

## Krishnendu Mukherjee



Call: 1996

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### Profile

Called in 1996, Krishnendu started practising in immigration and asylum law, appearing at all levels, including the House of Lords case of *R (Razgar) v Secretary of State for the Home Department* 2AC368 one of the leading UK cases on expulsion and Article 8. He was also Trustee and then Chair of the Board of Trustees of Asylum Aid, a charity representing asylum seekers in the UK, from 1997-2006.

A desire to work on issues of globalisation, and in particular on international environment issues, led him to practice in India from 2007. Up until 2008, he worked with India's first environmental and natural resources law firm based in Delhi, working on projects concerning coastal regulations, land acquisition and water laws.

After qualifying as an Indian advocate in 2008, he has practised in the Bombay High Court on public interest litigation on the environment, police misconduct, discrimination against minorities and land acquisition.

He writes and speaks widely on issues of environment and corporate accountability. He was one of the recipients of the IUCN's Alexandre Kiss Award 2008 for his essay on Climate Change Adaptation and the Sundarbans. Krishnendu contributed to the critique of the India's

National Green Tribunal 2009 (The Access Initiative), which set up India's environmental court, from which some of the recommendations were incorporated into the final Act itself.

## **Education**

BA (Hons)

MA

LLM

## **Related practice areas**

Immigration

International Law & Arbitration

Business and Human Rights and Modern Slavery

Children's Rights Group

## **International Law**

Krishnendu has been instrumental in obtaining compensation for victims of asbestos-related illness. The victims are all former employees, or spouses of former employees, who worked for Turner and Newall Ltd, a British Company, in Mumbai. Nearly 250 claimants have already been compensated by a Trust set up for that purpose. He is also filing claiming claims on behalf of workers in Ahmedabad, Gujarat against a Trust in the United States.

Krishnendu has also assisted in drafting complaints under the OECD Guidelines for Multinational Enterprises for NGOs and trade unions, including recently against Holcim, a Swiss-based Cement Company, for alleged labour and environmental breaches.

Shankar Jog v Union of India and another, PILWP 6/2011, is one of India's most important recent cases on the protection of the environment. It holds that the validity of environmental clearance should be time-bound to be in conformity with environmental protection. This decision has the potential to affect 7000 projects across India which have continued beyond their clearance as interpreted by the High Court. He is also currently fighting a number of cases on illegal diversion of forest, cumulative environment assessment of projects, bias in the decision-making process and other breaches of environmental or natural resources law.

Other notable cases include, a series of public interest litigation, with the lead case Franky Monteiro and others v State of Goa and others WP 316/2008. These cases were filed by locally affected people against land acquisition for Special Economic Zones (SEZ). In the first successful case against SEZs, the High Court found the land acquisition to be unlawful due

to widespread procedural impropriety and quashed the acquisitions of land itself. The cases are currently before the Supreme Court.