

**XI<sup>TH</sup> EDITION NATIONAL MOOT COURT COMPETITION, 2026**

**Moot Proposition**

**IN THE SUPREME COURT OF INDORIA**

(Civil Original Jurisdiction)

**Writ Petition (Civil) No. 2610 of 2026**

People for Ecological Justice & Ors. ... Petitioners

Versus

Union of Indoria . . . Respondents

**MOOT PROPOSITION**

1. The Republic of Indoria is a sovereign democratic State which adopted a written Constitution upon attaining independence from colonial rule. The Constitution establishes a parliamentary system of governance, guarantees fundamental rights, incorporates Directive Principles of State Policy, and vests judicial review in constitutional courts. Unless otherwise specified, the constitutional and statutory framework of Indoria is *pari materia* with the Constitution and laws of India as in force on 1 January 2026.
2. Environmental governance in Indoria has evolved through a combination of legislative enactments, delegated legislation, executive policy instruments, and judicial interpretation. Over time, regulatory authorities have been

tasked with reconciling competing objectives of environmental protection, economic development, employment generation, and energy security.

3. The Petitioner, People for Ecological Justice, is a registered non-profit public interest organisation engaged for over a decade in environmental research, legal advocacy, and community engagement. Its activities include field surveys, preparation of policy reports, engagement with statutory authorities, and participation in consultative processes under environmental regulations.
4. Indoria is a signatory to various international instruments relating to climate change mitigation, environmental protection, and sustainable development. These commitments inform domestic policy formulation but are implemented through municipal law and executive policy measures. In the decade preceding the present dispute, Indoria experienced increasing energy demand arising from industrial expansion, urbanisation, and infrastructural growth. Policy documents of the Union Government repeatedly emphasised the need to diversify energy sources and reduce reliance on imported fossil fuels.
5. In 2021, the Union adopted the National Energy Security and Climate Transition Policy (2021–2040). The Policy outlined a phased approach to energy transition, identifying green hydrogen as a strategic component for long-term decarbonisation of heavy industry and export-oriented manufacturing. The Policy acknowledged that large-scale energy infrastructure projects would require coordinated action across multiple ministries and State governments, and recognised that regulatory processes would need to operate within statutory frameworks while accommodating technological innovation. Pursuant to this Policy, the Union approved the Aranya Green Hydrogen Corridor (hereinafter referred to as “AGHC”),

conceived as an integrated infrastructure corridor comprising renewable energy installations, desalination facilities for industrial water requirements, hydrogen electrolysis plants, storage units, transmission infrastructure, and export terminals.

6. The AGHC was designated as a project of national importance through executive notifications numbered A1410. The designation was accompanied by directions for inter-ministerial coordination and periodic review to ensure alignment with national energy planning and climate commitments. Following technical assessments, the coastal districts of Varuna Pradesh, a Schedule V State, were identified as suitable for the project. Selection criteria included renewable energy potential, availability of coastal access, proximity to existing industrial corridors, and logistical considerations for export infrastructure.
7. Varuna Pradesh contains ecologically sensitive features including mangrove forests, wetlands, estuarine systems, and coastal habitats. The region also supports livelihoods dependent on fishing, salt farming, and subsistence agriculture. Certain areas within Varuna Pradesh are notified tribal regions. State development plans have historically acknowledged the dependence of local communities on coastal and forest resources, while also identifying scope for regulated industrial activity. Prior environmental studies classified portions of the region as environmentally sensitive, though not designated as inviolate or prohibited zones under existing environmental regulations.
8. The project was awarded to Helios Energen Ltd. through an open and competitive bidding process conducted in accordance with procurement norms. Bid documents required compliance with environmental, social, and governance standards prescribed by law. Helios Energen Ltd. submitted the necessary documentation under the Environment (Protection) Act, 1986, the

Environmental Impact Assessment Notification, the Coastal Regulation Zone Notification, and other applicable laws. The Environmental Impact Assessment report included baseline data, impact predictions, mitigation measures, and environmental management plans. Public consultation processes were conducted in accordance with prescribed procedures.

9. In early March 2023, the Expert Appraisal Committee examined the proposal over multiple sittings. The Committee sought clarifications, additional data, and modifications before recommending grant of Environmental Clearance subject to conditions. Environmental Clearance was granted in October 2023, stipulating phased compliance. Certain conditions were to be met prior to commencement of commercial operations, while others applied during construction and operation stages. Monitoring responsibilities were assigned to regional offices of the Ministry of Environment and accredited agencies. Compliance reports were required to be submitted at periodic intervals.
10. During early implementation in January 2024, concerns were raised by local representatives, civil society organisations, and researchers regarding cumulative impact assessment, baseline data adequacy, and public consultation processes. Allegations were made that certain preparatory activities, including site levelling and construction of access roads, commenced prior to fulfilment of all clearance conditions. The Ministry issued supplementary compliance directions, treating certain deficiencies as procedural and capable of rectification. Internal records indicated differing views within regulatory authorities on the nature of such deficiencies. Applications were filed before the National Green Tribunal of Indoria challenging the Environmental Clearance and supplementary directions. The Tribunal admitted the applications and constituted expert committees.

11. After preliminary consideration, the Tribunal declined interim stay, noting absence of conclusive scientific evidence of irreversible environmental harm and the strategic importance of the project. During pendency of proceedings, residents reported perceived changes in groundwater salinity, fish catch patterns, and air quality. Complaints were submitted to the State Human Rights Commission alleging impact on livelihood and health.
12. Expert submissions suggested that certain post-construction environmental changes, if causally linked to the project, could be irreversible or incapable of full ecological restoration. However, these scientific findings were disputed.
13. The Respondents denied any causal connection between the project and the alleged environmental degradation, contending that the project complied with prescribed regulatory thresholds, incorporated adequate mitigation measures, and was subject to continuous environmental monitoring.
14. An inter-departmental committee, constituted to examine the issue, of various ministries recommended enhanced monitoring of the project but did not advise suspension of operations. Protests were organised near project sites. The district administration imposed regulatory measures to maintain public order and protect critical infrastructure. Surveillance tools, including drones, were deployed in designated zones. The State maintained that these measures were proportionate and time-bound. Protest organisers and civil society groups alleged that regulatory measures restricted lawful assembly and expression, giving rise to concerns regarding chilling effects on environmental advocacy.
15. Certain Petitioners alleged that the exercise of regulatory flexibility in favour of the project amounted to an impermissible dilution of mandatory statutory safeguards, constituting offences under the applicable

environmental statutes and attracting criminal liability of responsible corporate officers as well as regulatory authorities for abetment and dereliction of statutory duty. The Respondents denied criminal liability, asserting statutory compliance, reliance on expert appraisal, and the specialised regulatory nature of environmental law. The Petitioners initially approached the National Green Tribunal and thereafter invoked the writ jurisdiction of this Hon'ble Court under Article 32 of the Constitution. The remaining Petitioners include representatives of traditional fishing communities, residents of coastal villages, environmental researchers, and civil society participants associated with the affected districts of Varuna Pradesh. None of the Petitioners claim ownership or possessory rights over land forming part of the project site.

16. The Respondent No. 1 is the Union of Indoria. Respondent No. 2 is the State of Varuna Pradesh. Respondent No. 3, Helios Energen Ltd., is a multinational corporation engaged in renewable energy generation, hydrogen electrolysis technologies, and related infrastructure development across multiple jurisdictions

At preliminary hearing in July 2025, a Division Bench of this Hon'ble Court declined interim relief, observing that the matter involved complex questions of environmental governance and constitutional balance. By the time the matter was listed for final hearing, substantial financial investment had been made, certain facilities had commenced pilot operations, and preliminary monitoring reports indicated mixed results. The case is listed for final disposal.

## **ISSUES FOR CONSIDERATION**

1. Whether environmental degradation or ecological risk arising from State-approved infrastructure projects can constitute a violation of human rights under Article 21 of the Constitution, particularly the rights to life, health, livelihood, and dignity?
2. Whether the grant of environmental clearance and subsequent post-clearance or curative approvals comply with constitutional guarantees under Articles 14 and 21, having regard to principles of environmental justice, precaution, and inter-generational equity?
3. What is the permissible scope of judicial review over technical and scientific determinations made by expert bodies under environmental statutes when such determinations are alleged to implicate fundamental human rights?
4. Whether alleged regulatory non-compliance in environmental governance, and the State's response to environmental protests, may attract criminal liability or constitutional censure, and how such accountability is to be balanced against administrative good faith, proportionality, and national energy security considerations?

#### **DISCLAIMER**

The facts, names, characters, places, events, and incidents stated in this Moot Proposition are entirely fictitious and have been created solely for academic purposes as part of this Moot Court Competition. Any resemblance to actual persons, living or dead, institutions, events, or legal proceedings is purely coincidental and unintended.