

28 JAN 2026

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination August-December- 2025

Semester: UG VII Semester

Subject: Environmental Law

Time: Three Hours

Marks: 100

Instructions:

- 1. All questions carry equal marks. Question No. 1 is compulsory. Attempt any four questions from Question Nos. 2 to 6.**
- 2. Use of all kinds of electronic devices is prohibited.**
- 3. In this examination no materials and texts of Agreements are permitted.**

Q.1).

Riverbank Industrial Estate is located on the banks of River Kaveri in Karnataka, established in 2010. The estate houses 15 manufacturing units including textile dyeing units, chemical manufacturing plants, pharmaceutical companies, and metal processing units. The estate is situated 8 km upstream from a major city with a population of 2 million people.

In January 2023 local residents and fishermen complained about foul smell from the river and mass fish deaths. Water samples showed high levels of heavy metals, dissolved solids, and chemical oxygen demand were exceeding permissible limits. In February 2023, smoke and particulate matter emissions from three chemical plants increased significantly. Air quality monitors showed PM 2.5 and PM 10 levels exceeding National Ambient Air Quality Standards (NAAQS). Residents reported respiratory issues, eye irritation, and reduced visibility. In March 2023 there was an Investigation carried out by the Karnataka State Pollution Control Board revealed major violations. The cluster of Textile Dyeing Companies was discharging untreated effluents directly into River Kaveri. Although the consent to establish and consent to operate were obtained in 2011, but consent to operate for the textile companies expired in 2022 and no application for renewal had been applied for. Effluent Treatment Plants (ETPs) were installed but were not functional since January 2022. The cluster of chemical manufacturing plant were emanating stack emissions containing sulfur dioxide at 450 mg/Nm³ (permissible limit per the CPCB guidelines is 100 mg/Nm³). There were complaints of acid rain affecting nearby agricultural land. The problem of air pollution was also added by the cluster of pharmaceutical companies which were found to be emanating air emissions include volatile organic compounds exceeding prescribed limits.

The Riverbank Industrial estate has a Common Effluent Treatment Plant (CETP) with 2 MLD capacity, but remains unutilised. State Pollution Control Board conducted inspections in 2023 but no follow-up action was taken. The river water is used for drinking water supply downstream. The agricultural lands within 5 km radius reported crop damage.

Based on the factual matrix :

- Analyse the applicability of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 in respect of consent mechanisms under these legislations. (8 Marks)
- Analyse the (in)adequacies in the power ascribed to State Boards and the CPCB under these Acts. (8 Marks)
- Briefly discuss the effect of the Jan Vishwas (Amendment) Act, 2023 and the Water Amendment Act, 2024 on the powers of the State Boards under these Acts. (4 Marks)

Substantiate your answer with relevant case law.

(8+8+4 = 20 Marks)



Q.2).

The State Government of Karmapur (a coastal state within Union of India) has received a proposal from a private developer to construct a luxury beach resort with the following specifications:

- Location of the proposed project is set at 180 meters from the High Tide Line (HTL) in a relatively undisturbed coastal stretch.
- Project will comprise of a 150-room hotel, swimming pool, restaurants, water sports facilities, and a small marina with private access to the beach.
- The site falls within CRZ-III (rural, relatively undisturbed coastal area).
- There is a traditional fishing village located 500 meters away with approximately 200 fishing families dependant on shrimp culture majorly as a source of livelihood.
- The developer argues the project will generate employment for 1000 people and boost state tourism revenue.
- Environmental groups claim it will damage turtle nesting sites and mangrove patches in the vicinity.
- The State Coastal Zone Management Authority (SCZMA) has received both support and opposition from different stakeholders

As an environmental law consultant, analyze this scenario and answer the following:

- a. Compare and contrast the applicability of CRZ Notification 2011 and 2019 to this project in terms of classifications of coastal zones, No Development Zone stipulations and permissible and prohibited activities. (10 Marks)
- b. Evaluate the conflicts between developmental needs and environmental conservation that arise from CRZ regulations. (10 Marks)

Substantiate your answer with relevant case law.

(10+10 = 20 Marks)

Q.3).

"Article 21 recognises the right to life and personal liberty while Article 14 indicates that all persons shall have equality before law and the equal protection of laws. These articles are important sources of the right to a clean environment and the right against the adverse effects of climate change."

Dr Dhananjaya Y Chandrachud, CJI in *MK Ranjithsingh vs Union of India* (2024, Indian Supreme Court)

In light of this, examine the efficacy of Public Interest Litigation as a remedial mechanism when competing environmental rights collide within the framework of Articles 14 and 21.

Substantiate your answer with relevant case law.

(Marks : 20)

Q.4).

The State of Riverbend and the neighboring State of Forestia share the transboundary River Torentia. In 1995, both states entered into a treaty to construct a joint hydroelectric dam project on their shared border. The project involved construction of a large dam and reservoir that would submerge 15,000 hectares of old-growth forest; diversion of 60% of the river's flow through an artificial canal and installation of hydroelectric turbines to generate 2,400 MW of power.

By 2010, Forestia had completed its portion of the dam infrastructure. However, Riverbend suspended construction, citing new scientific studies that indicated potential extinction of three endemic fish species; severe reduction in downstream water flow affecting 50,000 farmers; risk of increased flooding in low-lying areas and disruption of groundwater recharge systems.



Riverbend proposed alternative measures including smaller run-of-the-river projects and solar energy installations. Forestia argued that abandoning the project would waste \$800 million already invested and deprive both states of clean energy critical for their development goals. Forestia proceeded unilaterally to operationalize the dam, arguing the treaty was binding. Riverbend has now approached the International Court of Justice for resolution of this dispute. Applying relevant principles of environmental law, how would you balance Forestia's right to development and clean energy against the environmental concerns raised by Riverbend? Substantiate your answer with relevant case law.

(Marks: 20)

For questions 5 and 6, refer to the following factual matrix:

A public sector coal mining company has applied for environmental clearance for an open-cast coal mining project with the following details:

- Location of the proposed project is Forested area in a tribal-dominated district (Schedule V area).
- Project area is 800 hectares (including 450 hectares of dense forest, demarcated as a protected forest as per the provisions of the Indian Forest Act, 1927); with estimated coal reserves at 150 million tonnes.
- The term of the project is 25 years
- The mining lease area includes 3 tribal villages with a population of approximately 2,500 people; Sacred groves used for traditional worship; Perennial streams that are the primary water source for 10 downstream villages and Habitat of Schedule I species (elephants) with established migration corridors.
- The company states that the project will meet critical energy demands of thermal power plants, will generate employment for 8000 people directly and CSR activities will be undertaken to develop infrastructure in the region.
- According to environmental action groups, EIA report underestimates groundwater depletion and stream diversion impacts; air pollution from blasting and coal dust; loss of forest-based livelihoods and the cumulative impact of the proposed project considering 5 other mines already operational within 20 km radius. It is also alleged that public hearing was conducted but several tribal communities allege they were not properly informed in their local language.

Q.5).

Evaluate the importance of the Environmental Impact Assessment frameworks in such cases and examine the procedural requirements under the EIA Notification 2006 applicable to this coal mining project. Identify any procedural lapses or violations in the clearance process described above.

(Marks. : 20)

Q.6).

a. Analyze the interplay between forest clearances under the Forest (Conservation) Act, 1980 and environmental clearances under the Environment (Protection) Act, 1986. In your opinion, does this dual mechanism provide adequate safeguards or does it create procedural redundancies and delays? (15 Marks)

b. Critically analyze the conflict between developmental imperatives (energy security, employment) and constitutional safeguards for tribal communities in light of the Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006. (5 Marks)

Substantiate your answer with relevant case law.

(15+5 = 20 Marks)

