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Q10

Case study. A big corporate house is engaged in manufacturing industrial chemicals on a large scale. It proposes to set up an additional unit. Many states rejected its proposal due to its detrimental effect on the environment. But one state government acceded to the request and permitted the unit close to a city, brushing aside all opposition. The unit was set up 10 years ago and was in full swing till recently. The pollution caused by the industrial effluents was affecting the land, water, and crops in the area. It was also causing serious health problems to human beings and animals. This gave rise to a series of agitations demanding the closure of the plant. In a recent agitation, thousands of people took part, creating a law and order problem necessitating stern police action. Following the public outcry, the State government ordered the closure of the factory. The closure of the factory resulted in the unemployment of not only those workers who were engaged in the factory but also those who were working in the ancillary units. It also very badly affected those industries which depended on the chemicals manufactured by it. As a senior officer entrusted with the responsibility of handling these issues, how are you going to address it? (250 words).

UPSC Civil Services Mains 2018 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- A chemical plant was allowed near a city despite other States' refusals. After ten years of pollution, agitation and a police clash, the State ordered closure. Workers, ancillary units and downstream industry now suffer. As the senior officer handling the issues, how will you address it?

Revision summary

The case joins ten years of pollution, a forced closure and sudden unemployment.

Reopening without cleanup repeats the original wrong; closure without worker and site plans creates a second wrong.

The officer should run health and water relief, polluter-pays remediation, labour dues, and lawful help for ancillary firms.

A restart, if any, needs a new environmental process away from the city's water.

Police excess and environmental crime are two files, both to be tried.

Introduction

The plant bought time with a political yes and paid in poisoned land, water, bodies and a riot. Closure without a second plan now poisons livelihoods. The job is to hold both harms in one file.

Body

Stakeholders

- Residents, farmers and animals living with effluent, and those injured in the agitation.
- Permanent and contract workers of the unit and of ancillary shops.
- Downstream industries that used the chemicals.
- The company, its directors, and lenders.
- The State government that permitted and then closed the unit.
- Pollution Control Board, health and labour departments, and you as the coordinating officer.
- Future investors, who will read whether the State is lawless, captured, or merely chaotic.

Ethical issues and values

- Right to health and a decent environment (**Article 21** as interpreted in environmental cases) versus the right to livelihood.
- **Polluter-pays and inter-generational justice:** ten years of gain cannot exit as a private profit and a public ruin.
- **Non-violence and police ethics:** stern action in a crowd does not erase the duty to find who poisoned the water.
- **Legal certainty:** a permission that ignored other States' environmental no is a past wrong; a sudden closure that dumps workers is a present wrong.
- **Integrity:** do not reopen the tap as a favour, and do not use "jobs" as a shield for ongoing toxin.

Options

- **Option 1:** Immediate silent reopening to calm unemployment.
- **Merit:** wages restart.
- **Demerit:** repeats the original capture; more disease. Rejected until compliance is real.
- **Option 2:** Permanent lock, no remediation, no worker plan.
- **Merit:** looks green.
- **Demerit:** leaves a toxic site and a hungry ring of towns; anger will return.
- **Option 3:** Closure stays for unsafe processes; time-bound remediation; worker protection; lawful relocation or clean restart only after independent clearance.
- **Merit:** both life and livelihood.
- **Demerit:** costs money and political patience.

Action

- **Health first:** survey, treatment camps, safe water tankers, and a public register of illness without intimidating complainants.
- **Environment:** independent sampling of soil, aquifers and crops; a remediation order on the company under polluter-pays, with bank guarantees, not a taxpayer-only clean-up.

- **Liability:** preserve evidence for the **National Green Tribunal** and criminal provisions where they apply; directors do not hide behind a padlock.
- **Labour:** enforce closure compensation, provident fund and gratuity; notify all units; run a placement cell with skills that match the district, not a pamphlet.
- **Ancillary and downstream firms:** a time-bound input-substitution plan, lawful import windows if essential, and credit support through existing MSME instruments - not a secret permission to dump again.
- If a clean technology restart is scientifically possible far from the aquifer and the city, it must pass a fresh environmental process, not a ministerial phone call.
- **Police:** inquire excess in the agitation separately from the environmental crime so that neither file kills the other.
- **Communication:** publish timelines. Silence is how rumours of both "sell-out" and "job murder" grow.
- **Lesson to government:** site clearance is not a competitive gift to the one State willing to look away.

Flow diagram

Pollution and closure -> Treat people and water
Pollution and closure -> Polluter pays remediation
Pollution and closure -> Compensation and reskilling
Silent reopen -> Repeat harm
Fresh independent clearance -> Possible clean restart

Conclusion

Keep the unsafe plant closed. Make the polluter pay to heal land and bodies. Pay and re-skill workers. Allow a restart only through a clean, distant, independently cleared process. Jobs are not a solvent for toxin.

Facts & figures

Polluter-pays principle

The idea, used in Indian environmental jurisprudence, that the operator who profits from a dirty process funds the cleanup, not only the neighbour.

Article 21 and environment

The Supreme Court has read life with dignity to include protection from severe environmental harm.

National Green Tribunal

A specialised forum for environmental disputes and restoration orders that this file should not bypass.

Industrial closure and labour law

Closure does not dissolve wages, provident fund and statutory compensation already due to workmen.

Environmental clearance

Siting a hazardous chemical unit near a city after other States refuse is a governance failure at the permission stage, not only at the protest stage.

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