

## Constitution of India and Environmental Governance:

### Administrative and Adjudicatory Process

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Lecture 14


### Overarching Law-Environment Protection Act-II

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**III. POWERS & FUNCTIONS**

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- CG : GENERAL POWERS- CENTRALISED AND FACILITATING APPROACH
- TAKE MEASURES TO PROTECT & IMPROVE ENVTL.(S.3);
- APPOINTMENT OF OFFICERS (S.4) ;
- ISSUE DIRECTIONS (S.5) ;
- MAKE RULES TO REGULATE ENVTL. POLLUTION ( Ss.6 & 25);
- POWER OF DELEGATION (S.23)
- **STANDARD SETTING POWER:**S.3(2) (iv); S.25(2) (a): CG TO MAKE RULES TO PROVIDE FOR STDs., IN EXCESS OF WHICH ENVTL. POLLUTANTS SHALL NOT BE DISCHARGED OR EMITTED;S.7:PERSONS CARRYING AN INDUSTRIAL ACTIVITY ETC., NOT TO ALLOW EMISIONS/DISCHARGES OF ENVTL. POLLUTANTS IN EXCESS OF STDs. PRESCRIBED;RULE 3 OF EP RULES:STDs. FOR EMISSION/ DISCHARGE OF ENVTL. POLLUTANTS





The authorities which are created under this, what kind of powers and functions that is charged? As I did mention a little while back. The central government has general powers of making law and coming up with facilitative mechanisms of making this law work well effectively. It has the power of taking measures to protect and improve the environment. It can appoint any number of officers. It can issue directions to the central government, any ministry, any department either at the centre at the state level.

It can make rules to regulate environmental pollution. It has the power of delegating some of its functions of working this law. Let me look at a major important power and I am reflecting on some of them because these are repeated in the pollution control laws as well and the purpose here is to elaborate on some of these major functions, which will not be repeated when we have the lecture on Pollution Control Board.

First major function is that of the power of setting standards. Standards are norms. Standards are a clear determination of the level of pollution or degradation that is a stress on an environment that is tolerable. So, when it is said that a standard has been prescribed in a particular area it simply means that human activity either individually or as the corporate way should not exceed the limit prescribed there. So, standards are limits and if you exceed that limit of pollution or degradation you come squarely under this law for legal action.

So, what does the central government do? The central government makes rules to provide standards in excess of which environmental pollutants shall not be discharged or emit. The persons carrying an industrial activity or not to allow emissions or discharges of environmental pollutants in excess of the standards prescribed. There are clear detailed formulations on each and every conceivable environmentally offensive, environmentally damaging kind of activities for which standards are prescribed under this law.

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- *POSITION PRIOR TO EPA: LACK OF UNIFORMITY-NO MIN. BASE LEVEL- EACH SPCB LAYING OWN STDs. (-ISI STDs.)-CPCB INITIATIVE- CONSTITUTION OF AN EXPERT COMMITTEE(1984)-FRAMING OF EP RULES(1.9.1986)*
- *# 3 TYPES OF STDs.- Source Std.- polluter to restrict emissions at source of emission/discharge; Product Std.- pollution norms for newly manufactured products; Ambient Std.-Max. permissible pollutants load in the air/atmosphere*
- *#SCHEDULES:- 7 in no. , listing out a detailed set of activities and industrial resulting in pollution, for which standards are set.*
- *COGNIZANCE OF OFFENCES(S.19 )*
- *Cts. TAKE COGNIZANCE OF AN OFFENCE ONLY UPON A COMPLAINT BY-*
- *-A POLLUTION CONTROL BOARD, OR*



A question comes. This Act came into force in 1986, the central government lays down the standards. That means for environmental degrading or polluting activities, were there no standards before 1986? Actually, the position was something like this. In each and every state we had pollution control laws and each and every state came up with their own standards, not

uniform and interestingly the standards were not actually pollution standards or pollution levels or environmental degrading activities scientifically formulated, it was actually a borrowing, a borrowing of ISI standards.

ISI. Indian Standardization Institutes Standards which later became BIS. Bureau of Indian Standards. But you know that this Bureau of Indian Standards or ISI standards as we have are made for a very different purpose, it has nothing to do with environment, but for want of any standard these Pollution Control Boards started adopting many of them and so that was prescribed and operated right from 1974 to 1986 were not scientifically correct for 12 long years and so comes the Environment Protection Act and a committee was constituted a couple of years before the Environment Protection Act came into force.

So, there is a lot of preparation before the making of this law wherein these experts went all around India, started examining and making a checklist of those major industries, which are polluting ones, the kind of activities that cause different levels of environmental degradation, prepared a checklist and came up with a particular formula.

There evolved 3 types of standards. Standard of pollution at source. That is the first one. Source standard. Polluter to restrict emissions at source of emission or discharge. The second one: Product Standard, a particular set of raw material have resulted in the production of the particular product.

Pollution norms for newly manufactured products. That is the second one. The third one, apart from the source and the product, you have so many factors that are operating in the nature which would affect the environment and even though they are polluting or degrading, there are some kind of adjustments that we can have and our normal life would not get affected and for that we needed to have something called as the Ambient Standard which are permissible pollutants load in the air or atmosphere. So, 3 types of standards were prescribed and there are 7 schedules under this Act.

I just said 26 sections, but please go through the rules, regulations, notifications and schedules

and there you get elaboration of this law. There are 7 schedules listing out a detailed set of activities, industrial activities resulting in pollution for which it has laid down standards. So, it is with regard to particular kinds of heavy industries, medium scale industries, highly polluting industries, chemical and fertilizers industry, industries which have something to do with production of paints, industries which manufacturer textiles.

So, covering every conceivable kind of an activity under 7 heads, a list of activities and a set of standards are prescribed. These are binding standards. These need have to be conformed with. These are the minimum standards that needed out to be conformed to the central with the standard and everyone without an exception. Every state in India need have to follow this, need have to observe these standards. There can be more stricter standards prescribed at the state level but the standards cannot be lesser than what has been prescribed here.

If there is a violation of the provisions here, can anyone go to the court of law to bring in an action? The answer is no. There is a provision here under this law called Cognizance of Offenses. When can the court of law take cognizance of, take notice of a recognized that is the problem for which a solution is required. It is only under 2 circumstances.

One circumstance is when a Pollution Control Board brings in an action. The Pollution Control Board after its investigation, is convinced that there is a problem for which a solution is required and so the right forum to seek and secure redressal is the court of law. They can bring in an action. Then who else? And that is most interesting. Any person.

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- ANY PERSON ,AFTER GIVING 60 DAYS NOTICE TO BOARD- BOARD UNDER AN OBLIGATION TO MAKE AVAILABLE THE RELEVANT REPORTS TO THE COMPLAINANT, ON DEMAND-EXCEPT WHEN IT IS AGAINST PUBLIC INTEREST-INTERESTING PROVISION, MAKES AN ORDINARY MEMBER OF PUBLIC, TO SEEK AND SECURE ENVIRONMENTAL JUSTICE

ENVIRONMENTAL CRIMINAL LIABILITY OF CORPORATE MANAGERS: LIFTING THE CORPORATE VEIL:-

A. OFFENCE BY COMPANIES (S.16)- OFFENCE BY CO.

-IN-CHARGE OF-

-PERSON

-CO. FOR CONDUCT  
OF BUSINESS

LIABLE

-RESPONSIBLE TO-



Let me emphasize on any person. That means me and you can bring an action, can bring an illegal action against any offending activity that would affect the environment. How do I know? It is my experience. It is my feeling. I feel that there is something obnoxious happening. Something which is polluted. Can I bring in an action? Yes, but there is a procedure here. This is called the Citizen's Suit for Action. Citizen's Suit to bring in a legal action against an offending activity by an industry without anybody else assisting him. Just going to the court of law, presenting a petition seeking relief from them.

So, he can seek and secure environment justice by approaching the subordinate court or the primary court called the district court. So, district court is the point of entry and to the district court, I can bring in an action, but I cannot straight away go. What I should do? Well, I have experienced some inconvenience, I see in a water body somebody has put some contaminants and this produces a foul smell and the industry has discharged untreated effluents into the water body. I have noticed it and if the stench it is producing and the inconvenience it is causing is unbearable for me and certainly like me so many others in the locality must have experienced the same way.

Now, what I can do? The first step that I should take is to lodge a complaint. To whom? To the State Pollution Control Board. So, to the Pollution Control Board, I should give in my complaint. Is there a form? No. On plain paper, I state my problem. That is all. I do not need to bother who

has caused pollution, how it has occurred because I do not operate 24 hours in looking into who does what at what time, 24 hours vigilance I do not have but I have experienced.

I have experienced the problem and since I have experienced the problem, I just complain. Complaint is my job, action is that of the Pollution Control Board. So, I give a complaint and the board will have to act on my complaint. Look at the legal position here. My complaint necessitates action. The Pollution Control Board should act within 60 days of my complaint. So, it is almost like issuing a notice. Please act on that. If you do not act on that within 60 days, if I am not convinced, I will go to court. It is almost like a notice to the Board and the Board shall act.

So, the Board will have to explain. Yes, we have looked into the problem, we have acted on that, we have set right the thing. We have examined, we found that this person is coming with a frivolous complaint. So sorry no action is possible. You are giving 60 days -time to the Board. If you are satisfied, okay, if the problem evades, fine. If it does not and if you still experience the same problem and you are not convinced with action taken by the Board, what you can do?

You will have to either keep quiet and if one is really concerned about environment and is very much passionate about it will not keep quiet and he will know an avenue open under this law, whereby he can go to the court of law and there submit before the court. This was the I complaint I lodged, this is the action that the Pollution Control Board is supposed to have taken and it is not helping at all. Can you kindly intervene and act on this?

What will the court do? The court call for the records. The court may even have the Pollution Control Board look some of the actions taken by you are not satisfactory. We are appointing a Commission. Commission of Enquiry, a fact-finding body and examine this and then report to us as to what is the problem and how you should act and you shall act accordingly. So, the court has abundant power in giving instructions to the authority to set right the wrong that has occurred to the environment. So, the environmental stewardship role of me and you is beautifully projected in this particular problem.

The only limitation of this is that I do not have information. I do not have the basis. I do not have the evidence. For that, the court of law is the final refuge and the court of law can get all the information and all the processes in place, may require certain additional findings to be obtained on the basis of which it can take a decision.

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- **PROVISO: -OFFENCE COMMITTED WITH OUT KNOWLEDGE OR EXERCISE OF DUE DILIGENCE TO PREVENT THECOMMISSION OF SUCH AN OFFENCE**
- **OFFENCE BY CO.**
- **-WITH CONNIVANCE/CONSENT OF -DIR./MNGR./SECY./OFFCR.-LIABLE -NO NEED TO ESTABLISH ACTUAL PARTICIPATION-MENTAL SUPPORT INCONSEQUENTIAL- LIABLE EVEN FOR NEGLECT**
- **B.OFFENCES BY GOVT. DEPTS.:-(S. 17 )**
- **-HEAD OF DEPT. DEEMED GUILTY**
- **\*PROVISO:-COMMISSION WITHOUT KNOWLEDGE/EXERCISE OF DUE DILIGENCE TO PREVENT COMMISSION OF SUCH AN OFFENCE**
- **CASE LAW:**
- **1.UPPCB v.MODI DISTILLARY (1988 SC): ERRONEOUS DESIGNATION OF MODI DISTILLARY OFFICERS TO THOSE OF MODI INDUSTRIES LTD.- CORRECTIONS ALLOWED**



But anyway, an opportunity and opening has been given to every one of us to bring in a legal action. A legal action to ensure that environmental justice is rendered.

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<b>LIABLE</b>	
<b>-RESPONSIBLE TO-</b>	



As we move on, in addition to this wonderful provision, whereby each and every individual will have an important role to play in making our environment a far better place to live by enabling him to take and initiate legal action. We have another important provision under this law. It is salutary problem. You know when an environmentally polluting activity is carried out by industry, what happens? Actions initiated against the industry and it has to make some payments, some kind of a compensation and certain other legal consequences will follow. The company alone becomes responsible.

To add teeth to this, not only the company is actionable or proceeded against, even those who are responsible for the offending activity of taking decisions on behalf of the company who are responsible for that kind of a blameworthy conduct, they are also individually and liable under this law. That means no decision maker who has wrongly decided for a particular course of action on the part of his corporate entity to which he belongs and pursuing that particular decision of him, there is an action on the part of the company, which is on the wrong side of the law.

Not only the company is proceeded against, the one who is the wrong doer, one who has actually been a catalyst, one who has been the real reason behind the wrongful conduct also becomes liable. Very important. So, the people would act responsibly that let no one who has done




mischief escape. The long arm of the law should reach him and for that there is a provision made. There are 2 conditions actually. Section 16 and 17 of this Act. Let me state the provision and then explain. Section 16 refers to offenses by companies.

So, a company is on the wrong side of the law, you are actually proceeding against the company and certain actions would result but what about those are responsible for this action. For that the answer is in this provision. Any person, any person who is in charge of or is responsible to the company for the conduct of business, that business against which action is initiated, he becomes liable. Person in charge of or responsible to the company for the conduct of business becomes liable. That is what this provision says. Very important provision.

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So, if I am the one who is in charge of a particular activity, that I am the manager who is put in charge of taking care of whatever discharges or the by-products that come out of the industry. I need have to verify before it is released into the open stream or the public place and in charge. Now, what I do? I tell my subordinates, “Look, there is some untreated unclean stuff here, just go and dump it I say. When nobody is watching you go in the midnight and do that.” And following the instructions my subordinate has done that act. Of course, my subordinate cannot be punished, but certainly me because he has acted under my dictation.

I was in charge of the activity and I am responsible to the company to behave in a legal way. It is confined only to me, the manager. It is applicable to, look at that, everyone who is a director, who is a manager, is a secretary, is an officer of the company. So, all the decision-makers. So, a board of directors. If the company, when it has to take a serious decision, the board of directors decide that it is a very expensive process of cleaning up whatever by-products that we have and so to cut the cost, the untreated, unclean unwanted by-product of this industry, we will throw it into the nearby water stream.

The directors unanimously decide. Unanimously decide for this action. Then what happens? All the directors will be held as liable as the company is liable for this wrongful act. That is the sum and substance of it because they are responsible for, they are in charge of conduct of business and they have taken a wrong decision. As a result of which the company is suffering. They also should suffer. They should not escape liability.

The only exception to this rule is, the offense was committed without knowledge or exercise of due diligence to prevent the commission of such an offense. Then a person can escape. Like for example, in the case of board of directors. There were 10 board of directors, members of the board of directors who want this wrongful act to be conducted. There is an eleventh member of the board of directors. He says "No, no, no this is illegal, we should not do it." But majority they decide.

In that event see this guy has exercised due diligence to prevent the commission, but he has been overpowered by a group majority and soon although it is the company's decision, he is not part of it, but that is to be recorded in the minutes of the meeting that such and such a member had a dissenting opinion and thereby he can escape liability whereas all other 10 would face the legal process in a court of law or there may be that yes, I am the manager but this particular offense that has been commented upon, I mean action that has been initiated against has been done without my knowledge.

No, I had instructed these people to follow the rule book, but without my knowledge they have acted and I have come to know of it, I immediately corrected it. For this wrongful act, I am not

responsible. I need to establish that things were done behind my back. Then I can escape. See, look at the reach of this law, it not only makes the company, it also makes the actor. It is almost like what is called as a lifting or a corporate veil. Behind the curtains of the company, there can be mischievous people operating and the curtain is removed and the mischievous people is brought to the main focus of legal action under this law.

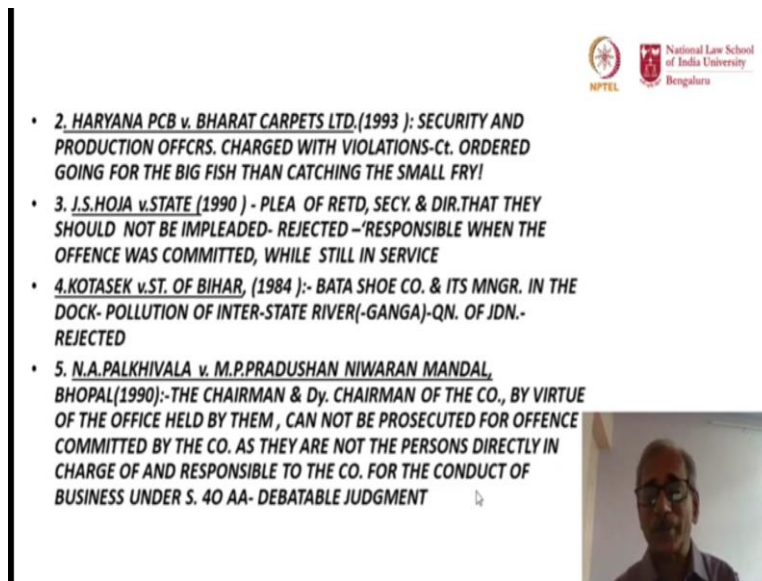
It is not just about corporate firms. It is applicable also to government departments. Yes, section 17 is a very powerful provision. Heads of departments are also deemed guilty under these circumstances. Of course, the same exception lies. If things are done without knowledge and if they have exercise due diligence to prevent commission of such an offense, they can escape otherwise, no. That means what? The municipal commissioner who is in charge of taking care of the health hygiene and well-being of the people and you know under the municipality law, health hygiene and well-being is a non-negotiable mandatory function and, in this circumstance, let us assume that the municipal commissioner for want of staff or for want of facilities, for want of infrastructure has the unmanageable waste produced in a particular city to be dumped then the drainage system, as a result of which there is contamination of the underground water body. There is a lot of communicable diseases to the people. He will become liable because under the instructions these actions are taken. He cannot escape liability. He cannot say that I am working under the Municipalities Act. I am working under Municipal Corporations Act. Yes, certainly all your actions are answerable under that law but this one which is an environmentally unfriendly act. Since this is an overarching law, you are bound by this.

Let me turn to a few case laws just to illustrate this particular position. There was this particular distillery case in Uttar Pradesh where the Pollution Control Board by mistake instead of listing out the directors of a particular company as being individually guilty under this provision for a untreated effluents being discharged into the river in system by the industry because of their direction. It gave a wrong address.

This is a group of companies. The Modi group of companies in Uttar Pradesh and distillery was one of the outfits that were there. The directors of this particular distillery were responsible for this conduct. Instead of mentioning the address of Modi distillery below the name of each and

every director, some other sister concern of this particular conglomerate was mentioned and so these directors who appear before the court of law our names are right, but our address is wrong and so the court cannot exercise jurisdiction over us. The court allowed the Pollution Control Board to make the correction and present the case again so that these wrong doers will not escape because of a minor technical error on the part of the authorities.

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**2. HARYANA PCB v. BHARAT CARPETS LTD. (1993): SECURITY AND PRODUCTION OFFICERS CHARGED WITH VIOLATIONS - Ct. ORDERED GOING FOR THE BIG FISH THAN CATCHING THE SMALL FRY!**

**3. J.S. HOJA v. STATE (1990) - PLEA OF RETD, SECY. & DIR. THAT THEY SHOULD NOT BE IMPEALED - REJECTED - 'RESPONSIBLE WHEN THE OFFENCE WAS COMMITTED, WHILE STILL IN SERVICE'**

**4. KOTASEK v. ST. OF BIHAR, (1984) - BATA SHOE CO. & ITS MNGR. IN THE DOCK - POLLUTION OF INTER-STATE RIVER (-GANGA) - QN. OF JDN. - REJECTED**

**5. N.A. PALKHIVALA v. M.P. PRADUSHAN NIWARAN MANDAL, BHOPAL (1990) - THE CHAIRMAN & Dy. CHAIRMAN OF THE CO., BY VIRTUE OF THE OFFICE HELD BY THEM, CAN NOT BE PROSECUTED FOR OFFENCE COMMITTED BY THE CO. AS THEY ARE NOT THE PERSONS DIRECTLY IN CHARGE OF AND RESPONSIBLE TO THE CO. FOR THE CONDUCT OF BUSINESS UNDER S. 40 AA - DEBATABLE JUDGMENT**

The other case. Now, this was a very interesting case, whereby in their over enthusiasm, the Pollution Control Board rounded up the security people and the production people. What is the job of the security? The security personnel is to allow people to come in, go out, check whether they have anything offensive with them or their conduct is going to be in violation of law and order there. That is their job. Check and verify the identities and things like that. What is the production officer doing? Production officer is only responsible for production of a particular product.

So, he has is no power over the raw materials. He has no power over the product that has gone into the market. He has no power or any role to play in relation to the discharges that come out of the industry because there is another unit which will take care of them but the Pollution Control Board fighting that this Bharat Carpets Company is releasing untreated effluents into a public stream. They rounded off the security and the production personnel and brought them to book

under this law.

The court chided the Pollution Control Board and said, you have a wonderful weapon, go against the bigger people who are really the ones who had taken this decision. These people have neither a role in the decision nor in the action contemplated here, which is objectionable and so you have come up with a good case against wrong people. Approach those people who are really responsible and round them up and bring them to us.

We take action. In yet another case, a Rajasthan case wherein a couple of officers of a company, they pleaded not guilty. What was their plea? “Look this offensive act happened. Of course, we were there in service when this offensive act has happened but now the action that has is been initiated now is now and we are already retired.

So, we are leading a peaceful retired life. Why do you really trouble us this way?” The court rejected their plea and said you are responsible because this blameworthy conduct occurred when you were in service. As they say, the reach of the law may be a little late, but it will act and when it acts, it acts with decisive force, and that what the court said yeah that you are responsible when offense was committed while you are still in service and so it will haunt you even after your retirement action is perfect and you become liable.

In yet another case, a very interesting plea was raised. There was no objection as to this particular company. A shoe manufacturing company. Their manager, of course, he did agree that yes, there is untreated effluent discharged into this riverine stream and all that but please note this is what he claimed before the court of law.

“My industry is located in the neighbouring state. The action is initiated in this particular state. The court of law here, the district court has jurisdiction only over the district here and the wrong and the cause of action arose in the neighbouring state for which this court has no jurisdiction.” Wonderful argument.

What did the court say? Hold on. The question of jurisdiction is not determined that way. The

question of jurisdiction arises between a connection between the cause and the effect. Where did the cause occur? The neighbouring state. Yes, of course in terms of physical jurisdiction, this court does not have a physical jurisdiction, but for the action that happened there the cause that occurred there the effect is found here.

The river to which you have dumped that has entered the territory of this neighbouring state where this particular district is located and where the action is initiated, it is polluting the water that is there in this particular District. So, the effect is felt when the people here and the Pollution Control Board, which has looked into the quality of water and affirm that the source of the contamination is by you and so you should be proceeded against. We exercise jurisdiction and we shall caution you that not only do we have jurisdiction wherever you are act and wherever its effect is felt all the courts there will have jurisdiction over your case and not just us.

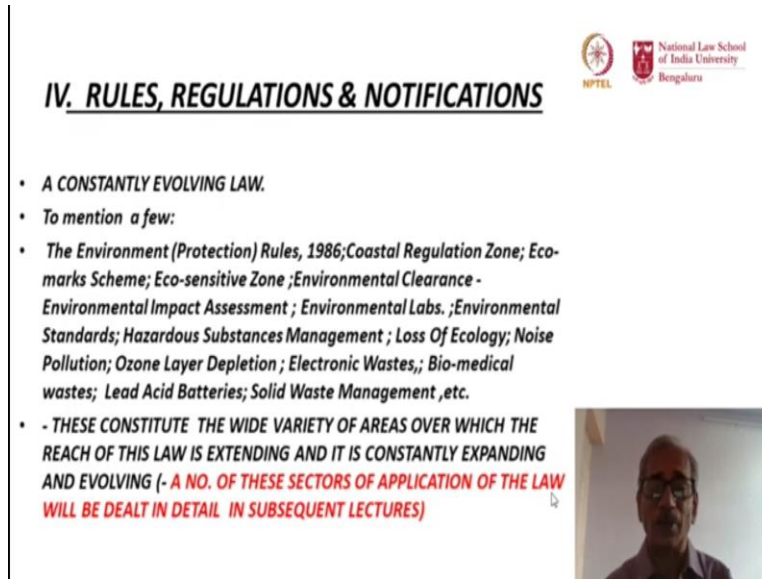
There another important case involving one of those legal luminaries N.A. Palkivala and that is the case of N.A. Palkivala versus M.P Pradushan Niwaran Mandal. It is a very interesting case. To put things in nutshell, the cement industry, the head of the cement industry which is there having its branches all over India. The ICC Corporation. The chairman of that was N.A. Palkiwala. In one of the industrial units, in a place called Durg, it was there in Madhya Pradesh then but now it is in Chhattisgarh but at the time of action, it was in Madhya Pradesh and so this particular industry that was located there did not follow the norms set down for carrying on the industrial activity of cement manufacture.

The air filters that was required to be settled in the chimney for filtering the polluted air was not set and so action was initiated against the company, the industry and the Pollution Control Board proceeded against the chairman that you as a chairman under this provision, you become liable. The high court had, this is a very detailed case, I am just putting it in a very short form. I would definitely encourage the student to read the case in entirety, but I will give you the judgment now.

The high court held that every person who is in charge of and responsible to the business of the company becomes liable and every office bearer, be it the chairman, the managing director, the

manager, a members of the board of director also become liable provided you are able to establish that he is in charge of or is responsible for the business. But in this particular case from what we gather we know that Palkivala is the chairman but as the chairman he is at the headquarters with so many subsidiary bodies set up all over India and he will not be able to look to the activities of each and every unit in each and every part of it unless we are able to establish the connection between the action there relatable to a decision taken by him.

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**IV. RULES, REGULATIONS & NOTIFICATIONS**

- A CONSTANTLY EVOLVING LAW.
- To mention a few:
- The Environment (Protection) Rules, 1986; Coastal Regulation Zone; Eco-marks Scheme; Eco-sensitive Zone ; Environmental Clearance - Environmental Impact Assessment ; Environmental Labs. ; Environmental Standards; Hazardous Substances Management ; Loss Of Ecology; Noise Pollution; Ozone Layer Depletion ; Electronic Wastes,; Bio-medical wastes; Lead Acid Batteries; Solid Waste Management ,etc.
- - THESE CONSTITUTE THE WIDE VARIETY OF AREAS OVER WHICH THE REACH OF THIS LAW IS EXTENDING AND IT IS CONSTANTLY EXPANDING AND EVOLVING (- A NO. OF THESE SECTORS OF APPLICATION OF THE LAW WILL BE DEALT IN DETAIL IN SUBSEQUENT LECTURES)

There is no way under this provision you can bring in an action. And so it is a wonderful piece of legislation that you have which provides for a very important tool of action for the authorities not only to proceed against the company but also the real actors who have in some way or another offended the environment and every actor who is in charge of a responsible to the conduct the business becomes is liable there, but this has to be exercised. This function of bringing a legal action as a possible case that we have discussed makes it very clear the authority should act with great responsibility.

Before you prepare the brief of the case, you should take care of bringing in the connection between the cause, the actor and the cause of action to get justice being rendered. Unless you bring in these corrections, this result will not be obtained. A powerful tool to be effectively used if you are conversant with the nuances of this body of law. Let me quickly turn to the rules and regulations and notifications under this law.

As a matter of fact, the Environment Protection Act, although it is only 26 sections, small law, a short law. The real life of this act lies in the rules and regulations and notifications made under it. There are rules, regulations and notifications made on every conceivable aspect of environment. If it is an ecosystem like the coast, you have rules and regulations. You have an eco-sensitive zone, you have regulations on that. You have impact assessment activity to be carried out and



actions to be taken on that, you have environmental impact assessment regulations.

Like that there are several rules and notifications issued, under that, a clear formulation of a set of regulations are made. The authority who would act on that, the processes and procedures are clearly laid down and they are supported by what has been provided in the penal actions that are provided under the statute itself. These are the set of examples that I have given you or a wide variety of areas where with the reach of this law is extending.

It is a constantly evolving law and it is expanding and because of which no area of environment is left unattended to by this particular law, especially when you look to the rules, regulations and notifications issued from time to time under this law. Number of these sectors of the application of the law will be dealt in detail by us in subsequent lectures and we will take that up as we go along.