POWERING THEM AND DROWNING US: WHY THE WEST'S DATA CENTRES ARE INDIA'S PROBLEM NOW

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INTRODUCTION

In May 2026, United States Congresswoman Alexandria Ocasio-Cortez stood before the Environmental Protection Agency holding two jars of water. One was clean; the other was murky, brown, and undrinkable, and came straight from the taps of the families living near Morgan County, Georgia, where Meta had built a massive data centre campus. "The only difference between the clean and this is," she told the EPA's Assistant Administrator, "was the data centre." Families in rural Georgia were now shipping water to their homes to cook and bathe. Their water bills were expected to rise by 33 percent. The community was on track for a total water deficit by 2030[1]. Twelve thousand kilometres away, in Visakhapatnam, the story was just beginning.

On June 10, 2026, the Andhra Pradesh state environment impact assessment authority granted environmental clearance to Vizag hyperscale data centre park, a joint venture backed by Google and Adani Group, proposed on 601 acres of ecologically fragile land barely 120 meters from Mudasarlova reservoir, the primary drinking source of the entire city[2]. The human rights forum, a civil society organisation, immediately called the clearance a brazen injustice and profound failure of environmental governance, alleging that construction activities including deforestation and vegetation clearance had already begun on Kailasgiri Forest hill month before

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[1] Representative Alexandria Ocasio-Cortez, 'Ocasio-Cortez Presses EPA Assistant Administrator Kramer on Jeopardizing Clean Water Access by Caving to Major Data Centre Construction' (Representative Alexandria Ocasio-Cortez, 20 May 2026) <https://ocasio-cortez.house.gov/media/press-releases/ocasio-cortez-presses-epa-assistant-administrator-kramer-jeopardizing-clean> accessed 14 June 2026.

[2] South First Desk, '"Ecological recklessness": HRF demands withdrawal of green nod for Vizag data centre project' (*The South First*, 12 June 2026) <https://thesouthfirst.com/andhrapradesh/ecological-recklessness-hrf-demands-withdrawal-of-green-nod-for-vizag-data-centre-project/> accessed 14 June 2026.

the clearance was even granted making environmental clearance in their words, "a post-facto formality".

Section 1.1: What is a data centre and why do we need one?

A data centre is a centralised physical facility that houses computing systems, data storage equipment, and networking infrastructure used to collect, process, store and distribute data[3]. Every digital interaction - a UPI payment, a Google search, an AI query is processed through one of these facilities. They are, in the most literal sense, the physical backbone of the internet.

India's need for domestic data centres is not merely economic; it is a matter of national security. India generates approximately 20% of the world's data but retains only 3% domestically.[4] The remainder sits on foreign servers, governed by foreign law, and accessible to foreign intelligence agencies without the knowledge and consent of Indian citizens, a vulnerability the Snowden revelations of 2013 made impossible to ignore.[5] Critical systems: Aadhaar's biometric database of over a billion people. The UPI payments network, defence and intelligence infrastructure cannot be secured if their data lives outside Indian jurisdiction. The Reserve Bank of India recognised this when it mandated domestic storage of payment data, and the Digital Personal Data Protection Act 2023 extends that logic to the broader ecosystem.[6]

Data Centre: Luxury or Necessity?

The single largest operational challenge of any data centre is heat. Every server, every processor, every data transfer generates it. A single rack of servers produces heat equivalent to a large industrial furnace running without interruption. Multiply that across hundreds or thousands of racks and the engineering problem becomes clear—if the heat is not removed, the server fails. The most efficient method of removing heat at hyperscale is water-based cooling, and the volumes required are staggering.[7]

[3] Fortinet, 'What is a Data Centre? Meaning, Definition, Operations and Types' (*Fortinet Cyber Glossary*) https://www.fortinet.com/resources/cyberglossary/data-center accessed 14 June 2026.
[4] A Shaji George, 'Data Centres and Water Crisis in India: Why Digital Infrastructure Could Drain Our Wells Dry by 2030' (2025) 3(6) *Partners Universal Innovative Research Publication* 1, 2.
[5] Harold Trinkunas, 'U.S.-Brazil Relations and NSA Electronic Surveillance' (Brookings Institution, 18 September 2013) https://www.brookings.edu/articles/u-s-brazil-relations-and-nsa-electronic-surveillance/ accessed 13 June 2026.
[6] Digital Personal Data Protection Act 2023 (India), Preamble.
[7] E A Isaev, V.V Kornilov and A.A Grigoriev, 'Data Centre Efficiency Model: A New Approach and the Role of Artificial Intelligence' (2023) 18(1) *Mathematical Biology and Bioinformatics* 215, 216.

A peer-reviewed study published in Environmental Research Letters calculated that US data centres consumed over 513 million cubic meters of water in a single year, drawing from 90% of American watersheds.[8] A modest 100-megawatt facility, small by today's standard, requires approximately 2 million litres of water per day; the proposed Vizag facility is planned at ten times that capacity.

The question is not whether data centres are necessary, they are, the question is whether the necessity justifies this location, this process and whether India is capable enough to handle the repercussion the data centre is going to bring along with it.

Section 1.2: How does this make India's crisis worse?

India's water emergency does not begin with data centres. It is already here. According to NITI Aayog, 163 million Indians currently lack access to clean water. Groundwater tables across the country are falling annually as extraction outpaces recharge. NITI Aayog has warned that by 2030, 40 per cent of Indian cities may face drinking water deficits unless conditions are urgently addressed.

Into this crisis, India is now proposing to introduce infrastructure that is most water-intensive on the planet.

The answer to why Vizag becomes clearer when you ask where these projects were rejected before they came to India.

Between March and June 2025 alone, data centre projects worth 98 billion dollars were delayed or cancelled across the United States because of organised community resistance; more than twenty groups across seventeen states successfully blocked construction.

The projects did not disappear; they moved.

What economists call the pollution haven hypothesis describes this pattern precisely: capital migrates towards jurisdictions where environmental enforcement is weakest, land is cheapest, and citizen resistance is lowest. In India, with no mandatory environment assessment specifically for data centres, a national data centre policy drafted in 2020 and never finalised, and state governments treating clearances as investment facilitation rather than genuine public

[8] Md Abu Bakar Siddik, Arman Shehabi and Landon Marston, 'The Environmental Footprint of Data Centres in the United States' (2021) 16 *Environmental Research Letters* 064017, 6.

protection, offered exactly this combination. Budgets 2026 added a tax holiday for foreign data centre operators. Capital does not flow toward need. It flows toward the path of least resistance. And India, it turns out, has been very quiet.

Section 2: To understand the tragedy unfolding near the Mudasarlova reservoir, one must look past the press releases of single-window clearances and confront an uncomfortable truth: India's environmental laws are not absent; they are riddled with structural loopholes that allow ecological destruction to proceed with regulatory cover.

ENVIRONMENTAL LEGISLATIONS

The primary mechanism for vetting industrial impact is the environmental impact assessment (EIA) Notification. However, data centres are completely absent from the scheduled list of industries requiring mandatory environmental screening[9]. A facility drawing millions of litres of water daily can legally bypass central-level category A scrutiny entirely. State-level clearances category B are frequently reduced to rubber stamping exercises driven by competition to attract foreign capital.

The Forest (Conservation) Act 1980 and the Wildlife (Protection) Act, 1972 exist to prevent precisely the kind of ecological disruption proposed at Kailasagiri.[10] Yet, are routinely bypassed through administrative workarounds. As the human rights forum alleged, the Vizag project major land levelling, tree felling and vegetation clearing on the ecologically fragile Kailasagiri forest began as early as February 2026.[11]

The Supreme Court in T.N. Godavarman Thirumulpad v Union of India had expanded the definition of protected forests beyond government-notified areas to include all ecologically significant forested land, directing that no forest land be diverted without prior approval of the central government.[12] When environmental compliance becomes post-facto formality, the law ceases to be a shield for forests and wildlife.

[9] EIA Notification, S.O. 1533(E) (Ministry of Environment, Forest and Climate Change, 14 September 2006), Schedule.
[10] Wildlife Protection Act 1972 (India); Forest (Conservation) Act 1980 (India).
[11] Human Rights Forum (n 2)
[12] *T.N. Godavarman Thirumulpad v Union of India* Writ Petition (Civil) No 202 of 1995 (Supreme Court of India, 1996).

The Infringement of Article 21: The Supreme Court has spent over three decades building an explicit, progressive environmental jurisprudence. Yet, there is a yawning chasm between constitutional text and executive execution.

In *Subhash Kumar v. State of Bihar* (1991*),* the Supreme Court unequivocally ruled that the right to life under Article 21 includes the right to the enjoyment of pollution-free water and air.[13] In a country where millions already lack reliable access to clean drinking water, allowing a massive corporate infrastructure project to siphon resources from a primary urban reservoir is a systemic violation of that right.

In *M.C. Mehta v. Kamal Nath* (1997*), the* public trust doctrine was established; this doctrine dictates that certain natural resources, air, sea, waters, and forests are held by the state as a trustee on behalf of the public. The state cannot abdicate this trust to permit private commercial appropriation that harms the public interest.[14] Allocating 601 Acres of a water-stressed city's catchment area to a private joint venture is a structural betrayal of this trusteeship. The state has morphed from custodian of public resources into an agent of corporate land-grabbing.

In the landmark *M.C. Mehta v. Union of India*, 1987, jurisprudence established that enterprises engaged in inherently dangerous or resource-intensive activities bear an absolute, non-delegable duty to communities surrounding them.[15] Yet, the environmental clearance granted in Vizag remains fundamentally silent on hydrological impacts, groundwater recharge, and long-term depletion. India's climate and water stress make hyperscale infrastructure especially harmful, yet weak environmental laws often end up enabling resource exploitation instead of preventing it.

Section 3: To critique the Vizag data centre park is not to argue that India should reject digital advancement. On the contrary, establishing domestic data capacity is an absolute national security imperative, one that the Indian state has itself recognised through law and policy.

Snowden's 2013 revelations confirmed that the United States PRISM surveillance programme had accessed data stored on servers of Microsoft and Meta, belonging to hundreds of millions of non-American users who had no recourse under American law. The United States v. Microsoft Corporation litigation further demonstrated how a country cannot fully protect its

[13] *Subhash Kumar v State of Bihar* AIR 1991 SC 420.
[14] *M.C. Mehta v Kamal Nath* (1997) 1 SCC 388.
[15] *M.C. Mehta v Union of India* (Oleum Gas Leak) AIR 1987 SC 1086.

citizens' digital rights if the physical servers are under a foreign flag.[16] The tragedy is not that India is building data centres. The tragedy is how it is building them and for whom.

The contrast with China is not made to endorse a political system. It is made to ask a precise question about technological strategy. China's world's first offshore wind-powered underwater data centre entered full commercial operation off the coast of Shanghai's Lingang Special Area in 2026, a 226-million-dollar facility developed through a cooperation agreement between the Lingang Special Area administrative committee, Shanghai Lingang Special Area Investment Holding Group, and HiCloud Technology.[17] The servers are sealed inside pressure-resistant modules deployed approximately 35 metres below the surface, using surrounding seawater as a passive cooling system in place of the chillers and water-intensive HVAC systems typical of land-based facilities.[18] The project is powered entirely by the adjacent offshore wind farm, providing a demonstration for green and low-carbon development of computing infrastructure. It consumes no freshwater. It displaces no farming community. It requires no reservation catchment to be handed over to a private joint venture.[19]

The technology was not pioneered by China. Microsoft's Project Natick tested submerged data centre capsules off the coasts of Scotland and California, demonstrating that underwater deployments could achieve lower hardware failure rates than conventional facilities. Microsoft proved the concept worked and then quietly discontinued the programme commercially. The reason is not difficult to identify: investing in complex marine infrastructure requires significant upfront capital and technological commitment. Why innovate when you can relocate?

CONCLUSION

India stands at a crossroads it has stood at before. The industry is different. The actors are different. The technology is different. The logic is identical.

[16] *United States v Microsoft Corporation* 584 US 236 (2018).
[17] China Activates World's First Offshore Wind-Powered Underwater Data Centre' (*Interesting Engineering*, May 2026) https://interestingengineering.com/innovation/china-offshore-wind-data-center accessed 14 June 2026.
[18] HiCloud's Offshore Wind-Powered Underwater Data Centre Up and Running off Coast of Shanghai' (*Data Centre Dynamics*, May 2026) https://www.datacenterdynamics.com/en/news/hiclouds-offshore-wind-powered-underwater-data-center-up-and-running-off-coast-of-shanghai-china/ accessed 14 June 2026.
[19] China Puts World's First Offshore Wind-Powered Underwater Data Centre into Operation' (*Offshore Wind*, 18 May 2026) https://www.offshorewind.biz/2026/05/18/china-puts-worlds-first-offshore-wind-powered-underwater-data-centre-into-operation/ accessed 14 June 2026.

When Union Carbide chose Bhopal over Pennsylvania, it was not because India needed pesticides more urgently than America. It was because India's regulatory silence was cheaper than American accountability. Forty years later, when Google and Adani chose Visakhapatnam over Virginia, they were not responding to India's digital needs. They were responding to India's regulatory vacuum, the absence of mandatory environmental assessment for data centres, the willingness of state governments to grant clearances in months for projects that will operate for decades, and the silence of communities who were never asked.

Three legal reforms would begin to close the gap between the Constitution's promises and their execution. Data centres must be brought within the mandatory environmental clearance framework, classified as Category A projects under the EIA Notification 2006, subject to central-level scrutiny, comprehensive hydrological assessment, and genuine public consultation before a single tree is felled. Water and energy standards must become legally binding conditions of approval, not voluntary incentives that operators may choose to ignore, following the model of Germany's Energy Efficiency Act, which compels data centre operators to reach 100% renewable electricity by 2027, and Singapore's framework, which treats sustainability standards as gatekeeping criteria rather than aspirational targets.[20] Mandatory public consultation must be guaranteed for any project sited near ecologically sensitive zones, water catchments, or communities whose livelihoods depend on land being built upon.

The technology exists. The physics work. The question, as one account of China's Lingang facility put it, is whether the economics work outside of a state-backed model. India has a state. What it currently lacks is the will to use it in the interest of its people rather than in the interest of the corporations it is competing to attract.

The jar of brown water that Congresswoman Ocasio-Cortez held before the United States Environmental Protection Agency in May 2026, that jar is not a warning for India. It is a preview, unless India decides that its Constitution means what it says, that its people's right to clean water is non-negotiable, and that digital sovereignty built on ecological destruction is no sovereignty at all.

[20] Environment & Climate Change Laws and Regulations Report 2026 India' (*ICLG*, 27 March 2026) https://iclg.com/practice-areas/environment-and-climate-change-laws-and-regulations/india/ accessed 14 June 2026.

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