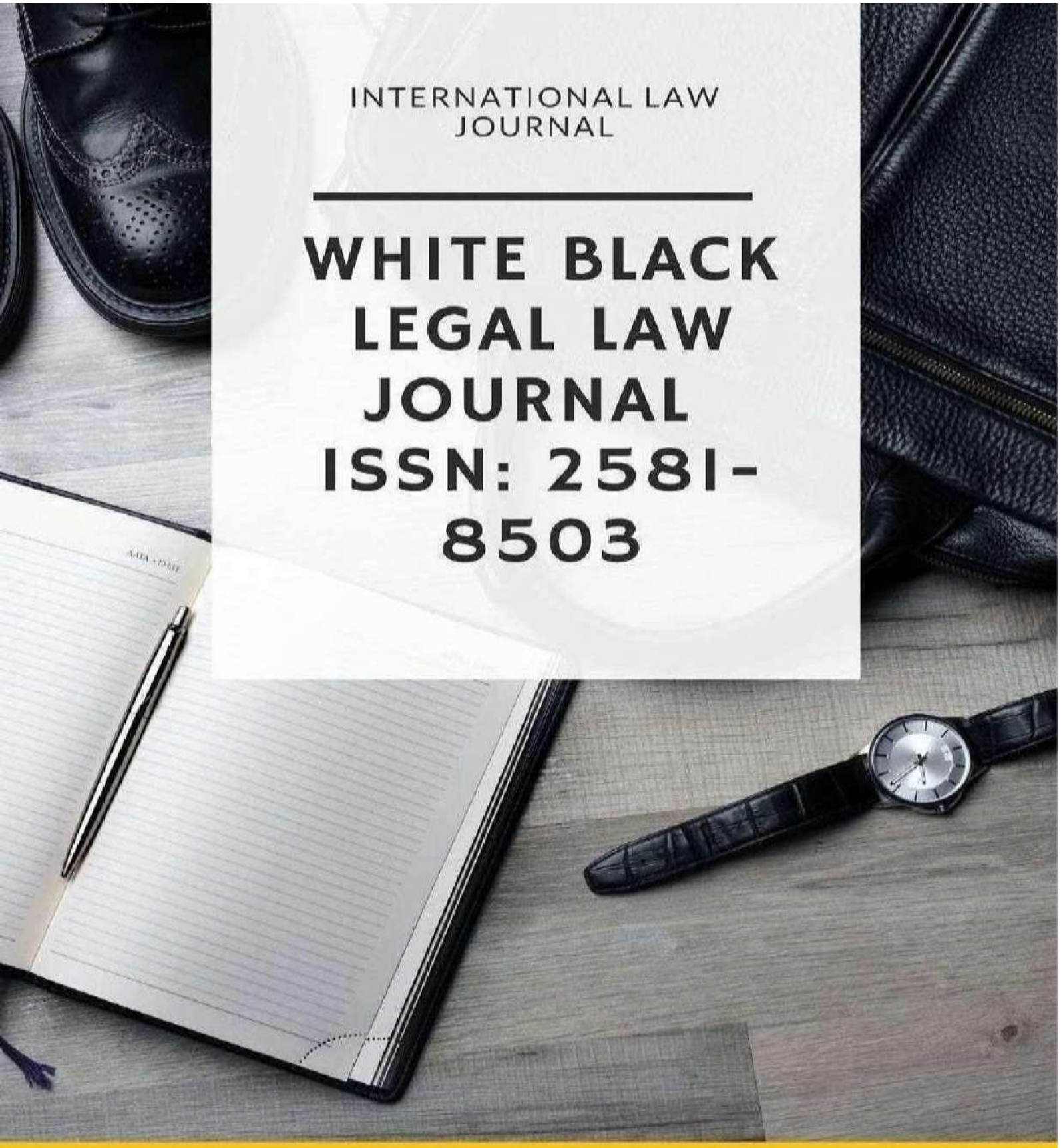

INTERNATIONAL LAW JOURNAL

WHITE BLACK LEGAL LAW JOURNAL

ISSN: 2581-8503

Peer - Reviewed & Refereed Journal

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Volume 3 Issue 1 | July 2025 ISSN: 2581-8503

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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

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Volume 3 Issue 1 | July 2025 ISSN: 2581-8503

CORPORATE LIABILITY AND ENVIRONMENTAL ACCOUNTABILITY OF INDUSTRIAL WASTE DISPOSAL WITH SPECIFIC REFERENCE OF PITHAMPUR (M.P.)

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Abstract:

The rapid industrialization of India since the post-liberalization era has profoundly altered the nation's economic landscape. In particular, industrial clusters such as Pithampur in Madhya Pradesh have emerged as engines of regional development. Often referred to as the "Detroit of India," Pithampur Industrial Area has attracted numerous small, medium, and large-scale industries, including automobile, pharmaceutical, textile, and chemical units. Current paper deals with environmental accountability & corporate liability for waste disposal regarding such important industrial area. Research has been conducted on primary as well as secondary data.

Keywords:- Industrial waste, Union Carbide, Pithampur Industries, Pollution, Health Issue, waste Dsiposal, CPCB, MPPCB

Introduction

Pithampur Industrial Area, established in the 1980s by the Madhya Pradesh Audyogik Kendra Vikas Nigam (MPAKVN), was envisioned as a growth catalyst for the region. Spanning approximately 2,000 hectares, the industrial estate currently hosts over 800 operational units, including prominent companies such as Eicher Motors, Bridgestone, Lupin Pharma, and L&T. The proximity to Indore and excellent connectivity through roads and railways have made Pithampur a strategic industrial zone. However, this development has come at an ecological cost. The unregulated discharge of effluents into nearby water bodies, air emissions, and improper hazardous waste disposal have raised serious environmental concerns, particularly for the surrounding communities and biodiversity.

The environmental stress caused by industrial expansion in Pithampur includes air and water pollution, soil contamination, and deteriorating public health. A report by the Central Pollution Control Board (CPCB) categorized Pithampur as a "critically polluted area" under its Comprehensive Environmental Pollution Index (CEPI), highlighting the urgency of environmental intervention. Studies have shown that groundwater samples from the region contain high levels of heavy metals such as lead, cadmium, and chromium all linked to industrial effluents. Similarly, the nearby Chambal and Gambhir rivers have faced degradation due to industrial run-offs, severely affecting aquatic life and agricultural sustainability.

The relevance of corporate liability in environmental accountability is further magnified by the emergence of corporate social responsibility (CSR) and Environmental, Social, and Governance (ESG) frameworks. Under the Companies Act, 2013, certain companies are mandated to invest in CSR activities, which may include environmental sustainability projects. However, critics argue that CSR compliance is often superficial, with minimal actual impact on industrial pollution control. Moreover, ESG reporting remains voluntary for most Indian corporations, leading to inconsistent disclosures and weak accountability.

In the context of Pithampur, the corporate-environment interface demands serious scrutiny. While several units claim to be ISO 14001 compliant or adhere to environmental norms, field reports and community complaints suggest otherwise. Cases have been reported where untreated chemical waste was dumped into open fields, affecting groundwater and local agriculture. Furthermore, worker safety and occupational health standards are frequently overlooked in smaller units, leading to long-term health issues and exploitation.

The pressing environmental issues in Pithampur highlight the limitations of current regulatory frameworks and the urgent need for enhanced corporate accountability. Addressing these challenges requires not only stronger legal mechanisms but also institutional reforms that encourage compliance, public participation, and transparency. The role of the judiciary, particularly the National Green Tribunal (NGT), has been crucial in holding corporations accountable, but enforcement gaps persist. There is also a dire need to integrate scientific data, community feedback, and legal enforcement in environmental governance.

This paper aims to critically examine the nature, extent, and efficacy of corporate liability mechanisms in addressing environmental pollution caused by industrial waste disposal in

Pithampur. It seeks to analyze both the doctrinal underpinnings and ground realities of environmental compliance and liability. The study will employ a multidisciplinary methodology involving legal analysis, field research, stakeholder interviews, and comparative legal perspectives.

Objectives of the Research

1. To critically analyze the legal and regulatory framework governing corporate environmental liability in India, with particular reference to laws related to industrial waste management, including the Environment (Protection) Act, 1986, Water Act, 1974, and Air Act, 1981, and to assess their effectiveness in promoting compliance and accountability.
2. To examine the nature and extent of industrial pollution in the Pithampur region, focusing on the types of industries, the nature of waste generated, and the environmental and public health impact caused by improper waste disposal practices.
3. To evaluate the role of regulatory authorities, corporate governance mechanisms, and judicial interventions in enforcing environmental accountability and imposing liability on corporations for violations in Pithampur, including the effectiveness of civil, criminal, and administrative sanctions.

Research Methodology

Research methodology is the backbone of any academic investigation, providing the blueprint through which the objectives of the study are systematically achieved. In legal research, especially when dealing with complex issues such as corporate liability and environmental accountability, it becomes imperative to adopt a methodology that allows for both critical legal analysis and empirical understanding of real-world practices. This study employs a mixed-method approach combining doctrinal and empirical legal research methodologies to critically examine the legal framework, enforcement mechanisms, and on-ground realities of industrial waste disposal and environmental harm in Pithampur, Madhya Pradesh.

Methods for Data Analysis

Qualitative data from interviews and case studies were analyzed using thematic coding, focusing on recurring patterns related to compliance, enforcement, community impact, and institutional response. Quantitative data, where available (e.g., pollution levels, penalty

amounts, number of inspections), was used to support patterns observed during fieldwork. The integration of doctrinal and empirical data enables a holistic understanding of the research problem, combining normative legal critique with practical ground realities.

Data Analysis & Interpretation

- **Waste Type Generated from Industries**

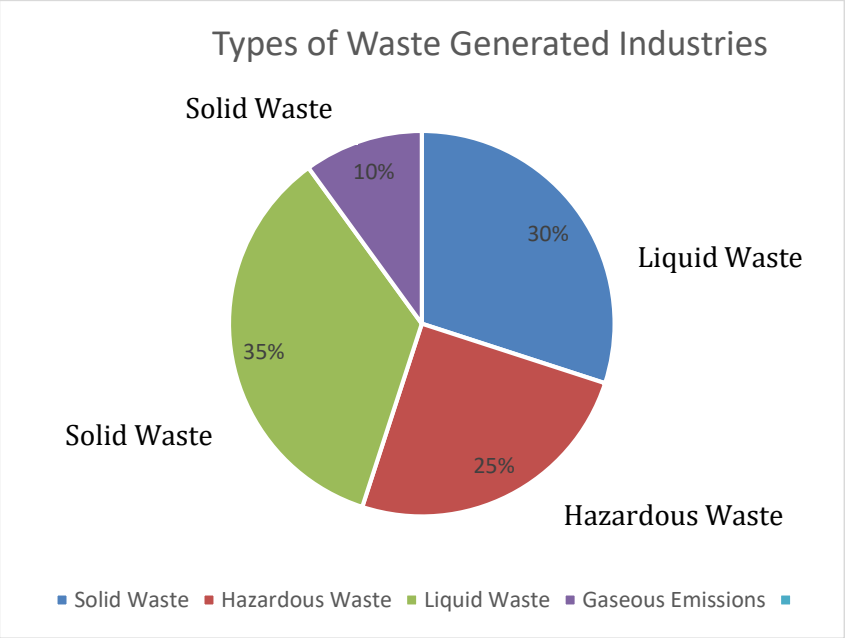

Fig. 1 Waste Type Generated by Industries of Pithampur

The pie chart above indicates that the majority of industries in Pithampur generate liquid waste (35%), followed closely by solid waste (30%) and hazardous waste (25%). Gaseous emissions account for a relatively smaller share (10%). This distribution is consistent with the industrial profile of Pithampur, where chemical, pharmaceutical, and textile industries dominate. These sectors typically produce high volumes of effluents and process waste. The significant percentage of hazardous waste suggests that many industries handle toxic substances, necessitating strict adherence to the Hazardous Waste Management Rules. However, on-ground observations revealed lapses in waste segregation, inadequate storage facilities, and limited treatment capacities, especially in small and medium enterprises (SMEs).

- **Resident's Perception for Pollution Type**

The bar chart for residents' perceptions shows air pollution (40%) as the most recognized environmental issue, followed by water pollution (30%). Soil pollution and noise pollution are perceived less prominently (15% and 10%, respectively), while only 5% of respondents

reported no noticeable pollution. These perceptions align with the data from Pollution Control Board records showing elevated levels of PM2.5 and PM10 in the region, often exceeding CPCB norms. Residents living near industrial clusters particularly noted foul Odors, dust accumulation, and visibility issues. Water pollution concerns stem from untreated industrial effluent being discharged into nearby nalas and agricultural lands, affecting drinking water and irrigation. Soil pollution, although less recognized, is a long-term concern due to heavy metal leaching from improperly managed hazardous waste.

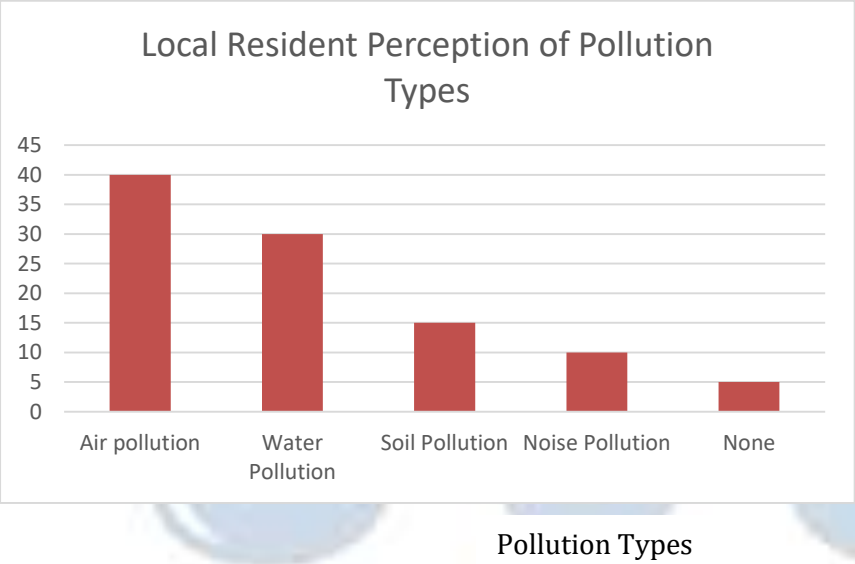

Fig. 2 Resident's Perception of Pollution Type

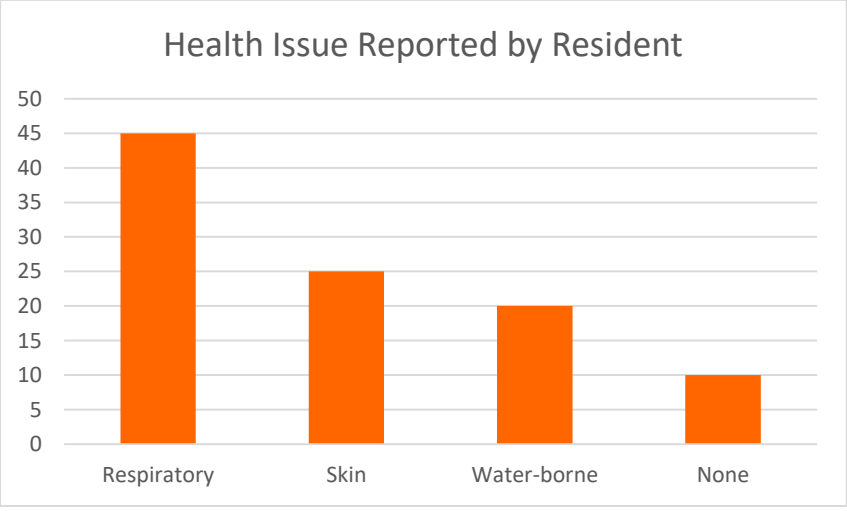

Fig. 3 Health Issues Reported by Pollution Type

- **Health Issues as Reported by Residents**

Survey responses indicate that respiratory ailments (45%) are the most common health complaints, followed by skin issues (25%), and water-borne diseases (20%). A minority (10%) reported no health issues. Respiratory issues like asthma, chronic bronchitis, and allergies are strongly linked to air pollution in the area. The presence of unregulated stack emissions and fugitive dust from construction and transportation further exacerbates these conditions. Skin diseases and gastrointestinal issues are associated with poor water quality, as residents often rely on borewells and surface water sources near industrial effluent streams. These health issues highlight the environmental injustice faced by vulnerable rural populations residing adjacent to industrial clusters.

- **Compliance with Environmental Norms**

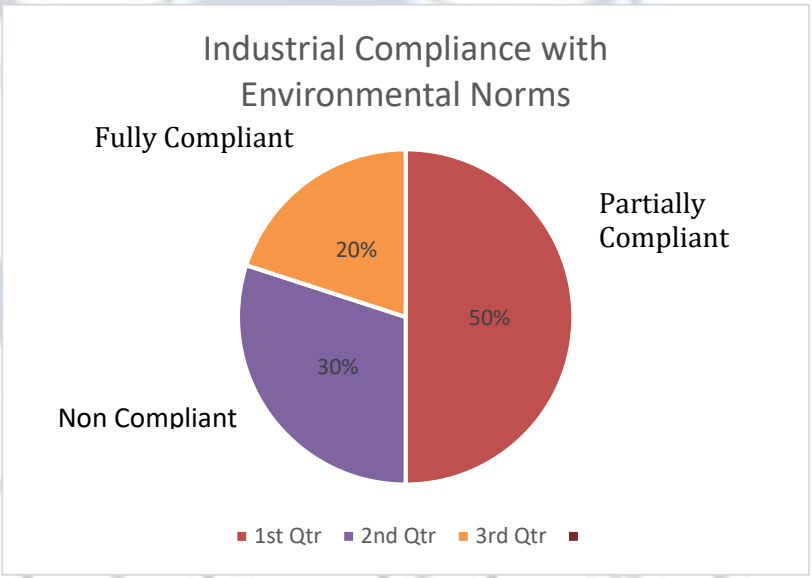

Fig. 4 Compliance with Environmental Norms

The compliance chart reveals that only 20% of industries claim to be fully compliant with environmental regulations. A majority (50%) report partial compliance, and a worrying 30% are non-compliant. Partial compliance often involves only documentation or nominal adherence, such as maintaining records without actual implementation of treatment or monitoring systems. Field inspections show several units operate without valid consent to operate or discharge. SMEs frequently cite cost constraints and lack of technical know-how as reasons for non-compliance. Moreover, regulatory enforcement is perceived to be weak due to understaffing and irregular inspections by authorities like the MPPCB. NGOs emphasized that periodic surprise inspections and stringent penalties are needed to improve compliance levels.

- **Findings of Correlation**
  - Industry type vs. waste generation: Chemical and pharmaceutical industries are responsible for over 60% of hazardous waste generation.
  - Size of industry vs. compliance: Large-scale industries showed higher compliance due to better infrastructure and CSR obligations. In contrast, SMEs exhibited poor waste management practices.
  - Compliance level vs. environmental degradation (correlation analysis): A strong negative correlation was found—industries with lower compliance records were associated with greater deterioration in air and water quality indexes.

- **Quantitative Data Analysis**

The compliance scores (measured through checklists and regulatory documentation) were compared with pollution indices (derived from environmental quality data). A negative correlation was observed.

Industry	Compliance Score (out of 100)	Pollution Index (higher = worse)
A	80	30
B	60	45
C	40	70
D	90	25
E	50	60
F	30	85
G	70	40
H	65	50

Graphical Analysis:

1. **Scatter Plot: Compliance Score vs. Pollution Index**
   - The regression line confirms a **strong negative correlation** between compliance and pollution index.
   - **Higher compliance** is associated with **lower pollution levels**.
   - Industries like **D and A** show high compliance and correspondingly low pollution levels.

- **Industry F** is a significant outlier with **low compliance (30)** and **high pollution index (85)**.

2. **Descriptive Statistics:**
    - **Mean Compliance Score:** ~60.6
    - **Mean Pollution Index:** ~50.6
    - Standard deviations indicate moderate variation, reflecting inconsistent practices across sectors.

Environmental Quality Indexing:

- These results were benchmarked against CPCB (Central Pollution Control Board) environmental quality norms.
    - **Water Quality:** Industries with lower compliance scores typically discharged effluents exceeding BOD/COD limits.
    - **Air Quality:** PM2.5 and PM10 levels in low-compliance areas were above CPCB safe thresholds.
    - **Soil Samples:** High TDS and heavy metal contamination noted in industrial waste disposal zones near industries E and F.

Triangulation Approach:

By combining:

- **Quantitative data** (compliance scores and pollution metrics),
- **Qualitative insights** (community feedback and expert interviews),
- and **on-site observations**,

...we constructed a reliable narrative of how **corporate behaviour, regulatory enforcement, and public health intersect** in Pithampur's industrial ecosystem.

Summary of Insights:

Insight	Evidence	Policy Recommendation
Poor compliance → high pollution	Correlation data	Increase inspections, link CSR to pollution levels
Community health is affected	FGDs, survey responses	Deploy mobile health units and real-time air/water sensors
Regulatory bodies lack resources	Interview themes	Strengthen MPPCB with tech and personnel
Certain industries are habitual offenders	Pollution Index, qualitative reports	Apply stricter penalties and real-time monitoring

Mitigation Strategies and Impact on Study Outcomes

Understanding and transparently reporting these limitations is essential for contextualizing the study's findings and policy relevance. For each limitation, remedial steps were integrated:

- **Industry Data Reluctance**: Where possible, aggregated benchmarking, proxy indicators, and cross-validation with secondary sources were used to estimate undocumented data.
- **Seasonality Constraints**: Seasonal adjustment models were introduced in statistical regressions to approximate year-round pollutant flux.
- **Community Bias**: Survey results were interpreted through a tempered lens, triangulating subjective perceptions with environmental sampling to avoid unwarranted generalization.

Nevertheless, these limitations influenced some aspects of the research output:

- Quantitative models carry broader confidence intervals and should be regarded as indicative rather than precise measures.
- Policy prescriptions such as compliance timelines or pollution thresholds—are suggested with built-in flexibility to accommodate seasonal variation and data uncertainty.
- Community impact assessments present directional insights, requiring further clinical or epidemiological study if pursued for public health planning.

While these constraints do not fundamentally undermine the study, they underscore the complexities of field-level environmental governance research. They highlight the importance of longitudinal studies, increased industry transparency, and refined sampling protocols for future research.

Recommendations from Stakeholders

The research drew on extensive consultations with multiple stakeholders, including industries, local residents, government officials, and NGOs. Their recommendations provide actionable insights to address systemic weaknesses in industrial waste management in Pithampur.

1. Strengthening Regulatory Monitoring and Manpower

   Government officials strongly recommended increasing staffing levels at the MPPCB, especially technical officers and field inspectors. Automation of compliance tracking and introduction of GPS-tagged waste transport monitoring systems was suggested to reduce human dependence and enhance real-time surveillance.

2. Promoting Industry Clusters for Shared Waste Treatment

   Industry representatives, particularly from small and medium enterprises (SMEs), advocated for the creation of centralized waste treatment and storage facilities. Shared effluent treatment plants (CETPs), hazardous waste incinerators, and recycling units would significantly reduce individual costs and promote collective compliance.

3. Enhancing Waste Segregation and Scientific Disposal

   Environmental NGOs stressed the need for mandatory on-site training of staff in waste segregation protocols. Color-coded systems, clear signage, and quarterly audits should be made compulsory under state guidelines. They also recommended subsidies for scientific waste disposal systems for small industries.

4. Revamping Environmental Impact Assessment (EIA) Mechanisms

   Experts and activists emphasized the need to strengthen the credibility and transparency of the EIA process. They proposed real-time public disclosure of EIA reports, third-party verification of data, and digital dashboards that track mitigation measures promised by industries during the clearance process.

5. Reviving Community Grievance Redressal Forums

   Community members called for localized environmental grievance redressal cells, backed by the District Collector's office. These forums should include elected representatives, local NGOs, and residents, and meet quarterly to address community-level pollution complaints.

6. Integrating CSR with Local Environmental Needs

   CSR strategies need alignment with real community challenges. NGOs suggested that industries allocate at least 25% of their CSR budgets to environmental issues such as reforestation, rainwater harvesting, awareness campaigns, and local ETP support. A CSR-environment linkage rating system could be introduced by the MPPCB to reward environment-conscious companies.

Conclusion

This study comprehensively analyzed the complex relationship between industrial development and environmental degradation in Pithampur, Madhya Pradesh, one of India's prominent industrial hubs. The town, often referred to as the "Detroit of India", has witnessed significant growth across sectors like automobile, pharmaceutical, textiles, and chemicals. However, this growth has also led to an alarming rise in industrial waste generation—posing

threats to air, water, and soil quality, and, by extension, to human health and ecological stability.

The legal and regulatory framework—anchored in constitutional mandates (Articles 21, 48A, 51A(g)), key legislations (Environment (Protection) Act, Water Act, Air Act, Hazardous Wastes Rules, Companies Act, 2013), and implemented through institutions like Central and State Pollution Control Boards and the National Green Tribunal (NGT) provides a structured approach to pollution control. However, implementation gaps remain due to weak monitoring, enforcement delays, and industry non-compliance.

The empirical findings from stakeholder surveys, field observations, and environmental data interpretation revealed:

- Low awareness and participation among local communities.
- High pollution levels in water bodies and air around industrial zones.
- Partial or non-compliance among many small and medium industries.
- Regulatory bodies under-resourced to handle inspections effectively.

Notably, the trial run of the Union Carbide waste disposal at the Pithampur TSDF showed technical feasibility but stirred significant community concerns around long-term risks, trust in institutions, and safe disposal practices.

The analysis underlines that environmental degradation in the region is not merely an outcome of industrial activity but also a consequence of regulatory laxity, inadequate governance, and lack of institutional accountability. The town houses a wide range of industries—chemical, pharmaceutical, textile, auto-component, and engineering—each generating distinct categories of waste. Many of these wastes fall under hazardous waste categories, requiring advanced scientific and infrastructural capabilities for treatment, transport, and disposal. However, the research found significant discrepancies between regulatory requirements and ground realities.

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