



Post Graduate Diploma in Environmental Law and Policy

Course VI: Environment Protection Mechanism

Refer to the timeline for submission date

Total Marks: 50

The world limits and marks allocated to each question are mentioned after the question

Sixth Assignment

Question 1:

"Had the municipal council and its executive officers spent half this litigative zeal on cleaning up the street and constructing the drains by rousing the people's resources and laying out the city's limited financial resources, the people's needs might have been largely met long ago. But litigation with other's funds is an intoxicant, while public service for common benefit is an inspiration; and, in a competition between the two, the former overpowers the latter."

[Municipal Council, Ratlam vs. Shri Vardhichand & Ors, 1981 SCR (1) 97]

Express your views on what is PIL, what purpose does it serve and how has it contributed to jurisprudence of environmental law? Use suitable case laws to support your answer.

(10 marks, 800-1000 words)

Question 2:

The Ministry of Environment, Forest and Climate Change has issued the Forest (Conservation) Rules, 2022 on 28th June 2022.

Critically analyse the amendment and compare it with the earlier Rules.

(15 marks, 1000-1200 words)

Question 3:

The recently proposed amendments to the Environment (Protection) Act, 1986, the Air (Prevention and Control of Pollution) Act, 1981, and the Water (Prevention and



Control of Pollution) Act, 1974 are seeking to decriminalise and move to a penalty system. For the purpose of determining the penalties under the Acts, the amendments propose the appointment of an 'adjudicating officer'.

In light of the above, critically analyse the proposed appointment of the adjudicating officers. In your opinion, what impact does this have on the powers of the National Green Tribunal? Answer by providing suitable justification.

(15 marks, 1000-1200 words)

Question 4:

In October 2021, the Supreme Court in *Municipal Corporation of Greater Mumbai v. Ankita Sinha and Ors.*, Civil Appeal Nos. 12122-12123 of 2018, found that the National Green Tribunal has *suo moto* jurisdiction.

Read the above-mentioned judgment carefully and comment on *sou motu* jurisdiction of National Green Tribunal and why is this required for environmental cases?

(10 marks, 800-1000 words)