

Name:			
Enrolment No:			
UPES End Semester Examination, December 2025 Course: Environmental studies and Law Semester: vth Program: BA_B.COM_BBA_ALL Time: 03 hrs. Course Code: CLCC3036_4 Max. Marks: 100			
Instructions:			
SECTION A (5Qx2M=10Marks)			
	Write short notes on-	Marks	CO
Q1	TRIPs Agreement vis-à-vis international trade and environment	2	CO1
Q2	Objective of Air Act 1981.	2	CO1
Q3	Environment Impact Assessment	2	CO1
Q4	Article 48A of the Constitution of India.	2	CO1
Q5	Non forest use of forest land	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q6	Describe the scope and significance of the Forest (Conservation) Act, 1980.	5	CO2
Q7	Critically analyze the role of judiciary in protecting the environment through public interest litigation in India.	5	CO2
Q8	Enumerate the salient features of the Biological Diversity Act, 2002.	5	CO2
Q9	Analyze the obligation of state for protection of environment under Indian Constitution.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	After the Stockholm Conference comprehensive <i>lex specialis</i> were enacted by the Union Government. Summarize at least two legislations	10	CO3

	that impacted the environmental jurisprudence of India in second decade of twentieth century.		
Q11	Discuss the composition, powers and function of the National Green Tribunal (NGT) of India. Explain the reasons behind the suggestion of the Supreme Court in various cases for establishing environmental courts. Critically analyze the functioning of the NGT in rendering environmental justice in India.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	A multinational company has done leakage of poisonous gases, which has resulted in the death disablement, and diseases of thousands of workers and others in the vicinity of the factory owned by the company. Suggest remedies to the injured persons and their dependents keeping in mind the relevant legal provisions	25	CO4

Q13	The State of Adivan has approved the construction of a large bauxite mining project in the Bantoli Hills, an area rich in minerals and dense forests. The project, granted to Eastern Metals Pvt. Ltd., promises to generate employment and increase state revenue. However, the proposed mining lease covers nearly 3,000 hectares of forest land, traditionally inhabited by the Muria and Gond tribes, who have been living there for generations. These tribal communities depend on forest produce, shifting cultivation, and sacred groves for their livelihood and cultural practices. The Gram Sabhas of five affected villages passed resolutions opposing the project and claiming community and individual forest rights under Sections 3(1)(a), 3(1)(c), and 3(1)(i) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The resolutions and claims were submitted to the Sub-Divisional Level Committee (SDLC) and verified by the Forest Rights Committee. Before the claims could be finalized, the State Forest Department issued a No Objection Certificate (NOC) for diversion of forest land under the Forest (Conservation) Act, 1980, and the Ministry of Environment, Forest and Climate Change (MoEFCC) granted final clearance, stating that “all legal requirements have been substantially complied with.” The tribal representatives filed a petition before the High Court of Adivan, arguing that: • The Gram Sabha’s consent is mandatory before any forest diversion, as per Section 5 of the FRA and the 2012 MoEFCC Guidelines. • Their claims were pending, and no final recognition had been granted, violating the procedure under Section 6 of the FRA. • The project violates their fundamental rights under Articles 21, 25, and 29 of the Constitution, as it threatens their livelihood, religion (sacred groves), and culture. • The State failed to conduct proper consultation or rehabilitation measures. The State and the company argue that: • The FRA does not grant an absolute veto to Gram Sabhas; development projects of national importance can proceed with due process. • The Forest Conservation Act procedures and central approval suffice for legal compliance. • The project is crucial for regional economic growth and employment. Based on your legal expertise, applying relevant statutory provisions and judicial precedents decide the case.	25	CO4
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