



Environmental Law

KSLU LL.B. — Complete Exam-Ready Study Bundle

KSLU LL.B. Study Bundle

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Read this first page, then go to your unit. This single file holds the whole subject: how to use the notes, the rules that win marks, and all five units of content. Everything is in plain English, every Latin maxim is translated in [brackets], and every topic is built backwards from the real exam questions.

How to Use These Notes

What this is. A complete, exam-focused bundle covering all five units of KSLU Environmental Law. Environmental law in India is not one code but a family of statutes — the **Water Act 1974**, **Air Act 1981**, **Wildlife Protection Act 1972**, **Forest Conservation Act 1980** and the umbrella **Environment (Protection) Act 1986** — read together with the **Constitution** (Articles 21, 48A, 51A(g)) and a body of **judge-made doctrines** built by the Supreme Court through Public Interest Litigation. These notes teach that whole map, one topic at a time, built from the actual question papers. Every topic answers one question: *what will the examiner ask, and how do I score full marks?*

Who it is for. The first-time learner (understand before memorising), the revision student (fast high-yield recall), and the last-week crammer (which questions repeat and how to answer them).

What is inside every topic — the same blocks, in the same order:

Block	Its job	The mark it earns
Previous Year Questions	Real questions + sessions asked	What to prepare and how often it repeats
The Hook	A true story / landmark-case opener	Memorable; a strong opening line
Jurist / Statutory Quotes	Exact sections & definitions	Examiners reward precise authority
In Simple Terms	Plain-English translation	Ensures you <i>understand</i>
The Visual (chart)	Maps the topic structure	Recall and structure at a glance

Block	Its job	The mark it earns
Case Laws	Landmark judgments + ratio	Case names with years are pure marks

Each unit closes with a **Quick Revision & Case Law Table** for the final hour.

These notes **teach** the subject. The **Question Bank** is the companion volume that turns that knowledge into marks — it carries a model answer for every past question, each opening with a **Answer Outline** (the skeleton to reproduce under time pressure) and, where two questions are easily confused, a **Don't Confuse** box.

The 4-step study plan. (1) Read the PYQ box first. (2) Understand, then memorise. (3) Trace the chart from memory. (4) Rehearse the matching answers in the Question Bank.

The 10 Rules That Win Marks

1. **Anchor every answer in the exact statute or Article.** “The right to a wholesome environment flows from **Article 21**”; “consent to discharge is **s.25 Water Act 1974**” — precise authority is what separates a pass from a distinction.
2. **Follow the Question Bank's Answer Outline** step by step.
3. **Name the case AND the year** every time — *Subhash Kumar vs State of Bihar (1991)*, *M.C. Mehta vs Union of India (Oleum, 1987)*, *Vellore Citizens vs Union of India (1996)*.
4. **Know the five doctrines cold** — Absolute Liability, Polluter Pays, Precautionary Principle, Inter-generational Equity, Public Trust — and which case created each.
5. **Translate every Latin maxim in [brackets]** — *sic utere tuo ut alienum non laedas* [use your own so as not to harm another's], *res ipsa loquitur* [the thing speaks for itself].
6. **Use the four IRAC headings** for problems; spot the planted decoy (strict liability *Rylands* vs the no-exceptions absolute liability rule is the classic trap).
7. **Always give a definite verdict** — “the industry is absolutely liable”, “the consent order is valid”, “the activity violates the CRZ notification”.
8. **Use the chart's structure** to organise the body of the answer.
9. **Close with a short, confident conclusion**, ideally naming the guiding principle (sustainable development).
10. **Manage time** so no high-mark question is left unwritten.

Disclaimer. A study aid, not a substitute for the bare Acts (the Water Act 1974, Air Act 1981, Environment (Protection) Act 1986, Wildlife Protection Act 1972, Forest Conservation Act 1980 and allied Rules) and prescribed texts. Environmental statutes are amended often — cross-check every section against the current official text. © Medha-Academy.in · KSLU LL.B. · For personal academic use.

UNIT 1 — The Idea of Environment

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In this unit.

This is the unit where you learn the vocabulary the whole subject is built on. Before a single statute makes sense you need one plain picture: what the “environment” actually is, what “pollution” does to it, and why the law bothers to step in at all. Almost everything here is definitional and conceptual, so the marks are easy if you are precise and lost if you are vague. Four ideas carry most of the paper — the meaning and components of environment, pollution and its causes, the three climate effects (greenhouse, global warming, ozone), and India’s ancient conservation ethic revived as modern “environmental jurisprudence” — and they all connect: nature is a system of interlocking parts, pollution is any harmful change to that system, and the law (old ethics, the Constitution, and the National Environmental Policy 2006) exists to keep the system working. Read it as one story, not eight separate facts.

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1. Environment — Meaning, Definition, Components and Ecosystem Services

Previous Year Questions

- **[16M]** Define “environment”. Explain its meaning and components. (Dec 2014 (100), Aug 2024 (80), Oct 2023 (80)) ★★
- **[8M]** Write a short note on ecosystem and ecosystem services. (Jul 2018 (100), Dec 2020 (100), Jul 2025 (80), Sep 2021 (80), Feb 2025 (80)) ★★★

The Hook

When the Government of Washington offered to buy the tribal land of a Red Indian Chief, he refused with a question the Supreme Court of India would repeat almost two centuries later in *K.M. Chinnappa vs Union of India* (2002): how do you sell the sacredness of the land, the freshness of the air, the sparkle of water, the songs of the insects and the fragrance of the flowers? The Court used those words to make one point — “environment” is not a single thing you can price and hand over. It is everything, working together.

What is “Environment”?

Start with the everyday picture, because the legal definition simply tightens it. Your **environment** is everything around you that affects how you live — the air you breathe, the water you drink, the soil that grows your food, the plants and animals you share the planet with, and the buildings and roads people have added. The word itself comes from the French *environner* [to surround]. So at its simplest, environment means *the surroundings* — but the law’s interest is in the fact that these surroundings are not a random pile of things; they *interact* as one connected system.

That is exactly how Indian law defines it. The **Environment (Protection) Act, 1986** — the umbrella statute you will meet properly in Unit 5 — gives the definition every KSLU answer should open with. Notice two features as you read it: it lists the physical components (water, air, land), and it insists on the *relationship between them* and living things. It is an **inclusive** definition (“includes”), not an exhaustive one — meaning the courts can read it widely, as *Chinnappa* did.

Section 2(a), Environment (Protection) Act, 1986: “‘environment’ includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organisms and property.”

In Simple Terms: Environment is not just air, or just water, or just forests. It is all of those *plus* the web of connections between them and every living thing (and even man-made

property). Harm one strand and you tug the whole web — which is why the definition puts the “inter-relationship” at its centre.

A. The components of environment

Examiners love the components because they are a ready-made list. Sort them into three groups and give one line each.

1. **Physical (abiotic) components** — the non-living surroundings. These are usually split into three “spheres”: the **atmosphere** (the blanket of air), the **hydrosphere** (all the water — oceans, rivers, groundwater), and the **lithosphere** (the land, soil and rock). Sunlight and temperature belong here too.
2. **Biological (biotic) components** — all living things, together called the **biosphere**: plants, animals, human beings and micro-organisms. In an ecosystem these act as *producers* (green plants that make food), *consumers* (animals that eat) and *decomposers* (bacteria and fungi that break down dead matter and return nutrients to the soil).
3. **Man-made (social/cultural) components** — the surroundings people have built: buildings, roads, dams, and the social and cultural setting in which people live. The EPA’s inclusion of “property” is the hook for this component.

The single idea tying the three together is **inter-relationship**: the abiotic supports the biotic, the biotic changes the abiotic, and human activity now reshapes both. That is why the law protects the *system*, not each item in isolation.

B. Ecosystem and ecosystem services

Now zoom in on one working piece of the environment. An **ecosystem** is a community of living organisms together with the non-living surroundings they interact with, functioning as one self-supporting unit — a pond, a forest, a wetland, a coral reef. (The term was coined by the botanist A.G. Tansley in 1935; you do not need the name, only the idea.) Inside it, energy flows from the sun through plants to animals, and nutrients are recycled endlessly by decomposers. Cut the pond off from its inflow, or kill its plants, and the whole unit collapses — that self-supporting balance is the point.

Ecosystem services are the free benefits a healthy ecosystem hands to humanity — the reason its loss is a *legal* problem and not merely a sad one. They are grouped into four kinds:

1. **Provisioning services** — the goods we take out: food, fresh water, timber, fibre, medicines.
2. **Regulating services** — the natural “maintenance” we never pay for: climate regulation, flood control, water purification, pollination of crops, control of pests and disease.
3. **Cultural services** — the non-material benefits: recreation, tourism, and the spiritual or aesthetic value of a river or a mountain.

4. **Supporting services** — the background processes that make all the others possible: soil formation, nutrient cycling, and oxygen production (photosynthesis).

Here is the exam-worthy punchline, and the reason law steps in: these services cannot be bought back once the ecosystem breaks. You can build a factory, but you cannot manufacture a monsoon, re-inflate an aquifer overnight, or re-create a species. Because the market puts no price on clean air or flood control, individuals over-use and destroy them — so the law, not the market, has to protect them.

◆ **WORKED EXAMPLE — reading a scenario through “components” and “services”**

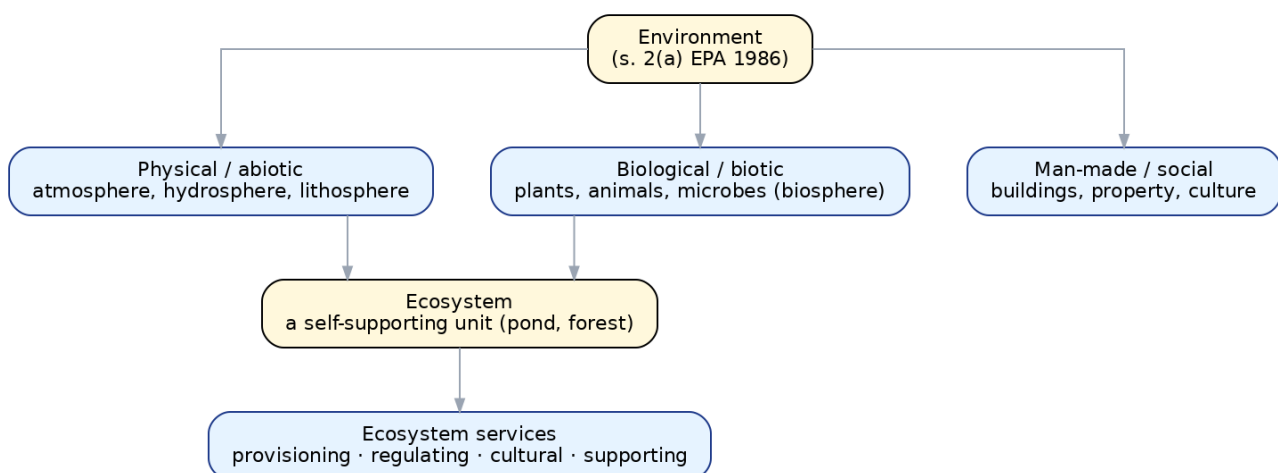
Facts. A builder drains a large city wetland and fills it to construct apartments. Within two years the neighbourhood floods every monsoon, local wells run dry, and the migratory birds that drew tourists vanish.

Rule. Environment is an inter-related system of abiotic, biotic and man-made components (s. 2(a), EPA 1986); a wetland is an ecosystem whose benefits to society are its ecosystem services.

Apply. Draining the wetland removed a *regulating* service (flood control) — hence the flooding; a *supporting/provisioning* service (groundwater recharge) — hence the dry wells; and a *cultural* service (bird tourism) — hence the lost visitors.

Conclusion. The single act of filling one ecosystem knocked out several services at once, and none can simply be re-purchased. That interdependence — one act, many losses — is exactly what the legal definition of “environment” is built to capture.

The Visual



Case Laws

- **K.M. Chinnappa vs Union of India (2002)** — the Supreme Court read the EPA definition of “environment” as wide and inclusive, stressing that environment covers the inter-relationship between all natural elements and life, not any single element.

- ***T. Damodhar Rao vs Special Officer, Municipal Corporation of Hyderabad (1987)*** — protection of the environment is part of the right to life under Article 21; land reserved as a recreational park could not be built over.
- ***Rural Litigation and Entitlement Kendra vs State of Uttar Pradesh (1985)*** — India's first major environmental case; the Court ordered limestone quarries in the Dehradun hills closed because they were destroying the ecosystem, showing that ecological balance outweighs private mining gain.

2. Pollution — Meaning, Sources, Kinds and Effects

Previous Year Questions

- **[16M]** Define pollution. Explain its sources, kinds and effects. (*Jul 2015 (100), Dec 2015 (100), Dec 2020 (100), Apr 2021 (100), Apr 2023 (100), Feb 2025 (100)*) ★★ ★
- **[16M]** How do urbanisation, industrialisation and population growth degrade the environment? Explain. (*May 2022 (80), Nov 2022 (80), Oct 2023 (80), Aug 2024 (80), Jul 2025 (80), Apr 2024 (80), Sep 2021 (80), Feb 2026 (80)*) ★★ ★

The Hook

On the night of 2–3 December 1984, a cloud of methyl isocyanate gas escaped from a pesticide plant in Bhopal and killed thousands of sleeping people within hours. It remains the world's worst industrial disaster, and it is the extreme end of a single, ordinary idea: a substance, in the wrong place and the wrong quantity, turns the life-giving air into something that kills. That is pollution — usually slower and quieter than Bhopal, but the same mechanism every time.

What is “Pollution”?

Think of it as the flip side of everything Topic 1 taught. If the environment is a balanced system, **pollution is any unwanted change to that system** — the adding of a substance or a form of energy in enough quantity to harm health, life or nature. The key word is *quantity*: carbon dioxide is natural and harmless in small amounts, but too much of it warms the planet; even pure water becomes “thermal pollution” if a factory returns it hot enough to kill fish. So pollution is not about “unnatural” substances; it is about the wrong *concentration* in the wrong place.

Indian statutes capture this precisely. The **Environment (Protection) Act, 1986** defines an “environmental pollutant” in s. 2(b) as *any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment* — again, notice

“such concentration”. The fullest statutory definition, worth quoting, is from the **Water (Prevention and Control of Pollution) Act, 1974**, which you will study in Unit 4.

Section 2(e), Water (Prevention and Control of Pollution) Act, 1974:

“‘pollution’ means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms.”

In Simple Terms: Pollution is contaminating a part of the environment so badly that it becomes a nuisance or harms people, animals, plants, or normal uses of that resource. Swap the word “water” for “air” or “land” and you have the definition of every kind of pollution.

A. The kinds of pollution — sort by medium

The examiner wants pollution *classified*, and the cleanest axis is the medium it spoils. Learn four main kinds and three special ones.

1. **Air pollution** — contamination of the air by smoke, dust, and gases from factories, vehicles and burning fuel. (The Air Act, 1981 calls an air pollutant any solid, liquid or gaseous substance present in the atmosphere in a concentration that may be injurious.)
2. **Water pollution** — contamination of rivers, lakes and groundwater by sewage, industrial effluent, and agricultural run-off (fertilisers and pesticides).
3. **Soil / land pollution** — degradation of the land by solid waste, plastics, chemicals and excess fertiliser, which poisons the soil and enters the food chain.
4. **Noise pollution** — unwanted, excessive sound from traffic, industry, loudspeakers and firecrackers, which harms health and peace (regulated by the Noise Pollution (Regulation and Control) Rules, 2000).

The three special kinds are worth a line each: **thermal pollution** (waste heat, usually hot water from power plants, raising water temperature and killing aquatic life); **radioactive pollution** (radiation from nuclear activity or accidents); and **marine pollution** (oil spills and waste dumped into the seas).

B. The sources and causes — the “three engines”

This is where the high-frequency essay lives — “how do urbanisation, industrialisation and population growth degrade the environment”. Treat them as three engines that *drive* the kinds of pollution above.

1. **Industrialisation.** Factories consume raw materials and energy and throw out smoke, effluent and hazardous waste. They are the single largest source of air and water pollution, and of hazardous-substance disasters like Bhopal.
2. **Urbanisation.** As people crowd into cities, land is cleared, sewage and solid waste outrun the drains and dumps built to handle them, vehicles multiply, and green cover shrinks — turning cities into hotspots of air, water, soil and noise pollution at once.
3. **Population growth.** More people means more demand for food, water, fuel, housing and goods — which means more farming (fertilisers, deforestation), more industry, and more waste. Population growth is the *multiplier* behind the other two.

Add two supporting causes the examiner rewards: **deforestation** (removing the forests that clean the air and hold the soil) and **the transport explosion** (millions of vehicles burning fossil fuel). The chain to write is: *these causes → produce the kinds → which produce the effects.*

C. The effects

Group the effects so the answer does not become a list of scary words.

1. **On human health** — respiratory disease and cancers from air pollution; water-borne diseases like cholera and dysentery; deafness and stress from noise; poisoning from contaminated food and soil.
2. **On ecosystems** — dead rivers and lakes (fish killed by effluent and heat), loss of biodiversity, acid rain damaging forests and buildings, and soil that no longer grows crops.
3. **On climate and the atmosphere** — the global effects that became topics in their own right: the greenhouse effect and global warming, and ozone-layer depletion (Topic 3).
4. **Economic and social** — the cost of cleaning up, lost tourism and fisheries, and the fact that the poor — who live closest to the polluting industry and depend most directly on clean water and land — suffer first and worst.

◆ WORKED EXAMPLE — tracing cause, kind and effect in one scenario

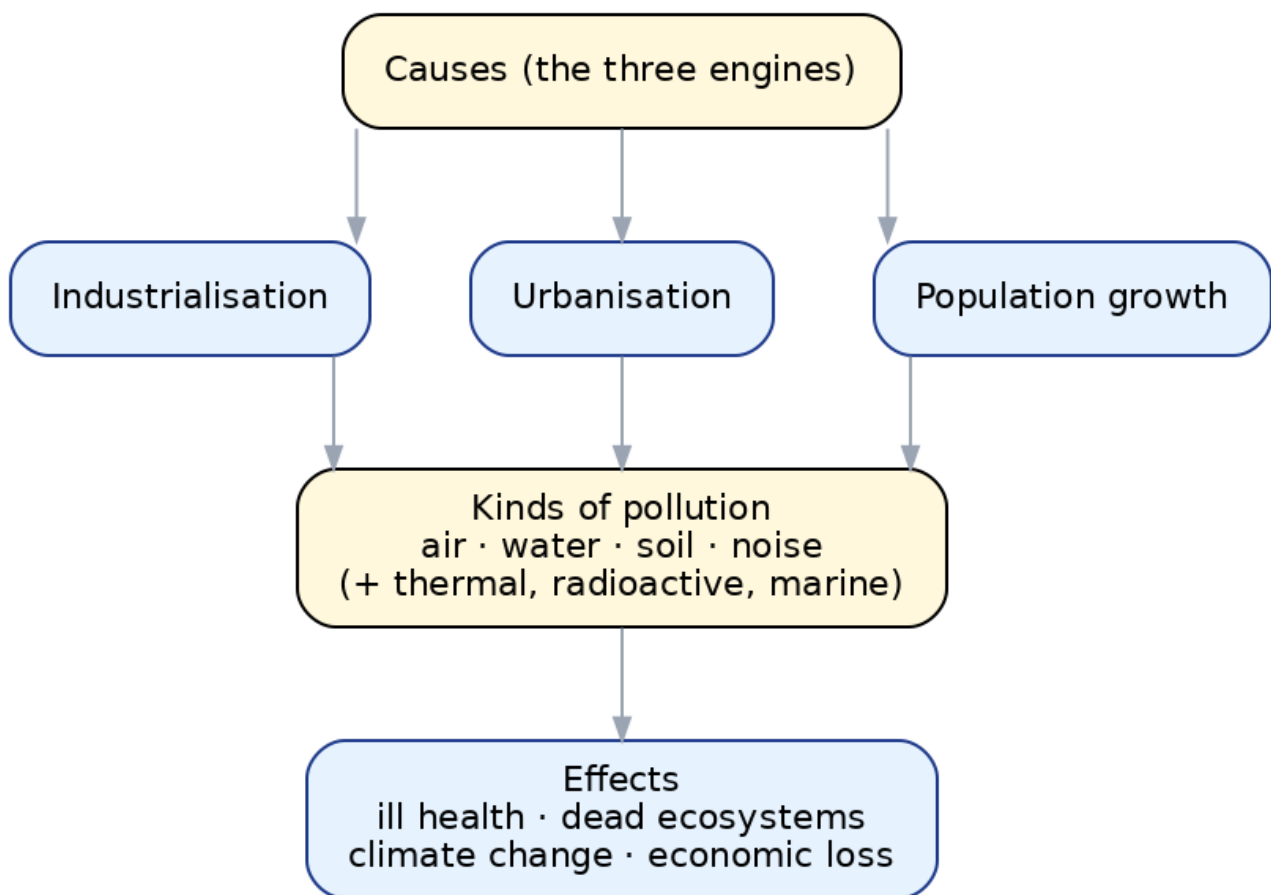
Facts. A tannery in a fast-growing town discharges untreated effluent into the river, burns waste in the open, and runs noisy generators through the night. The town's population has doubled in ten years.

Rule. Pollution is any harmful change to the environment; classify it by medium (air/water/soil/noise) and trace it to its causes (industrialisation, urbanisation, population growth) and effects.

Apply. The effluent is **water pollution**; the open burning is **air** and **soil pollution**; the generators are **noise pollution**. The causes are the tannery (**industrialisation**) inside a doubling town (**urbanisation and population growth**). The effects are downstream disease and dead fish (health and ecosystem) and a levy the tannery may have to pay to clean up.

Conclusion. One industrial unit in one growing town produces every major kind of pollution at once — which is exactly why the essay links the “three engines” to the “kinds” and the “effects” as a single chain rather than three separate lists.

The Visual



Case Laws

- **M.C. Mehta vs Union of India (1987)** (the Oleum Gas Leak case) — a leak of oleum gas from a Delhi factory led the Supreme Court to lay down the rule of absolute liability for hazardous industry; a landmark on the danger of industrial pollution (studied in Unit 2).
- **Vellore Citizens Welfare Forum vs Union of India (1996)** — tanneries discharging untreated effluent in Tamil Nadu; the Court applied the precautionary principle and polluter-pays to industrial water pollution.
- **Subhash Kumar vs State of Bihar (1991)** — the right to life under Article 21 includes the right to pollution-free water and air; a citizen may move the Court to stop pollution.

3. Greenhouse Effect, Global Warming and Ozone Depletion

Previous Year Questions

- **[16M]** Explain the greenhouse effect and global warming. What are their causes and effects? (Jul 2014 (100), Jul 2018 (100), Dec 2018 (100), Jul 2019 (100), Apr 2021 (100), Feb 2025 (100), May 2022 (80), Nov 2022 (80), Jul 2025 (80)) ★★★
- **[8M]** Write a short note on ozone depletion. (Jul 2015 (100), Jul 2017 (100), Sep 2021 (100), Apr 2023 (100), Apr 2024 (100), Aug 2024 (100), Feb 2025 (100), Jul 2018 (100), Oct 2023 (80)) ★★★

The Hook

In 1985 three British scientists in Antarctica published data so startling their own instruments were re-checked for faults: a vast “hole” had opened in the ozone layer over the South Pole every spring. The world reacted with rare speed — within two years, nations signed the Montreal Protocol to phase out the chemicals responsible, and today the hole is slowly healing. It is the great success story of environmental law, and a useful warning: the atmosphere can be damaged faster than anyone expects, and repaired only when the law forces the change.

Two different problems, two different layers

This is the topic students most often get muddled, so fix the geography first. Both problems are about the atmosphere, but they happen in **different layers**, involve

different gases, and are cured by **different treaties**. Keep them in separate boxes in your head:

- The **greenhouse effect and global warming** are about *heat trapped low down*, in the layer of air nearest the ground (the troposphere).
- **Ozone depletion** is about a *protective shield being thinned high up*, far above us (the stratosphere).

Get that one distinction right and the rest of the answer writes itself.

A. The greenhouse effect — a natural blanket

The **greenhouse effect** is a *natural* and *necessary* process. Certain gases in the air — mainly carbon dioxide, methane, nitrous oxide and water vapour — let the sun's light in but trap some of the heat the earth radiates back out, just as the glass of a greenhouse keeps a garden warm. These are the **greenhouse gases (GHGs)**. Without them the earth's average temperature would be about -18°C , a frozen planet; with them it is a livable $+15^{\circ}\text{C}$. So the greenhouse effect is not the villain — it is what makes life possible.

B. Global warming — the blanket grown too thick

The problem is *too much* of a good thing. **Global warming** is the rise in the earth's average temperature caused by human activity thickening the greenhouse blanket. Burning fossil fuels (coal, oil, gas), cutting down forests that would have absorbed carbon dioxide, and industrial and farming emissions have pushed GHG levels far above their natural range. The blanket traps more heat, and the planet warms — this human-boosted version is called the *enhanced* greenhouse effect.

Its effects are the exam's second paragraph:

1. **Melting ice and rising seas** — glaciers and polar ice melt, sea levels rise, and low-lying coasts and islands face flooding.
2. **Extreme and erratic weather** — more intense heatwaves, droughts, floods and cyclones, and a disrupted monsoon on which Indian agriculture depends.
3. **Harm to life and food** — shifting habitats drive species toward extinction, and changing rainfall and temperature threaten crops and water supply.

The controlling instruments — the “law” part of this topic — are international: the **UN Framework Convention on Climate Change (UNFCCC), 1992** (agreed at the Rio Earth Summit), the **Kyoto Protocol, 1997** (which set *binding* cuts in GHG emissions for developed countries on the principle of common-but-differentiated responsibilities), and the **Paris Agreement, 2015** (in which nations pledged to keep warming well below 2°C). Remember: for greenhouse gases, the treaty is **Kyoto** (and later Paris).

C. Ozone depletion — the shield worn thin

Now go high up. The **ozone layer** is a band of ozone gas (O_3) in the stratosphere, roughly 15–35 km above the earth, and it does one priceless job: it absorbs most of the sun's harmful **ultraviolet (UV-B) radiation** before it reaches us. It is the planet's sunscreen.

Ozone depletion is the thinning of this shield by man-made chemicals called **ozone-depleting substances (ODS)** — chiefly **chlorofluorocarbons (CFCs)**, once used in refrigerators, air-conditioners, aerosol sprays and foam, plus halons and similar compounds. When these rise into the stratosphere, sunlight breaks them apart and releases chlorine, and a single chlorine atom can destroy thousands of ozone molecules in a chain reaction. The worst thinning appears as the **“ozone hole” over Antarctica** each spring.

Its effects flow from the lost sunscreen: more UV reaching the surface means more **skin cancer and cataracts** in humans, weakened immune systems, and damage to **crops and to the ocean plankton** at the base of the marine food chain.

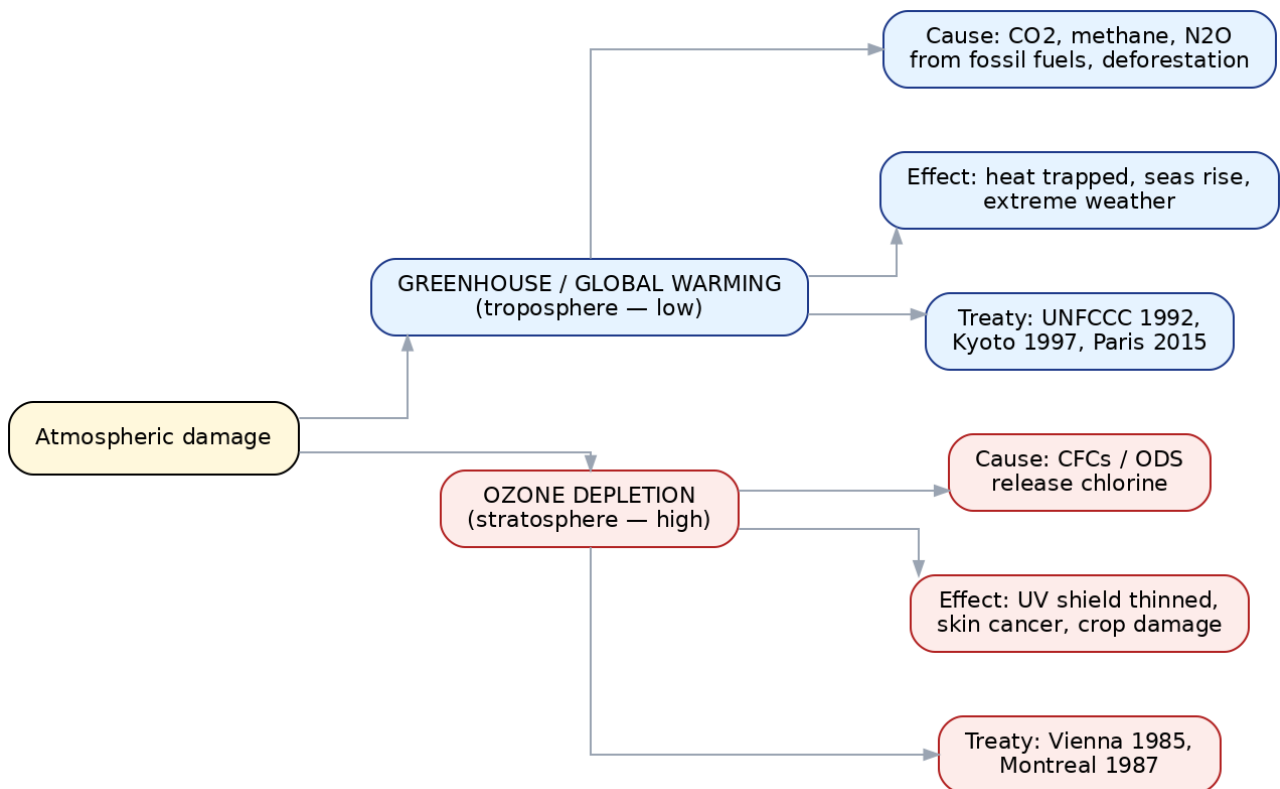
The controlling instruments here are the **Vienna Convention, 1985** and — the key one — the **Montreal Protocol, 1987**, under which nations agreed to phase out CFCs and other ODS. It worked: the ozone layer is now recovering. For ozone, the treaty is **Montreal**.

⚠ **DON'T CONFUSE — greenhouse effect vs ozone depletion**

These are two separate problems, and mixing them is the most common way to lose marks on this topic. Hold them apart on four points:

- **Layer:** greenhouse/global warming happens in the *troposphere* (low, near the ground); ozone depletion in the *stratosphere* (high up).
- **Gases:** greenhouse effect is caused by *CO₂, methane, nitrous oxide*; ozone depletion by *CFCs and other ODS*.
- **Harm:** global warming *traps heat* and warms the planet; ozone depletion *lets in UV radiation* and causes cancer.
- **Treaty:** the answer to GHGs is *Kyoto/Paris*; the answer to ODS is *Montreal*.

The Visual



Case Laws

- ***M.C. Mehta vs Union of India (1997)*** (the Taj Mahal / Taj Trapezium case) — to protect the Taj Mahal from air pollution the Supreme Court ordered polluting industries around Agra to switch to cleaner fuel or relocate; a leading Indian example of judicial control of harmful emissions.
- ***M.C. Mehta vs Union of India (1998)*** (the Vehicular Pollution case) — the Court directed Delhi's public transport to convert to CNG to cut vehicular emissions, showing the judiciary acting against air pollution that drives climate harm.
- ***Vellore Citizens Welfare Forum vs Union of India (1996)*** — confirmed that international environmental principles (including precaution and sustainable development, the basis of the climate treaties) are part of Indian law.

4. Ancient and Medieval Writings — Environmental Ethics and Kautilyan Jurisprudence

Previous Year Questions

- **[16M]** Discuss the environmental ethics in ancient India and Kautilyan jurisprudence. (Jul 2014 (100), Dec 2017 (100), Nov 2022 (100), Sep 2021 (80), Apr 2023 (80), Apr 2024 (80), Feb 2026 (80)) ★★★
- **[8M]** Write a short note on the religious and cultural heritage of environmental protection / harmony with nature in ancient India. (Jul 2014 (100), May 2022 (80), Nov 2022 (80), Oct 2023 (80), Aug 2024 (80), Jul 2025 (80)) ★★★

The Hook

Nearly 2,300 years ago, the Mauryan minister Kautilya wrote a rule that would not look out of place in a modern forest statute: whoever fells a tree must be punished, and the punishment must be *proportionate to the usefulness of that tree*. He set up a Superintendent of Forests, created sanctuaries where killing animals was forbidden, and fined poachers. India, in other words, had a working law of conservation long before the word “environment” existed — and modern courts, as in *Fomento Resorts and Hotels Ltd vs Minguel Martins* (2009), still “gallop back to the ages” to remind us of it.

Why this topic matters — and the exam trap

A quick word on strategy first, because it changes how you write. KSLU repeatedly opens a question with something easy — “What is ecosystem?” or “Define environment” — and then adds “and discuss Kautilyan jurisprudence” or “environmental ethics in ancient India”. The **marks sit on the ancient-ethics half**, not the definition. So treat the science part as a two-line lead-in and spend your time here. The story to tell has one theme: *ancient India treated harmony with nature as a religious and legal duty; the medieval period largely let that ethic slip; modern law has revived it*.

A. Environmental ethics in ancient India — the religious and cultural heritage

In ancient India, protecting nature was not policy — it was *dharma* [sacred duty/righteous conduct]. The **Vedas, Upanishads, Smritis and Puranas** treated the five great elements — Sun, Air, Fire, Water and Earth — as manifestations of the divine, so harming them was a sin, not merely a loss.

- The **Atharva Veda** contains the *Prithvi Sukta* [Hymn to the Earth], which venerates the earth as a mother to be protected.

- **Yajnas** [sacrificial fire rituals] were performed partly to purify the surrounding air.
- The **Rishis** [sages] warned against deforestation, teaching that cutting trees would bring poor rainfall — an early grasp of the link between forests and climate.
- **Sacred groves** — patches of forest dedicated to a deity — were kept untouched since times immemorial, because harming them was believed to offend the forest spirits. Rivers (the Ganga), trees (peepal, tulsi) and animals (the cow, the snake, the monkey) were worshipped and so preserved.

This is the “religious and cultural heritage” the short-note question asks for: conservation achieved through reverence.

B. Kautilyan jurisprudence — the Arthashastra

The high-value half of the essay is **Kautilya’s Arthashastra** (c. 300 BCE), the Mauryan treatise on statecraft, which turned the ancient ethic into *administered law*. Kautilya envisaged the **systematic management of forests** by the State, with these concrete measures:

1. **A Superintendent of Forests** (*Kupyadhyaksha*) — a State officer charged with protecting and managing forest produce.
2. **Graded punishment for felling trees** — the fine varied with the *utility of the tree*; the more valuable the tree, the heavier the penalty. (This is the detail every good answer names.)
3. **Protected forests and sanctuaries** (*abhayaranya*) — areas where the killing of animals was prohibited, an ancestor of today’s wildlife sanctuaries.
4. **Fines for harming wildlife** — penalties for killing or injuring animals, and controls on hunting.

Because the Arthashastra backs the conservation ethic with State officers, offences and graded fines, it is treated as the fountainhead of India’s environmental *jurisprudence* — the point where reverence became regulation.

C. Ashoka’s edicts and the Smritis

Two more sources round out the “ancient” answer:

- **Ashoka’s edicts** (3rd century BCE) — the Mauryan emperor’s Pillar Edict V listed animals, birds and fish that were not to be killed, restricted the burning of forests, and recorded the planting of trees and medicinal herbs and the digging of wells along the roads.
- **The Smritis** — texts such as the *Manusmriti* and *Yajnavalkya Smriti* prescribed punishments for cutting trees and damaging plants, embedding conservation in the personal law of the day.

D. The medieval period

Be honest about the medieval (largely Mughal) period, because a balanced answer scores. The strong conservation *ethic* of ancient India **weakened**. The Mughal rulers were great

lovers of nature in an *aesthetic* sense — they laid out magnificent gardens (the *charbagh* or four-fold garden), and emperors like Jahangir recorded careful observations of plants and animals. But nature was now valued largely for **pleasure and beauty**, not systematic conservation: hunting (*shikar*) was a royal sport, and forests were generally left unprotected except as royal hunting reserves. So the medieval writings show reverence for nature's beauty but a retreat from the ancient culture of *protection*.

The through-line for the exam: an ancient culture of conservation (ethics + Kautilyan law) → a medieval dilution → a modern revival in the Constitution, statutes and judge-made doctrines you meet in Units 2 to 5.

◆ WORKED EXAMPLE — placing a conservation measure in its source

Facts. An exam question describes four ideas and asks which ancient Indian source each comes from: (i) worshipping rivers and sacred groves; (ii) a State officer who manages forests and fines tree-felling by the tree's value; (iii) an emperor's list of birds and animals that must not be killed; (iv) grand pleasure-gardens with royal hunting.

Rule. Ancient environmental thought runs Vedas/Puranas (reverence) → Arthashastra (administered forest law) → Ashoka's edicts (imperial protection of species); the medieval Mughal period valued nature aesthetically, not for conservation.

Apply. (i) is the *Vedic/religious heritage* (sacred groves); (ii) is *Kautilya's Arthashastra* (the Superintendent of Forests and graded fines); (iii) is *Ashoka's Pillar Edict V*; (iv) is the *medieval Mughal* attitude.

Conclusion. Sorting the measures by source is exactly what the essay tests — and it shows the examiner you can trace conservation from reverence, to administered law, to imperial edict, to medieval decline.

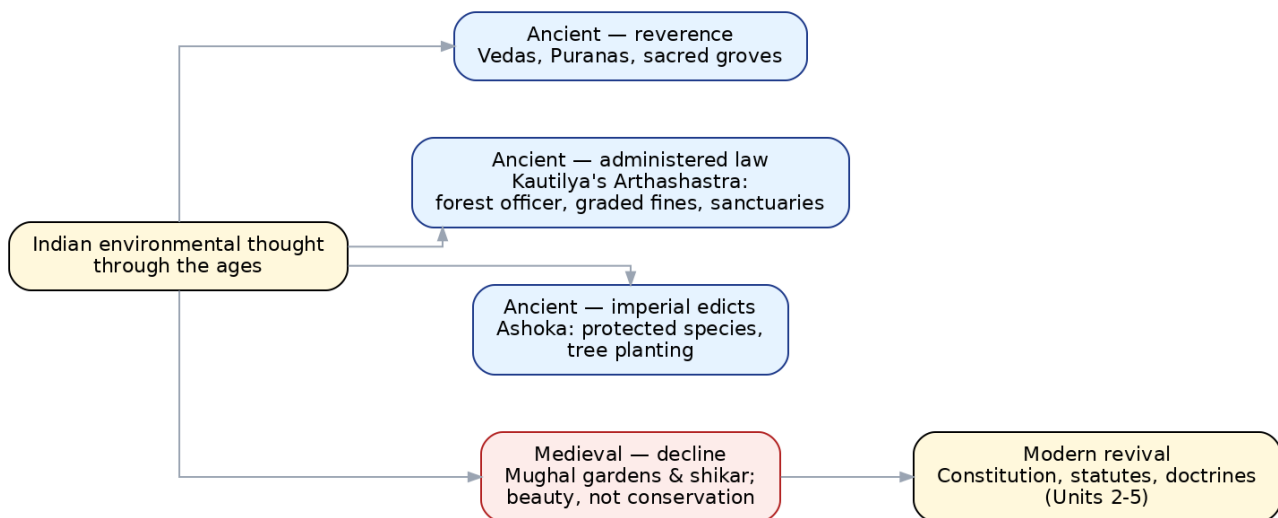
The Quote

Supreme Court in *Fomento Resorts and Hotels Ltd vs Minguel Martins*

(2009): "*Sages and Saints of India lived in forests. Their preaching contained in Vedas, Upanishads, and Smritis etc. are ample evidence of the society's respect for plants, trees, earth, sky, air, water and every form of life. It was regarded as a sacred duty of every one to protect them.*"

In Simple Terms: Even today's Supreme Court points back to ancient India to show that protecting nature was treated as a sacred duty of every person. The modern law did not invent environmental protection — it revived an ethic that is thousands of years old.

The Visual



Case Laws

- **Fomento Resorts and Hotels Ltd vs Minguel Martins (2009)** — the Supreme Court invoked the Vedas, Upanishads and Smritis to hold that respect for nature is an ancient Indian value and part of the public trust the State owes over natural resources.
- **Rural Litigation and Entitlement Kendra vs State of Uttar Pradesh (1985)** — often cited alongside this theme; the Court recalled the ancient duty to preserve forests and ecological balance when ordering polluting limestone quarries closed.

5. Environmental Jurisprudence

Previous Year Questions

- **[8M]** Write a short note on environmental jurisprudence. (Feb 2026 (80)) ★

This theme is also engaged by the Kautilyan-jurisprudence essays mapped at Topic 4 — the two are often examined together.

The Hook

Ask two judges the same question — “may the State lease a public riverbank to a private resort?” — and the answer depends on a hidden belief. If a judge thinks nature exists *for people to use*, he may allow it. If he thinks the river has a worth of its own, held in trust for everyone including the unborn, he will strike the lease down. That hidden belief — the *philosophy* behind the decision — is what “environmental jurisprudence” studies.

What is environmental jurisprudence?

Start with the plain meaning of the word. **Jurisprudence** is simply *the theory or philosophy of law* — the ideas that tell us *why* we make a law and *how far* its duty should run. So **environmental jurisprudence** is the body of thought behind green law: the principles, values and reasoning the courts and legislature draw on when they decide how, and how much, to protect nature.

At its heart lies one question, and every good answer states it:

- **Anthropocentric** [human-centred] view — nature has value *only because it is useful to human beings*. We protect forests and rivers because *we* need them. Man is at the centre; nature is a resource.
- **Eco-centric** (or **biocentric**) [nature-centred / life-centred] view — nature has an *intrinsic worth of its own*, independent of its usefulness to us. A species or a river deserves protection for its own sake, not merely as a resource.

Indian environmental jurisprudence began, like most systems, as anthropocentric, but the Supreme Court has increasingly **shifted toward eco-centrism** — treating the protection of nature as a value in itself, not just a service to humans.

A. The three layers Indian environmental jurisprudence rests on

For a short note, show where the philosophy comes from — it is a stack of three layers, each feeding the next:

1. **Ancient ethics (the foundation).** The dharma-based reverence for nature and Kautilya's administered forest law (Topic 4) — conservation as sacred and legal duty.
2. **The constitutional mandate (the backbone).** The Constitution converts that ethic into binding text: **Article 21** (the right to life, read to include a clean and healthy environment), **Article 48A** (a Directive Principle directing the State to protect and improve the environment), and **Article 51A(g)** (a Fundamental Duty of every citizen to protect the natural environment). You study these fully in Unit 2.
3. **Judge-made doctrines (the working tools).** On this base the Supreme Court built the five doctrines — the *public trust* doctrine, *sustainable development*, *polluter pays*, the *precautionary principle*, and *absolute liability* — plus *inter-generational equity*. These are how the philosophy actually decides cases.

The **National Environmental Policy, 2006** (Topic 6) then writes this philosophy down as official policy — the bridge between the old ethics and the current law.

B. India's shift to eco-centrism

The modern direction of Indian environmental jurisprudence is worth one crisp line: the courts have moved from asking “how does protecting nature help humans?” to accepting that nature must be protected *for itself*. In *T.N. Godavarman Thirumulpad vs Union of India* (2012) the Supreme Court expressly endorsed the eco-centric approach; in the *Centre for Environmental Law, WWF-I vs Union of India* (2013) it applied a “species best interest”

standard to protect the Asiatic lion. That shift is the single most important development to name.

◆ WORKED EXAMPLE — spotting the philosophy behind a ruling

Facts. A court forbids diverting a wildlife corridor for a highway, reasoning that the endangered species living there “have a right to exist regardless of their usefulness to man”.

Rule. A decision is *anthropocentric* if it protects nature for human benefit, and *eco-centric* if it protects nature for its own intrinsic worth.

Apply. The court did not weigh the animals’ usefulness to people; it protected them for their own sake. That reasoning is **eco-centric**, the approach the Supreme Court endorsed in *T.N. Godavarman (2012)*.

Conclusion. Naming the philosophy — anthropocentric or eco-centric — is exactly what an environmental-jurisprudence answer must do; here it is a textbook example of India’s eco-centric turn.

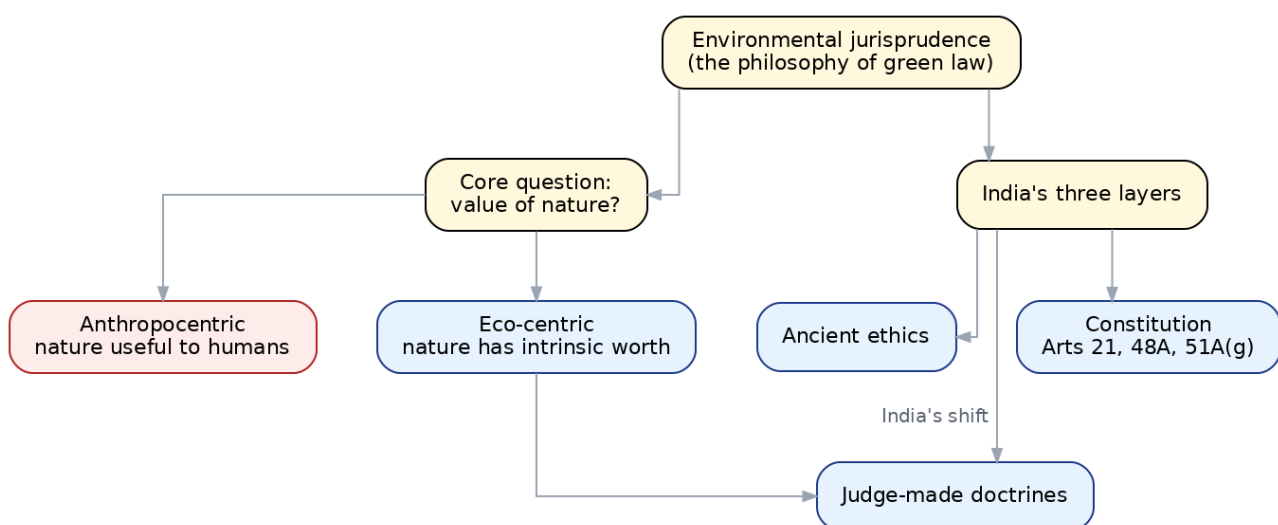
The Quote

Supreme Court in *T.N. Godavarman Thirumulpad vs Union of India (2012)*

(close paraphrase): *environmental justice can be achieved only if we shift away from the anthropocentric principle to an eco-centric one; anthropocentrism places humans at the centre, while eco-centrism treats nature as having intrinsic value.*

In Simple Terms: The Court is saying that protecting the environment properly means treating nature as valuable in itself — not merely as something useful to human beings. That change of philosophy is the core of modern Indian environmental jurisprudence.

The Visual



Case Laws

- **T.N. Godavarman Thirumulpad vs Union of India (2012)** — the Supreme Court endorsed the eco-centric approach, holding that nature has intrinsic value and is not merely a resource for human use.
- **Centre for Environmental Law, WWF-I vs Union of India (2013)** — applied the “species best interest” standard (ordering steps to protect the Asiatic lion), an eco-centric reading of environmental duty.
- **Subhash Kumar vs State of Bihar (1991)** — anchored environmental jurisprudence in Article 21 by recognising the right to a pollution-free environment as part of the right to life.

6. National Environmental Policy, 2006

Previous Year Questions

- **[16M]** Explain the National Environmental Policy, 2006 — its objectives and principles. (Aug 2024 (100)) ★
- **[8M]** Write a short note on the National Environmental Policy, 2006. (May 2022 (80), Apr 2023 (80), Apr 2024 (80), Feb 2025 (80)) ★★

The Hook

By 2006 India had a stack of separate environmental statements — a forest policy, a pollution-abatement policy, a conservation strategy — each pulling in its own direction. The Government’s answer was to write one master statement of principle that all of them would answer to: the National Environment Policy, 2006. Think of it not as another rule to obey, but as the *rulebook’s preface* — the values the Constitution’s Articles 48A and 51A(g) are meant to serve, set down in one place.

What is the National Environmental Policy, 2006?

The **National Environment Policy (NEP), 2006** is the Government of India’s official statement of the guiding principles for environmental protection, adopted by the (then) Ministry of Environment and Forests. It consolidates the earlier scattered policies and provides a common framework to guide future laws, programmes, regulatory reform and court and administrative decisions.

The single most important point — and the exam trap — is its **legal status**: the NEP is a **policy document, not a binding statute**. It does not, by itself, create offences or enforceable rights the way the EPA or the Water Act does. It is a statement of intent and principle. Its influence is real (courts cite it, statutes are shaped by it), but you must never call it an “Act” or say anyone can be punished “under the NEP”.

Its guiding theme is practical: because the poor depend most directly on natural resources, the surest way to *conserve* a resource is to make sure the people who live off it gain **more from conserving it than from destroying it**. Conservation and livelihood are treated as partners, not rivals.

A. The objectives of the NEP 2006

The Policy sets out its main objectives — learn them as a list:

1. **Conservation of critical environmental resources** — protecting the resources (forests, water, biodiversity) essential to life and livelihoods.
2. **Intra-generational equity — livelihood security for the poor** — ensuring the present poor, who depend on environmental resources, are not deprived.
3. **Inter-generational equity** — conserving resources so future generations inherit them (the seed of the “sustainable development” idea in Unit 3).
4. **Integration of environmental concerns** in economic and social development — making development plans account for their environmental cost.
5. **Efficiency in environmental resource use** — getting more benefit from fewer resources and less waste.
6. **Environmental governance** — sound, transparent, accountable and decentralised management.
7. **Enhancement of resources for environmental conservation** — mobilising finance, technology and human resources for the environment.

B. The principles of the NEP 2006

The Policy also declares the principles that guide it. You do not need all fourteen; name these key ones with a phrase each:

1. **Human beings at the centre of sustainable development** — entitled to a healthy and productive life in harmony with nature.
2. **The right to development** — development is legitimate, but must be environmentally sound.
3. **Environmental protection as an integral part of development** — not an afterthought bolted on later.
4. **The precautionary approach** — where there is a threat of serious harm, lack of full scientific certainty is no reason to postpone protective measures.
5. **Economic efficiency, including polluter pays** — the polluter should bear the cost of the pollution and its clean-up; resources should be used cost-effectively.
6. **Equity** — both intra-generational (among people today) and inter-generational (toward the future).
7. **Public trust doctrine** — the State holds natural resources in trust for the people and cannot hand them over for private exploitation.

8. **Decentralisation, integration and preventive action**, plus legal liability (fault-based and no-fault/strict), round out the list.

Notice that the doctrines you meet later — precaution, polluter pays, public trust, sustainable development — are all *written into* the NEP. That is why it is called the policy backbone: the statutes and the judge-made doctrines put these very principles into force.

◆ **WORKED EXAMPLE — reading a dispute through the NEP’s principles**

Facts. A company wants to set up a plant near a river. It argues the environmental risk is “not yet scientifically proven”, and offers to pay any damage *after* it occurs.

Rule. The NEP 2006 declares the precautionary approach (act despite scientific uncertainty) and the polluter-pays / preventive-action principles (prevent harm; the polluter bears its cost).

Apply. The “not yet proven” argument is answered by the **precautionary approach** — uncertainty is no excuse to delay safeguards. The “pay later” offer is answered by **preventive action** — the aim is to *avoid* the harm, and polluter-pays covers restoration, not a licence to pollute.

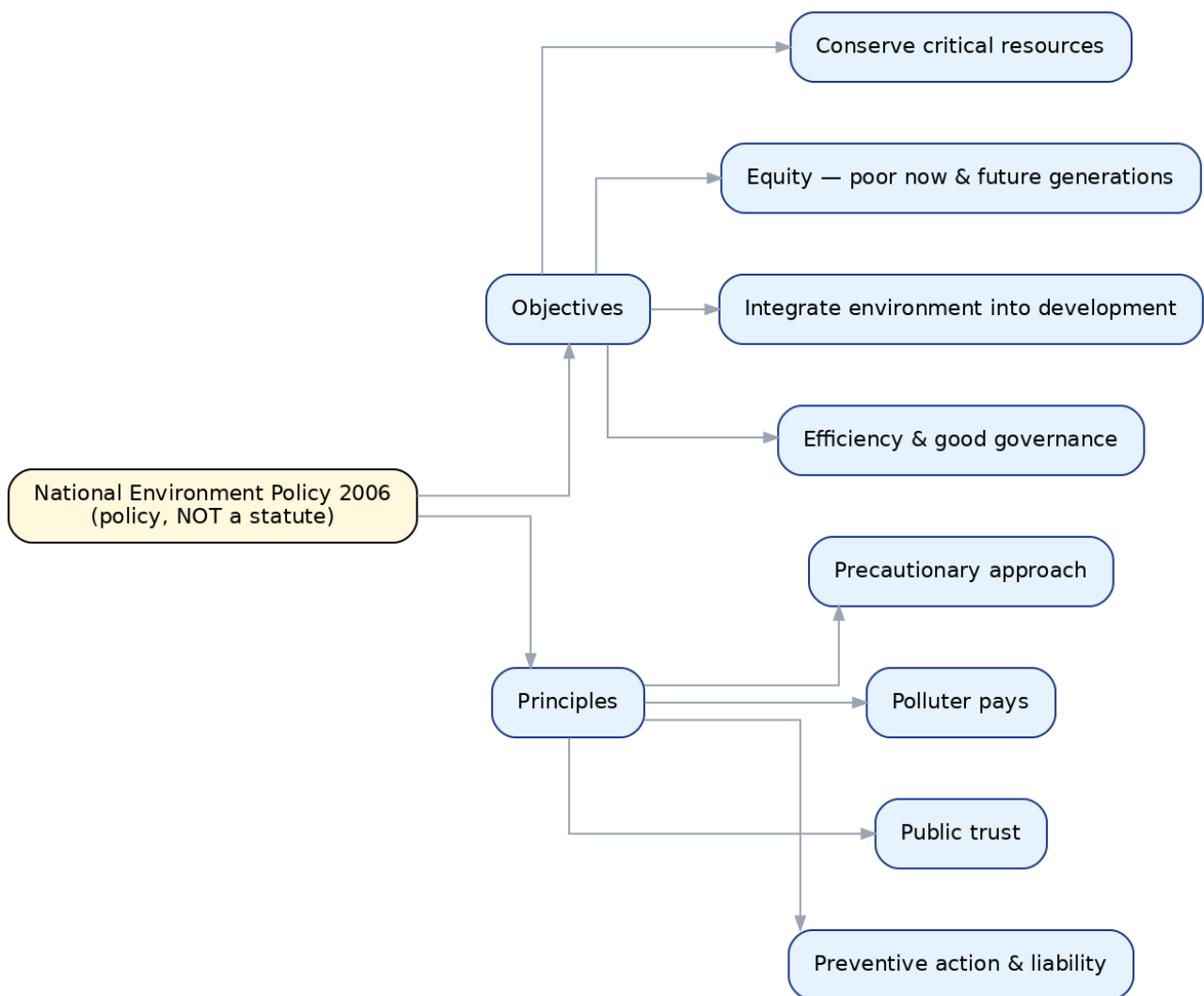
Conclusion. The NEP’s own principles defeat both arguments — showing how a policy that binds no one directly still shapes the outcome by supplying the values the courts and regulators apply.

The Quote

National Environment Policy, 2006 (close paraphrase of its dominant theme): *while conservation of environmental resources is necessary to secure livelihoods and the well-being of all, the most secure basis for conservation is to ensure that the people dependent on particular resources obtain better livelihoods from conserving them than from degrading them.*

In Simple Terms: The NEP’s core idea is that you protect nature best by making conservation pay for the people who live off it. If saving the forest feeds the villager better than cutting it down, the forest survives.

The Visual



Case Laws

- **Vellore Citizens Welfare Forum vs Union of India (1996)** — though decided before the 2006 Policy, it established the precautionary principle and polluter-pays as part of Indian law; the NEP 2006 later restated these as national policy.
- **Lafarge Umiam Mining Pvt. Ltd. vs Union of India (2011)** — the Supreme Court referred to the National Environment Policy 2006 while laying down principles for environmental clearance, showing how the policy guides regulatory decisions.

7. Biodiversity

Previous Year Questions

- **[8M]** Write a short note on biodiversity. (Dec 2015 (100), Jul 2019 (100), Jul 2025 (100)) ★★

The Hook

India makes up about 2.4% of the world's land area but is home to nearly 8% of all recorded species — tigers, elephants, one-horned rhinos, thousands of flowering plants found nowhere else. That richness is not luck; it is *biodiversity*, and losing it is the one environmental harm that can never be undone. A polluted river can be cleaned; an extinct species is gone forever.

What is biodiversity?

Biodiversity (short for **biological diversity**) means *the variety of all life on earth* — the full range of living organisms, the differences among them, and the ecosystems they form. It is easiest to understand at **three levels**, and naming these three levels is the heart of the short-note answer:

1. **Genetic diversity** — the variation *within a single species*. All tigers are tigers, but no two are genetically identical; this variety is what lets a species adapt and survive disease and change. (Think of the many varieties of rice or mango.)
2. **Species diversity** — the variety of *different species* in a given area — how many kinds of plants, animals and microbes live in a forest or a pond.
3. **Ecosystem diversity** — the variety of *habitats and ecosystems* in a region — forests, wetlands, grasslands, deserts, coral reefs — each supporting its own community of life.

Why its loss matters. Biodiversity is the engine of the ecosystem services from Topic 1 — pollination, clean water, fertile soil, medicines, food. Greater variety also makes ecosystems *resilient*: a diverse system recovers from shocks that would destroy a uniform one. And unlike most pollution, extinction is **irreversible**. Its chief threats are habitat destruction, pollution, over-exploitation (poaching, over-fishing), invasive species and climate change.

The legal framework. Globally, the **Convention on Biological Diversity (CBD), 1992** (signed at the Rio Earth Summit) commits nations to conserve biodiversity, use it sustainably, and share its benefits fairly. India gave effect to it through the **Biological Diversity Act, 2002**, which set up the **National Biodiversity Authority**, State Biodiversity Boards and local Biodiversity Management Committees. India is officially recognised as a “megadiverse” country, with global biodiversity hotspots such as the **Western Ghats** and the **Eastern Himalayas**.

Section 2(b), Biological Diversity Act, 2002: “‘biological diversity’ means the variability among living organisms from all sources and the ecosystems and ecological complexes of which they are part and includes diversity within species or between species and of eco-systems.”

In Simple Terms: Biodiversity is the sheer variety of life — different genes, different species, and different habitats. The law protects it because that variety keeps nature working and, once a species is lost, no statute can bring it back.

◆ WORKED EXAMPLE — spotting the three levels

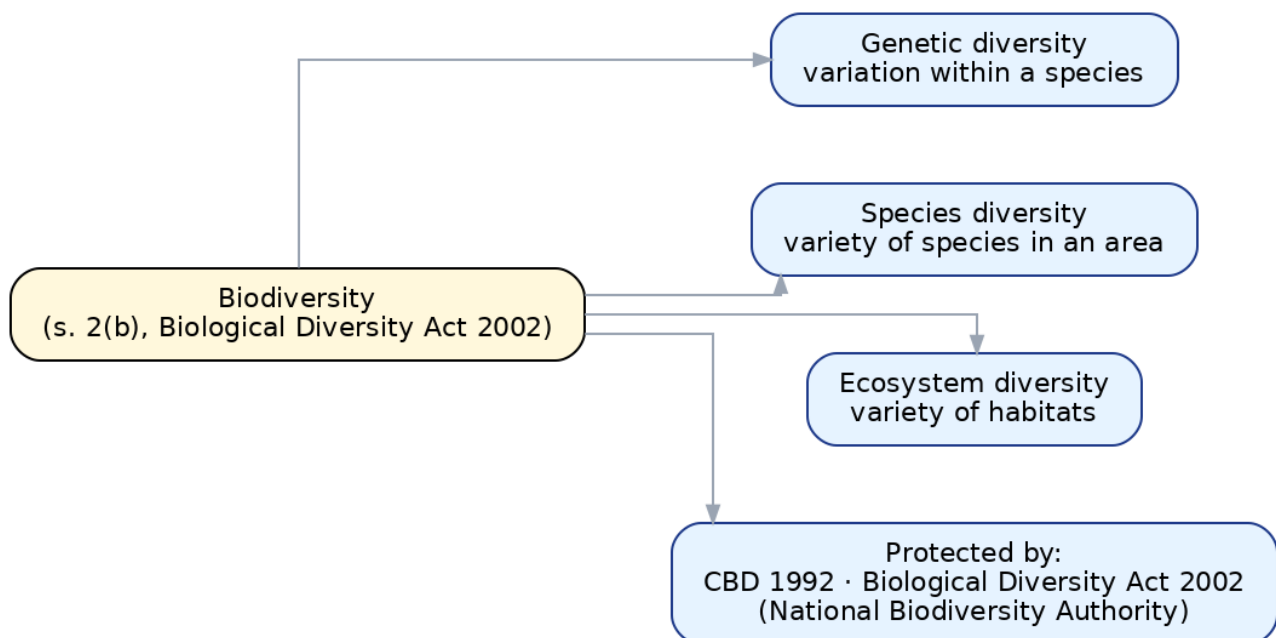
Facts. A single mangrove forest shelters forty species of fish, several distinct genetic strains of one crab, and grades from open water into salt-marsh and dry scrub.

Rule. Biodiversity operates at three levels — genetic (within a species), species (variety of species) and ecosystem (variety of habitats).

Apply. The distinct crab strains are *genetic* diversity; the forty fish species are *species* diversity; the shift from water to marsh to scrub is *ecosystem* diversity.

Conclusion. One forest displays all three levels at once — which is why draining it destroys far more than “some fish”: it wipes out variety at every level.

The Visual



Case Laws

- **Centre for Environmental Law, WWF-I vs Union of India (2013)** — the Supreme Court, applying an eco-centric approach, directed measures to protect an endangered species (the Asiatic lion), underlining the State’s duty to conserve biodiversity.

- **T.N. Godavarman Thirumulpad vs Union of India (2012)** — recognised that protecting forests and the species within them is essential to conserving India's biodiversity.

8. Wetlands

Previous Year Questions

- **[8M]** Write a short note on wetlands. (Dec 2019 (100), Apr 2024 (100)) ★

The Hook

When a city floods, people blame the rain. Often the real culprit is a wetland that was quietly filled in for a shopping mall — because a wetland is nature's own sponge and drain. Ecologists call wetlands the "kidneys of the landscape": like kidneys, they filter and cleanse water, and like kidneys, you do not notice their work until they are gone.

What is a wetland?

A **wetland** is an area of land that is *saturated or covered with water*, either permanently or seasonally — the transition zone between dry land and open water. Marshes, swamps, mangroves, lakes, ponds, lagoons, estuaries and floodplains are all wetlands. The classic legal definition is from the Ramsar Convention.

Article 1.1, Ramsar Convention on Wetlands, 1971: *"wetlands are areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres."*

In Simple Terms: A wetland is anywhere land and water meet and mix — soggy ground, a marsh, a shallow lake, a mangrove coast. It need not be natural or permanent; even a seasonal marsh or a man-made pond counts.

Why wetlands matter — their functions. Give three or four in the note:

1. **Flood control** — they absorb and slow flood waters like a sponge.
2. **Groundwater recharge and water supply** — they let water seep down to refill aquifers and wells.
3. **Water purification** — they trap sediment and filter out pollutants, cleaning the water that passes through.
4. **Habitat and biodiversity** — they are among the richest ecosystems on earth, home to fish, migratory birds and countless plants; they also support fishing livelihoods and store carbon.

The legal framework. Wetlands are protected internationally by the **Ramsar Convention, 1971** (the Convention on Wetlands of International Importance, signed at Ramsar, Iran), under which countries designate important wetlands as “**Ramsar sites**”. India joined in 1982 and has designated many sites — for example **Chilika Lake** (Odisha), **Keoladeo National Park** (Bharatpur, Rajasthan), **Loktak Lake** (Manipur) and **Wular Lake** (Jammu & Kashmir). Domestically, India protects them through the **Wetlands (Conservation and Management) Rules, 2017** (which replaced the 2010 Rules), restricting activities that damage notified wetlands. Their main threats are drainage, encroachment for construction, and pollution.

◆ **WORKED EXAMPLE — the cost of filling a wetland**

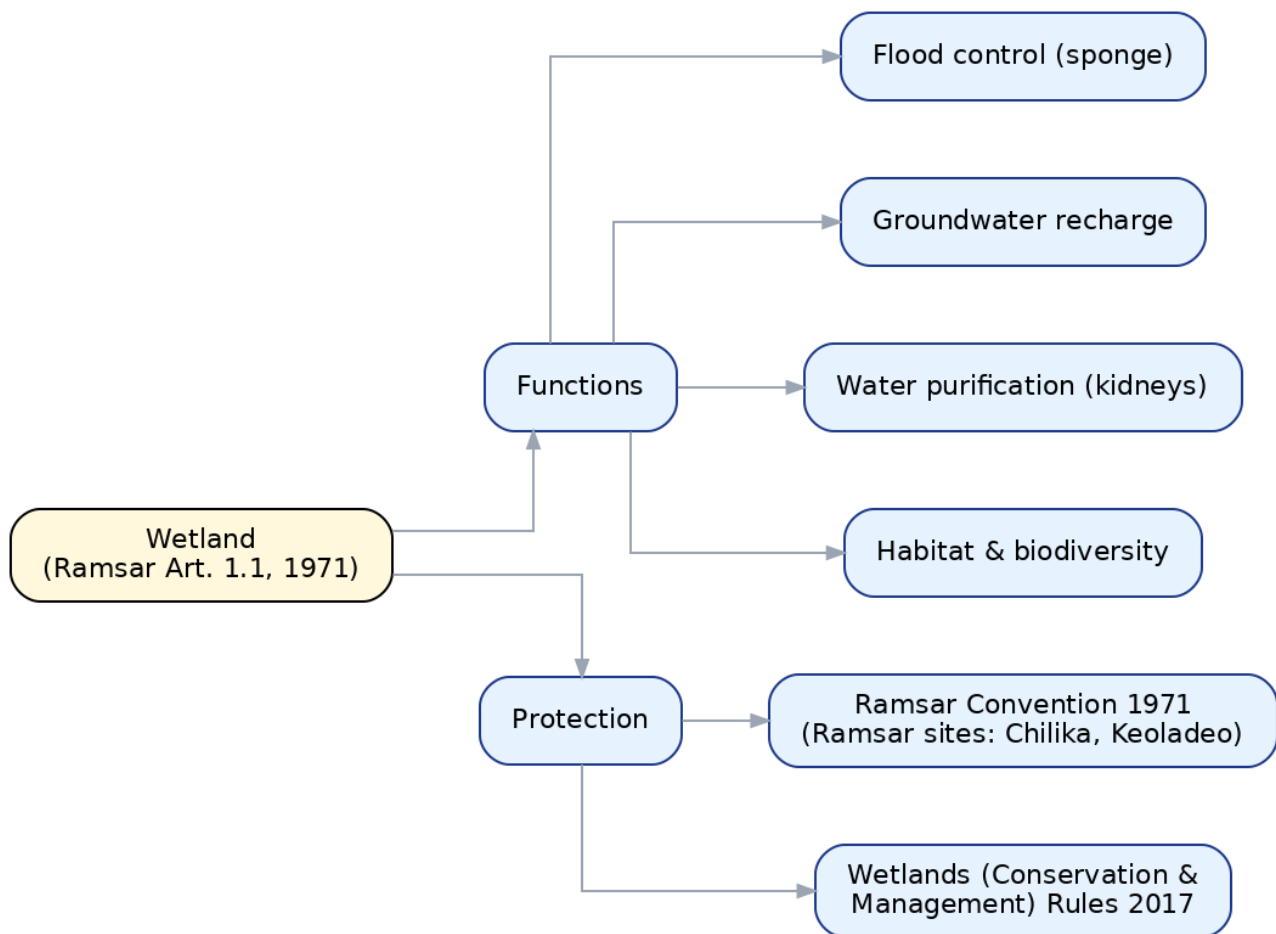
Facts. A developer fills a shallow lake — a designated Ramsar site that recharged the city’s wells and hosted migratory birds — to build apartments.

Rule. A wetland (Ramsar Art. 1.1) performs flood control, groundwater recharge, water purification and biodiversity functions; notified wetlands are protected under the Wetlands (Conservation and Management) Rules, 2017.

Apply. Filling it removes flood control (the city now floods), groundwater recharge (wells run dry) and habitat (the birds leave); and because it is a notified Ramsar site, filling it breaches the 2017 Rules.

Conclusion. The “empty” lake was doing several irreplaceable jobs at once, and the law protects it precisely so a single construction project cannot destroy them all.

The Visual



Case Laws

- **M.K. Balakrishnan vs Union of India (2017)** — a public interest litigation in which the Supreme Court directed the Central and State Governments to identify and protect wetlands and enforce the Wetlands Rules.
- **M.C. Mehta vs Kamal Nath (1997)** — applied the public trust doctrine to protect a river and its ecosystem from private diversion; the same principle protects lakes and wetlands as public natural resources.

Quick Revision & Case Law Table

One-line memory hooks

- **Environment:** everything around us — air, water, land, life and man-made surroundings — inter-related as one system (EPA s. 2(a), inclusive definition); an *ecosystem* is a self-supporting unit whose free benefits are *ecosystem services* (provisioning, regulating, cultural, supporting).

- **Pollution:** any harmful change to the environment — the wrong substance in the wrong concentration; classify by *medium* (air, water, soil, noise) and trace to the *three engines* (industrialisation, urbanisation, population growth) → kinds → effects.
- **Greenhouse / global warming / ozone:** greenhouse effect = heat trapped *low* (troposphere) by CO₂/methane, cured by *Kyoto/Paris*; ozone depletion = UV shield thinned *high* (stratosphere) by *CFCs*, cured by *Montreal*. Do not mix them.
- **Ancient & medieval writings:** ancient India = reverence (Vedas, sacred groves) + administered law (Kautilya's Arthashastra — forest officer, graded tree-felling fines, sanctuaries) + Ashoka's edicts; medieval Mughal era = aesthetic gardens and shikar, conservation ethic declined.
- **Environmental jurisprudence:** the philosophy of green law — *anthropocentric* (nature useful to man) vs *eco-centric* (nature has intrinsic worth); India has shifted to eco-centrism (*Godavarman*, 2012); rests on ancient ethics → Constitution → judge-made doctrines.
- **National Environmental Policy 2006:** a *policy, not a statute*; objectives = conservation, equity, integration, efficiency, governance; principles = precaution, polluter-pays, public trust, preventive action.
- **Biodiversity:** the variety of life at three levels — *genetic, species, ecosystem*; loss is irreversible; protected by CBD 1992 and the Biological Diversity Act 2002.
- **Wetlands:** the “kidneys of the landscape” (Ramsar 1971) — flood control, groundwater recharge, purification, habitat; protected as Ramsar sites and under the Wetlands Rules 2017.

Master Case List for Unit 1

Case	Topic	One-line ratio
K.M. Chinnappa vs Union of India (2002)	Environment — meaning	The statutory definition of “environment” is wide and inclusive, covering the inter-relationship of all natural elements and life.
T. Damodhar Rao vs Special Officer, Municipal Corporation of Hyderabad (1987)	Environment — meaning	Protection of the environment is part of the right to life under Article 21; reserved parkland cannot be built over.
Rural Litigation and Entitlement Kendra vs State of Uttar Pradesh (1985)	Environment; ancient ethics	India's first major environmental case; ecological balance outweighs private mining gain — polluting limestone quarries closed.

Case	Topic	One-line ratio
M.C. Mehta vs Union of India (1987) — Oleum Gas Leak	Pollution	Hazardous industry is absolutely liable for the harm its pollution causes; a landmark on industrial pollution.
Vellore Citizens Welfare Forum vs Union of India (1996)	Pollution; NEP; global warming	Applied the precautionary principle and polluter-pays to industrial pollution; international environmental principles are part of Indian law.
Subhash Kumar vs State of Bihar (1991)	Pollution; jurisprudence	The right to life under Article 21 includes the right to pollution-free water and air.
M.C. Mehta vs Union of India (1997) — Taj Trapezium	Global warming / air pollution	Polluting industries around the Taj Mahal ordered to switch to clean fuel or relocate.
M.C. Mehta vs Union of India (1998) — Vehicular Pollution	Global warming / air pollution	Delhi's public transport directed to convert to CNG to cut vehicular emissions.
Fomento Resorts and Hotels Ltd vs Minguel Martins (2009)	Ancient & medieval writings	The Court invoked the Vedas, Upanishads and Smritis to affirm that respect for nature is an ancient Indian value and part of the public trust.
T.N. Godavarman Thirumulpad vs Union of India (2012)	Environmental jurisprudence; biodiversity	Endorsed the eco-centric approach — nature has intrinsic value, not merely use-value for humans.
Centre for Environmental Law, WWF-I vs Union of India (2013)	Environmental jurisprudence; biodiversity	Applied the “species best interest” standard to protect the Asiatic lion — an eco-centric reading of environmental duty.
Lafarge Umiyam Mining Pvt. Ltd. vs Union of India (2011)	National Environmental Policy 2006	Referred to the NEP 2006 in laying down principles for environmental clearance.

Case	Topic	One-line ratio
M.K. Balakrishnan vs Union of India (2017)	Wetlands	Directed governments to identify and protect wetlands and enforce the Wetlands Rules.
M.C. Mehta vs Kamal Nath (1997)	Wetlands	Applied the public trust doctrine to protect a river ecosystem from private diversion; the same principle protects lakes and wetlands.

End of Unit 1.



Environmental Law

*KSLU LL.B. — Model Answers: Essays, Short Notes & Problems (All
Five Units) · 100-mark pattern*

KSLU LL.B. Question Bank

Medha-Academy

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Notes Version: **v1.0**

August 2026

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Read this first, then go to your unit. This companion to the study notes gives you a full, exam-ready **model answer** to every 16M essay, every 8-mark Q8 short note, and every fact-pattern problem asked in past KSLU Environmental Law papers — grouped by unit and topic in the same order as the notes. Sub-8-mark short notes (5M / 6M) are answered in the notes bundle, not here.

Built for the 100-mark paper. KSLU sets an **80-mark** and a **100-mark** paper; this bank is the **100-mark** edition ([Question_Bank_100_ENV.pdf](#)), which most students sit. Its essays and short notes are the 100-mark questions, but its **problems cover every fact-pattern from both patterns** — problems repeat, so none is left out. Sitting the 80-mark paper? An 80-mark edition can be generated on request.

How to Use This Question Bank

What this is. A rehearsal book. The study notes teach the concept; this bank shows you how to *write the marks* — a complete answer in the exact shape an examiner rewards.

The 3-step drill. (1) Read the question and try a 2-minute plan from memory.

1. Read the model answer; note the structure, the cases, the verdict. (3) For problems, re-do the IRAC in your own words under time.

Priorities. The ★ rating shows how often a question repeats — ★★★ (5+ times) is a near-certainty; do these first. The Priority Index below lists them ranked.

House rules that win marks. Lead with a definition + roadmap; name the case **and** the year; cite the exact section (Water Act s. 24/25, Air Act s. 2(a), EPA ss. 3/5/7/15, WLPA ss. 9/11/39–49, FCA s. 2, Noise Rules 2000); for problems use the four IRAC headings and always give a **definite verdict**; and expose and defeat the planted decoy — that is where the marks sit.

Exam Pattern & Mark Weights

100-mark paper: Q9 = 20 marks (two application problems × 10); Q1–Q8 = 16 marks each; the candidate answers **Q9 (compulsory) + any five** of Q1–Q8. Always attempt the Q9 problems first. Q8 is typically the short-note question.

Mark slot	What it is	How many	Where it's drilled
16M	Long essay	Answer any 5 of Q1–Q8	Section A of each unit
8M	Q8 short note	Part of the Q1–Q8 set	Section B of each unit
Problems (Q9)	Fact-pattern, IRAC — two × 10	Compulsory	Section C of each unit

Priority Index — Questions by Frequency

Rank	Question (short)	Type	Times asked	Unit
1	Pollution Control Boards — constitution, powers & functions	16M	★★★★ (13+)	4
2	Environment (Protection) Act 1986 — features & Central Govt powers	16M	★★★★ (14+)	5
3	Rio Earth Summit 1992 & Agenda 21	16M	★★★★ (11)	3
4	Noise pollution — laws & judiciary/PIL	16M	★★★★ (9)	4
5	Wildlife (Protection) Act 1972 — salient features/measures	16M	★★★★ (8+)	4
6	Criminal law & environment — s. 133 CrPC / s. 268 IPC	16M	★★★★ (12)	3
7	Forest (Conservation) Act 1980 — features + judicial response	16M	★★★★ (13)	4
8	Sustainable development — meaning, principles, courts	16M	★★★★ (10)	3
9	Common-law remedies — nuisance, negligence, strict liability	16M	★★★★ (9)	3
10	Stockholm Declaration 1972 & its impact on India	16M	★★★★ (9)	3

Rank	Question (short)	Type	Times asked	Unit
11	Bio-Medical Waste Rules 1998 — safe-disposal procedure	16M	★★★★ (13)	5
12	Absolute liability & the Bhopal case	16M / 8M	★★★★ (6)	2
13	Environmental Impact Assessment — two models	8M	★★★★ (12)	5
14	ECO-Mark scheme	8M	★★★★ (8)	5
15	Unauthorised electric fence kills elephant — WLPA liability	Prob	★★★★ (6)	4
16	Anticipated (<i>quia timet</i>) nuisance — baking-oven injunction	Prob	★★★★ (5)	3
17	Tanneries pollute a river — remedy under criminal law	Prob	★★★★ (4)	3
18	Coastal shrimp aquaculture — CRZ remedies	Prob	★★★★ (4)	5

Year Index — Questions by Paper

Session (paper)	Essays asked	Short notes asked	Problems asked
Jul 2018 (100)	Q3.2, Q3.7, Q4.4, Q4.8, Q5.3	S5.3	P3.4, P4.4
Sep 2021 (100)	Q3.1, Q3.6, Q4.2, Q4.3, Q4.5, Q5.3	—	P2.2, P2.9
May 2022 (100)	Q3.3, Q5.1	S4.3	P3.6, P4.3
Apr 2024 (100)	Q4.3, Q4.7, Q5.2	S5.1	P4.2
Feb 2025 (100)	Q3.2, Q3.7, Q4.1	S5.3	P3.7, P4.3
Jul 2025 (100)	Q3.4, Q3.7, Q4.3	S5.1	P4.1, P5.1
Feb 2026 (100)	Q3.1, Q4.3, Q4.7	S5.3	P4.2, P4.3

This bank is built for the 100-mark paper. Its essays (§A) and short notes (§B) are the long questions asked on a 100-mark KSLU Environmental Law sitting; its problems (§C) cover every fact-pattern problem from both the 80- and 100-mark papers, because problems recur across sittings and are the easiest marks to lose. Every unit, in the notes' topic order. Section B answers the 8-mark Q8 short notes (100-mark paper); the 80-mark 10-mark essays are NOT repeated here (§A covers those topics), and sub-8-mark notes (5M / 6M) live in the study-notes bundle.

UNIT 1 — The Idea of Environment

A. Essay Questions (16M) — Model Answers

Q1.1 — [16M] Define “environment”. Explain its meaning and components.

Asked: Dec 2014 (100), Oct 2023 (80), Aug 2024 (80) · Pattern: both · ★★ ★ ·
Notes: Unit 1 → Topic 1 (Environment — Meaning, Definition, Components and Ecosystem Services)

ANSWER OUTLINE

1. Define “environment” — s. 2(a), EPA 1986 (inclusive definition).
2. The three components — physical, biological, man-made.
3. The idea of inter-relationship — why the system, not the item, is protected.
4. Ecosystem and ecosystem services.
5. Chinnappa (2002) — the definition is wide and inclusive.
6. Conclusion — environment is one connected system.

Introduction

The word “environment” comes from the French *environner* [to surround], and at its simplest it means the surroundings within which a living thing exists. In law the interest is not in the surroundings as a list of things but in the fact that they interact as one connected system. The governing statutory definition, with which every answer should open, is **s. 2(a) of the Environment (Protection) Act, 1986 (EPA)**, an **inclusive** definition that the courts may read widely. This essay states that definition, sorts environment into its three components, and shows why the law protects the *system* rather than any single element.

A. The statutory definition

Section **2(a), EPA 1986** provides that “environment” **includes** water, air and land and the inter-relationship which exists among and between water, air and land and human beings, other living creatures, plants, micro-organisms and property. Two features matter. First, it lists the physical components — water, air, land. Second, and more importantly, it insists on the **inter-relationship** between those components and every living thing, even man-made property. Because the definition uses the word “includes”, it is not exhaustive; the

courts can enlarge it, as the Supreme Court did in **Chinnappa** (2002), treating the definition as wide enough to cover the whole web of natural life.

B. The three components of environment

Examiners reward a clean three-fold classification, one line of explanation each.

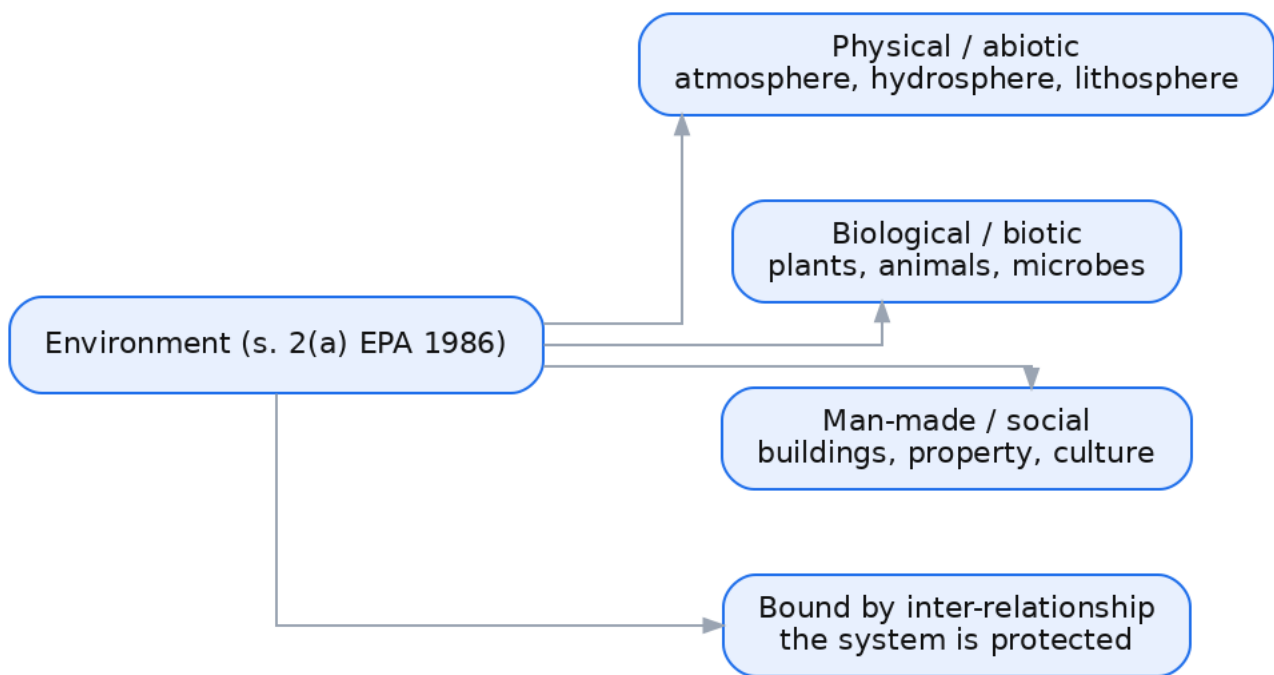
1. **Physical (abiotic) components** — the non-living surroundings, usually split into three “spheres”: the **atmosphere** (the blanket of air), the **hydrosphere** (all water — oceans, rivers, groundwater) and the **lithosphere** (the land, soil and rock). Sunlight and temperature belong here. These abiotic elements are the stage on which all life depends.
2. **Biological (biotic) components** — all living things, together called the **biosphere**: plants, animals, human beings and micro-organisms. Within any working unit they act as *producers* (green plants that make food), *consumers* (animals that eat) and *decomposers* (bacteria and fungi that break down dead matter and return nutrients to the soil).
3. **Man-made (social / cultural) components** — the surroundings people have built: buildings, roads, dams, and the social and cultural setting of human life. The EPA’s express inclusion of “property” is the textual hook for this third component.

C. The unifying idea — inter-relationship

The single thread tying the three components together is **inter-relationship**: the abiotic supports the biotic, the biotic in turn changes the abiotic, and human activity now reshapes both. Harm one strand and the whole web is tugged. This is exactly why the law protects the *system* and not each item in isolation — a point the definition captures by placing “inter-relationship” at its centre.

D. Ecosystem and ecosystem services

Zooming into one working piece of the environment gives the **ecosystem** — a community of living organisms together with the non-living surroundings they interact with, functioning as one self-supporting unit, such as a pond, a forest or a wetland. Energy flows from the sun through plants to animals, and decomposers recycle nutrients endlessly. The free benefits a healthy ecosystem hands to society are its **ecosystem services** — provisioning (food, water, timber), regulating (climate control, flood control, pollination), cultural (recreation, spiritual value) and supporting (soil formation, oxygen production). The exam-worthy punchline is that these services cannot be bought back once an ecosystem breaks — you cannot manufacture a monsoon or re-create a species — so the law, not the market, must protect them.



Leading cases

- ***K.M. Chinnappa vs Union of India*** (2002) — the Supreme Court read the EPA definition of “environment” as wide and inclusive, covering the inter-relationship of all natural elements and life, not any single element.
- ***T. Damodhar Rao vs Special Officer, Municipal Corporation of Hyderabad*** (1987) — protection of the environment is part of the right to life under **Art. 21**; land reserved as a recreational park could not be built over.
- ***Rural Litigation and Entitlement Kendra vs State of Uttar Pradesh*** (1985) — India’s first major environmental case; ecological balance outweighs private mining gain, and polluting limestone quarries in the Dehradun hills were ordered closed.

Conclusion

Environment, in law, is not air, or water, or forests taken alone; it is all of them **plus the inter-relationship** between them and every living thing, as **s. 2(a) EPA 1986** declares and *Chinnappa* confirms. Sorted into physical, biological and man-made components and understood through the ecosystem and its services, it is best seen as one connected system whose loss cannot be reversed by money. That interdependence — one act, many losses — is precisely what the legal definition of “environment” is built to capture, and it is why the whole subject that follows exists to protect the system as a whole.

Q1.2 — [16M] Define pollution. Explain its sources, kinds and effects.

Asked: Jul 2015 (100), Dec 2015 (100), Dec 2020 (100), Apr 2021 (100), Apr 2023 (100), Feb 2025 (100) · Pattern: 100-only · ★★ ★ · Notes: Unit 1 → Topic 2 (Pollution — Meaning, Sources, Kinds and Effects)

ANSWER OUTLINE

1. Define pollution — the wrong substance/energy in harmful concentration; s. 2(e) Water Act 1974.
2. Kinds — sort by medium (air, water, soil, noise + thermal, radioactive, marine).
3. Sources / causes — the three engines (industrialisation, urbanisation, population growth).
4. Effects — health, ecosystems, climate, economy.
5. Vellore (1996), Subhash Kumar (1991).
6. Conclusion — causes → kinds → effects as one chain.

Introduction

If the environment is a balanced system, **pollution is any unwanted change to that system** — the addition of a substance or a form of energy in enough quantity to harm health, life or nature. The key word is *quantity*: carbon dioxide is natural and harmless in small amounts but warms the planet in excess, and even pure water becomes “thermal pollution” if returned hot enough to kill fish. Pollution is thus not about “unnatural” substances but the wrong *concentration* in the wrong place. Indian statutes capture this: **s. 2(b), EPA 1986** defines an environmental pollutant as any solid, liquid or gaseous substance present in such concentration as may be injurious to the environment, and the fullest definition is **s. 2(e) of the Water (Prevention and Control of Pollution) Act, 1974**.

A. The kinds of pollution — sort by medium

The cleanest classification is by the medium spoiled — four main kinds and three special ones.

1. **Air pollution** — contamination of the air by smoke, dust and gases from factories, vehicles and burning fuel; the **Air Act, 1981** treats an air pollutant as any substance in the atmosphere in a concentration that may be injurious.
2. **Water pollution** — contamination of rivers, lakes and groundwater by sewage, industrial effluent and agricultural run-off (fertilisers and pesticides).
3. **Soil / land pollution** — degradation of land by solid waste, plastics, chemicals and excess fertiliser, which poisons the soil and enters the food chain.

4. **Noise pollution** — unwanted, excessive sound from traffic, industry, loudspeakers and firecrackers, regulated by the **Noise Pollution (Regulation and Control) Rules, 2000**.

The three special kinds are **thermal pollution** (waste heat raising water temperature and killing aquatic life), **radioactive pollution** (radiation from nuclear activity or accidents) and **marine pollution** (oil spills and waste dumped into the seas).

B. The sources and causes — the three engines

The high-value half of the essay treats the causes as three engines driving the kinds above.

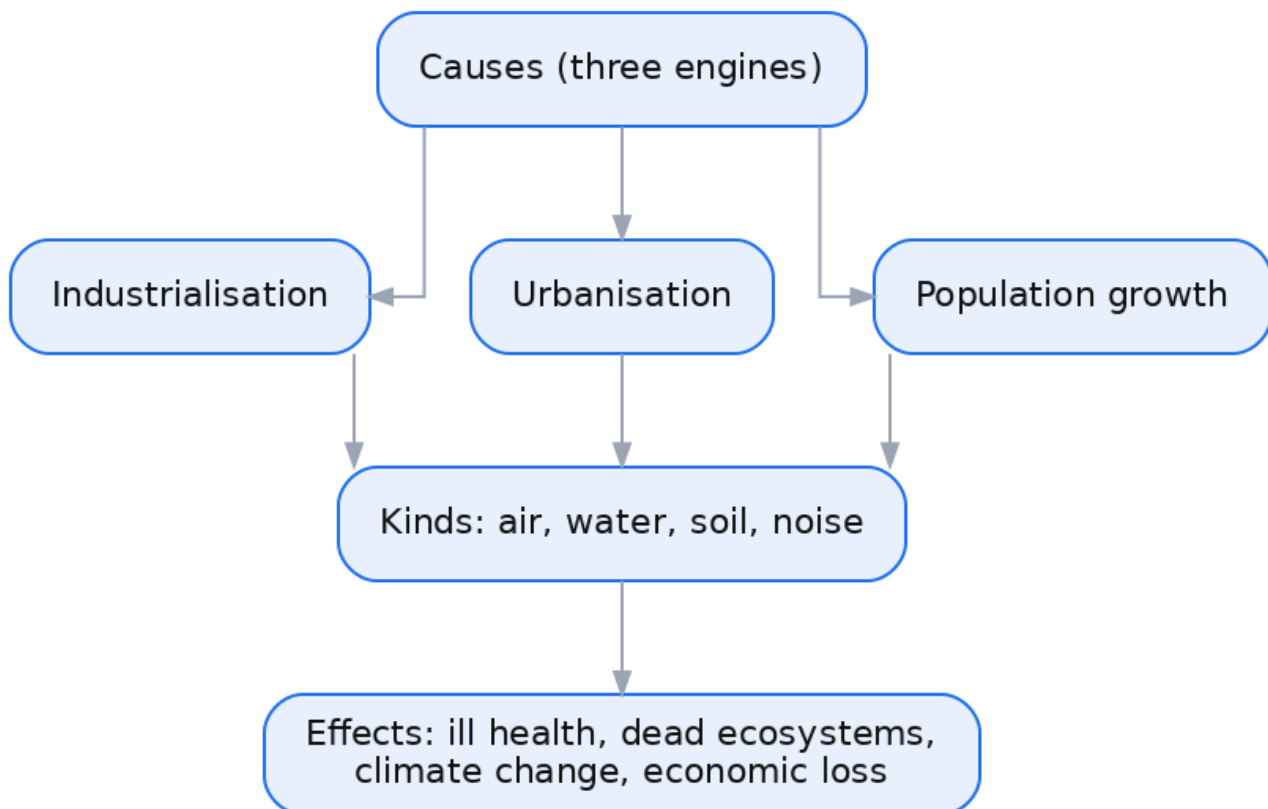
1. **Industrialisation** — factories consume raw materials and energy and throw out smoke, effluent and hazardous waste; they are the single largest source of air and water pollution and of hazardous-substance disasters like the Bhopal gas tragedy.
2. **Urbanisation** — as people crowd into cities, land is cleared, sewage and solid waste outrun the drains and dumps built for them, vehicles multiply and green cover shrinks, turning cities into hotspots of every kind of pollution at once.
3. **Population growth** — more people means more demand for food, water, fuel, housing and goods, which means more farming, more industry and more waste; population growth is the *multiplier* behind the other two.

Two supporting causes earn marks: **deforestation** (removing the forests that clean air and hold soil) and the **transport explosion** (millions of vehicles burning fossil fuel).

C. The effects

Group the effects rather than listing scary words.

1. **On human health** — respiratory disease and cancers from air pollution, water-borne diseases like cholera and dysentery, deafness and stress from noise, and poisoning from contaminated food and soil.
2. **On ecosystems** — dead rivers and lakes, loss of biodiversity, acid rain damaging forests and buildings, and soil that no longer grows crops.
3. **On climate and the atmosphere** — the global effects that became topics in their own right: the greenhouse effect, global warming and ozone-layer depletion.
4. **Economic and social** — the cost of clean-up, lost tourism and fisheries, and the hard fact that the poor, who live closest to polluting industry and depend most on clean water and land, suffer first and worst.



Leading cases

- **Vellore Citizens Welfare Forum vs Union of India** (1996) — tanneries discharging untreated effluent; the Court applied the **precautionary principle** and **polluter-pays** to industrial water pollution and held international environmental principles part of Indian law.
- **Subhash Kumar vs State of Bihar** (1991) — the right to life under **Art. 21** includes the right to pollution-free water and air, so a citizen may move the Court to stop pollution.
- **M.C. Mehta vs Union of India** (1987) — the Oleum Gas Leak case, a landmark on the danger of industrial pollution, laying down absolute liability for hazardous industry.

Conclusion

Pollution is the contamination of a part of the environment so badly that it becomes a nuisance or harms people, animals, plants or the normal uses of a resource, as **s. 2(e) Water Act 1974** frames it. The examiner rewards the student who writes it as a single chain — the three engines of industrialisation, urbanisation and population growth **produce** the kinds of pollution, which in turn **produce** the effects on health, ecosystems, climate and the economy. Presented as one connected story rather than three separate lists, the answer both defines pollution and explains why every later statute in this course targets one of its media.

Q1.3 — [16M] Explain the greenhouse effect and global warming. What are their causes and effects?

Asked: Jul 2014 (100), Jul 2018 (100), Dec 2018 (100), Jul 2019 (100), Apr 2021 (100), Feb 2025 (100), May 2022 (80), Nov 2022 (80), Jul 2025 (80) · Pattern: both · ★★★
· Notes: Unit 1 → Topic 3 (Greenhouse Effect, Global Warming and Ozone Depletion)

ANSWER OUTLINE

1. Greenhouse effect — a natural, necessary blanket (CO_2 , methane, N_2O).
2. Global warming — the enhanced effect from human activity.
3. Causes — fossil fuels, deforestation, industry.
4. Effects — melting ice, extreme weather, harm to life and food.
5. Controlling instruments — UNFCCC 1992, Kyoto 1997, Paris 2015.
6. Conclusion — a natural process pushed to a crisis.

⚠ DON'T CONFUSE

Looks like: ozone depletion (S1.2, Unit 1). **How it differs:** greenhouse/global warming happens *low down* in the troposphere, is caused by CO_2 /methane, traps heat, and is answered by *Kyoto/Paris*; ozone depletion happens *high up* in the stratosphere, is caused by CFCs, lets in UV radiation, and is answered by *Montreal*. **Tell them apart by:** if the gas is CO_2 /methane and the harm is heat, it is global warming; if the chemical is CFCs and the harm is UV/skin cancer, it is ozone.

Introduction

The greenhouse effect and global warming are about *heat trapped low down*, in the layer of air nearest the ground (the troposphere). They are commonly confused with ozone depletion, which is a separate problem in a higher layer, but this question is confined to the heat problem. This essay explains the natural greenhouse effect, how human activity has turned it into global warming, the causes and effects of that warming, and the international instruments that control it.

A. The greenhouse effect — a natural blanket

The **greenhouse effect** is a *natural and necessary* process. Certain gases in the air — mainly **carbon dioxide, methane, nitrous oxide and water vapour** — let the sun's light in but trap some of the heat the earth radiates back out, just as the glass of a greenhouse keeps a garden warm. These are the **greenhouse gases (GHGs)**. Without them the earth's average temperature would be about -18°C , a frozen planet; with them it is a livable $+15^\circ\text{C}$. The greenhouse effect is therefore not the villain — it is what makes life on earth possible.

B. Global warming — the blanket grown too thick

The problem is *too much* of a good thing. **Global warming** is the rise in the earth's average temperature caused by human activity thickening the greenhouse blanket. Because emissions have pushed GHG levels far above their natural range, the blanket traps more heat and the planet warms; this human-boosted version is called the **enhanced greenhouse effect**.

C. The causes

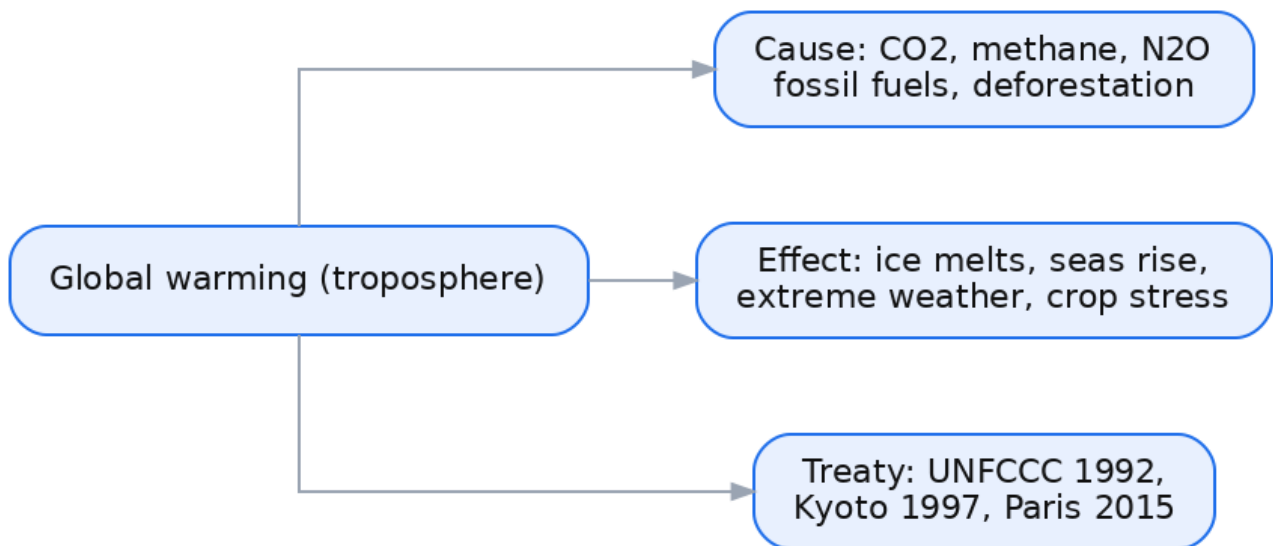
1. **Burning fossil fuels** — coal, oil and gas burned for power, industry and transport release vast quantities of carbon dioxide, the chief GHG.
2. **Deforestation** — cutting the forests that would have absorbed carbon dioxide removes the planet's natural carbon sink and adds to the load.
3. **Industrial and agricultural emissions** — factories, cement, refrigerants and intensive farming (methane from livestock and paddy, nitrous oxide from fertiliser) add further greenhouse gases.

D. The effects

1. **Melting ice and rising seas** — glaciers and polar ice melt, sea levels rise, and low-lying coasts and islands face flooding.
2. **Extreme and erratic weather** — more intense heatwaves, droughts, floods and cyclones, and a disrupted monsoon on which Indian agriculture depends.
3. **Harm to life and food** — shifting habitats drive species toward extinction, and changing rainfall and temperature threaten crops and water supply.

E. The controlling instruments

The “law” part of this topic is international. The **UN Framework Convention on Climate Change (UNFCCC), 1992** (agreed at the Rio Earth Summit) set the framework; the **Kyoto Protocol, 1997** set *binding* cuts in GHG emissions for developed countries on the principle of common-but-differentiated responsibilities; and the **Paris Agreement, 2015** committed nations to keep warming well below 2°C. For greenhouse gases the treaty to name is **Kyoto** (and later **Paris**).



Leading cases

- **M.C. Mehta vs Union of India** (1997) — the Taj Trapezium case; to protect the Taj Mahal from air pollution the Court ordered polluting industries around Agra to switch to cleaner fuel or relocate, a leading Indian example of judicial control of harmful emissions.
- **M.C. Mehta vs Union of India** (1998) — the Vehicular Pollution case; the Court directed Delhi's public transport to convert to CNG to cut the vehicular emissions that drive climate harm.
- **Vellore Citizens Welfare Forum vs Union of India** (1996) — confirmed that international environmental principles, including precaution and sustainable development that underlie the climate treaties, are part of Indian law.

Conclusion

The greenhouse effect is a natural, life-sustaining process; global warming is that same process pushed past its safe limits by human emissions. Its causes are fossil fuels, deforestation and industrial-agricultural emissions, and its effects reach from melting ice and rising seas to a disrupted monsoon and threatened food supply. The controlling response is international law — **UNFCCC 1992, Kyoto 1997 and Paris 2015** — supported in India by an activist judiciary that has ordered cleaner fuel and CNG conversion. The examiner's real test is whether the student keeps this heat problem firmly apart from ozone depletion; do that, and the answer writes itself.

Q1.4 — [16M] Discuss the environmental ethics in ancient India and Kautilyan jurisprudence.

Asked: Jul 2014 (100), Dec 2017 (100), Nov 2022 (100), Sep 2021 (80), Apr 2023 (80), Apr 2024 (80), Feb 2026 (80) · Pattern: both · ★★ ★ · Notes: Unit 1 → Topic 4 (Ancient and Medieval Writings — Environmental Ethics and Kautilyan Jurisprudence)

■ ANSWER OUTLINE

1. Ancient ethic — conservation as dharma; Vedas, sacred groves.
2. Kautilya's Arthashastra — the Superintendent of Forests, graded fines, sanctuaries.
3. Ashoka's edicts and the Smritis.
4. The medieval decline — Mughal beauty, not conservation.
5. Fomento Resorts (2009) — the Court's return to ancient values.
6. Conclusion — reverence, to administered law, to modern revival.

Introduction

Long before the word “environment” existed, India had a working culture of conservation. The story to tell has one theme: **ancient India treated harmony with nature as a religious and legal duty; the medieval period largely let that ethic slip; and modern law has revived it.** The mark-bearing half of this question is the ancient ethics and Kautilyan jurisprudence, so this answer moves from reverence, to administered forest law, to imperial edicts, to the medieval decline.

A. Environmental ethics in ancient India — the religious and cultural heritage

In ancient India, protecting nature was not policy but *dharma* [sacred duty / righteous conduct]. The **Vedas, Upanishads, Smritis and Puranas** treated the five great elements — Sun, Air, Fire, Water and Earth — as manifestations of the divine, so harming them was a sin, not merely a loss.

1. The **Atharva Veda** contains the *Prithvi Sukta* [Hymn to the Earth], venerating the earth as a mother to be protected.
2. **Yajnas** [sacrificial fire rituals] were performed partly to purify the surrounding air, and the **Rishis** [sages] warned that cutting trees would bring poor rainfall — an early grasp of the link between forests and climate.
3. **Sacred groves** — patches of forest dedicated to a deity — were kept untouched since times immemorial, and rivers (the Ganga), trees (peepal, tulsi) and animals (the cow, the snake, the monkey) were worshipped and so preserved. This is the “religious and cultural heritage”: conservation achieved through reverence.

B. Kautilyan jurisprudence — the Arthashastra

The high-value half of the essay is **Kautilya's Arthashastra** (c. 300 BCE), the Mauryan treatise on statecraft, which turned the ancient ethic into *administered law* through concrete measures.

1. **A Superintendent of Forests** (*Kupyadhyaksha*) — a State officer charged with protecting and managing forest produce.
2. **Graded punishment for felling trees** — the fine varied with the *utility of the tree*; the more valuable the tree, the heavier the penalty. This is the detail every good answer names, because it anticipates the modern idea that the punishment should match the ecological worth of what is destroyed.
3. **Protected forests and sanctuaries** (*abhayaranya*) — areas where the killing of animals was prohibited, an ancestor of today's wildlife sanctuaries.
4. **Fines for harming wildlife** — penalties for killing or injuring animals and controls on hunting.

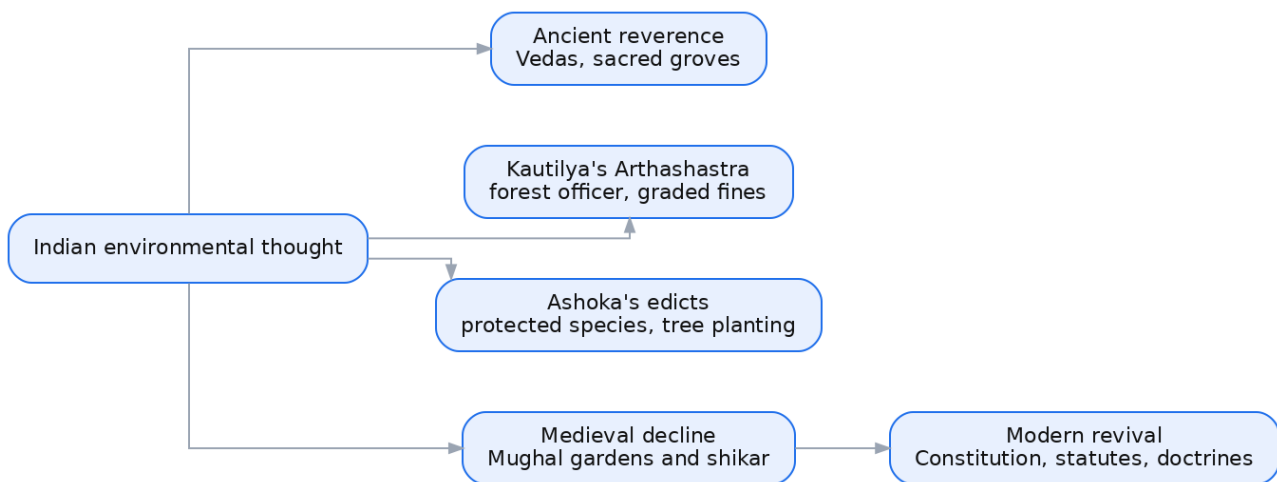
Because the Arthashastra backs the conservation ethic with State officers, defined offences and graded fines, it is treated as the fountainhead of India's environmental *jurisprudence* — the point where reverence became regulation.

C. Ashoka's edicts and the Smritis

Two further sources complete the ancient answer. **Ashoka's edicts** (3rd century BCE) — his Pillar Edict V listed animals, birds and fish not to be killed, restricted the burning of forests, and recorded the planting of trees and medicinal herbs and the digging of wells along the roads. **The Smritis** — texts such as the *Manusmriti* and *Yajnavalkya Smriti* — prescribed punishments for cutting trees and damaging plants, embedding conservation in the personal law of the day.

D. The medieval period

A balanced answer is honest about the medieval (largely Mughal) period, when the strong conservation *ethic* of ancient India **weakened**. The Mughal rulers loved nature in an *aesthetic* sense — they laid out magnificent gardens (the *charbagh* or four-fold garden), and emperors like Jahangir recorded careful observations of plants and animals. But nature was now valued largely for **pleasure and beauty**, not systematic conservation: hunting (*shikar*) was a royal sport and forests were generally left unprotected except as royal hunting reserves. The medieval writings thus show reverence for nature's beauty but a retreat from the ancient culture of *protection*.



Leading cases

- **Fomento Resorts and Hotels Ltd vs Minguel Martins** (2009) — the Supreme Court invoked the Vedas, Upanishads and Smritis to hold that respect for nature is an ancient Indian value and part of the public trust the State owes over natural resources.
- **Rural Litigation and Entitlement Kendra vs State of Uttar Pradesh** (1985) — the Court recalled the ancient duty to preserve forests and ecological balance when ordering polluting limestone quarries closed.

Conclusion

Ancient India protected nature through a stack of reinforcing sources — the reverence of the Vedas and sacred groves, the administered forest law of Kautilya’s Arthashastra with its Superintendent of Forests and graded fines, and the imperial edicts of Ashoka. The medieval period diluted this into an aesthetic love of gardens and hunting, and modern law has revived the ancient ethic in the Constitution, the pollution statutes and the judge-made doctrines. As **Fomento Resorts vs Minguel Martins** shows, the Supreme Court still “gallops back to the ages” to remind us that protecting nature is a sacred duty thousands of years old — the through-line the examiner wants: reverence, to regulation, to revival.

Q1.5 — [16M] Explain the National Environmental Policy, 2006 — its objectives and principles.

Asked: Aug 2024 (100) · Pattern: 100-only · ★ · Notes: Unit 1 → Topic 6 (National Environmental Policy, 2006)

ANSWER OUTLINE

1. *What the NEP 2006 is — a consolidating master statement of principle.*
2. *Its legal status — a policy, NOT a statute (the exam trap).*
3. *Its objectives — conservation, equity, integration, efficiency, governance.*
4. *Its principles — precaution, polluter-pays, public trust, preventive action.*
5. *Lafarge Umiam (2011) — how the policy guides regulation.*
6. *Conclusion — the policy backbone of green law.*

Introduction

By 2006 India had a stack of separate environmental statements pulling in different directions, so the Government wrote one master statement of principle that all of them would answer to: the **National Environment Policy (NEP), 2006**. It is best understood not as another rule to obey but as the *rulebook's preface* — the values that Articles 48A and 51A(g) of the Constitution are meant to serve, set down in one place. This answer explains what the NEP is, its crucial legal status, and its objectives and principles.

A. What the NEP 2006 is, and its legal status

The **NEP 2006** is the Government of India's official statement of the guiding principles for environmental protection, adopted by the then Ministry of Environment and Forests. It consolidates the earlier scattered policies and provides a common framework to guide future laws, programmes, regulatory reform and administrative decisions. The single most important point — and the exam trap — is its **legal status**: the NEP is a **policy document, not a binding statute**. It does not, by itself, create offences or enforceable rights the way the EPA or the Water Act does; it is a statement of intent and principle. Its influence is nonetheless real, because courts cite it and statutes are shaped by it. Its guiding theme is practical: because the poor depend most directly on natural resources, the surest way to *conserve* a resource is to ensure that those who live off it gain **more from conserving it than from destroying it**.

B. The objectives of the NEP 2006

The Policy sets out its main objectives, best learned as a list.

1. **Conservation of critical environmental resources** — protecting the forests, water and biodiversity essential to life and livelihoods.
2. **Intra-generational equity — livelihood security for the poor** — ensuring the present poor, who depend on environmental resources, are not deprived.
3. **Inter-generational equity** — conserving resources so future generations inherit them, the seed of the sustainable-development idea.
4. **Integration of environmental concerns** in economic and social development — making development plans account for their environmental cost.

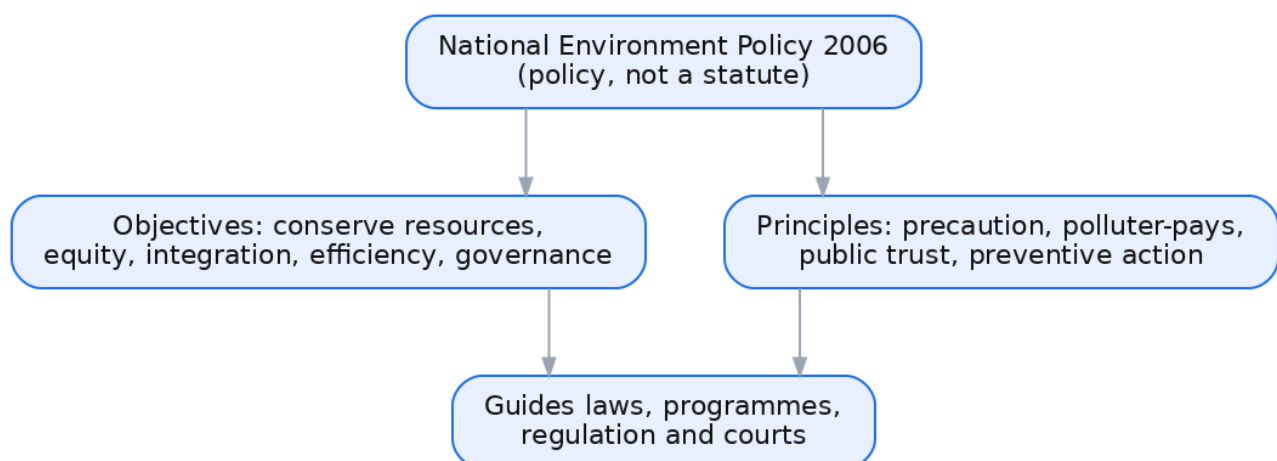
5. **Efficiency in environmental resource use** — getting more benefit from fewer resources and less waste.
6. **Environmental governance** — sound, transparent, accountable and decentralised management, and the enhancement of finance, technology and human resources for conservation.

C. The principles of the NEP 2006

The Policy also declares the principles that guide it; name the key ones with a phrase each.

1. **Human beings at the centre of sustainable development** — entitled to a healthy and productive life in harmony with nature.
2. **The right to development, environmentally sound** — development is legitimate but must not be environmentally destructive.
3. **The precautionary approach** — where there is a threat of serious harm, lack of full scientific certainty is no reason to postpone protective measures.
4. **Economic efficiency, including polluter-pays** — the polluter should bear the cost of the pollution and its clean-up, and resources should be used cost-effectively.
5. **Equity** — both intra-generational (among people today) and inter-generational (toward the future).
6. **Public trust doctrine and preventive action** — the State holds natural resources in trust for the people and cannot hand them over for private exploitation, and harm should be prevented rather than merely compensated.

Notice that the doctrines met later in this course — precaution, polluter-pays, public trust, sustainable development — are all *written into* the NEP. That is why it is called the policy backbone: the statutes and the judge-made doctrines put these very principles into force.



Leading cases

- **Vellore Citizens Welfare Forum vs Union of India** (1996) — though decided before the 2006 Policy, it established the **precautionary principle** and **polluter-pays** as part of Indian law; the NEP 2006 later restated these as national policy.

- **Lafarge Umiam Mining Pvt. Ltd. vs Union of India** (2011) — the Supreme Court referred to the National Environment Policy 2006 while laying down principles for environmental clearance, showing how the policy guides regulatory decisions.

Conclusion

The National Environment Policy, 2006 is India's consolidated statement of environmental values — a **policy, not a statute** — built around objectives of conservation, equity, integration, efficiency and governance, and principles of precaution, polluter-pays, public trust and preventive action. Its dominant idea is that conservation and livelihood are partners: protect nature best by making conservation pay for those who live off it. As *Lafarge Umiam Mining* illustrates, a policy that binds no one directly still shapes outcomes by supplying the values courts and regulators apply — which is exactly why it is the policy backbone of Indian green law.

B. Short Notes (8M) — Model Answers

S1.1 — [8M] Write a short note on ecosystem and ecosystem services.

Asked: Jul 2018 (100), Dec 2020 (100) · Pattern: 100-only · ★★ ★ · Notes: Unit 1 → Topic 1 (Environment — Meaning, Definition, Components and Ecosystem Services)

ANSWER OUTLINE

1. Define ecosystem — a self-supporting unit.
2. Ecosystem services — the four kinds.
3. Why their loss is a legal problem.
4. Conclusion.

Introduction

An **ecosystem** is a community of living organisms together with the non-living surroundings they interact with, functioning as one self-supporting unit — a pond, a forest, a wetland or a coral reef. Inside it, energy flows from the sun through plants to animals, and nutrients are recycled endlessly by decomposers. Cut the unit off from its inflow, or kill its plants, and the whole system collapses; that self-supporting balance is the point.

A. Ecosystem services — the four kinds

Ecosystem services are the free benefits a healthy ecosystem hands to society, grouped into four kinds.

1. **Provisioning services** — the goods we take out: food, fresh water, timber, fibre and medicines.
2. **Regulating services** — the natural maintenance we never pay for: climate regulation, flood control, water purification, pollination of crops and control of pests and disease.
3. **Cultural services** — the non-material benefits: recreation, tourism and the spiritual or aesthetic value of a river or a mountain.
4. **Supporting services** — the background processes that make the others possible: soil formation, nutrient cycling and oxygen production through photosynthesis.

B. Why their loss is a legal problem

The exam-worthy punchline is that these services cannot be bought back once the ecosystem breaks. You can build a factory, but you cannot manufacture a monsoon, re-inflate an aquifer overnight, or re-create a species. Because the market puts no price on clean air or flood control, individuals over-use and destroy them — so the law, not the market, must protect them.

Conclusion

An ecosystem is nature's self-supporting unit and its services are the irreplaceable benefits it provides. Draining a single wetland can knock out flood control, groundwater recharge and habitat at once, and none can simply be re-purchased. That interdependence is exactly why environmental law protects the working system, not merely its individual parts.

S1.2 — [8M] Write a short note on ozone depletion.

Asked: Jul 2015 (100), Jul 2017 (100), Jul 2018 (100), Sep 2021 (100), Apr 2023 (100), Apr 2024 (100), Aug 2024 (100), Feb 2025 (100) · Pattern: 100-only · ★★ ★ ·
Notes: Unit 1 → Topic 3 (Greenhouse Effect, Global Warming and Ozone Depletion)

■ ANSWER OUTLINE

1. The ozone layer — the planet's sunscreen (stratosphere).
2. Ozone depletion — thinning by CFCs / ODS.
3. Effects — more UV, skin cancer, crop damage.
4. Treaties — Vienna 1985, Montreal 1987.

⚠️ DON'T CONFUSE

Looks like: the greenhouse effect and global warming (Q1.3, Unit 1). **How it differs:** ozone depletion is *high up* in the stratosphere, caused by *CFCs*, and lets in *UV radiation*; global warming is *low down* in the troposphere, caused by *CO₂/methane*, and traps *heat*. **Tell them apart by:** the chemical and the harm — CFCs and UV/skin cancer means ozone; CO₂ and heat means global warming.

Introduction

The **ozone layer** is a band of ozone gas (O₃) in the stratosphere, roughly 15–35 km above the earth, and it does one priceless job: it absorbs most of the sun's harmful **ultraviolet (UV-B) radiation** before it reaches us. It is, in effect, the planet's sunscreen, and its thinning is a problem quite distinct from global warming.

A. What ozone depletion is

Ozone depletion is the thinning of this shield by man-made chemicals called **ozone-depleting substances (ODS)** — chiefly **chlorofluorocarbons (CFCs)**, once used in refrigerators, air-conditioners, aerosol sprays and foam, plus halons and similar compounds. When these rise into the stratosphere, sunlight breaks them apart and releases chlorine, and a single chlorine atom can destroy thousands of ozone molecules in a chain reaction. The worst thinning appears as the **“ozone hole” over Antarctica** each spring.

B. Effects and controlling instruments

The effects flow from the lost sunscreen: more UV reaching the surface means more **skin cancer and cataracts** in humans, weakened immune systems, and damage to **crops and to the ocean plankton** at the base of the marine food chain. The controlling instruments are the **Vienna Convention, 1985** and — the key one — the **Montreal Protocol, 1987**, under which nations agreed to phase out CFCs and other ODS.

Conclusion

Ozone depletion is the thinning of the stratosphere's protective ozone shield by CFCs, letting in dangerous UV radiation. It is the great success story of environmental law: the **Montreal Protocol, 1987** worked, and the ozone layer is now slowly recovering. For ozone, the treaty to remember is **Montreal** — never confuse it with the Kyoto/Paris regime for greenhouse gases.

S1.3 — [8M] Write a short note on biodiversity.

Asked: Dec 2015 (100), Jul 2019 (100), Jul 2025 (100) · Pattern: 100-only · ★★ ·
Notes: Unit 1 → Topic 7 (Biodiversity)

ANSWER OUTLINE

1. Define biodiversity — s. 2(b), Biological Diversity Act 2002.
2. The three levels — genetic, species, ecosystem.
3. Why loss matters — irreversible.
4. Legal framework — CBD 1992, Biological Diversity Act 2002.

Introduction

Biodiversity (short for **biological diversity**) means the variety of all life on earth — the full range of living organisms, the differences among them, and the ecosystems they form. Section **2(b) of the Biological Diversity Act, 2002** defines it as the variability among living organisms and the ecosystems of which they are part, including diversity within species, between species and of ecosystems.

A. The three levels

Naming the three levels is the heart of the answer.

1. **Genetic diversity** — the variation *within a single species*; no two tigers are genetically identical, and this variety lets a species adapt and survive disease and change.
2. **Species diversity** — the variety of *different species* in a given area, that is, how many kinds of plants, animals and microbes live in a forest or a pond.
3. **Ecosystem diversity** — the variety of *habitats and ecosystems* in a region — forests, wetlands, grasslands, deserts and coral reefs — each supporting its own community of life.

B. Why its loss matters, and the legal framework

Biodiversity is the engine of ecosystem services — pollination, clean water, fertile soil, medicines and food — and greater variety makes ecosystems *resilient*, able to recover from shocks. Crucially, unlike most pollution, extinction is **irreversible**. Globally, the **Convention on Biological Diversity (CBD), 1992** (signed at the Rio Earth Summit) commits nations to conserve biodiversity and share its benefits fairly; India gave effect to it through the **Biological Diversity Act, 2002**, which set up the National Biodiversity Authority, State Biodiversity Boards and local Biodiversity Management Committees.

Conclusion

Biodiversity is the sheer variety of life at three levels — genetic, species and ecosystem — and the law protects it because that variety keeps nature working and, once a species is lost, no statute can bring it back. India, a recognised “megadiverse” country with hotspots like the Western Ghats, protects it under the **CBD 1992** and the **Biological Diversity Act, 2002**.

S1.4 — [8M] Write a short note on wetlands.

Asked: Dec 2019 (100), Apr 2024 (100) · Pattern: 100-only · ★ · Notes: Unit 1 → Topic 8 (Wetlands)

ANSWER OUTLINE

1. Define wetland — Ramsar Art. 1.1, 1971.
2. Functions — flood control, recharge, purification, habitat.
3. Legal framework — Ramsar 1971, Wetlands Rules 2017.
4. Conclusion.

Introduction

A **wetland** is an area of land saturated or covered with water, either permanently or seasonally — the transition zone between dry land and open water. Marshes, swamps, mangroves, lakes, ponds, lagoons, estuaries and floodplains are all wetlands. The classic legal definition is **Article 1.1 of the Ramsar Convention on Wetlands, 1971**, which covers areas of marsh, fen, peatland or water, natural or artificial, permanent or temporary, and even shallow marine water. Ecologists call wetlands the “kidneys of the landscape” because, like kidneys, they filter and cleanse water.

A. Why wetlands matter — their functions

1. **Flood control** — they absorb and slow flood waters like a sponge, so filling them causes the very floods people later blame on the rain.
2. **Groundwater recharge and water supply** — they let water seep down to refill aquifers and wells.
3. **Water purification** — they trap sediment and filter out pollutants, cleaning the water that passes through.
4. **Habitat and biodiversity** — they are among the richest ecosystems on earth, home to fish and migratory birds, and they support fishing livelihoods and store carbon.

B. The legal framework

Wetlands are protected internationally by the **Ramsar Convention, 1971**, under which countries designate important wetlands as “**Ramsar sites**” — India, a party since 1982, has designated many, such as Chilika Lake and Keoladeo National Park. Domestically, India protects them through the **Wetlands (Conservation and Management) Rules, 2017**, which restrict activities that damage notified wetlands. Their main threats are drainage, encroachment for construction, and pollution.

Conclusion

A wetland is where land and water meet and mix, performing flood control, groundwater recharge, water purification and habitat functions all at once. Because a single construction project can destroy all of these irreplaceable jobs together, the law protects wetlands as Ramsar sites and under the **Wetlands (Conservation and Management) Rules, 2017**.
