

Environmental Law

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1. Introduction

Environmental law plays a vital role in today's society. The judiciary has been highly active in safeguarding the environment, and environmental jurisprudence has significantly evolved through the proactive measures undertaken by the Indian courts. The Hon'ble Allahabad High Court also including the Lucknow Bench, particularly in the year 2024, played a significant role in shaping up environmental governance in the State of Uttar Pradesh. The Hon'ble Court has addressed a wide range of matters pertaining to environmental law. The cases ranged a wide variety involving matters concerning municipal actions, public-health hazards, environment infrastructure, tree-felling, environmental compensation and interface between State environmental regulatory bodies and the National environmental regulatory bodies like National Green Tribunal and the Supreme Court. Also, evaluating the regulatory actions undertaken by pollution control authorities, encroachment of water bodies.

Some of the interesting findings which the article identified while researching on the study, revealed a pattern wherein Allahabad High Court was rigorous on procedural aspects undertaken by Uttar Pradesh Pollution Control Board. It minutely evaluated the inspection report and ensured the same was properly documented.¹ Also, provided tailored remedial directions to the local actions which hampered environmental protection for e.g. compulsory afforestation, ensuring directions from court are accomplished within the stipulated time frame. Additionally, tension due to overlapping of powers is found between environmental Tribunals and State Pollution Control Boards.²

Relevant judgements have been taken from the Legalix portal of the Allahabad High Court, various national reportings and digests which are dedicated in summarising High Court activities. It also includes various filings and replies in various environmental tribunals which showcases parallel litigation to that of the high court, for example, National Green Tribunal and State Pollution Control Board. Additionally, the survey covers several environmental law orders delivered in early 2025, as they represent legal outcomes

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¹ M/s Krasa International Pvt Ltd v. State of Uttar Pradesh and Others (Writ-C No. 7517 of 2024), [2024] AHC 45958-DB (Allahabad High Court, 14 March 2024), *available at*: <https://elegalix.allahabadhighcourt.in/elegalix/WebDownloadOriginalHCJudgmentDocument.do?translateJudgmentID=3677> (last visited on Sept. 16, 2025).

² Shailesh Singh v. Uttar Pradesh Pollution Control Board, Original Application No. 17/2025 (National Green Tribunal, Principal Bench, New Delhi, 23 January 2025), *available at*: <https://www.casemine.com/judgement/in/67ba2606c5ab8f78e92049e5> (last visited on Sept. 16, 2025).

stemming from the actions undertaken by the Hon'ble judges in 2024. In this process the author have critically examined the observations and recommendations provided by the honourable court, various regulators and civil societies functioning in the State of Uttar Pradesh.

2. The Analysis

The Allahabad High Court has been extremely prompt in responding to matters related to public-health and environmental hazards by taking *suo-moto* cognizance and accepting PILs. For example on January 17, 2024, the honourable court took up a *suo-moto* cognizance for rodent-infestation and hospital hygiene at the Swaroop Rani Nehru Hospital.³ The Allahabad High Court looked into this matter after it was reported in the newspaper and also provided with directions and steps that the hospital need to compliance with to ensure a proper environmental health at the hospital. The author believes that such kind of action by the hon'ble court reflects its proactiveness in ensuring appropriate public health.

The Allahabad High Court has been extremely mindful in maintaining sustainability between infrastructural development and tree-felling or loss of green-cover. In June, 2024 a PIL was filed before the Allahabad High Court by Mr. Anand Malviya and Others requesting the judiciary to look into the extreme deforestation aimed to be done due to road-widening in Prayagraj. The Allahabad High Court immediately took up the matter and mentioned that urban trees are important to withstand the heat and urged the government to ensure compensatory actions for deforestation. Hence the government assured they would not only delay their process of widening of the road but also mentioned that compensatory afforestation is being undertaken.⁴ The Allahabad High Court went a step forward to ask the appropriate authorities to file an affidavit and specify the steps undertaken as well as the ones proposed. This incident highlighted the efficiency of the Allahabad High Court in tactfully using the PIL procedure in ensuring minimum deforestation.

The Allahabad High Court has consistently upheld fairness in the procedures adopted for the protection of the environment. During 2024, several administrative actions of the Uttar Pradesh Pollution Control Board and other authorities has been challenged before the Allahabad High Court on multiple grounds like: lack of transparency, proper inspection, non-production of appropriate documents etc. For example in the matter, WRIT -

³ Down to Earth Staff, "Daily Court Digest: Major Environment Orders (January 18, 2024)" *Down To Earth* (18 January 2024), *available at*: <https://www.downtoearth.org.in/environment/daily-court-digest-major-environment-orders-january-18-2024--93963> (last visited on Sept. 16, 2025).

⁴ Ashutosh Acharya, "Tree Felling in Prayagraj After Compensatory Afforestation, UP Government Tells Court" *India Today* (4 June 2024), *available at*: <https://www.indiatoday.in/law/story/prayagraj-uttar-pradesh-road-widening-project-allahabad-high-court-compensatory-afforestation-2548682-2024-06-04> (last visited on Sept. 16, 2025).



C No. - 10963 of 2024, which was addressed by the Allahabad High Court in 2024 and concluded in 2025 quashed the closing orders on the matter related to disobeying the principle of natural justice.⁵ This showcased how tactfully the Allahabad High Court has created a balance between environmental enforcement achievements and the procedural duties of the regulating bodies by creating a bridge between statutory power and procedural due process.⁶

There has been several circumstances wherein there has been an interplay between parallel forms and it welcomes coordination issues. There has been several cases which are addressed before the National Green Tribunal but the Allahabad High Court has intervened on those matters which require the involvement of local municipal, for reference, the matter that looks into the illegal discharge of wastes in river Gomti etc. Another example is the ongoing litigation for discharging of sewage and industrial wastes into the River Ganga where cross-reference and coordination challenges persists. The author believes that these gaps can be addressed only with stronger mechanisms which can be aimed in the upcoming years.⁷ This year has been exemplary as the Allahabad High Court coordinated with both National Green Tribunal and Central Pollution Control Board in order to address critical issues like the untreated wastewater and municipal waste discharge.⁸ Also, mentioning the boundaries of the statutory environmental regulatory bodies prevalent across the State.⁹ The author believe this to be an excellent move of the honourable court to be central for local matters and focusing on remedial measures.

The judgements and the directions from the Allahabad High Court during 2024 clearly showcases wide interpretation of environmental laws for the benefit of public-health. This exhibits an excellent environmental governance and a long-standing trust on the judiciary. This year the judiciary has done a phenomenal job by issuing directions for

⁵ *M/s Satya Narayan Singh Construction Pvt Ltd v. State of Uttar Pradesh and Others* (Writ-C No. 10963 of 2024), [2025] AHC-LKO 804-DB (Allahabad High Court, 6 January 2025).

⁶ *M/s Krasa International Pvt Ltd v. State of Uttar Pradesh and Others* (Writ-C No. 7517 of 2024), [2024] AHC 45958-DB (Allahabad High Court, 14 March 2024), available at: <https://elegalix.allahabadhighcourt.in/elegalix/WebDownloadOriginalHCJudgmentDocument.do?translatedJudgmentID=3677> (last visited on Sept. 17, 2025).

⁷ Reply of Prayagraj Development Authority in IA No. 372 of 2024 in OA No. 515 of 2023 (*Ganga Pollution v. State of Uttar Pradesh and Others*), National Green Tribunal, 12 November 2024, available at: https://www.greentribunal.gov.in/sites/default/files/news_updates/Reply%20of%20Prayagraj%20Development%20Authority%20in%20IA%20No.%20372%20of%202024%20IN%20OA%20NO%20515%20of%202023%20%28Ganga%20Pollution%20v.%20State%20of%20UP%20%26%20Ors.%29.pdf (last visited on Sept. 16, 2025).

⁸ *Sewage Treatment Plant Through Narendra Kumar v. State of Uttar Pradesh* (13 May 2024, National Green Tribunal), available at: <https://indiankanoon.org/doc/65038981> (last visited on Sept. 16, 2025).

⁹ *Shailesh Singh v. Uttar Pradesh Pollution Control Board*, Original Application No. 17/2025 (Principal Bench, National Green Tribunal, 23 January 2025), available at: <https://www.casemine.com/judgement/in/67ba2606c5ab8f78e92049e5> (last visited on Sept. 17, 2025).

producing inspection reports, ensuring compliance of due process etc. which ensures procedural regularity and rules out arbitrariness. Additionally, the Allahabad High Court has taken up several *suo motu* actions based on reporting by several civil societies and media houses. Such steps ensures accountability but challenges court to handle technical environmental issues.

It has been noticed that due to insufficient coordination in parallel litigation there has been an increase trend of forum-shopping and inconsistency in orders. The orders and documents during 2024 showcased repetitive directions and cross-references, which calls for an improved procedural system amongst the forums.¹⁰ The Allahabad High Court has provided some excellent directions like compensatory afforestation but it too depends on regular administrative follow ups.

3. Conclusion

The Hon'ble Allahabad High Court has showcased proactiveness in matters pertaining to environmental law by being a check on the State of Uttar Pradesh. It has upheld environmental jurisprudence by ensuring immediate relief, maintain procedural fairness and also not ignoring urban ecological services. Additionally, established the fact that lower courts and tribunals cannot be surpassed under the pretext of quick enforcement. However, the 2024 judgments of the Allahabad High Court reflected both strengths and systemic gaps. The strengths lay in its concern and promptness in delivering judgments for the benefit of the environment, while the gaps were evident in administrative documentation and inter-agency coordination. Thus, although environmental governance in the State of Uttar Pradesh is progressing well, there remains significant scope for improvement through enhanced administrative capacity and stronger institutional collaboration. It is a matter of great achievement that in 2024, the Allahabad High Court has set the stage for looking into high-stake matters for the upcoming years pertaining to subjects like: environmental compensation, pollution control and green protection.

¹⁰ *Supra* note 7.