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<b>CASE LAW</b>		
1.	Muzaffar Husain v. State of Uttar Pradesh and Anr. 2022 SCC OnLine SC 567 [Showing undue favour to a party under the guise of passing judicial orders is the worst kind of judicial dishonesty and misconduct. The extraneous consideration for showing favour need not always be a monetary consideration. It is often said that "the public servants are like fish in the water, none can say when and how a fish drank the water". A judge must decide the case on the basis of the facts on record and the law applicable to the case. If he decides a case for extraneous reasons, then he is not performing his duties in accordance with law. As often quoted, a judge, like Caesar's wife, must be above suspicion.]	

2.	<p><b>Mathew Z Pulikunnel v. Chief Justice of India, 2021 SCC OnLine Ker 4043</b>                  [If it is held that a party who is directly or indirectly connected with a dispute decided by a Judge can approach the Court in a proceedings under Article 226 of the Constitution seeking direction on a complaint lodged against the Judge concerning the decision taken by him alleging that the same is not one conforming to the Restatement of Values of Judicial Life, there cannot be any doubt that the same will have a deleterious effect on the institution.]</p>
3.	<p><b>Sadhna Chaudhary v. State of Uttar Pradesh 2020 SCC Online 307</b>                  [Judicial officers must aspire and adhere to a higher standard of honesty, integrity and probity.]</p>
4.	<p><b>Shrirang Yadavrao Waghmare v. State of Maharashtra, (2019) 9 SCC 144</b>                  [The first and foremost quality required in a Judge is integrity. The need of integrity in the judiciary is much higher than in other institutions. The judiciary is an institution whose foundations are based on honesty and integrity. It is, therefore, necessary that judicial officers should possess the sterling quality of integrity.]</p>
5.	<p><b>Registrar General, Patna High Court v. Pandey Gajendra Prasad, (2012) 6 SCC 357</b>                  [There is no gainsaying that while it is imperative for the High Court to protect honest and upright judicial officers against motivated and concocted allegations, it is equally necessary for the High Court not to ignore or condone any dishonest deed on the part of any judicial officer.]</p>
6.	<p><b>R.C. Chandel v. High Court of M.P., (2012) 8 SCC 58</b>                  [There can be no manner of doubt that a Judge must decide the case only on the basis of the facts on record and the law applicable to the case. If a Judge decides a case for any extraneous reasons then he is not performing his duty in accordance with law. 10. In our view the word “gratification” does not only mean monetary gratification. Gratification can be of various types. It can be gratification of money, gratification of power, gratification of lust etc., etc.]</p>
7.	<p><b>Rajendra Singh Verma (Dead) Through LRs. v. Lieutenant Governor (NCT of Delhi), (2011) 10 SCC 1</b>                  [In case where the Full Court of the High Court recommends compulsory retirement of an officer, the High Court on the judicial side has to exercise great caution and circumspection in setting aside that order because it is a complement of all the Judges of the High Court who go into the question and it is possible that in all cases evidence would not be forthcoming about integrity doubtful of a judicial officer.]</p>
8.	<p><b>K.P. Singh vs. High Court of H.P. &amp; ors., 2011 SCC OnLine HP 6285</b>                  [A judge is judged not only by the quality of his judgments, but also by the quality and purity of his character and the measurable standard of that character is impeccable integrity reflected transparently in his personal life as well. One who corrects corruption should be incorruptible. That is the high standard, the public has set in such high offices of institutional integrity. Therefore, any departure from the pristine codes and values of discipline and disciplined conduct on the part of the judicial officers will have to be viewed very seriously lest the very foundation of the system would be shaken and, if so, that will be the death knell of democracy.]</p>
9.	<p><b>Rajesh Kohli vs. High Court of J. and K. and Anr. (2010) 12 SCC 783</b>                  [Upright and honest judicial officers are needed not only to bolster the image of the judiciary in the eyes of litigants, but also to sustain the culture of integrity, virtue and ethics among judges. The public's perception of the judiciary matters just as much as its role in dispute resolution. The credibility of the entire judiciary is often undermined by isolated acts of transgression by a few members of the Bench, and therefore it is imperative to maintain a high benchmark of honesty, accountability and good conduct.]</p>
10.	<p><b>Tarak Singh v. Jyoti Basu, (2005)1 SCC 201</b>                  [There is nothing wrong in a Judge having an ambition to achieve something, but if the ambition to achieve is likely to cause a compromise with his divine judicial duty, better not to pursue it. Because, if a Judge is too ambitious to achieve something materially, he becomes timid. When he becomes timid there will be a tendency to make a compromise between his divine duty and his personal interest. There will be a conflict between interest and duty. Integrity is the hallmark of judicial discipline, apart from others. It is high time the judiciary took utmost care to see that the temple of justice does not crack from inside, which will lead to a catastrophe</p>

	in the judicial-delivery system resulting in the failure of public confidence in the system. It must be remembered that woodpeckers inside pose a larger threat than the storm outside.]
11.	High Court of Judicature at Bombay v. Shashikant S. Patil, (2000) 1 SCC 416 [Honesty and integrity are the hallmarks of judicial probity. Dishonesty and lack of integrity are hence the basic elements of misconduct as far as a Judicial Officer is concerned.]
12.	High Court of Judicature at Rajasthan v. Ramesh Chand Paliwal, (1998) 3 SCC 72 [Judges have been described as 'hermits', further reminding that, "they have to live and behave like hermits, who have no desire or aspiration, having shed it through penance. Their mission is to supply light and not heat.]
13.	High Court of Judicature at Bombay v. Uday Singh, (1997) 5 SCC 129 [Maintenance of discipline in the judicial service is a paramount matter. Acceptability of the judgment depends upon the credibility of the conduct, honesty, integrity and character of the officer. The confidence of the litigating public gets affected or shaken by lack of integrity and character of Judicial Officer.]
14.	C. Ravichandran Iyer v. Justice A.M. Bhattacharjee & Ors., (1995) 5 SCC 457 [Judicial office is essentially a public trust. Society is, therefore, entitled to expect that a Judge must be a man of high integrity, honesty and required to have moral vigour, ethical firmness and impervious to corrupt or venial influences. He is required to keep most exacting standards of propriety in judicial conduct. Any conduct which tends to undermine public confidence in the integrity and impartiality of the court would be deleterious to the efficacy of judicial process.]
15.	Union of India v. K.K. Dhawan (1993) AIR 1478 [The judicial officer, if acts negligently or recklessly or attempts to confer undue favour on a person or takes a decision which is actuated by corrupt motive, then he is not acting as a judge.]
16.	All India Judges' Association v. Union Of India, 1992 AIR 165 [It is time we mention about society's expectation from the Judicial Officers. A judge ought to be wise enough to know that he is fallible and, therefore, even ready to learn and be courageous enough to acknowledge his errors. The conduct of every judicial officer should be above reproach. He should be conscientious, studious, thorough, courteous, 'patient, punctual, just, impartial, fearless of public clamor, regardless of public praise, and indifferent to private, political or partisan influences; he should administer justice according to law, and deal with his appointment as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.]
17.	Daya Shankar v. High Court of Allahabad, (1987) 3 SCC 1 [Judicial officers cannot have two standards, one in the court and another outside the court. They must have only one standard of rectitude, honesty and integrity. They cannot act even remotely unworthy of the office they occupy.]
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2.	Leslie Steven Rothenberg, The Role of Judges and the Courts as Definers of Ethical Norms, Selected Papers from the Annual Meeting (American Society of Christian Ethics), 1977, Eighteenth Annual Meeting (1977), pp. 104-128

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7.	Mitu Gulati & Richard A. Posner, <i>The Management of Staff by Federal Court of Appeals Judges</i> , 69(2) <i>Vanderbilt Law Review</i> 479-498 (2016)	295
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<b>CASE LAW</b>		
1.	<b>Criminal Trials Guidelines regarding Inadequacies and Deficiencies, In Re v. The State Of Andhra Pradesh &amp; Ors., (2021) 10 SCC 598</b> [All High Courts shall take expeditious steps to incorporate Draft Rules, 2021 as part of the rules governing criminal trials, and ensure that the existing rules, notifications, orders and practice directions are suitably modified, and promulgated (wherever necessary through the Official Gazette) within 6 months. If the state government’s co-operation is necessary in this regard, the approval of the concerned department or departments, and the formal notification of the said Draft Rules, shall be made within the said period of six months]	
2.	<b>All India Judges’ Association v. Union of India, (2018) 17 SCC 555</b> [The Supreme Court held that without robust judiciary will not be able to function at its optimum level. Strengthening judicial infrastructure requires immediate attention in terms of planning, budgeting and execution]	
3.	<b>Krishnakant Tamrakar v. State of Madhya Pradesh, (2018) 17 SCC 27</b> [The Court observed that there is a need to revisit decongestion of constitutional courts possibility of five year old cases pending in the High Courts particularly the criminal appeals within the existing system]	
4.	<b>Hussain and Another v. Union of India, (2017) 5 SCC 702</b> [The Court held that speedy trial is a part of reasonable, fair and just procedure guaranteed under Article 21. This constitutional right cannot be denied even on the plea of non-availability of financial resources. The court is entitled to issue directions to augment and strengthen investigating machinery, setting-up of new courts, building new court houses, providing more staff and equipment to the courts, appointment of additional judges and other measures as are necessary for speedy trial]	
5.	<b>Imtiyaz Ahmed v. State of Uttar Pradesh, (2017) 3 SCC 658</b> [The Supreme Court endorsed view of the Law Commission in its 120th Report and directed that ratio of 50 Judges per million be achieved within a period of five years and not later than 10 years. The Court further issued directions for revision of unit method]	

6.	Ramrameshwari Devi v. Nirmala Devi, (2011) 8 SCC 249 [The Court provided steps to trial courts in order to curb delay in civil litigation through which the existing system can be drastically changed or improved]
7.	In Re. Guidelines for Court Functioning Through Video Conferencing During Covid19 Pandemic, (2021) 5 SCC 454 [The video conferencing in every High Court and within the jurisdiction of every High Court shall be conducted according to the rules for that purpose framed by the High Court]
8.	In Re. Guidelines for Court Functioning Through Video Conferencing During Covid19 Pandemic, (2020) 6 SCC 686 [The Court issued guidelines for functioning of courts through video conferencing. It was observed that Courts at all levels respond to the call of social distancing and ensure that court premises do not contribute to the spread of virus]
9.	Swapnil Tripathi v. Supreme Court of India, (2018) 10 SCC 639 [The Court observed that technology can be used for expeditious disposal of cases and enhance transparency. The court also explored the feasibility of live streaming of court proceedings]
10.	Pradyuman Bisht v. Union of India, (2018) 15 SCC 433 [The Court directed for installation of CCTV cameras inside courts and at such important location of court complexes as may be considered with monitor thereof in the chamber of District Judge]

#### SESSION 4

#### PROTECTION OF ENVIRONMENT AND WILDLIFE: THE JUDICIAL APPROACH

1.	Armin Rosencranz and Mukta Batra, <i>The Supreme Court of India on Development and Environment from 2001 to 2017</i> , 6 Environmental Law and Practice Review 1-28 (2018)	444
2.	Prof. (Dr.) Arup Poddar, <i>Indian Supreme Court on Precautionary Principle</i> , The World Journal on Juristic Policy, 2017	460
3.	Arindam Basu, <i>Climate Change Litigation In India: Seeking A New Approach Through The Application Of Common Law Principles</i> , 1 Environmental Law and Practice Review 34-50 (2011)	468
4.	Geetanjoy Sahu, <i>Implications of Indian Supreme Court's Innovations for Environmental Jurisprudence</i> , 4/1 Law Environment and Development Journal 1-19 (2008)	486
5.	Arindam Basu, <i>Adjudicating Sustainable Development: A Theoretical Insight</i> , 6 Environmental Law and Practice Review 29-65 (2018)	507

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1.	Centre for Environmental Law WWF 1 v. Union of India, Writ Petition(s)(Civil) No(s).337/1995; Order Dated: 28.01.2020 (Supreme Court) [The Supreme Court held that it is not desirable that the introduction of the the African Cheetahs into India be left to the sole discretion of the National Tiger Conservation Authority (NTCA). NTCA be guided and directed by the Committee of Experts in the field who would carry out the survey for the best location for introducing the African Cheetahs in India and take a careful decision about the viability of introducing this animal on a larger scale]
2.	Municipal Corporation of Greater Mumbai v. Worli Koliwada Nakhwa Matsya Vyavasay Sahakari Society Ltd and Others Petition(s) for Special Leave to Appeal (C) No(s).17471-17476/2019; Order Dated: 30-09-2022 (Supreme Court) [The Supreme Court observed that it is wrong to ask developing countries to halt projects citing climate change]
3.	Pahwa Plastics Pvt. Ltd. v. Dastak NGO, 2022 SCC OnLine SC 362 [The 1986 Act does not prohibit <i>Ex post facto</i> Environmental Clearance (EC), however, it should not be granted routinely, but in exceptional circumstances taking into account all relevant environmental factors. Where the

	adverse consequences of denial of <i>Ex post facto</i> approval outweigh the consequences of regularization of operations by grant of <i>Ex post facto</i> approval, and the establishment concerned otherwise conforms to the requisite pollution norms, <i>Ex post facto</i> approval should be given in accordance with law, in strict conformity with the applicable Rules, Regulations and/or Notifications. The deviant industry may be penalised by an imposition of heavy penalty on the principle of 'polluter pays' and the cost of restoration of environment may be recovered from it. An establishment contributing to the economy of the country and providing livelihood ought not to be closed down only on the ground of the technical irregularity of not obtaining prior Environmental Clearance irrespective of whether or not the unit actually causes pollution]
4.	<b>In Re : TN Godavarman Thirumalpad v. Union of India, 2022 LiveLaw (SC) 540</b> [Guidelines issued by the Union Ministry for Ecologically Sensitive Zones (ESZ) near protected forests held to be reasonable. Further directions issued in relation to ESZ -No new permanent structure shall be permitted to come up for whatsoever purpose within the ESZ. Mining within the national parks and wildlife sanctuaries shall not be permitted. The court further held that Public Trust Doctrine is part of the law of land. The role of the State cannot be confined to that of a facilitator or generator of economic activities for immediate upliftment of the fortunes of the State. The State also has to act as a trustee for the benefit of the general public in relation to the natural resources so that sustainable development can be achieved in the long term. Such role of the State is more relevant today, than, possibly, at any point of time in history with the threat of climate catastrophe resulting from global warming looming large]
5.	<b>T.N. Godavarman Thirumulpad v. Union of India, 2022 LiveLaw (SC) 467</b> [Adherence to the principle of sustainable development is a constitutional requirement and the Precautionary Principle is an essential feature of the principle of 'Sustainable Development'. In case of a doubt, protection of environment would have precedence over the economic interest]
6.	<b>Binay Kumar Dalei v. State of Odisha, (2022) 5 SCC 33</b> [The Supreme Court upheld the decision of NGT directing that mining activity shall not be permitted within and in the vicinity of Simplipal - Hadagarh - Kuldiha - Simplipal elephant corridor]
7.	<b>Samaj Parivarthana Samudaya v. State of Karnataka, 2022 SCC OnLine SC 1104</b> [The Supreme Court lifted curbs on iron sale and export from mines in Karnataka and relaxes the directions issued in 2011]
8.	<b>Madhya Pradesh High Court Advocates Bar Association v. Union of India, 2022 SCC OnLine SC 639</b> [The role of the NGT was not simply adjudicatory, but it also had the equally vital role which is preventive, ameliorative, or of the remedial category. The Court further held that NGT under Section 14 & 22 of the NGT Act does not oust the High Court's jurisdiction under Article 226 & 227 as the same is a part of the basic structure of the Constitution]
9.	<b>Kantha Vibhag Yuva Koli Samaj Parivartan Trust v. State of Gujarat, 2022 SCC OnLine SC 120</b> [NGT cannot refuse to hear a challenge to an Environmental Clearance under Section 16(h) of the NGT Act and delegate the process of adjudicating on compliance to an expert committee]
10.	<b>Narinder Singh and Others v. Divesh Bhutani and Others 2022 SCC OnLine SC 899</b> [The Supreme Court held that prior permission of the Central Government is required to allow any change of user of forest or deemed forest land]
11.	<b>D. Swamy v. Karnataka State Pollution Control Board, 2022 SCC OnLine SC 1278</b> [The Supreme Court reiterated that the grant of <i>ex post facto</i> environmental clearance in exceptional cases is not impermissible]
12.	<b>Electrosteel Steels Ltd. v. Union of India, 2021 SCC OnLine SC 1247</b> [The question was whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer was held to be in the negative]

13.	Municipal Corporation of Greater Mumbai v. Ankita Sinha and Others, 2021 SCC OnLine SC 897 [NGT is not merely an adjudicatory forum; Inquisitorial functions are also available with it to protect environment]
14.	Himachal Bus Stand Management Authority v. Central Empowered Committee & Others, (2021) 4 SCC 309 [The environmental rule of law seeks to create essential tools – conceptual, procedural and institutional to bring structure to the discourse on environmental protection. It does so to enhance our understanding of environmental challenges – of how they have been shaped by humanity’s interface with nature in the past, how they continue to be affected by its engagement with nature in the present and the prospects for the future, if we were not to radically alter the course of destruction which humanity’s actions have charted.]
15.	Hospitality Association of Mudumalai v. In Defence of Environment and Animals and Others, (2020) 10 SCC 589 [It was held that the State Government is empowered to take measures to protect forests and wildlife falling within its territory in light of Entries 17A ‘Forest’ and 17B ‘Protection of wild animals and birds’ in the concurrent list and the power of the State Government under the Wildlife Act to notify Sanctuaries and other protected areas. Therefore, State Government was empowered to protect the habitats situated on a private land by notifying an elephant corridor]
16.	Animal Welfare Board of India v. A. Nagaraja and Others, (2014) 7 SCC 547 [The Supreme Court held that <i>Jallikattu</i> is not an exception under the Protection of Animals from Cruelty Act on the account of human necessities since the pain, suffering and anxiety inflicted to bulls during <i>Jallikattu</i> events is primarily for the pleasure of humans and can be easily avoided]
17.	Centre For Environmental Law WWF-India v. Union of India, (2013) 8 SCC 234 [The Court struck down an order of the Ministry of Environment, Forest & Climate Change to introduce the African Cheetahs in Kuno in Madhya Pradesh on the ground that they had not conducted any detailed study before passing the order of introducing ‘foreign species’ to the territory of India]
18.	Sansar Chand v. State of Rajasthan, (2010) 10 SCC 604 [The Court issued directions to Central and State Governments and their agencies to make all efforts to preserve the wild life of the country and take stringent actions against those who are violating the provisions of the Wildlife (Protection) Act, as this is necessary for maintaining the ecological balance in the country]
19.	Intellectuals Forum, Tirupathi v. State of A.P, (2006) 3 SCC 549 [The Court upheld a ban on the construction of tanks and new wells in an area suffering water shortage. The Court directed the adoption of rainwater harvesting and monitoring its efficacy]
20.	Karnataka Industrial Areas Development Board v. Sri. C. Kenchappa and Others, (2006) 6 SCC 371 [The Supreme Court dealt with the principles of sustainable development, polluter pays, precautionary principle, public trust doctrine, also emphasized on the requirement of carrying on an impact assessment and obtaining necessary clearance from the State Pollution Control Board and the Department of Ecology and Environment before execution of an industrial activity]
21.	Research Foundation for Science v. Union of India, (2005) 13 SCC 186 [The polluter pay principle basically means that the producer of goods and other items should be responsible for the cost of preventing or dealing with any pollution that the process causes. The principle also does not mean that the polluter can pollute and pay for it.]
22.	Indian Handicrafts Emporium v. Union of India, (2003) 7 SCC 589 [The Supreme Court held that trade in ivory is totally prohibited under Chapter II-A of the Wildlife Protection Act, 1972 and any person who has obtained a certificate from the Chief Wild life Warden (CWW) may keep possession of such product but cannot sell it further. Such restriction was held to be ‘reasonable’ under Article 19(1)(g)]

23.	M. C. Mehta v. Union of India, (2002) 4 SCC 356 (Vehicular Pollution Case) [A four member committee, comprising of a retired supreme court judge was formed to recommend measures to control vehicular pollution nationwide. Orders were passed for the supply of lead-free petrol and use of natural gas and other fuels as substitutes for conventional fuels and also carried out]
24.	Andhra Pradesh Pollution Control Board II v. M.V. Nayudu, (2001) 2 SCC 62 [The Court held that in the environmental field, where the uncertainty of scientific opinions have created serious problems for the courts. Uncertainty becomes a problem when scientific knowledge is institutionalized in policy-making by agencies and courts]
25.	Hinch Lal Tiwari v. Kamala Devi, (2001) 6 SCC 496 [The Supreme Court held that the government and other authorities had noticed that a pond was falling in disuse and, therefore, should have bestowed their attention to develop the same. Such an effort would, on one hand, have prevented ecological disaster and on the other, provided better environment for the benefit of the public at large]
26.	State of Karnataka v. K. Krishnan, (2000) 7 SCC 80 [Chapter VI of the Wildlife Protection Act, 1972 makes provision for control of timber and other forest produce in transit. The authorised officer has the power to seize any forest produce together with all tools, boats, vehicles or cattle or any other property used in connection with the commission of an offence in respect of any forest produce. As authorised officer has also the power to release the property seized under Section 62, all timber or forest produce, which is not the property of the Government and in respect of which a forest offence has been committed and all tools, boats, vehicles and cattle used in committing any forest offence are liable to forfeiture by the State Government subject to the provisions of Section 71-G of the Act]
27.	Narmada Bachao Andolan v. Union of India, (2000) 10 SCC 664 [The Court held that when there is a state of uncertainty due to lack of data or material about the extent of damage or pollution likely to be caused, then, in order to maintain the ecological balance, the burden of proof.....must necessarily be on the industry or unit which is likely to cause pollution. On the other hand where the effect on ecology or environment of setting up an industry is known, what has to be seen is that if the environment is likely to suffer, then what mitigating steps can be taken to offset the same. Merely because there will be a change is no reason to presume that there will be ecological disaster. It is when the effect of the project is known that the principle of sustainable development would come into play, which will ensure that mitigating steps are and can be taken to preserve the ecological balance]
28.	M.I. Builders Pvt. Ltd. v. Radhey Shyam Sahu, (1999) 6 SCC 464 [The Supreme Court applied the doctrine of Public Trust when it found that the Lucknow mahapalika entered into a contract with the petitioners for constructing an underground shopping complex beneath a park. The court held that the contract was without tender and also against the public trust doctrine, as the mahapalika had deprived themselves of their obligatory duties as a trustee to maintain parks.]
29.	Centre For Environmental Law WWF-I v. Union of India, (1998) 6 SCC 483 [The Court suo motu gave the directions to 17 States to comply with the provisions under Sec 33-A and Sec 34 of WPA, 1972]
30.	T.N. Godavarman Thirumulpad v. Union of India and Others, (1997) 2 SCC 267 [A petition to protect the deforestation of the forest by illegal timber operations in a forest was expanded by the Supreme Court to create its own monitoring and implementation system at regional and state levels to regulate the felling, use and movement of timber across the country, to preserve India's forest cover]
31.	S Jagannath v. Union of India, (1997) 2 SCC 87 [The Court held that Aquaculture industries functioning within 1km radius of the Chilika Lake must compensate the affected persons; Aquaculture functioning outside the CRZ should obtain prior permission and clearance from the authority within the prescribed time limit failing which they must stop their operations]
32.	M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388 [The apex court applied the doctrine of "Public Trust" for the first time. The government sanction to the deviation of the natural flow of the river for the sake of increasing the facilities of a motel was held to be violating the trust conferred on the state to protect the natural resources]
33.	M.C. Mehta (Taj Trapezium Matter) v. Union of India, (1997) 2 SCC 353



	[The Court recognised the need for the protection of the Taj Mahal. The Court relied on the precautionary principle and held that environmental measures must “anticipate, prevent and attack the causes of environmental degradation”. It also placed the onus of proof on an industry to show that it operates in a manner that is environmentally benign. This case thus broadened the definition of the right to live and was able to limit industrial practices that were harmful so as to protect people’s right to live in a safe environment]
34.	<b>Animal and Environmental Legal Defence Fund v. Union of India, (1997) 3 SCC 549</b> [The court issued additional conditions for granting fishing licenses which included: Each permit holder shall hold photo ID along with his photograph; these permits are neither transferable nor heritable; each permit holder shall have the right to enter the National Park and reach the reservoir using the highway only; daily record of entry and exit of such permit holders has to be maintained in a register; the fishermen shall be prohibited from lighting fires in the forests for cooking purpose, etc.]
35.	<b>Ivory Traders and Manufacturers Association v. Union of India, AIR 1997 DEL 267</b> [The court declared that trade and businesses at the costs of disrupting life forms cannot be permitted even once. Further, it was held that Art 19 (1) (g) are not absolute and restrictions can be imposed on them in Public interest]
36.	<b>Vellore Citizens Welfare Forum v. Union of India, (1996) 5 SCC 647</b> [The court delivering directed all the Tanneries to deposit a sum of Rs. 10,000 as fine. The Court further held that though Tanneries are the major source of foreign exchange and also provides employment to several thousands of people, however, at the same time, it destroys the environment and poses a health hazard to everyone]
37.	<b>Indian Council for Enviro-Legal Action and Others v. Union of India, (1996) 3 SCC 212</b> [The Court imposed a penalty upon the polluting industries, which was to be paid with compound interest since the industries had intentionally failed to comply with the court’s directions, which had seriously impacted the lives of a significant number of residents in the vicinity of the plants. The “polluter pays” principle, entails that if an activity of harmful nature is carried out, then the individuals conducting these activities will be required to compensate those affected to make up for the damage that is caused, irrespective of the fact that precautionary measures were taken in carrying out the activity]
38.	<b>Pradeep Krishen v. Union of India, 1996 (8) SCC 599</b> [The court held that for the tribal to acquire any rights over the forest land in the sanctuaries and national parks proper procedures have to be followed under the WPA, 1972. Till such procedure is complete, the State government cannot bar entry of the villagers or tribal into the Forest until such entry is likely to result in the destruction or damage to the environment of the area]
39.	<b>Union Carbide Commission v. Union of India, (1991) 4 SCC 584</b> [The Supreme Court directed the UCC to pay sum of 470 Million U.S. Dollars i.e. Rs. 750 crore towards compensation to the victims for the full and final settlement in satisfaction of all past, present and future claims and the same was accepted by both the parties]
40.	<b>Rural Litigation Entitlement Kendra (RLEK) v. Union of India AIR 1988 SC 2187</b> [The doctrine of sustainable development envisions a balance between development and ecology, so that the socio-economic needs of the country are served while reducing the adverse impact on the environment, and administrative and legislative measures for harmonizing environmental and developmental values should be formulated]
41.	<b>M.C. Mehta v. Union of India &amp; Ors., (1987) 4 SCC 463 (Kanpur Tanneries Case)</b> [The Court held that the financial capacity of a tannery should be considered irrelevant while requiring them to establish primary treatment plants. Just like an industry which cannot pay minimum wages to its workers cannot be allowed to exist, the tanneries which cannot set up a primary treatment plant cannot be permitted to continue]
42.	<b>Sachidanand Pandey v. State of West Bengal, (1987) 2 SCC 295</b> [The Court held that whenever the matter of ecology is brought before the Court, the Court are not to shrug its shoulders saying that it is a matter for policy making authority]
43.	<b>Municipal Council, Ratlam v. Shri Vardhichand &amp; Others, (1980) 4 SCC 162</b>

	[The court upheld public nuisance as a challenge to the component of social justice and rule of law and that decency and dignity are the non-negotiable facets of human rights]	
<b>SESSION 5</b>		
<b>JUDICIARY AND MEDIA: NEED FOR BALANCE</b>		
1.	Justice G. Raghuram. 'Media as an Instrument of Public Accountability', NALSAR Media Law Review, Vol 3, NMLR 2013	530
2.	Justice G. S. Singhvi. 'Trial by Media: A Need to Regulate Freedom of Press', Bharati Law Review, Oct.- Dec., 2012	544
3.	K.G. Balakrishnan, 'Reporting of Court Proceedings by Media and the Administration of Justice?', (2010) 6 SCC J-1	554
4.	Judith Gibson, 'Social Media and the Electronic "New World" of Judges', Revista Forumul Judecatorilor – Nr. 1/2017	560
5.	Sudhanshu Ranjan, Media And Judiciary: Revitalization Of Democracy, Journal of the Indian Law Institute, 57(3) (July September 2015), p. 415-436.	575
6.	Lord Woolf. Should the Media and the Judiciary be on Speaking Terms? Irish Jurist , 2003, New Series, Vol. 38 (2003), pp. 25-3	598
<b>CASE LAW</b>		
1.	T.N. Suraj v. State of Kerala and Others, 2022 SCC OnLine Ker 2710 [It is the well-accepted thumb rule that the Press shall not indulge in sensationalism; or in speculating upon the guilt or otherwise of any accused or other individual; or to create an opinion about the comportment or character of a person involved in the Trial; and not to embellish, by impelling or sponsoring an opinion they seek. Media can't usurp courts' jurisdiction and cannot be given right to speculate on outcomes of ongoing investigations or criminal trials.]	
2.	Venkatesh alias Chandra and Another v. State of Karnataka, 2022 SCC OnLine SC 765 [TV debates on criminal cases pending in courts amount to interference with the administration of justice. Allowing said DVD to go into the hands of a private TV channel so that it could be played and published in a program is nothing but a dereliction of duty and direct interference in the administration of Justice.]	
3.	The Chief Election Commissioner of India vs. M.R Vijayabhaskar & Ors., 2021 SCC Online SC 364 [The apex court included the media reporting of judicial proceedings under the fundamental right of freedom of speech and expression stating that it is part of freedom of the press. Oral remarks are not a part of the official judicial record, and therefore, the question of expunging them does not arise.]	
4.	Vijay Singhal and Ors. vs. Govt. of NCT of Delhi and Anr., 2013 SCC OnLine Del 1221 [The trials' objective is to meet the ends of justice, and if, there is a competition in order to meet that end between the right to freedom of expression against the right to a free trial, the right to free trial would Trump upon the right to freedom of expression.]	
5.	Sahara India Real Estate Corporation Ltd. and Ors. vs. Securities and Exchange Board of India and Anr., (2012) 10 SCC 603 [Media has a right to know what is happening in courts and to communicate the information to the public which strengthens the confidence of the public in the transparency of the court proceedings. Sometimes a reporting of trial that is accurate and fair like a murder trial would anyway give rise to a substantial risk of prejudice that might not be related to the pending trials but later in the connected trials. The fairness of the later or connected trials is not only safeguarded by the postponement but it also helps in preventing the possible contempt by the Media.]	

6.	R.K. Anand vs. Registrar, Delhi High Court, (2009) 8 SCC 106 [Supreme Court interpreted trial by media as the impact of television and newspaper reporting on a person's reputation by producing a widespread perception of guilt, independent of any court verdict. This makes a fair trial impossible and harms the life of the accused undergoing the trial.]
7.	Rajendra SAIL vs. M.P. High Court Bar Association & Ors, (2005) 6 SCC 109 [While the media can, in the public interest, resort to reasonable criticism of a judicial act or the judgment of a Court for public good, it should not cast scurrilous aspersions on, or impute improper motives or personal bias to the judge. Nor should they scandalize the Court or the judiciary as a whole, or make personal allegations of lack of ability or integrity against a judge. The judgments of Courts are public documents and can be commented upon, analyzed and criticized, but it has to be in a dignified manner without attributing motives.]
8.	State of Maharashtra v. Rajendra Jawanmal Gandhi, (1997) 8 SCC 386 [A trial by electronic media, press or by way of public agitation is anti-thesis to the rule of law and can lead to a miscarriage of justice.]
9.	Sushil Sharma v. State (Delhi Admn.), 1996 SCC OnLine Del 345 [The Delhi High Court held that no conviction will be based upon the media report but upon the facts that have been placed on record. It is supposed that the Judge dealing with the case should be neutral. If the decision is based upon the accepted news items, the petitioner will insist upon denial of a fair trial because it would cause aspiration on the Judge of being not neutral. Even if there is less report or no report available, the charge should be framed on the basis of material available on record.]
10.	Indian Express Newspapers (Bombay) (P) Ltd. v. Union of India, (1985) 1 SCC 641 [The freedom of the press is the heart of social and political intercourse. The press has now assumed the role of public educators and makes education possible at a large scale by imparting formal and non-formal education particularly in the developing world, where all forms of modern communication like television and other kinds are not available to all the sections of the society. The objective of the press is to boost the public interest by publishing opinions and facts without which the responsible judgement cannot be made by a democratic electorate (Government). Newspapers which are purveyors of news and views of the people have a bearing on public administration and frequently carry material which would not be pleasing to Governments and other authorities.]
11.	<i>In Re: P. C. Sen</i> , AIR 1970 SC 1821 [The genuine risk of prejudicial remarks made in newspapers or by any mass media which must be guarded against is the –impression that such comments might have on the Judge's mind or even on the minds of witnesses for a litigant.]
12.	Saibal Kumar Gupta and Ors. v. B.K. Sen and Anr., (1961) 3 SCR 460 [It would be mischievous for a newspaper to intrude into a crime and execute an independent investigation for which the accused or suspect has been arrested and then to publish the outcomes of that investigation. This is mischievous because when there is an ongoing trial by one of the regular tribunals of the country then trial by newspapers must be prohibited. This is based upon the view that such action by the newspaper of doing an investigation tends to interfere with the course of justice, whether the investigation tends to prejudice the accused or the prosecution.]
13.	Aswini Kumar Ghose v. Arabinda Bose, (1952) 2 SCC 237 [The article published in Times of India not only criticised a judgement of the Court, but went on to imply motives to the Judges. Had the article just been a criticism, it would have been accepted. But because the article targeted the Judges, it lowered the dignity of the Court, which attracted the contempt proceedings against the editor, publisher and printer of Times of India. Contempt of court cannot arise if a particular Judge has alone been criticised or written negatively about. Only if the content so published also affects the public opinion of the judiciary can contempt proceedings be initiated.]
<b>ADDITIONAL REFERENCES</b>	
1.	Law Commission of India, 200th Report on Trial by Media: Free Speech versus Fair Trial Under Criminal Procedure Code, 1973 (Aug, 2006)

2.	Use of Social Media by Judges, Declaration on Judicial Integrity adopted at the launch of the Global Judicial Integrity Network in April, 2018.
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***\*Judgments mentioned in the Table of Contents include citations and short notes for reference and discussion during the course of the Workshop. Please refer to the full judgment for conclusive opinion.***