

## A Legal Study On The Effects By The MNCS To The Environment And Land Degradation With Special References In India

<sup>1</sup>Ms.Varsha KS, <sup>2</sup>A.U.Shri Sai Ram, <sup>3</sup>S.Akash <sup>4</sup>M Hari Rajan <sup>5</sup>J.Christo Francis, <sup>6</sup>M.Raju,

<sup>1</sup> Assistant Professor, Department of Intellectual Property Rights, Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai - 600077. Email ID: varshaks.ssl@saveetha.com

<sup>2</sup>Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai - 600077.

<sup>3</sup>Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai - 600077.

<sup>4</sup> Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai - 600077.

<sup>5</sup>Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai - 600077.

<sup>6</sup>Saveetha school of law Saveetha Institute of Medical and Technical Sciences-(SIMATS) Chennai - 600077.

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### Abstract

This paper's goal is to examine the scope of international regulations that cover multinational corporations' (MNCs) activities that harm the environment and quality control as it relates to environmental impact. The article's first section explores the murky legal status of MNCs and looks at the restrictions that host state agreements and international agreements place on their operations. The second section highlights the main flaw in cross-border litigation by focusing on jurisdiction and choice of law issues. The conclusion then discusses how effectively international law holds MNCs accountable for their environmental actions. Multinational corporations can lower prices and boost global consumer purchasing power by producing identical goods at lower costs. Direct financial investment abroad and job creation in those nations' local economies are two additional advantages. Multinational corporations (MNCs), in particular, have a significant impact on climate change. According to a 2014 study, among the 90 "carbon majors" responsible for significant historical anthropogenic greenhouse gas (GHG) emissions are MNCs in the cement and fossil fuel industries. Multinational corporations contribute more pollution in nations with lax environmental laws. They pollute more abroad, usually in nations with laxer regulations, while emitting less domestically when headquartered in nations with stricter regulations.

**KEYWORDS:** MNCs , legal status , financial investment , anthropogenic greenhouse gas , laxer regulations.

### INTRODUCTION:

Many multinational corporations (MNCs) export their polluting activities through subsidiaries set up in less developed nations in an effort to reduce costs. This pollution export is a significant environmental problem. Environmental pollution can cross international borders without necessarily taking the form of a substance; it can also do so by way of a decision made in one state that has environmental effects in another. To put it another way, environmental damage brought on by a subsidiary's operations is frequently linked to the parent company's regulatory directives. Importantly, MNCs have a significant amount of political influence on the global stage because they make significant economic contributions to the global economy. When attempting to hold MNCs accountable for environmental damage, the dominant position of these corporate giants is not equally balanced against that of the victims. Most frequently, in an effort to reduce production costs, environmentally damaging manufacturing techniques and consumables are introduced, having a gradual but persistent negative impact on the environment. In light of this, the goal of this article is to analyze the scope of international regulations that MNCs must abide by with regard to their environmentally harmful practices and quality control relative to environmental impact. The article explores the murky legal status of MNCs and looks at the restrictions that host state agreements and international agreements place on their operations. This highlights the main flaw in cross-border litigation by focusing on jurisdiction and choice of law issues. The conclusion then discusses how effectively international law holds MNCs accountable for their environmental actions. Although multinational corporations (MNCs) have a significant impact on climate change, little is known about their methods for reporting greenhouse gasses (GHGs). A theoretical framework is created to explain why MNCs report their GHG emissions.

### OBJECTIVES:

1. To find out the causes to the environment by MNCs
2. To check the regulations by the government which regulates the MNCs?
3. To find out the effectiveness of the government initiatives regarding environment protection from MNCs

## REVIEW OF LITERATURE:

**Dendell (2011)**, Has studied the Paper and plastics that are most frequently generated wastes. Common methods of solid waste disposal reported were use of dustbins for collection and open burning. Littering and spillages of solid waste were also common features reported. Data suggested inadequate waste management facilities and practices in study schools. The lack of refuse bins may have contributed to waste spillages and the burning practices. Odors may have arisen from both the decay of overstored organic waste rich in moisture and emissions from refuse burning.

**U. Jagadeesh Chandra Bose (2009)**, has discussed the collection and disposal of BMW in the Government General Hospital (GH) of Puducherry, India. The authors document the lack of segregation between infectious and noninfectious BMW as well as a failure to implement the prescribed rules for proper management of BMW; improper treatment and transportation and the final disposal of BMW along with municipal garbage; and an inadequate training of personnel, insufficient personal protective equipment, and a lack of knowledge regarding the proper use of such equipment.

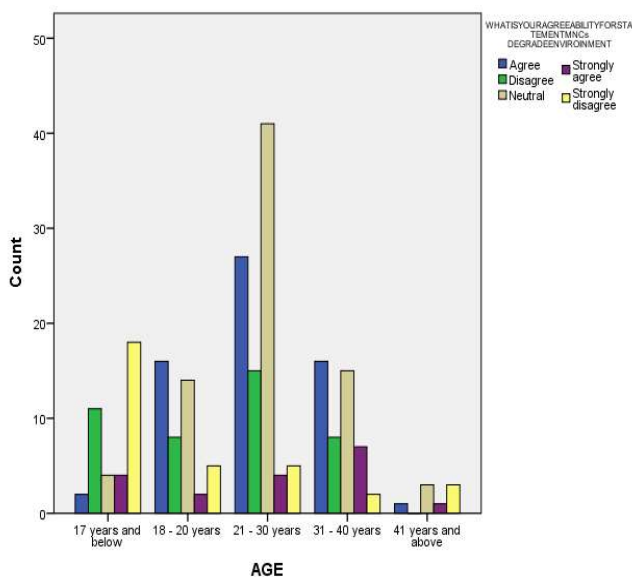
**M.Balasubramanian (2015)**, has studied an overview of the economics of solid waste, and related issues. Public attention to solid waste and recycling has increased in India. In response, economists have developed models to help policymakers choose an efficient mix of policy levelers to regulate solid waste management and recycling activities. The objective of the authors' descriptive, cross-sectional study was to assess solid waste management problems in selected urban schools in Ibadan, Nigeria.

## METHODOLOGY:

This research paper is done on the basis of non-doctrinal research. The sample size is about (000) samples. The information taken for the research paper is from books, journals, articles, Internet etc. It includes relevant case laws for the research as evidence as well as references. The research paper has included the SPSS statistics which has a number of samples based on the gender variation and opinion variation it includes chi-squared table and interpretation for each table. The table is done on the basis of the questions asked to the public. The paper has been cited with citations with references.

## DATA AND ANALYSIS:

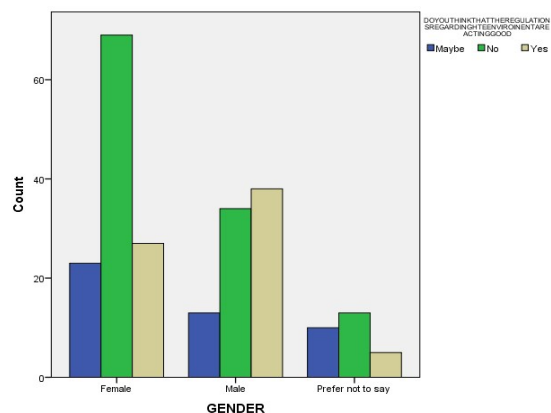
**FIGURE 1 :**



## LEGEND :

This figure shows the agreeability of the respondent regarding the statement MNCs degrade our environment. And this graph is based on the age of the respondent.

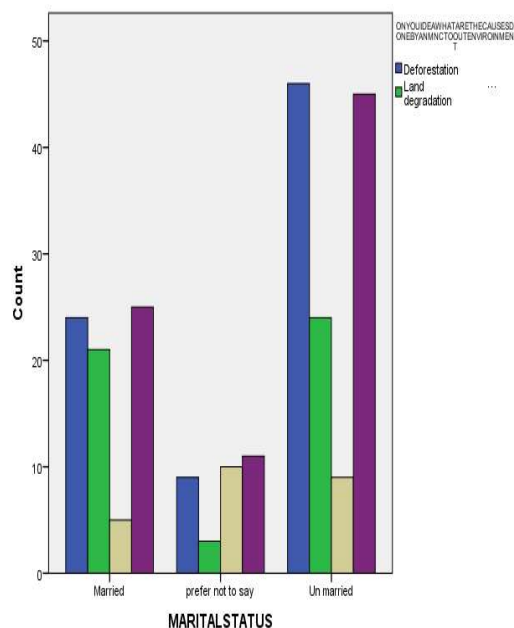
**FIGURE 2:**



**LEGEND :**

This figure shows the effectiveness of the regulations given by the government regarding the conservation of the environment, and these figures are based on the gender of the respondents.

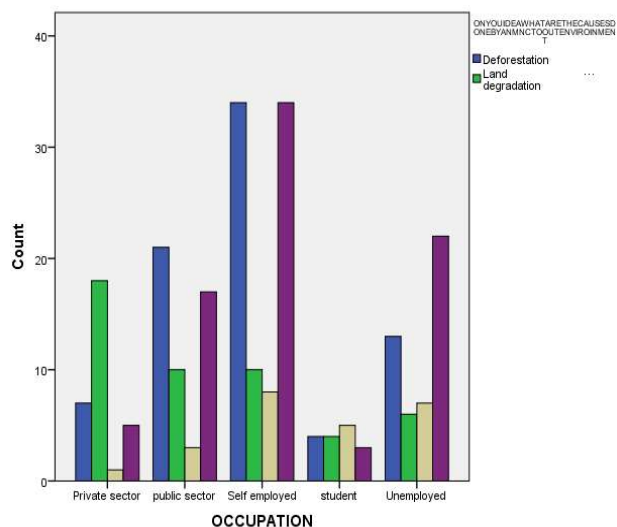
**FIGURE 3 :**



**LEGEND:**

This figure shows the causes to our environment by the MNCs and this figure is based on the respondent's marital status.

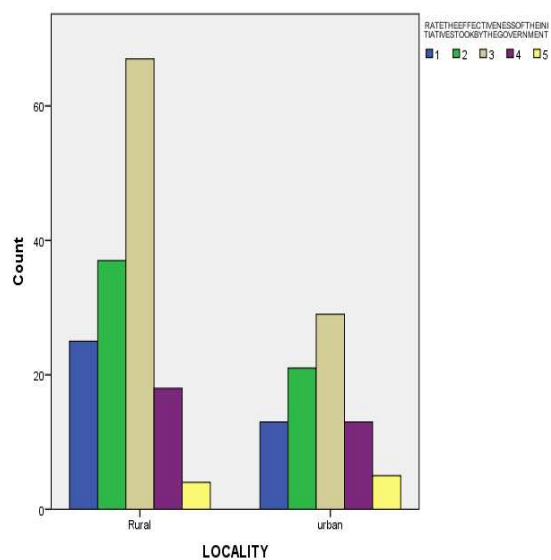
**FIGURE 4:**



**LEGEND :**

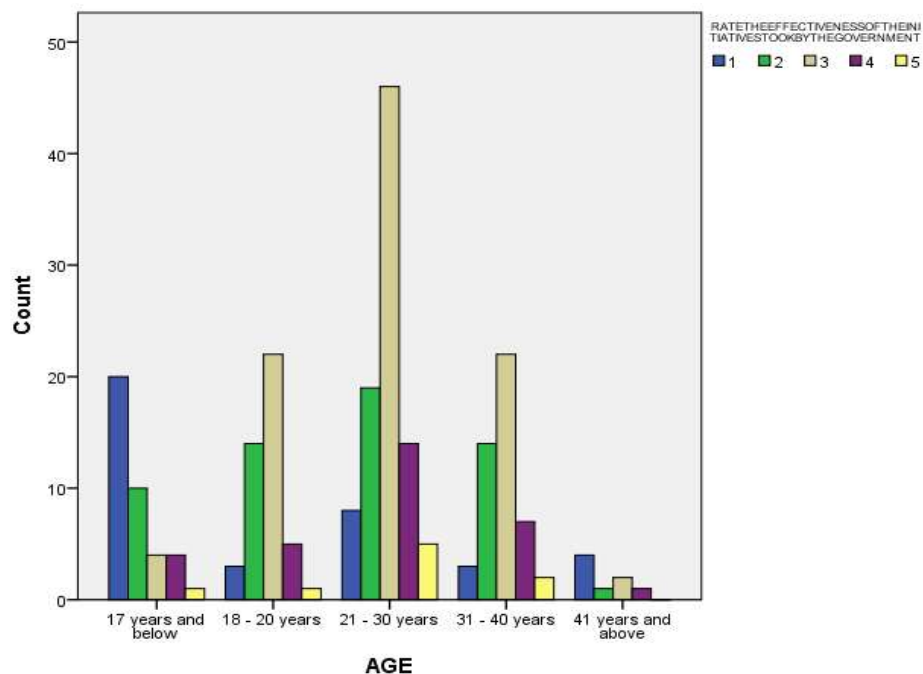
This figure shows the causes to our environment by the MNCs and this is based on the occupation of the respondents.

**FIGURE 5:**



**LEGEND:**

This figure shows the effectiveness of the initiatives and the regulation taken by the government towards the MNCs in our country and it's on the basis of the respondents place of living ie.) locality.

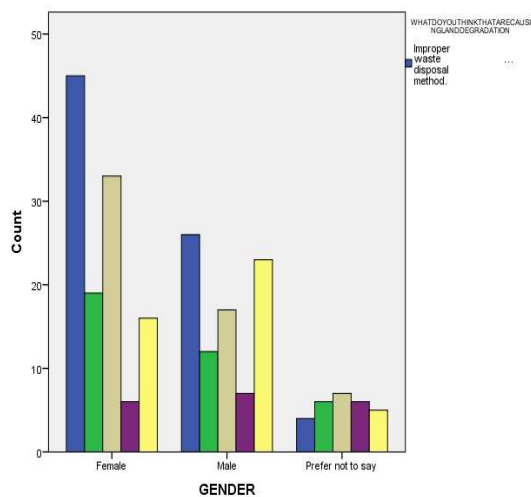


**FIGURE 6:**

**LEGEND :**

This figure is based on the age of the respondent and this is about the effectiveness of the initiative by the regulations taken by the government regarding the MNCs regulations in our country.

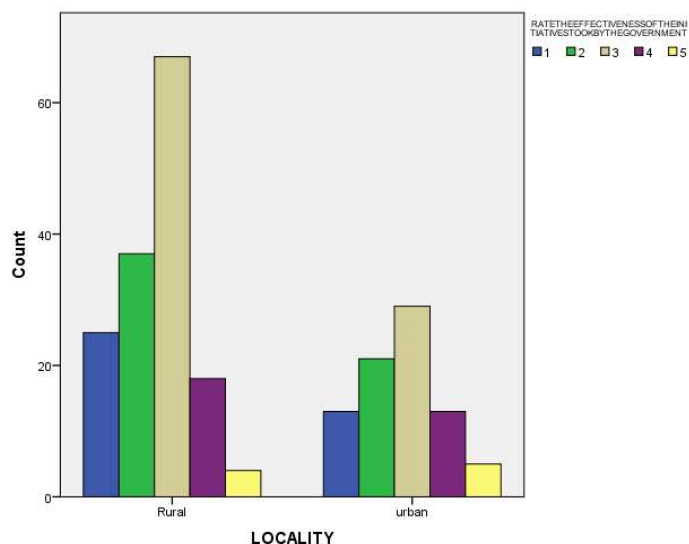
**FIGURE 7:**



**LEGEND :**

This figure is based on the gender of the respondent and this asks about other causes of land degradation.

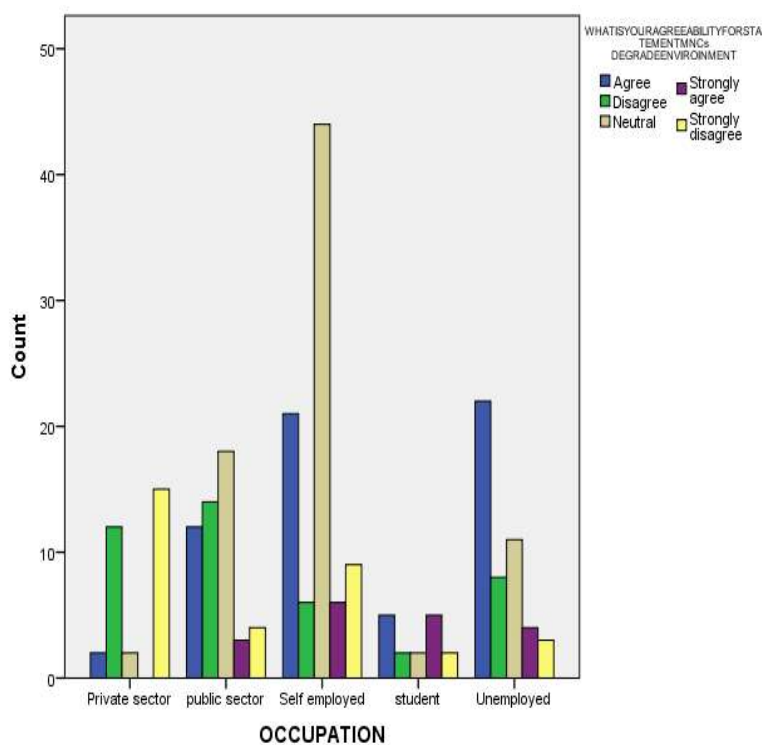
**FIGURE 8:**



**LEGEND :**

This figure is about the effectiveness of the initiative by the regulations taken by the government regarding the MNCs regulations in our country. And these figures are based on the place of living of the respondent ie.) locality.

**FIGURE 9:**



**LEGEND :**

This figure shows the agreeability of the respondent regarding the statement MNCs degrade our environment. And this figure is on the basis of the occupation of the respondent.

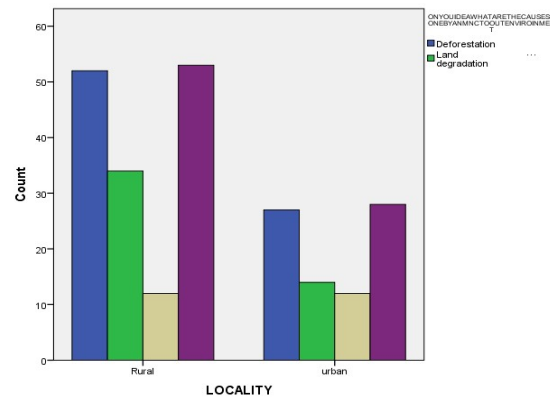


FIGURE 10:

#### LEGEND :

This figure shows about the causes done by an MNC in an environment and this figure is based on the respondent's place of living ie.) locality.

#### RESULT:

In figure 1 the most of the respondents have gone neutral and next to it most of them agree that the MNCs degrade our environment. And the respondents are from 21 - 30 are the most age category who have responded.

In figure 2 most of the respondents disagree that the initiatives by the government are not up to the level. And the most responded are the females.

In figure 3 most of the respondents have said that the deforestation is the major cause that is done by the MNCs, and this is based on the marital status of the respondents.

In figure 4 the respondents responded that the fertility of the soil gets affected and the to the next deforestation are the major cause of the MNCs

In figure 5 respondents gave an average rating that is from 1 - 5 most of them responded for 3 so that we can say that its effectiveness is not too good or not too bad .

In figure 6 respondents gave an average rating that is from 1 - 5 most of them responded for 3 so that we can say that its effectiveness is not too good or not too bad .

In figure 7 most of the respondents say that improper waste management is the major reason for the loss of fertility in the soil.

In figure 8 respondents gave an average rating that is from 1 - 5 most of them responded for 3 so that we can say that its effectiveness is not too good or not too bad .

In figure 9 respondents say that they agree with the statement " land degradation caused by MNCs" on the basis of the occupation of the respondent.

In figure 10 most of the respondents say that improper waste management is the major reason for the loss of fertility in the soil.

#### DISCUSSION:

Figure 1 shows that the majority of respondents are either neutral or agree that MNCs harm our environment. And the age group with the greatest number of respondents is between the ages of 21 and 30.

The majority of respondents to figure 2 disagree that the government's initiatives are on par.

The majority of responses come from women. Based on the respondents' marital status, the majority of respondents in figure 3 indicated that deforestation is the primary cause of MNC activity.

Figure 4 shows the respondents' responses, who stated that the primary causes of MNCs are deforestation and how it affects soil fertility.

In Figure 5, respondents gave an average rating from 1 to 5, with the majority choosing 3, indicating that the effectiveness is neither too good nor too bad.

The majority of respondents to figure 6's average rating of 1 to 5 gave it a score of 3, indicating that the effectiveness is neither too good nor too bad.

According to the majority of respondents in figure 7, improper waste management is the main cause of the soil's loss of fertility.

The majority of respondents to figure 8's average rating of 1 to 5 gave it a score of 3, indicating that the effectiveness is neither too good nor too bad.

Based on the respondent's occupation, respondents in figure 9 state that they concur with the statement "Land degradation caused by MNCs."

According to the majority of respondents in figure 10, improper waste management is the main cause of the soil's loss of fertility.

#### LIMITATIONS:

As the number of respondents and the sample frame is too low the results can't be too accurate and this may differ

when the sample size and frame gets increased . So the major limitation of this research is the sample size and the sample frame .(Sample size - (000), Sample frame - Chennai )

#### **SUGGESTION:**

As our country is a developing country we are focusing on many developments, but the focus on waste management is comparatively less than other issues. So we can use the segregated wastes in generating energy so that we can reduce the use of the non-renewable resources like coal for the energy consumption. Not only the government can do this, only with the support of the public this can be achieved. They have to segregate the wastes before disposing them to the waste collector. If this is done so then the purpose of dumping wastes in a landfill can also be reduced so that those lands can be used for shelter for the upcoming populations. It is obvious that improper waste management techniques have a negative impact on the study area's natural environment and sustainable development. Thus, it appears that there is little public awareness of the effects of SWM on sustainable development or good environment.

#### **CONCLUSION:**

In conclusion, this paper supports the general idea that MNC has a moral obligation to preserve the global environment. A legal framework would be hard to realize despite the huge benefits. In fact, a company's personal initiative would be the preferred moral obligation. To develop strategies to combat climate change, MNC should set up a consultative forum with environmentalists. Financial commitments made by the business should be matched in kind. Such a move would make MNC popular with both its current customers and other potential customers who are concerned about environmental preservation. Everyone is impacted by the process of global climate change. By taking personal initiatives, industry players will be providing the much needed solutions.

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