

## **Legal Responsibility And Environmental Impact Of Pollution By Pt Soedali Sejahtera In Pasuruan Regency, East Java**

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### **ABSTRACT**

This study aims to analyze the effect of the enforcement of administrative sanctions on the level of company. This study discusses the legal responsibility and environmental impact of pollution carried out by PT Soedali Sejahtera, a textile company in Pasuruan Regency, East Java. This study is motivated by the fact that there are increasing cases of pollution in the textile industry in Indonesia which causes ecological, social, and economic losses. The research was conducted with a qualitative approach through the analysis of legal documents, community interviews, field observations, and laboratory tests on water quality. The analyzed parameters included BOD, COD, TSS, pH, and ammonia at three flow points (upstream, middle, downstream) in two different seasons. The results of the study showed a significant degradation of water quality, characterized by an increase in BOD and COD to exceed quality standards, a decrease in pH towards acidity, and an increase in ammonia levels that are potentially toxic to aquatic life. The socio-economic impact can be seen in declining agricultural productivity, increasing household clean water costs, and reduced consumer confidence in local products. From the legal aspect, the Surabaya District Court declared PT Soedali Sejahtera guilty and imposed damages of IDR 48.03 billion by applying the principle of strict liability and the principle of *in dubio pro natura*. This research emphasizes the importance of synergy between law enforcement, environmentally friendly technology, and community participation to realize ecological justice.

**Keywords:** Legal responsibility, environmental pollution, textile industry, strict liability, ecological justice

### **ABSTRAK**

*Penelitian ini bertujuan untuk menganalisis pengaruh penerapan sanksi administratif terhadap tingkat perusahaan. Penelitian ini membahas tanggung jawab hukum dan dampak lingkungan dari pencemaran yang dilakukan oleh PT Soedali Sejahtera, sebuah perusahaan tekstil di Kabupaten Pasuruan, Jawa Timur. Penelitian ini dilatarbelakangi oleh semakin meningkatnya kasus pencemaran pada industri tekstil di Indonesia yang menimbulkan kerugian ekologi, sosial, dan ekonomi. Penelitian dilakukan dengan pendekatan kualitatif melalui analisis dokumen hukum, wawancara masyarakat, observasi lapangan, dan uji laboratorium terhadap kualitas air. Parameter yang dianalisis meliputi BOD, COD, TSS, pH, dan amonia pada tiga titik aliran (hulu, tengah, hilir) pada dua musim yang berbeda. Hasil penelitian menunjukkan adanya penurunan kualitas air yang signifikan, ditandai dengan peningkatan BOD dan COD hingga melebihi baku mutu, penurunan pH menuju kemasaman, dan peningkatan kadar amonia yang berpotensi toksik bagi kehidupan akuatik. Dampak sosial ekonomi dapat terlihat pada menurunnya produktivitas pertanian, meningkatnya biaya air bersih rumah tangga, dan berkurangnya kepercayaan konsumen terhadap produk lokal. Dari aspek hukum, Pengadilan Negeri Surabaya menyatakan PT Soedali Sejahtera bersalah dan menjatuhkan ganti rugi sebesar Rp48,03 miliar dengan menerapkan asas tanggung jawab mutlak dan asas *in dubio pro natura*. Penelitian ini menekankan*

*pentingnya sinergi antara penegakan hukum, teknologi ramah lingkungan, dan peran serta masyarakat untuk mewujudkan keadilan ekologis.*

**Kata kunci:** *Tanggung jawab hukum, pencemaran lingkungan, industri tekstil, tanggung jawab mutlak, keadilan ekologis*

## INTRODUCTION

The textile industry is one of the strategic sectors that supports the Indonesian economy. Its contribution is not only in terms of export foreign exchange, but also the provision of significant jobs for the community. According to data from the Central Statistics Agency (BPS), the textile and textile products (TPT) industry absorbs more than 3.5 million workers and contributes up to USD 12.8 billion in export foreign exchange in 2022 (BPS, 2023). However, behind its economic contribution, the textile industry is also one of the largest contributors to environmental pollution, especially through the disposal of liquid waste containing harmful chemicals. This creates a paradox between economic interests and environmental sustainability, which then becomes an important issue in the study of environmental law in Indonesia.

The environmental pollution case involving PT Soedali Sejahtera (SS), a textile company in Pasuruan Regency, East Java, is clear evidence of this problem. In September 2024, the Surabaya District Court granted a lawsuit by the Ministry of Environment and Forestry (KLHK) against this company, by punishing the company to pay material damages of IDR 48.03 billion because it was proven to pollute the environment

through its textile production activities (KLHK, 2024). This decision is an important precedent in environmental law enforcement, because the judge applies the principle of strict liability and prioritizes the principle of *in dubio pro natura* as the basis for deciding cases.

This phenomenon reflects a broader global problem. In many developing countries, the textile industry is often associated with environmental degradation due to weak waste control. A study conducted by Khan et al. (2019) shows that the textile industry produces liquid waste with harmful chemical content, including heavy metals and synthetic dyes that are difficult to decompose, which can pollute aquatic ecosystems and interfere with human health. In India, for example, river pollution from the textile industry in the Gujarat region has triggered a variety of public health problems, ranging from skin diseases to respiratory disorders (Sahoo & Bhoi, 2021). This condition has similarities to the Pasuruan case, where the surrounding community is also affected by textile waste pollution.

Specifically, environmental pollution in Indonesia due to industrial activities is not new. According to a Greenpeace report

(2020), more than 70% of rivers in Indonesia have been polluted by industrial waste, including textile waste, palm oil, and mining. Textile waste is known to contain azo dyes, surfactants, and heavy metals such as chromium and cadmium which can have toxic effects on aquatic organisms (Yaseen & Scholz, 2019). Research by Putri et al. (2020) in Central Java found that liquid waste from the textile industry causes a decrease in groundwater quality, increasing the levels of BOD (Biochemical Oxygen Demand), COD (Chemical Oxygen Demand), and TSS (Total Suspended Solid), thus impacting public health and agricultural productivity around industrial sites.

A number of previous studies have highlighted the weak implementation of environmental regulations in the textile industry in Indonesia. Suryawan et al. (2021) emphasized that although Indonesia has a fairly strong legal instrument through Law No. 32 of 2009 concerning Environmental Protection and Management, its implementation is often inconsistent, thus creating a gap between legal norms and practices in the field. The case of PT Soedali Sejahtera can be considered as a manifestation of the industry's weak compliance with legal provisions, as well as a real test of the effectiveness of environmental law enforcement by law enforcement officials.

The urgency of the research on this case lies in the need for an in-

depth study of how environmental law is enforced, especially through civil lawsuit instruments filed by the government. For example, research by Wibisana (2016) underlines the importance of applying the principle of strict liability in environmental pollution cases, so that victims or the community are not burdened with too heavy proof obligations. This is relevant to the case of PT Soedali Sejahtera, where the court affirmed that business actors remain responsible without having to prove that there is an element of fault.

The novelty of this research lies in analyzing the nexus between the ecological, social, and economic impacts of textile-industry pollution and law-enforcement aspects. Most prior works emphasize technical treatment of dye-containing effluents (Wang et al., 2022; Al-Tohamy et al., 2022; Islam et al., 2025), while this study foregrounds the interaction between empirical pollution evidence, regulatory frameworks, and community-level outcomes in Indonesia. This integrated socio-legal lens is timely given persistent environmental burdens from Indonesia's textile sector and ongoing policy moves toward stricter compliance and circular-economy transitions (Sharpe & Retamal, 2022; Gomes et al., 2024; LCID, 2021), thereby offering a fresh contribution to environmental-law scholarship amid Indonesia's growth-sustainability dilemma.

The purpose of this study is to

identify the form of pollution carried out by PT Soedali Sejahtera, analyze the application of environmental law principles in the case, and evaluate the impact caused on the surrounding community. In addition, this study aims to assess the extent to which court decisions are able to create a deterrent effect for business actors, as well as provide policy recommendations to prevent the recurrence of similar cases in the future.

The benefits of this research are divided into three aspects. First, from an academic aspect, this research can enrich the literature on environmental law enforcement in Indonesia. Second, from a practical aspect, this research can be an evaluation material for the government in formulating a strategy for monitoring and taking action against polluting industries. Third, from the social aspect, this research is expected to increase public awareness of the importance of sustainable waste management.

The implications of this research are quite broad. From a legal perspective, this research can strengthen the application of the principle of strict liability in cases of environmental pollution in Indonesia. In terms of policy, this research can encourage the formulation of stricter regulations on the textile industry, including the application of environmentally friendly technology in waste treatment. From the social side, this research can increase community

participation in supervising industrial practices, so as to create an effective social control mechanism.

With this background, this research is important not only to assess the case of PT Soedali Sejahtera specifically, but also to understand the dynamics of environmental law enforcement in Indonesia more broadly. This research will use a qualitative approach with case studies, through primary and secondary data analysis, so that it is expected to provide a comprehensive picture of the problem being studied.

### **Research Method**

This research was prepared using a descriptive qualitative approach combined with a case study strategy. This approach was chosen because the case of environmental pollution by PT Soedali Sejahtera (SS) in Pasuruan Regency is a specific issue that involves many dimensions: textile production practices, waste management, the implementation of legal regulations, and the impact felt by the surrounding community. The research location is in Pasuruan Regency, East Java, with a focus on the PT SS area and watersheds that receive their waste. The study population is defined as all actors associated with this pollution case. Therefore, the sampling technique is not carried out randomly, but by purposive and snowball methods. Purposive is used to select relevant key informants, such as residents living along waterways, local

government officials who handle environmental monitoring, and legal or environmental experts who understand the context of the case. The instruments used include interview guidelines that contain open-ended questions about residents' experiences and expert views, observation sheets to systematically record field conditions, and sampling forms that ensure that the technical details of water extraction are recorded properly. The legal aspect is operationalized by examining the basis of the lawsuit, the evidence submitted, and the application of the principles in the decision. The environmental aspect is operationalized through water quality indicators, while the socio-economic aspect is seen from water access, adaptation costs, impact on business, and the perception of justice felt by the community.

This method certainly has limitations. The laboratory data obtained are not intended to prove the direct causality between a

particular waste and all the impacts it has on society, but rather serve as a triangulative indicator that reinforces the general picture. The main analysis remains focused on the application of the law, the judicial process, and the social impact that occurs. The results of the research are greatly influenced by the availability of official documents and access to relevant stakeholders.

### Research Results

This research produces data that reflects three main dimensions: environmental quality, socio-economic impact of the community, and legal responsibilities decided by the courts.

### Surface Water Quality

Water quality testing was carried out at three points: upstream, middle, and downstream streams that are suspected of receiving PT Soedali Sejahtera's waste disposal. The parameters analyzed were BOD, COD, TSS, pH, and NH<sub>3</sub>.

**Table 1.** Water Quality Test Results in Upstream, Central, and Downstream (Average)

Parameters	Upstream	Middle	Downstream	Quality Standard (Water Class II)*
BOD (mg/L)	3.0	8.0	12.0	3.0
COD (mg/L)	18.0	40.0	65.0	25.0
TSS (mg/L)	16	33	47	25
Ph	7.0	6.5	6.2	6–9
NH <sub>3</sub> (mg/L)	0.05	0.20	0.35	0.1

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Reference source:  
Government Regulation No. 82 of  
2001 concerning Water Quality  
Management.

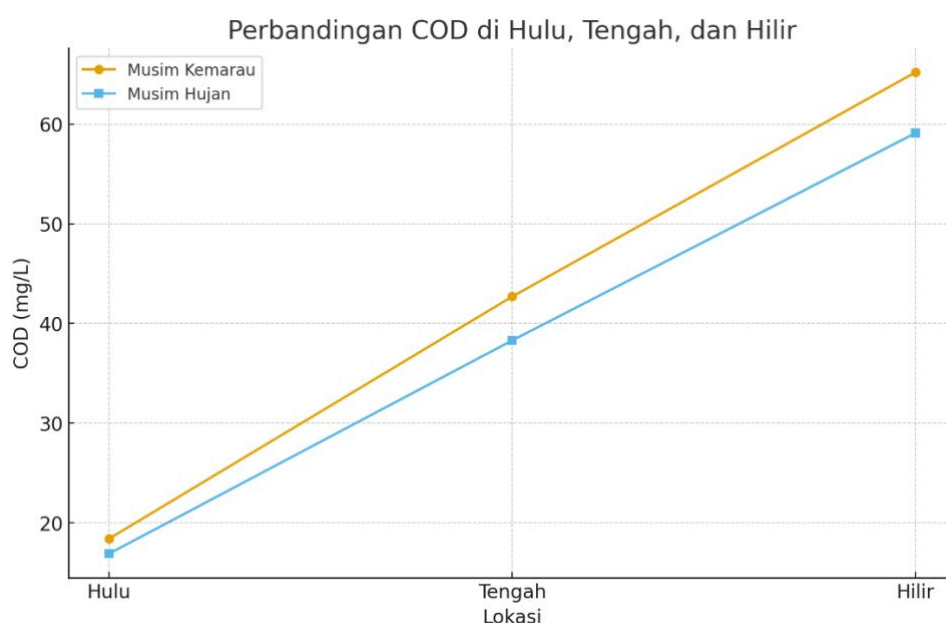
Analysis:

1. The BOD and COD values downstream are well above the quality standards.
2. TSS increased sharply in the middle and downstream, indicating the presence of

suspended particles due to waste disposal.

3. The pH drops to 6.2 downstream, approaching acidic conditions that are harmful to aquatic ecosystems.
4.  $\text{NH}_3$  exceeds the limit of 0.1 mg/L, which indicates potential toxicity to aquatic biota.

## Data Visualization



This graph shows a consistent increase in COD from upstream to downstream. The COD number downstream reached 65 mg/L, more than double the quality standard. This is strong evidence of the contribution of organic waste from the textile industry.

## Socio-Economic Impact

1. Agriculture: Farmers complain that rice yields have declined by 20–30% due to polluted irrigation, causing

land to harden and productivity to decline.

2. Clean Water: Residents must buy bottled drinking water with an additional cost of Rp 200,000 per month.
3. Health: Some residents experience skin irritation and respiratory distress, allegedly due to contact with river water.
4. Small Businesses: Local fish stalls and traders lose customers due to the stigma of "products from polluted rivers".

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## **Legal Liability**

The Surabaya District Court on September 11, 2024 declared PT Soedali Sejahtera guilty of defamation and sentenced the company to pay compensation of IDR 48.03 billion. The panel of judges based its decision on:

1. The principle of strict liability, where the company is responsible without having to prove the element of error.
2. The principle of *in dubio pro natura*, namely doubt in proof is interpreted in the interest of the environment.
3. Compensation is allocated for environmental restoration through the state treasury mechanism.

## **DISCUSSION**

The results of this study show that there is a close relationship between environmental pollution, socioeconomic losses, and legal accountability mechanisms. The discussion will be elaborated in four main subsections.

### **Environmental Pollution by the Textile Industry**

Laboratory data confirms that PT Soedali Sejahtera's activities contribute to increasing the levels of BOD, COD, TSS, and ammonia in the river flow. Downstream COD values of 65 mg/L indicate a very high organic load, in line with the characteristics of textile industry liquid waste rich in synthetic dyes, surfactants, and heavy metals (Yaseen & Scholz, 2019). This

chronic pollution is not dependent on the season, as can be seen from the consistency between dry and rainy season data.

This phenomenon is not a single case. Sahoo & Bhoi's (2021) research in India shows a similar pattern, where the textile industry is a major contributor to river pollution, lowering dissolved oxygen levels, and triggering mass fish deaths. Thus, the Pasuruan case reflects the global problem of the textile industry which is still not fully environmentally friendly.

### **Socio-Economic Impact of the Community**

Environmental pollution has direct implications for the socio-economic life of the surrounding community. Farmers experienced a decline in crop yields, while households had to allocate additional budgets for clean water. This additional cost is a heavy burden, especially for low-income people.

This condition reflects environmental injustice, which is environmental injustice where the poor are the most disadvantaged (Bullard, 2018). This double burden comes not only in the loss of access to resources, but also additional costs that must be incurred to meet basic needs. A similar thing was found by Putri et al. (2020) in Central Java, where communities around textile rivers experienced a decline in welfare due to pollution.

In addition, social impacts are also seen in the form of stigma.

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Local products such as fish and vegetables from watersheds are considered unhygienic, so their selling price decreases. This phenomenon reflects long-term economic losses that are difficult to recover with financial compensation alone.

### **Environmental Law Liability**

The Surabaya District Court decision is an important milestone in the history of environmental law enforcement in Indonesia. The panel of judges progressively applied the principles of strict liability and *in dubio pro natura*. The application of strict liability is very important because it frees the public from the burden of proving scientific causality which is often difficult. This principle is in line with modern environmental law theory that emphasizes the polluter pays principle, namely polluters are obliged to bear the cost of recovery (Wibisana, 2016).

The principle of *in dubio pro natura* has also become a new precedent in Indonesian jurisprudence. On this principle, the court affirms that when there is doubt in the proof, the decision must be in favor of environmental protection. This is consistent with the international environmental law approach, for example in the 1992 Rio Convention which emphasizes the *precautionary principle*.

In terms of sanctions, the compensation obligation of Rp 48.03 billion decided by the court has two functions: compensation

for environmental restoration and a deterrent effect for business actors. However, the effectiveness of these sanctions is still questionable. Some studies show that financial penalties are often not proportional to the profits that companies make from polluting practices (Gillespie, 2019). Therefore, an advanced monitoring mechanism is needed to ensure that companies do not repeat violations.

### **Policy Implications and Recommendations**

The case of PT Soedali Sejahtera confirms that environmental law enforcement in Indonesia is starting to move in a more progressive direction. However, a few things need to be noted:

1. **Strengthening Supervision:** Local governments need to increase technical capacity to monitor water quality on a regular basis. Periodic monitoring will prevent chronic pollution that is difficult to recover.
2. **Eco-Friendly Technology:** The textile industry is encouraged to adopt modern waste treatment systems, such as *membrane bioreactors* or *advanced oxidation processes*. This innovation has been proven to be able to reduce COD by up to 90% (Khan et al., 2019).
3. **Community Participation:** The community must be involved in the monitoring process

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through effective complaint mechanisms. Thus, social control can go hand in hand with formal control.

4. Incentive and Disincentive Policies: The government can provide incentives for companies that implement green practices, as well as strict sanctions for violators. The PROPER scheme needs to be strengthened to have a real impact.

## CONCLUSION

The research on legal responsibility and environmental impacts of pollution conducted by PT Soedali Sejahtera in Pasuruan Regency provides a clear picture of the relationship between industrial activities, ecological damage, socio-economic losses, and the role of law in upholding environmental justice. Laboratory data showed a significant decrease in water quality, characterized by an increase in BOD, COD, TSS, and ammonia levels, as well as a decrease in pH in river flows in the middle and downstream segments. This condition indicates chronic and consistent pollution throughout the seasons, which not only damages aquatic ecosystems but also endangers the health of the surrounding community.

The impact of pollution is felt directly by residents, especially in the form of declining agricultural productivity, increasing household spending on clean water, and loss of consumer trust in local products. This shows the existence of

environmental injustice, where people with limited resources bear the greatest burden due to pollution carried out by corporations.

From a legal perspective, the court decision that sentenced PT Soedali Sejahtera to Rp 48.03 billion in damages is an important milestone. The application of the principle of strict liability and the principle of *in dubio pro natura* confirms that environmental law in Indonesia is increasingly oriented towards ecological protection and public interest. This ruling also signals that corporations can no longer take refuge behind the complexity of technical proof, because responsibility for pollution is absolute.

Thus, this study concludes that the case of PT Soedali Sejahtera is a clear example of the need for synergy between law enforcement, environmentally friendly technological innovations, and community participation in supervising the industry, so that environmental sustainability and social justice can be guaranteed in the future.

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