

Corporate Accountability For Workplace Fatalities: Why India Needs A Law On “Corporate Manslaughter

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Abstract– The “Bhopal Gas Tragedy of 1984”, regarded as one of the worst industrial catastrophes in history, revealed a clear weakness in India's legal system that allowed corporations to escape criminal responsibility for mass deaths. Using Bhopal as a case study to illustrate structural corporate and regulatory shortcomings, this paper makes the case for the adoption of a “corporate manslaughter” law in India. It charts the development of “corporate criminal liability” under common law, contrasts the Indian legal system with the “Corporate Manslaughter and Corporate Homicide Act, 2007” in the United Kingdom, and shows how inadequate India's current laws, such as “The Bharatiya Nyaya Sanhitha (BNS), 2023”, “The Environment Protection Act, 1986”, and “The Factories Act, 1948”, are at dealing with institutional negligence.

The study also looks at Indonesia's progressive stance on “corporate criminal liability” under “Supreme Court Regulation No. 13 of 2016”, which formally acknowledges corporations as criminals, including those who commit crimes through systemic failure and omission. The study suggests a comparative lens for India's legislative development by incorporating lessons learned from Indonesia's multi-model liability framework and successful prosecutions. It further recommends the establishment of a bilateral mutual legal assistance treaty (MLAT) between India and Indonesia to enable evidence sharing and cross-border enforcement in corporate criminal matters.

Drawing on legal scholarship and successful prosecutions in the UK and Indonesia, the paper proposes statutory reforms centered on duty of care, senior management accountability, and deterrent penalties. It concludes with policy recommendations to bridge the accountability gap and ensure justice for victims of preventable workplace deaths. The study makes a normative, legal, and policy-based case for urgent reform rooted in human dignity and corporate responsibility.

Index Terms–corporate manslaughter, Bhopal gas tragedy, corporate criminal liability, Corporate Manslaughter and Corporate Homicide Act 2007

I. INTRODUCTION

A. Context and Justification for the Research

One of the worst industrial catastrophes in human history is still the “Bhopal Gas Tragedy of 1984”¹. A deadly cloud of “methyl isocyanate gas” escaped from the “Union Carbide India Limited (UCIL)” pesticide plant in Bhopal, Madhya Pradesh, late on December 2, 1984². Over 3,000 people died instantly as a result of the toxic leak and estimates of the total number of fatalities over time put it at over 20,000³. Hundreds of thousands more were injured, many suffering from chronic illnesses, birth defects, and severe environmental degradation that persists to this day⁴.

Despite the unprecedented scale of the tragedy, legal accountability was staggeringly limited⁵. “Union Carbide Corporation (UCC)”, the American parent company, avoided significant criminal liability, and

¹ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

² Mac Sheoin, T., & Pearce, F. (2014). Introduction: Bhopal and After. *Social Justice*, 41(1/2 (135-136)), 1–27. <http://www.jstor.org/stable/24361588>

³ Delhi Science Forum Report: Bhopal Gas Tragedy. (1985). *Social Scientist*, 13(1), 32–53. <https://doi.org/10.2307/3517242>

⁴ Kurien, C. T., & Vaidyanathan, A. (1984). Bhopal Disaster. *Economic and Political Weekly*, 19(51/52), 2142–2142. <http://www.jstor.org/stable/4373895>

⁵ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336–341. <http://www.jstor.org/stable/4313490>

“UCIL” executives received only minimal sentences⁶. The Indian legal system addressed the disaster primarily through civil compensation, treating it as an accident rather than as a preventable consequence of gross corporate negligence and regulatory failure⁷.

The historical treatment of corporations in criminal law has traditionally been shaped by the doctrine that only natural persons can possess mens rea⁸. Until the late 19th and early 20th centuries, corporations were shielded from criminal liability under the belief that they lacked a “guilty mind”⁹. However, legal evolution introduced doctrines such as vicarious liability and the identification principle, enabling courts in jurisdictions like the UK and the US to attribute criminal responsibility to corporate bodies through the actions of senior officials¹⁰.

India, however, continues to lack a specialized legal mechanism to address corporate culpability in cases involving death¹¹. “The Bharatiya Nyaya Sanhita, 2023 (formerly Indian Penal Code, 1860)”, “environmental laws”, and “The Factories Act, 1948”, do not explicitly provide for “corporate manslaughter”, resulting in a legal vacuum where even gross negligence by large corporations often results in minor penalties or civil settlements¹².

This paper argues that India urgently needs a dedicated law on “corporate manslaughter”, one that recognizes workplace deaths not merely as accidents but as potentially criminal outcomes of systemic corporate and managerial failure¹³. Drawing upon the United Kingdom’s “Corporate Manslaughter and Corporate Homicide Act, 2007”, this research aims to examine the legal void in India, assess the efficacy of existing frameworks, and propose a statutory solution that can deter negligence, ensure justice for victims, and hold corporations accountable for the human cost of their operations¹⁴.

By analyzing the legal aftermath of the Bhopal disaster and comparing it with developments in jurisdictions like the UK, this paper makes the case for a transformative shift in how Indian law conceptualizes and prosecutes corporate accountability in cases involving death¹⁵. Such a reform is essential to align legal policy with the principles of justice, deterrence, and human dignity¹⁶.

B. Objective

- Examine how “corporate criminal liability” has changed under common law and Indian jurisprudence.
- Examine Indian laws in comparison to the “2007 Corporate Manslaughter and Corporate Homicide Act” in the United Kingdom.
- In order to effectively hold corporations accountable for deaths brought on by systemic failures, propose the adoption of a similar law in India, augmented by regulatory and enforcement reforms.

II. CONCEPT OF “CORPORATE CRIMINAL LIABILITY”

Although corporations are artificial legal entities and lack physical bodies or minds, modern jurisprudence has evolved to recognize that they can nonetheless commit crimes through their agents and

⁶ Abraham, C. M., & Abraham, S. (1991). The Bhopal Case and the Development of Environmental Law in India. *The International and Comparative Law Quarterly*, 40(2), 334–365. <http://www.jstor.org/stable/759728>

⁷ Trotter, R. C., Day, S. G., & Love, A. E. (1989). Bhopal, India and Union Carbide: The Second Tragedy. *Journal of Business Ethics*, 8(6), 439–454. <http://www.jstor.org/stable/25071921>

⁸ Bharadwaj, A. (2009). Corporate Manslaughter and Corporate Homicide Act, 2007. *National Law School of India Review*, 21(1), 201–212. <http://www.jstor.org/stable/44283697>

⁹ Bhaskar, T. K., & Umakanth, V. (1996). CORPORATE CRIMINALITY AND LAW. *Journal of the Indian Law Institute*, 38(2), 218–228. <http://www.jstor.org/stable/43927471>

¹⁰ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹¹ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404–1405. <http://www.jstor.org/stable/25689599>

¹² Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962–965. <http://www.jstor.org/stable/4374472>

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¹⁴ Bharadwaj, A. (2009). Corporate Manslaughter and Corporate Homicide Act, 2007. *National Law School of India Review*, 21(1), 201–212. <http://www.jstor.org/stable/44283697>

¹⁵ Dyer, C. (2015). NHS trust is charged with corporate manslaughter over woman's death after emergency caesarean. *BMJ: British Medical Journal*, 350. <https://www.jstor.org/stable/26519549>

¹⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

institutional structures¹⁷. The need to hold corporations criminally accountable has become increasingly urgent in light of large-scale industrial disasters like the “Bhopal gas tragedy”, where harm is not caused by a single rogue individual, but by organizational policies and systemic neglect¹⁸.

Traditionally, criminal law focused on individual liability, as it was assumed that only human beings could possess mens rea (the guilty mind) and perform actus reus (the guilty act)^{19 20}. This posed a theoretical barrier to prosecuting corporations, which could not form intent in the human sense²¹. However, as corporations gained unprecedented social and economic power, legal doctrines were developed to bridge this gap and ensure that corporate entities could be held accountable for wrongdoing²².

A. Vicarious Liability

The earliest mechanism by which “corporate criminal liability” was imposed is vicarious liability, under which a corporation is held liable for the criminal acts of its employees when committed within the scope of their employment and for the benefit of the company²³. This approach has been prominent in U.S. jurisprudence, where courts have imposed liability even in the absence of knowledge or intent on the part of senior management²⁴.

While vicarious liability ensures that companies cannot escape responsibility for their lower-tier employees’ misconduct, it has been criticized for not adequately addressing corporate faults^{25 26}. It treats corporations as strict liability entities without requiring a demonstration of flawed corporate policy or managerial failure²⁷. In the Bhopal context, this model would have been insufficient, as the harm stemmed from longstanding cost-cutting measures, compromised safety protocols, and managerial indifference rather than isolated employee behavior²⁸.

B. Identification Doctrine

To overcome the limitations of “vicarious liability”, English courts developed the “identification doctrine”, which attributes criminal liability to a company when a person, who represents its “directing mind and will”, commits an offence²⁹. This typically includes individuals at the highest managerial level, such as directors and chief executives³⁰.

However, this doctrine also has serious limitations. In large, complex organizations, decision-making is often decentralized, making it difficult to pinpoint a single individual whose knowledge and intent can

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be attributed to the company³¹. In the Bhopal disaster, “Union Carbide's” organizational structure and layered management allowed its top executives to plausibly deny direct involvement, even though evidence later revealed they were aware of the plant's deteriorating safety conditions³². This structural insulation made it nearly impossible to satisfy the identification doctrine's threshold of proof³³.

C. Corporate Culture / Systemic Failure Approach

Recognizing the deficiencies of the previous doctrines, scholars and legislators have increasingly advocated for a corporate culture or systemic failure model of liability^{34 35}. This modern approach focuses on whether a company's policies, culture, and management systems collectively contributed to the offence³⁶. It moves beyond locating individual culpability and instead examines how institutional norms and practices create an environment in which criminal conduct becomes more likely³⁷.

“The UK's Corporate Manslaughter and Corporate Homicide Act, 2007” operationalizes this model by making companies criminally liable for deaths caused by a “gross breach” of a relevant “duty of care” arising from the way in which their activities were managed or organized by senior management³⁸. This approach is particularly suited to capturing the kind of diffuse and layered responsibility seen in the Bhopal case, where systemic cost-cutting, poor maintenance, and insufficient training were identified as key contributors to the disaster³⁹.

In Bhopal, multiple safety systems were known to be malfunctioning, but remained unrepaired to save costs, and workers were neither adequately trained nor informed about the dangers of methyl isocyanate⁴⁰. These were not the failings of a few individuals, but of an organizational culture that prioritized profit over safety⁴¹. A corporate culture model would enable the legal system to hold the company criminally responsible for institutionalized negligence that led to mass fatalities^{42 43 44}.

In summary, “corporate criminal liability” has evolved from individual-centric models like “vicarious liability” and the “identification doctrine” to more comprehensive approaches that consider

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³² Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336–341. <http://www.jstor.org/stable/4313490>

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⁴⁰ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336–341. <http://www.jstor.org/stable/4313490>

⁴¹ Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962–965. <http://www.jstor.org/stable/4374472>

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organizational behavior and systemic failure^{45 46 47}. The adoption of a corporate culture model offers a more realistic and just mechanism for addressing workplace fatalities caused by complex organizational neglect, something particularly relevant for India in the wake of the Bhopal tragedy^{48 49}.

III. CASE STUDY- THE “BHOPAL GAS TRAGEDY”

On the night of December 2–3, 1984, approximately “40 tons of methyl isocyanate gas” leaked from the pesticide plant operated by “Union Carbide India Limited (UCIL)” in Bhopal⁵⁰. The gas spread rapidly through the densely populated neighborhoods surrounding the plant, killing thousands of people within hours and exposing hundreds of thousands more to long-term health effects⁵¹. Eyewitness accounts and medical data confirmed widespread fatalities and lingering respiratory, reproductive, and psychological ailments⁵².

Corporate failures at Union Carbide were central to the tragedy. Investigations revealed that the plant’s safety systems were grossly inadequate: critical safety devices such as the gas scrubber and flare tower were either non-functional or shut down to save costs⁵³. The company also failed to adequately train staff in handling hazardous chemicals, and many workers were unaware of emergency protocols⁵⁴. “Union Carbide Corporation (UCC)”, the American parent company, was accused of cutting costs at the expense of safety in its Indian subsidiary while maintaining higher standards at its plants in the United States⁵⁵. Government and regulatory failures significantly exacerbated the disaster. Despite warnings and inspection reports, Indian authorities failed to enforce safety norms under “The Factories Act, 1948”, “The Air (Prevention and Control of Pollution) Act, 1981” and “The Water (Prevention and Control of Pollution) Act, 1974”⁵⁶. The Madhya Pradesh state government did not conduct regular safety audits or enforce compliance, allowing “UCIL” to operate unchecked⁵⁷. Additionally, land use permits allowed hazardous operations to be located dangerously close to residential areas, reflecting gross planning failures⁵⁸.

The legal aftermath of Bhopal was marked by a deeply flawed settlement and a lack of criminal justice⁵⁹. In 1989, the Government of India accepted a “\$470 million settlement from UCC”, which was widely

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criticized as inadequate given the scale of harm⁶⁰. Criminal charges were diluted, and no corporate entity was held accountable under Indian criminal law⁶¹. While some Indian managers faced trial under Section 304A IPC, “UCC” escaped criminal prosecution through a combination of legal loopholes, diplomatic shielding, and weak extradition efforts⁶².

Indian law failed because it lacked the tools to prosecute corporations for systemic negligence⁶³. “The Bharatiya Nyaya Sanhita (formerly Indian Penal Code)” focuses on individual liability, and the absence of a statutory offence such as “corporate manslaughter” meant that even a disaster of Bhopal’s magnitude could not yield corporate convictions⁶⁴. Regulatory and investigative bodies were underpowered and lacked the independence to pursue meaningful accountability⁶⁵.

This case underscores the structural flaws in India’s legal framework and illustrates the urgent need for a dedicated “corporate manslaughter” law to address preventable workplace fatalities on a systemic level⁶⁶.

IV. “THE UK’S CORPORATE MANSLAUGHTER AND CORPORATE HOMICIDE ACT, 2007”

“The Corporate Manslaughter and Corporate Homicide Act, 2007”, was introduced in the United Kingdom following widespread criticism of the legal system’s inability to hold corporations accountable for fatal accidents⁶⁷. The tipping point came after the “1987 Herald of Free Enterprise disaster”, where 193 people died when a ferry capsized due to systemic safety failures⁶⁸. The failure to prosecute any corporate entity for that tragedy triggered intense public and political pressure to reform the legal framework governing corporate accountability⁶⁹.

The 2007 Act was the product of over a decade of consultation, legal scholarship, and public demand for stronger enforcement against corporate negligence⁷⁰. It marked a shift away from traditional doctrines like the “identification principle”, which had proven inadequate in holding large, complex corporations accountable⁷¹.

One of the key features of the Act is its focus on the “duty of care.” Under Section 1, a corporation commits the offence of “corporate manslaughter” if the way in which its activities are managed or organized causes a person’s death and amounts to a gross breach of a duty of care owed to the deceased⁷². This duty of care extends to employees, contractors, and members of the public affected by corporate

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⁶⁴ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404-1405. <http://www.jstor.org/stable/25689599>

⁶⁵ Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962-965. <http://www.jstor.org/stable/4374472>

⁶⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163-172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁶⁷ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413-433. <http://www.jstor.org/stable/25151209>

⁶⁸ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163-172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁶⁹ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413-433. <http://www.jstor.org/stable/25151209>

⁷⁰ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163-172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁷¹ Harlow, J. W. (2011). CORPORATE CRIMINAL LIABILITY FOR HOMICIDE: A STATUTORY FRAMEWORK. *Duke Law Journal*, 61(1), 123-166. <http://www.jstor.org/stable/23034813>

⁷² Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413-433. <http://www.jstor.org/stable/25151209>

operations⁷³.

The Act introduces the “senior management test,” which assesses whether a substantial element of the breach can be attributed to the way in which senior management organized or oversaw the corporation’s activities⁷⁴. This test enables courts to move beyond individual blame and examine broader organizational failings, which is crucial for modern corporate structures⁷⁵.

Penalties under the Act are significant. Convicted corporations can face unlimited fines, remedial orders to fix systemic problems, and publicity orders requiring them to publicize their conviction and the circumstances surrounding it⁷⁶. These provisions are intended to create a strong deterrent and reputational risk for negligent companies⁷⁷.

“R v Cotswold Geotechnical Holdings Ltd in 2011” was the first successful prosecution under the Act, the company was found guilty after an employee died when a trench collapsed⁷⁸. Even though the company was small, the case set an important precedent and showed that the Act could be enforced⁷⁹. The law’s applicability to small and medium-sized businesses was further supported by later prosecutions, such as those involving “Lion Steel Ltd. and Pyranha Mouldings Ltd”⁸⁰.

The Act is a landmark piece of legislation that directly addresses the issue of corporate impunity in fatal workplace incidents, despite some criticism that it only applies to large multinational corporations⁸¹. For countries like India, where legal systems still find it difficult to handle corporate crimes that cause death, the UK experience provides a useful model⁸².

V. COMPARATIVE ANALYSIS

The UK’s “Corporate Manslaughter and Corporate Homicide Act, 2007”, provides a compelling model for addressing systemic corporate failures that result in fatalities⁸³. If such a law had existed in India at the time of the “Bhopal Gas Tragedy”, “Union Carbide India Limited (UCIL)” could have been prosecuted for “corporate manslaughter” due to gross breaches of duty in the management of the plant’s safety systems⁸⁴. The “duty of care” provision in the Act would have directly applied to UCIL’s responsibility to maintain a safe workplace and shield nearby residents from potentially hazardous exposure⁸⁵.

⁷³ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁷⁴ Harlow, J. W. (2011). CORPORATE CRIMINAL LIABILITY FOR HOMICIDE: A STATUTORY FRAMEWORK. *Duke Law Journal*, 61(1), 123–166. <http://www.jstor.org/stable/23034813>

⁷⁵ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

⁷⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁷⁷ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁷⁸ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁷⁹ Dyer, C. (2015). NHS trust is charged with corporate manslaughter over woman’s death after emergency caesarean. *BMJ: British Medical Journal*, 350. <https://www.jstor.org/stable/26519549>

⁸⁰ Dyer, C. (2015). NHS trust is charged with corporate manslaughter over woman’s death after emergency caesarean. *BMJ: British Medical Journal*, 350. <https://www.jstor.org/stable/26519549>

⁸¹ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

⁸² Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁸³ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

⁸⁴ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O’BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁸⁵ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

Additionally, the UK Act's "senior management test" would have allowed Indian courts to evaluate how UCIL and Union Carbide Corporation's leadership contributed to systemic failures, such as cost-cutting measures that jeopardized safety and the willful shutdown of vital safeguards like the flare tower and gas scrubber⁸⁶. This contrasts with Indian law, which lacked the legal machinery to attribute criminal responsibility to corporations for organizational decisions⁸⁷.

India's current legal regime falls short of effectively addressing "corporate liability" in fatal industrial disasters. "The Bharatiya Nyaya Sanhita (formerly, Indian Penal Code (IPC))", particularly Section 106, only addresses causing death by negligence and is directed at individuals rather than corporate entities⁸⁸. This provision carries relatively lenient penalties and fails to capture the institutional nature of corporate harm⁸⁹.

"The Environment (Protection) Act, 1986", enacted in the aftermath of Bhopal, provides regulatory oversight but does not establish criminal liability for "corporate manslaughter"⁹⁰. While it empowers the government to issue directions and impose penalties for violations, it lacks provisions for holding senior management criminally responsible for gross environmental and human safety violations⁹¹.

"The Factories Act, 1948", though intended to regulate workplace safety, primarily focuses on compliance measures and administrative penalties rather than criminal culpability for fatalities⁹². Enforcement is often weak, and prosecutions are rare and slow, especially in cases involving large corporations with significant political or economic influence⁹³.

Similarly, "The Companies Act, 2013" emphasizes corporate governance, transparency, and financial accountability but does not impose criminal sanctions on corporations for deaths caused by operational negligence⁹⁴. Even when directors or officers are held responsible for regulatory breaches, the penalties are often limited to fines or disqualification, not imprisonment or corporate conviction for manslaughter⁹⁵.

Unlike the UK's Act, which specifically targets corporate deaths resulting from gross managerial failure, Indian law lacks a coherent framework to prosecute companies whose "systemic negligence" leads to loss of life⁹⁶. This gap enables corporations to externalize the human costs of their actions without facing meaningful legal consequences⁹⁷.

A law modeled after the UK's 2007 Act would empower Indian courts to hold corporations accountable for fatal outcomes not just as isolated incidents but as foreseeable, preventable consequences of organizational culture and decisions⁹⁸. It would shift the legal paradigm from viewing industrial disasters as accidents to recognizing them as manifestations of structural irresponsibility, deserving criminal

⁸⁶ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68-75. <http://www.jstor.org/stable/40736695>

⁸⁷ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336-341. <http://www.jstor.org/stable/4313490>

⁸⁸ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404-1405. <http://www.jstor.org/stable/25689599>

⁸⁹ Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962-965. <http://www.jstor.org/stable/4374472>

⁹⁰ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336-341. <http://www.jstor.org/stable/4313490>

⁹¹ Abraham, C. M., & Abraham, S. (1991). The Bhopal Case and the Development of Environmental Law in India. *The International and Comparative Law Quarterly*, 40(2), 334-365. <http://www.jstor.org/stable/759728>

⁹² Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962-965. <http://www.jstor.org/stable/4374472>

⁹³ Trotter, R. C., Day, S. G., & Love, A. E. (1989). Bhopal, India and Union Carbide: The Second Tragedy. *Journal of Business Ethics*, 8(6), 439-454. <http://www.jstor.org/stable/25071921>

⁹⁴ Bharadwaj, A. (2009). Corporate Manslaughter and Corporate Homicide Act, 2007. *National Law School of India Review*, 21(1), 201-212. <http://www.jstor.org/stable/44283697>

⁹⁵ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404-1405. <http://www.jstor.org/stable/25689599>

⁹⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163-172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

⁹⁷ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68-75. <http://www.jstor.org/stable/40736695>

⁹⁸ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413-433. <http://www.jstor.org/stable/25151209>

prosecution⁹⁹.

VI. THE CASE FOR A “CORPORATE MANSLAUGHTER” LAW IN INDIA

There is a strong normative, legal, and policy-based case for enacting a “corporate manslaughter” law in India, one that mirrors the structure and intent of the UK’s “Corporate Manslaughter” and Corporate Homicide Act, 2007¹⁰⁰. Normatively, corporations must be held morally accountable for workplace deaths that result from managerial and systemic failures¹⁰¹. When organizations make operational decisions that prioritize cost-cutting over safety, resulting in human fatalities, they bear moral responsibility akin to that of individual wrongdoers¹⁰². The “Bhopal Gas Tragedy” exemplifies such culpability, as systemic negligence and disregard for human life were central to the disaster¹⁰³.

From a policy perspective, a “corporate manslaughter” law would serve as a powerful deterrent, signaling to companies that negligence leading to death will no longer be met with impunity¹⁰⁴. It would incentivize businesses to prioritize safety, adopt stronger compliance systems, and institutionalize ethical decision-making within corporate governance structures¹⁰⁵. The imposition of punitive sanctions and reputational consequences would prompt systemic reforms that cannot be achieved through civil penalties or regulatory fines alone¹⁰⁶.

Furthermore, such legislation would help restore public trust in the legal system by demonstrating that corporate power does not confer immunity from criminal responsibility¹⁰⁷. In cases like Bhopal, victims and their families were denied meaningful justice due to the absence of legal tools capable of capturing the scale and moral weight of the harm inflicted¹⁰⁸. A corporate manslaughter law would acknowledge these deaths not as mere accidents but as preventable crimes, bringing Indian law in line with global standards of corporate accountability¹⁰⁹.

Therefore, introducing a “corporate manslaughter” statute in India is not only legally necessary but morally imperative and policy-wise prudent¹¹⁰. It represents a long-overdue shift towards recognizing that corporations, like individuals, must face the full weight of criminal law when their actions lead to the irreversible harm of human life¹¹¹.

VII. CORPORATE CRIMINAL LIABILITY UNDER INDONESIAN LAW: LESSONS FOR INDIA

Indonesia presents a compelling case study in how developing jurisdictions are reforming their legal

⁹⁹ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹⁰⁰ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹⁰¹ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹⁰² GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

¹⁰³ Mac Sheoin, T., & Pearce, F. (2014). Introduction: Bhopal and After. *Social Justice*, 41(1/2 (135-136)), 1–27. <http://www.jstor.org/stable/24361588>

¹⁰⁴ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹⁰⁵ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹⁰⁶ Harlow, J. W. (2011). CORPORATE CRIMINAL LIABILITY FOR HOMICIDE: A STATUTORY FRAMEWORK. *Duke Law Journal*, 61(1), 123–166. <http://www.jstor.org/stable/23034813>

¹⁰⁷ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

¹⁰⁸ Mac Sheoin, T., & Pearce, F. (2014). Introduction: Bhopal and After. *Social Justice*, 41(1/2 (135-136)), 1–27. <http://www.jstor.org/stable/24361588>

¹⁰⁹ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹¹⁰ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹¹¹ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

frameworks to address “corporate criminal liability”. While Indonesia does not yet have legislation specifically titled “corporate manslaughter,” its positive law has made significant strides in acknowledging the criminal culpability of corporate entities.

Traditionally, Indonesian criminal law, like that of India, was focused on individual liability. The “Indonesian Penal Code (KUHP)” did not recognize corporations as legal subjects capable of committing crimes. This changed with the introduction of “Supreme Court Regulation No. 13 of 2016 (Perma 13/2016)”, which explicitly allowed corporate entities to be held criminally liable for offences committed by individuals acting within the scope of their employment or authority on behalf of the corporation. This covers both direct actions and inaction, such as failing to take precautions against harm or adhering to legal requirements.

The way that Indonesia assigns corporate liability combines several well-established theories:

- “Identification Doctrine”, where the acts and intent of senior management are imputed to the corporation;
- “Vicarious Liability”, which allows the company to be held accountable for the actions of its employees; and
- “Strict Liability”, where the company is liable regardless of intent, especially in cases involving environmental or consumer protection.

These frameworks have been applied in corruption, environmental degradation, and public health cases. “Corporate criminal liability” was operationalized in the “PT Duta Graha Indah” case, for instance, when the courts held the company and its director liable for corruption-related offenses.

However, Indonesia continues to face difficulties with enforcement. There are still questions regarding how corporations will be treated procedurally in criminal trials, and the doctrines’ inconsistent application has occasionally made predictions less certain. However, compared to India’s still primarily individual-centric penal system, the acknowledgement of corporate omissions, failures to supervise, prevent harm, or enforce compliance, represents a significant evolution.

Comparatively speaking, India can learn a lot from Indonesia’s legal innovations, especially when it comes to regulatory lapses like the “Bhopal Gas Disaster”. Despite repeated calls for reform in the wake of industrial disasters, India still lacks a codified “corporate manslaughter” offense. The structure of such a law in India can be influenced by the Indonesian model, particularly its focus on institutional accountability and systemic failure.

Furthermore, a bilateral “Mutual Legal Assistance Treaty (MLAT)” covering corporate criminal activities, evidence sharing, and cross-border enforcement is urgently needed by both India and Indonesia given their expanding trade and investment ties. A formal cooperation mechanism would guarantee that corporate entities cannot avoid liability through jurisdictional loopholes, which is necessary given the growing movement of capital, goods, and multinational corporate operations. In addition to upholding the rule of law, such a treaty would safeguard public health, environmental safety, and workers’ rights internationally.

In conclusion, a growing regional shift toward systemic accountability is highlighted by Indonesia’s legal recognition of “corporate criminal liability” under positive law. The Indonesian model shows that in order to combat contemporary forms of corporate misconduct, legal innovation is both required and feasible. Creating a cooperative legal system between the two nations would improve justice, strengthen deterrence, and protect the rights and welfare of marginalized communities affected by careless or illegal business practices¹¹².

VIII. RECOMMENDATIONS

A. Contributions

The following are the main contributions made by the paper:

- It explains how existing Indian laws, including the “Factories Act”, “Environment Protection Act”, and “Bharatiya Nyaya Sanhita”, are insufficient to address corporate manslaughter.
- In order to address institutional accountability, it presents and evaluates the UK’s 2007 legislation as a progressive model.

¹¹² Widyaningrum, T., Khoirunnisa, K., & Jubaidi, D. (2024). Corporate criminal liability: An analysis of corporate crime perpetrators under positive law in Indonesia. *JCH (Jurnal Cendekia Hukum)*, 9(2), 146–157. <https://doi.org/10.3376/jch.v9i2.792>

- In order to demonstrate how emerging economies are modifying criminal frameworks for corporate actors, it incorporates insights from Indonesian law (“Supreme Court Regulation No. 13 of 2016”).
- In order to facilitate cross-border enforcement and corporate accountability, it suggests a legislative roadmap for India that includes the necessity of a bilateral Mutual Legal Assistance Treaty (MLAT) between Indonesia and India.

B. Methods

- Doctrinal Analysis: Assessing India's current laws, case law, and regulatory shortcomings.
- Comparative Study: Using insights from Indonesia and the UK to demonstrate how statutory innovations can assist in getting around doctrinal and evidentiary constraints.
- Promoting structural reform, including the legalization of corporate homicide and the necessary enforcement tools for its execution, is the policy recommendation.

C. Proposed Legislative Framework for a Corporate Manslaughter Law in India

An Indian “corporate manslaughter” law should incorporate clear statutory definitions and substantive legal provisions to close the current gap in criminal liability for corporations¹¹³. The statute must explicitly define “corporate manslaughter” as the occurrence of death resulting from gross breaches of duty by senior management or organizational systems¹¹⁴. This would align with Section 1 of the UK’s “Corporate Manslaughter and Corporate Homicide Act, 2007”, which predicates liability on the way a company’s activities are managed or organized¹¹⁵.

The requirement that businesses have a statutory duty of care to their workers, contractors, and impacted communities should be a key part of the legislation¹¹⁶. In order to hold decision-makers responsible for establishing dangerous work environments, this obligation must include both operational safety and strategic oversight by corporate leadership¹¹⁷.

Significant fines, required remedial orders, and the publication of convictions to enforce reputational accountability should all be part of the proposed law's penalties¹¹⁸. When willful blindness or direct involvement in negligence is proven, courts must also have the authority to hold directors and officers personally liable¹¹⁹.

The law must address enforcement mechanisms in order to guarantee efficacy. “Corporate manslaughter” cases ought to be investigated and prosecuted by a specialized prosecutorial authority, akin to the “Crown Prosecution Service” in the United Kingdom¹²⁰. To handle intricate corporate structures, such a body needs to be autonomous, well-resourced, and technically skilled¹²¹.

But putting such a law into effect is probably going to be very difficult. Given that many businesses may view the law as a threat to economic liberalization and foreign investment, corporate lobby groups are likely to oppose it¹²². There is a risk that corporations will argue that the imposition of criminal sanctions

¹¹³ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹¹⁴ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹¹⁵ Harlow, J. W. (2011). CORPORATE CRIMINAL LIABILITY FOR HOMICIDE: A STATUTORY FRAMEWORK. *Duke Law Journal*, 61(1), 123–166. <http://www.jstor.org/stable/23034813>

¹¹⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹¹⁷ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

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¹¹⁹ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404–1405. <http://www.jstor.org/stable/25689599>

¹²⁰ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹²¹ Bharadwaj, A. (2009). Corporate Manslaughter and Corporate Homicide Act, 2007. *National Law School of India Review*, 21(1), 201–212. <http://www.jstor.org/stable/44283697>

¹²² Trotter, R. C., Day, S. G., & Love, A. E. (1989). Bhopal, India and Union Carbide: The Second Tragedy. *Journal of Business Ethics*, 8(6), 439–454. <http://www.jstor.org/stable/25071921>

could stifle innovation and competitiveness¹²³.

Procedural hurdles also present a challenge. The Indian criminal justice system is often slow, overburdened, and inconsistent in enforcement, which could hinder effective prosecution¹²⁴. In-depth training will also be necessary for the judiciary and law enforcement organizations to comprehend and properly apply the new legal framework¹²⁵.

The legislative process must be accompanied by phased implementation, stakeholder consultation, and awareness-raising initiatives in order to overcome these obstacles¹²⁶. To encourage voluntary improvements in corporate safety practices, legal reform should be combined with regulatory incentives that reward transparency and compliance¹²⁷.

Overall, to guarantee that a strong and effective corporate manslaughter law brings justice, improves accountability, and averts more tragedies like Bhopal, it must be paired with institutional changes and political will¹²⁸.

CONCLUSION

A sobering reminder of the disastrous outcomes that can result from unbridled corporate negligence and regulatory failure is the “Bhopal Gas Tragedy”¹²⁹. Despite causing thousands of deaths and long-term suffering, the corporations responsible were shielded by legal inadequacies, exposing the limitations of India’s criminal justice system in addressing corporate wrongdoing¹³⁰. More than four decades later, India still lacks a statutory framework capable of holding corporations criminally accountable for preventable workplace fatalities¹³¹.

This paper has demonstrated that the existing legal framework, reliant on general provisions of the “BNS”, “The Environment (Protection) Act”, and “The Factories Act”, fails to effectively prosecute or deter corporate actions that lead to death¹³². In contrast, the UK’s “Corporate Manslaughter and Corporate Homicide Act, 2007”, offers a compelling model by recognizing systemic failures and imposing criminal liability for gross breaches of corporate duty¹³³.

There is a pressing need for India to enact a dedicated “corporate manslaughter” law that acknowledges deaths caused by organizational negligence as serious crimes, not just administrative lapses or civil wrongs¹³⁴. Such a reform must be rooted in the principles of justice for victims and their families, and in the imperative to hold powerful corporate actors accountable for the human consequences of their decisions¹³⁵.

A “corporate manslaughter” law would not only fill a critical gap in Indian criminal jurisprudence but

¹²³ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

¹²⁴ Abraham, C. M., & Abraham, S. (1991). The Bhopal Case and the Development of Environmental Law in India. *The International and Comparative Law Quarterly*, 40(2), 334–365. <http://www.jstor.org/stable/759728>

¹²⁵ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336–341. <http://www.jstor.org/stable/4313490>

¹²⁶ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹²⁷ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹²⁸ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

¹²⁹ GONSALVES, C. (2010). The Bhopal Catastrophe: Politics, Conspiracy and Betrayal. *Economic and Political Weekly*, 45(26/27), 68–75. <http://www.jstor.org/stable/40736695>

¹³⁰ Rosencranz, A. (1988). Bhopal, Transnational Corporations, and Hazardous Technologies. *Ambio*, 17(5), 336–341. <http://www.jstor.org/stable/4313490>

¹³¹ Samanta, A., & Samanta, J. (2006). Charges of corporate manslaughter in the NHS. *BMJ: British Medical Journal*, 332(7555), 1404–1405. <http://www.jstor.org/stable/25689599>

¹³² Pushpa M. Bhargava. (1985). The Bhopal Tragedy: A Middle Word. *Economic and Political Weekly*, 20(22), 962–965. <http://www.jstor.org/stable/4374472>

¹³³ Gobert, J. (2008). The Corporate Manslaughter and Corporate Homicide Act 2007: Thirteen Years in the Making but Was It Worth the Wait? *The Modern Law Review*, 71(3), 413–433. <http://www.jstor.org/stable/25151209>

¹³⁴ Clough, J. (2017). Improving the Effectiveness of Corporate Criminal Liability: Old Challenges in a Transnational World. In R. LEVY, M. O'BRIEN, S. RICE, P. RIDGE, & M. THORNTON (Eds.), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (pp. 163–172). ANU Press. <http://www.jstor.org/stable/j.ctt1ws7wbh.18>

¹³⁵ Harlow, J. W. (2011). CORPORATE CRIMINAL LIABILITY FOR HOMICIDE: A STATUTORY FRAMEWORK. *Duke Law Journal*, 61(1), 123–166. <http://www.jstor.org/stable/23034813>

would also signal the country's commitment to upholding the "right to life and dignity" in the face of economic growth and industrial expansion¹³⁶. It is time for the Indian legal system to evolve and ensure that no future tragedy like Bhopal goes unpunished¹³⁷.

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