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M.C. Mehta v. Union of India (1987)

-Jayashree Raman

Citation: AIR 1987 SC 1086; (1987) 1 SCC 395

Court: Supreme Court of India

Bench: P.N. Bhagwati, C.J. (with G.L. Oza and M.M. Dutt, JJ.)

ABSTRACT

The case of M.C. Mehta v. Union of India is a landmark judgement in Indian environmental law that strengthened the protection of the environment and public health. The Supreme Court of India delivered several important decisions in cases brought by environmental activist M.C. Mehta, addressing issues such as industrial pollution, hazardous activities, and environmental degradation. One of the most significant decisions arose from the Oleum Gas Leak incident in 1985, which led the Court to establish the principle of absolute liability for industries engaged in hazardous or inherently dangerous activities. Unlike the rule of strict liability, this principle does not allow industries to rely on traditional exceptions to escape liability. The judgement emphasised that industries must be held accountable for the harm caused by their activities to the public and the environment. It also highlighted the judiciary's role in enforcing the right to a healthy environment under Article 21 of the Indian Constitution. This case commentary examines the facts, legal issues, judicial reasoning, and principles established in the case. Overall, the case remains a significant contribution to the development of environmental protection and liability law in the country.

INTRODUCTION

M.C. Mehta v. Union of India, also known as the Oleum Gas Leak Case, is a landmark decision of the Supreme Court of India that reshaped the law of torts in the country. Given by Chief Justice P.N. Bhagwati, the judgment started from the century-old English rule of strict liability given in *Rylands v. Fletcher* (1868) and introduced the doctrine of Absolute

Liability, the case remains a cornerstone of Indian environmental jurisprudence and constitutional law, showcasing the Court's willingness to innovate a legal doctrine through the vehicle of Public Interest Litigation (PIL).

FACTS OF THE CASE

The case arose from an incident on 4 December 1985, when oleum gas leaked from a unit of Shriram Foods and Fertilizers Industries, a subsidiary of Delhi Cloth Mills Ltd., located in a densely populated area of Kirti Nagar, Delhi. The leakage caused the death of one person, an advocate practicing in the Tis Hazari courts, and affected several others, including employees of the plant. This incident occurred nearly a year after the catastrophic Bhopal Gas Tragedy of December 1984, which had already exposed the inadequacy of Indian law in dealing with hazardous industries and mass tort liability.

M.C. Mehta, a public interest lawyer, had already filed a writ petition under Article 32 of the Constitution seeking closure and relocation of Shriram's plant on grounds that it posed a danger to the health and safety of the community. The oleum gas leak occurred while this petition was pending, prompting the Court to expand the scope of the proceedings to address the broader question of liability for harm caused by hazardous industries.

ISSUES BEFORE THE COURT

The Court got several interlinked questions:

1. Whether Article 32 of the Constitution, ordinarily invoked against the State, could be used to seek compensation for harm caused by a private corporation.
2. What principle of liability should govern the enterprises engaged in hazardous or inherently dangerous activities.
3. Whether the rule in *Rylands v. Fletcher*, with its exceptions such as "act of God," "act of a stranger," and statutory authority, was suited to Indian conditions.
4. What measure of compensation should apply in cases of mass harm caused by such enterprises.

JUDGEMENT AND THE DOCTRINE OF ABSOLUTE LIABILITY

Chief Justice Bhagwati, held that India need not follow the nineteenth-century English rule of strict liability. He observed that the law must evolve to meet the needs of a fast-changing

society, and that the Court must not follow precedents from an industrial economy of a different era when India faced problems arising from an economy driven by hazardous technology.

The Court laid down that where an enterprise is engaged in a hazardous or inherently dangerous activity, and harm results to anyone on account of an accident in the operation of that activity, the enterprise is absolutely liable to compensate all those affected, without any exception whatsoever. The Court held that this liability was non-delegable and admitted of no defences, including the exceptions under *Rylands v. Fletcher*. The enterprise could not escape liability by showing that it had already taken all reasonable care, or that the harm occurred without negligence on its part.

The Court held that Article 32 could be invoked, and that it possessed the power under Article 32(2) to forge new remedies, to enforce fundamental rights, even against private corporations, particularly where such corporations undertook activities relating to sovereign or public functions or posed a threat to the Article 21(right to life of citizens).

ANALYSIS AND SIGNIFICANCE

The Oleum Gas Leak case is significant for several reasons. First, it shows judicial activity and the Indian Supreme Court's willingness to depart from colonial-era common law when it is found unsuited to domestic conditions, an approach consistent with Article 372 of the Constitution. Second, it firmly embedded environmental and industrial safety concerns within the framework of Article 21, reinforcing the broader trend as seen in *Maneka Gandhi v. Union of India* of expanding the right to life to include the right to a clean and safe environment.

Third, the ruling must be read against the backdrop of Bhopal, where victims faced enormous difficulty establishing negligence against Union Carbide under torts and where the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 had to be enacted precisely because ordinary tort law proved inadequate. By removing the exceptions available under *Rylands v. Fletcher*, the Court closed the loopholes that corporations could otherwise exploit to escape liability for mass harm.

That said, the judgment hasn't escaped criticism. For one, the Court essentially created the absolute liability doctrine out of thin air, through judicial pronouncement alone, with no legislative backing to spell out how compensation would actually be calculated, how

insurance would work, or which institutions would hear these claims. Parliament only got around with the Public Liability Insurance Act, 1991 and the National Green Tribunal Act, 2010.

Despite laying down this new principle, the Court didn't actually award any compensation to the Oleum gas leak victims in the judgment itself. This ruling was left hollow in practice making it a landmark doctrine on paper that didn't turn into immediate relief for the people it was meant to help.

CONCLUSION

Despite these limitations, *M.C. Mehta v. Union of India* stands as one of the most famous and important judgments in Indian legal history. It liberated Indian tort law from the constraints of *Rylands v. Fletcher*, established a unique Indian doctrine of absolute liability, and made the judiciary's role as an active participant in environmental governance through the PIL. The case continues to be cited more in environmental litigation or law. This case brought about an understanding of the relationship between constitutional rights, tort liability, and environmental protection in India.

CASES

Rylands v. Fletcher (1868) LR 3 HL 330.

M.C. Mehta v. Union of India, AIR 1987 SC 1086

Maneka Gandhi v. Union of India, AIR 1978 SC 597

STATUTES

- **Article 21**- right to life, source of the right to a clean or healthy environment.
- **Article 32**- case arose as a writ petition
- **Article 372**- Continuance of existing laws
- Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985
- Public Liability Insurance Act, 1991
- National Green Tribunal Act, 2010.
- Environment (Protection) Act, 1986