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71

77

19

38



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Articles

1. Industrial Corporate Environmental Responsibility:
An Indian Perspective
C.M. Jariwala 1
2. The WTO, Tuna and Dolphins: Has the Environment
Lost another Battle?
Surya P. Subedi
James K. R. Watson 21
3. State Practice on Implementation of International Law
in India: An Analytical Study of Constitutional
Provisions and Case Laws
V.K. Ahuja 44
4. Triple Talaq: An Anti-Islamic Practice in India
Manju Arora Relen 69
5. Legal Regime of Mineral Resources and the
Presidential Reference: An Analysis
Meena Panickar 91

Notes and Comments

1. The Role of Law in Social Transformation
A.P. Singh 107
2. Matrimonial Legal Entitlements in Bangladesh:
From Patriarchy to Gender Equity
Jamila A. Chowdhur 119
3. Hazardous Waste and Environmental Justice
from the Developing Countries Perspective
Stellina Jolly 138

4. Honour Killings: The Hegemonic Paradigm <i>Vageshwari Deswal</i>	150
5. A Critical Appraisal of 'Indian Secularism and Religious Subsidies' <i>Ravinder Kumar</i>	164
6. Civil Liability of the Operator for Nuclear Damage: National and International Legal Regime <i>Jay Prakash Dubey</i>	176
7. Rhetoric of Law Relating to the Person with Disability in India <i>Arun Kumar Singh</i>	186
8. The Earth Charter: Blueprint for a Truly Equitable World <i>Manju Chellani</i>	198
9. Reconceptualising the 'Fair Use' under European and Indian Trademark Law <i>R. Neethu</i>	211
10. Secularism in India: Its Content and Context <i>Amit Kumar</i>	226
11. Making Participatory Conservation Work: An Appraisal of Joint Forest Management in India <i>Priya Urs</i>	242

Book Reviews

1. <i>Ashwani K. Bansal -- Designs Law</i> <i>Deepa Kharb</i>	256
2. <i>Malcolm N. Shaw -- International Law</i> <i>V.K. Ahuja</i>	258
3. <i>Vinod Nijhawan -- Better Criminal Reference</i> <i>M.R. Mallick -- A.N. Saha Criminal Reference</i> <i>Vageshwari Deswal</i>	261
4. <i>Raman Mittal -- Licensing Intellectual Property</i> <i>R. Neethu</i>	264

INDUSTRIAL CORPORATE ENVIRONMENTAL RESPONSIBILITY An Indian Perspective

*C.M. Jariwala**

I Introduction

The subject of industrial corporate environmental responsibility has yet to attract a serious attention of law academics, industries, and public in general. Except a few industries, rest of them is concerned to get maximum profit, and appease the stakeholders who the corporates consider as their prime responsibility. Further in order to enjoy the fruits of industrial development, the government and people, in general, hardly respond to the enforcement of the responsibilities. This has given a leeway to the industries and has caused irreparable damage to the Indian environment. Furthermore, the industrial environmental law has yet to be added as a separate subject in the law curriculum and the faculty expertise has to be developed in this area. The present subject therefore has yet to gain the ground. An attempt has been made in this paper so that the environmental law scholars may exploit this barren land.

There are conflicting claims and interests on the issue of industrial corporate environmental responsibility. On the one hand, the corporate houses, in order to maintain their credibility in the market, have to concentrate on the industrial process to get substantial return. Furthermore, India's effort to become a leading world power has geared up industrialization at the cost of environment. On the other hand, the industrial houses are saddled with three important responsibilities: (i) the international obligations; (ii) the constitutional fundamental obligation and duty; and (iii) the responsibilities imposed under different laws, rules and government orders and notifications. Thus the corporate houses remain in a confused situation. In order to know the real position, it becomes necessary to answer certain questions. What are the responsibilities of the industrial houses? How far these responsibilities secure industrial corporate environmental-friendly action? Have they internalized in their conduct the responsibilities so that a holistic approach is adopted? If not, what are the

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