workers' right was protected and appropriate compensation was given to them. They also required for a green belt to be created surrounding the Taj Mahal and enforced strict monitoring and enforcement of pollution control measures.

This landmark judgment set a precedent when it comes to environmental protection in India. It highlighted the importance of balancing industrial development and environmental protection. It emphasized the importance of the polluters pay principle and the precautionary principle that

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<sup>4</sup> Team LawFoyer, *MC MEHTA VS UNION OF INDIA: GANGA POLLUTION CASE LAWFOYER* (2021), <https://lawfoyer.in/mc-mehta-vs-union-of-india-ganga/> (last visited Jul 19, 2025).

<sup>5</sup> Thelegalquorum, *M.C.MEHTA VS UNION OF INDIA & ORS (TAJ TRAPEZIUM CASE)* THE LEGAL QUORUM (2024), <https://thelegalquorum.com/m-c-mehta-vs-union-of-india-ors-taj-trapezium-case/> (last visited Jul 19, 2025).

held the offenders accountable. It led to significant policy changes and acted as big steps to not only controlling pollution but also improving the air quality surrounding the Taj Mahal.

### **THE CONCLUSION**

Both these cases have had significant impacts in India's environmental protection journey and on India's environmental jurisprudence. They helped in establishing important environmental principles and reinforcing constitutional provisions relating to environmental protection. It also showed the judiciary's key role in protecting the environment and the rights of the citizen to a healthy and sustainable future. <sup>6</sup>

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<sup>6</sup> Ideas For India, *GANGA POLLUTION CASES: IMPACT ON INFANT MORTALITY IDEAS FOR INDIA*, <https://www.ideasforindia.in/topics/macroeconomics/ganga-pollution-cases-impact-on-infant-mortality.html> (last visited Jul 19, 2025).