



Tort Law and Polluter Pays Principle

Why in News

The **Supreme Court** has sought an explanation from the **governments of Haryana, Punjab and Uttar Pradesh** on why they should not be punished under **tort law** and be made to pay a hefty penalty for **stubble fires** seen so far this season. The court has said that the **Polluter Pays Principle** applies to all states and local bodies.

Tort Law

- Tort law is the **body of laws** that enables people to seek **compensation for wrongs committed against them**. When someone's actions cause some type of harm to another, whether it be **physical harm** to another person, or harm to someone's **property or reputation**, harmed or injured person or entity may seek damages through the court.
- Generally the compensations are **monetary awards** ordered by the court to be paid to an injured party, by the party at fault.
- The types of damages that may be awarded by the court for civil wrongs, called "**tortious conduct**" of an individual or entity include:
 - Reimbursement for property loss or property damage
 - Medical expenses
 - Pain and suffering
 - Loss of earning capacity
 - Punitive damages

Polluter Pays Principle

- It is the commonly accepted practice that those **who produce pollution should bear the costs of managing it to prevent damage to human health or the environment**. For example, a factory that produces a potentially poisonous substance as a byproduct of its activities is usually held responsible for its safe disposal.
- It is **part of the 1992 Rio Declaration** which gives broader principles to guide sustainable development worldwide.

Source: TH