

4th SURANA & SURANA AND UNIVERSITY INSTITUTE OF LEGAL STUDIES,
PANJAB UNIVERSITY, CHANDIGARH
NATIONAL ENVIRONMENTAL LAW MOOT COURT COMPETITION. 2021

CLARIFICATIONS

1. Which parties are involved in the problem as the proposition is ambiguous regarding it?

Refer to Page 8 Note 1 of the Proposition.

2. Para 2 talks about the second commitment period of the Kyoto protocol. But this Protocol has ceased to exist from December 2020. What is the effect of applicability of this international agreement in the current scenario as a result of this event?

At the time of inception of the idea to construct the Rivola Hydro Power Plant, The Kyoto Protocol was in existence.

3. Para 10 gives a specific date on which prior environmental clearance was granted, but a specific has not been mentioned for the Environmental Clearance since a generic description of receding the same is given in para 12. We would like to know the exact timeline for the environment clearance process and the date when the clearance was actually granted.

No detailed timeline regarding the process is required to be provided.

4. Para 13, mentions “since its inception on 5th October 2007”. But para 19 mentions that it was operational in June 2010. This particular date (5th October 2007) has not been mentioned anywhere else in the proposition. What does this date refer to?

The proposal was for the first time laid down in 2007, whereas the plant after construction became operational in June 2010.

5. Para 18 mentions that Environment Management Plan (EMP) was formulated on the recommendation of the Expert Appraisal Committee (EAC). Does that mean that EAC created the EMP or another body formulated EMP on the recommendation of EAC? If so, what is that body?

It is explicitly provided in Para 18 of the Proposition.

6. Para 10 mentions that the notice was published in 2 vernacular languages. But the proposition mentions the existence of many tribal communities. Do they all speak one of the 2 vernacular languages in which the notice was published or are there other languages in use? We would like to know the exact figure/ total population of Barigua.

No detailed clarification is required regarding the language spoken by tribal communities and the population of Barigua. The exact number of people directly affected have been mentioned in Para 22 of the Proposition.

7. Para 7 mentions that the Government of Mindia decided to construct the power plant, but in the same paragraph it is also mentioned that the project was planned by the State Government. We would like to know if it is an initiative by the State Government or the Central Government.

It was an initiative by Central Government, which was further undertaken by the State Government at ground level.