

Total number of printed pages-4

19 (V) ENLW 5.4

2019

ENVIRONMENTAL LAW

Paper : 5.4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answers :
1×10=10
 - (i) Who remarked "The environment is everything that is not me." _____
(Karl Marx/Einstein)
 - (ii) Entry of "wild animals and birds" are added by the 42nd Amendment of the Constitution _____.
(as entry in the Union List/
as entry in the Concurrent List)
 - (iii) Ozone is mainly found in _____.
(troposphere/stratosphere)

Contd.

- (iv) Modern environmental law has its roots in the _____ law principles of nuisance. (civil/common)
- (v) The problem of environmental degradation is a _____ problem. (social/cultural)
- (vi) The concept of Sustainable Development aims at striking a balance between environment and _____. (population/development)
- (vii) The Wild Life (Protection) Act, 1972, passed by Parliament under _____ of the Constitution. (Article 251/Article 252)
- (viii) The measurement of noise is known as _____. (hertz/decibel)
- (ix) The National Environment Appellate Authority Act was passed in _____. (1996/1997)
- (x) _____ provides for the regulation of activities in the Reserved Forests. [The Forest (Conservation) Act, 1980/ The Indian Forest Act, 1927]

2. Write short notes on the following: $2 \times 5 = 10$
- (a) Noise Pollution
- (b) Absolute liability
- (c) Polluter pays principle

- (d) Green Bench
- (e) Public hearing.

3. What is Environmental Pollution? Discuss the causes of Environmental Pollution. 12

Or

Discuss in brief, the constitutional provisions on Environment protection with relevant case laws. 12

4. Discuss the various remedies that are available in case of damages caused by Environmental Pollution. 12

Or

Write a detailed note on the role of Public Interest Litigation entering the area of Environmental Pollution. 12

5. Discuss the scope and ambit of sustainable development in the wake of liberalisation, privatisation and globalisation. 12

Or

Write short notes on : 4×3=12

- (a) Stockholm Conference, 1972
- (b) Convention on climate change
- (c) Johannesburg Conference, 2002.

6. Discuss what are sewage effluent and trade effluent. What measures are laid down for preventing water pollution, caused by them in the Water (Prevention and Control of Pollution) Act, 1974 ? 12

Or

Describe composition, powers and functions of the Central Pollution Board for prevention and control of air pollution. 12

7. What are the salient features of the Environment (Protection) Act, 1986 ? Mention some important measures that have been taken by the Government for protection and improvement of environment as provided for, in section 3 of the Act. 12

Or

Write a note on Indian Forest Act, 1927. 12

2018

ENVIRONMENTAL LAW

Paper : 5-4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer : 10×1=10
- (i) Article _____ empowers the parliament to make laws implementing India's international obligations and any decisions taken at an international conference, association or other body. (253/254)
- (ii) In _____ Supreme Court held that the measure of compensation must be correlated to the magnitude and capacity of the enterprise because such compensation must have a deterrent effect. (Shriram Gas Leak Case/Bhupal Gas Leak Case)

Contd.

- (iii) _____ is Greenhouse Gas.
(Methane/Hydrogen)
- (iv) Entry of 'wild animals and birds'
is added by 42nd Amendment of
the Constitution _____.
(as entry in the Union List/as
entry in the Concurrent List)
- (v) Environment includes what the
sense of sight, hearing, taste, smell
and touch tell us about _____.
(atmosphere/nature)
- (vi) Modern environmental law has its
roots in the _____ law principles
of nuisance. (Civil/Common)
- (vii) The remedies available in cases
relating to pollution under law of
_____ is one of the oldest legal
remedies. (contract/tort)
- (viii) The Water (Prevention and Control
of Pollution) Act, _____.
(1971/1974)
- (ix) _____ declaration is known as
Magna-Carta of our environment.
(Stockholm/Rio)
- (x) Public Liabilities Insurance Act,
1991 was enacted by _____.
(State Legislature/Parliament)

(b) Write notes on the following : 2×5=10

- (i) Environmental pollution
- (ii) Absolute liability
- (iii) Public hearing
- (iv) The polluter pays principle
- (v) Sustainable development

2. Discuss, in brief, about the constitutional provisions on Environment Protection with relevant case laws. 12

Or

What do you mean by depletion of ozone layer and global warming (greenhouse effect)? What are the importances of greenhouse effect and global warming? 6+6=12

3. What remedies are provided under Law of Torts and Criminal Law for environmental pollution? 6+6=12

Or

Discuss about the new dynamic role of the judiciary in the form of Public Interest Litigation in the area of environmental pollution.

4. Answer **any two** of the following : 6×2=12

- (a) Stockholm Declaration
- (b) Noise Pollution

(c) Rio Earth Summit, 1992

(d) Kyoto Conference

Or

What do you mean by sustainable development? Discuss the salient principles of sustainable development. 12

5. What is Water Pollution? Describe, in brief, the various measures that are prescribed by Water (Prevention and Control of Pollution) Act, 1974 for prevention and control of water pollution. 12

Or

Describe the composition, powers and functions of the Central Pollution Board for prevention and control of air pollution. 12

6. Give the historical development that led to the enactment of the Environment (Protection) Act, 1986. For what purpose and when a person can entry any place to inspect or take samples? 12

Or

Discuss the provisions of the Forest (Conservation) Act, 1980 pertaining to the restriction on the dereservation of forest land for non-forest purpose. What are the penal provisions for contravention of the provisions of the Act? 12

Total number of printed pages-4

19 (V) ENVL 5.4

2017

ENVIRONMENTAL LAW

Paper : 5.4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

Answer **all** questions.

1. (a) Fill in the blanks with the appropriate answer : $10 \times 1 = 10$
- (i) The protection of environment is a _____ issue. (*global/national*)
- (ii) Peace, development and environment are _____. (*interdependent/not interdependent*)
- (iii) Ozone, (_____) is a colourless gas. (O_2/O_3)
- (iv) The judicial response to almost all environmental litigation has been very _____ in India. (*positive/negative*)

Contd.

- (v) Modern environmental law has its roots in _____ principles of nuisance. (*civil law/common law*)
- (vi) The term “sustainable development” was used at the time of _____ on Environment and development in the early 1970s. (*Cocoyoc Declaration/Stockholm Declaration*)
- (vii) Water being “_____”, the Parliament can exercise power to legislate on water under Article 249 and 252 of the Constitution of India.
(*State subject/Central subject*)
- (viii) The Wild Life (Protection) Act, 1972, passed by Parliament under _____ of the Constitution.
(*Article 251/Article 252*)
- (ix) _____ of the Environment (Protection) Act, 1986 deals with definition. (*Section 1/Section 2*)
- (x) The measurement of noise is known as _____. (*hertz/decibel*)

- (b) Write notes on the following : $5 \times 2 = 10$
- (a) Environmental Refugee
- (b) Meaning of noise pollution

- (c) 'Pollutor pay' principle
- (d) Public Trust Doctrine
- (e) Green Bench.

2. What do you mean by the term Environment? What are the major sources of environmental pollution? What are the enactments that were made in the post independent era? Describe them in short.

4+4+4=12

Or

"The Indian Constitution is amongst a few in the world that contain specific provisions on environmental protection".

Discuss the above statement specifically by explaining all the relevant provisions of Indian Constitution on environmental protection.

12

3. Discuss with the help of decided cases the legal control of environmental pollution in India.

12

Or

Discuss about the new dynamic role of the judiciary in the form of public interest litigation in the area of environmental pollution.

4. Write an explanatory note on the concept of sustainable development. Discuss the role of judiciary in maintaining sustainable development. 12

Or

Answer the following : **(any two)** 6×2=12

- (a) Stockholm Conference
(b) Rio Declaration
(c) Earth Summit, 1992.
5. Describe the composition, power and functions of the Central Pollution Board for the prevention and control of water pollution. 12

Or

What is the meaning of Air pollution ? Discuss the sources and effect of Air pollution.

6. What are the salient features of the Environment (Protection) Act, 1986 ? Mention some important measures that have been taken by the Government for protection and improvement of Environment as provided for, in section 3 of the Act. 12

Or

Write a note on the Indian Forest Act, 1927.

Total number of printed pages-4

19 (Sem-V) ENLW 5.4

2016

ENVIRONMENTAL LAW

Paper : 5.4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with the appropriate answer given in the brackets : $1 \times 10 = 10$
 - (i) The environment may be physical or _____. (chemical/biological)
 - (ii) In 1992 at _____ two important conventions were signed. (Stockholm/Rio-de-Janerio)
 - (iii) Modern environmental law has its roots in _____ law principles of nuisance. (civil/common)
 - (iv) _____ means intentional interference in personal or proprietary right without lawful excuse. (Nuisance/Trespass)

Contd.

- (v) The problem of environment degradation is a _____ problem. (social/cultural)
- (vi) The present century is the century of _____ revolution. (urban/rural)
- (vii) The concept of Sustainable Development aims at striking a balance between environment and _____. (development/population)
- (viii) The sewage disposal technology leads to pollution of _____. (air/water)
- (ix) Section _____ empowers the Central Government to appoint officers for discharging the function contemplated under the Environment Protection Act 1986. (3/4)
- (x) Public Liabilities Insurance Act, 1991 was enacted by _____. (State Legislature/Parliament)

2. Write notes on the following : $5 \times 2 = 10$

- (i) Environmental pollution.
- (ii) Absolute liability.
- (iii) Rio declaration.
- (iv) Noise pollution.
- (v) Pollutor pay principle.

3. What do you mean by the term environment? What are the major source of environmental pollution? Enumerate the enactment which provides for the protection of Environment. $4+4+4=12$

Or

Discuss the Constitutional provisions relating to environmental protection including judicial view on this point. 12

4. Write a detail note on the role of Public Interest Litigation entering the area of environmental pollution. 12

Or

Discuss various remedies that are available in case of damages caused by environmental pollution. 12

5. Discuss the scope and ambit of sustainable development in the wake of liberalisation, privatisation and globalisation. 12

Or

Answer the following : **(any two)** $6 \times 2 = 12$

- (a) Montreal Protocol 1987

(b) Kyoto Conference 1997

(c) Johannesburg Conference 2002.

6. Discuss what are the sewage effluent and Trade effluent. Find out distinction between them. What measures are laid down for preventing water pollution, caused by them in the Water (prevention and control of pollution) Act 1974. 6+6=12

Or

Judicial dynamism in matters of pollution has began in our country with the decision of the Supreme Court in Ratlam Municipality *vs* Virdhi Chand. Discuss the above statement. 12

7. What are the objects of the Environment (Protection) Act 1986 ? Discuss the general powers of the Central Govt. under the Act. 6+6=12

Or

Explain the principle of no-fault liability. Discuss the provision laid down in Public Liability Insurance Act 1991. 12

2015

ENVIRONMENTAL LAW

Paper : 5.4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer given in the brackets :

1×10=10

(i) Who remarked "The environment is everything that is not me"? (Karl Marx/Einstein)

(ii) Definition of pollution was adopted in the _____ Conference in April 1982. (Montreal/Stockholm)

(iii) Environmental pollution means _____ . (presence in the environment of any environmental pollutant/absence in the environment of any environmental pollutant)

(iv) The origin of public trust doctrine can be traced back to the _____ . (Roman law/Greek law)

(v) Supreme Court evolved the principle of Absolute liability in _____ . (Bhopal Gas Leak case/ Shri Ram Gas Leak case)

(vi) The remedies available in cases relating to pollution under law of _____ is one of the oldest legal remedies. (Contract/Tort)

(vii) When offence under Water Act 1974 has been committed by any Department of Government, the person who shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished will be _____. (Head of the Department/an Officer other than the Head of Department)

(viii) A member of the State Board Constituted under the Air Act 1981 shall —

(a) be eligible for re-nomination

(b) not be eligible for re-nomination

(ix) Under the Forest (Conservation) Act, 1980 State Government can make an order directing that any forest land or any portion thereof may be used for any non-forest purpose _____. (without prior approval of the Central Government/with the prior approval of the Central Government)

(x) Under the Indian Forest Act, 1927 for the purpose of inquiry under Section 7, the forest settlement-officer may exercise the _____ .
(power of Criminal Court/power of Civil Court)

(b) Write short notes on : $5 \times 2 = 10$

(i) Meaning of Environment

(ii) Depletion of Ozone layer

(iii) Public Interest Litigation on Environmental issues

(iv) Meaning of Air pollution

(v) Public Trust Doctrine

2. What is Environmental Pollution? Discuss in detail about the various causes of environmental pollution. 12

Or

Discuss in brief about International concern for environmental protection and Indian scenario and people's response towards environmental protection. 12

3. Discuss the various remedies under law of torts for environmental-pollution. How far the judicial activism in India has helped in mitigating environmental pollution? 12

Or

Discuss about new dynamic role of the Judiciary in the form of Public Interest Litigation in the area of environmental pollution. 12

4. What do you mean by sustainable development? Discuss the salient principle of sustainable development. 12

Or

Answer the following : **(any two)** 6×2=12

- (a) Stockholm Declaration
 - (b) Johannesburg Declaration on sustainable development
 - (c) Brundtland Commission.
5. Describe the composition, powers and functions of the Central Pollution Board for prevention and control of water pollution.

12

Or

What is the meaning of noise pollution?
What are the various sources of noise pollution? What are the effect of noise pollution? What are the legal control of Noise Pollution?

12

6. Describe the various power of the Central Government to take measures to protect and improve environment under Environment (protection) Act 1986. What do you mean by Citizen's suit provision?

12

Or

Write notes on the following : 6×2=12

- (a) National Environment Appellate Authority Act, 1997
- (b) Principle of no fault and the Public Liability and Insurance Act, 1991.

2014

ENVIRONMENTAL LAW

Paper : 5-4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer given in the brackets : 1×10=10
 - (i) Environment includes what the sense of sight, hearing, taste, smell and touch tell us about _____. (Individual / nature)
 - (ii) Ozone is mainly found in _____. (troposphere / stratosphere)
 - (iii) Modern environmental law has its roots in the _____ law principles of nuisance. (Civil / Common)

Contd.

- (iv) The object and purpose behind Section _____ of Cr. P.C. is essentially to prevent public nuisance. (133 / 144)
- (v) Sustainable development means global economic development sufficient to meet current needs while allowing _____ generation to achieve their needs. (present / future)
- (vi) Development should _____ at the cost of Environment. (not be / be)
- (vii) Pollution of water of a spring or reservoir is made punishable u/s _____ of the I.P.C. (277 / 290)
- (viii) Meaning of Air pollution is defined under section _____ of the Air (Prevention and Control of pollution) Act 1981. [2(a) / 2(b)]
- (ix) The Environment (protection) Act 1986 was enacted under Article _____ of the Constitution of India. (253 / 254)
- (x) The Public Liabilities Insurance Act, 1991 envisages the principle of _____ liability to pay compensation for any environmental hazards caused by the hazardous industry. (Absolute / Strict)

- (b) Write notes on the following : $2 \times 5 = 10$
- (i) Meaning of Environment
 - (ii) Polluter pay principle
 - (iii) Earth Summit 2002
 - (iv) Meaning of water pollution
 - (v) Citizen suit provision.

2. Discuss the Constitutional provisions relating to environmental protection including judicial view on this point. 12

Or

What do you mean by depletion of ozone layer and global warming (green house effect) ? What are the importance of green house effect and global warming ? $6+6=12$

3. Describe various remedies that are available in case of damages caused by environmental pollution. 12

Or

Write a detail note on the role of Public Interest Litigation entering the area of environmental pollution. 12

4. Write an explanatory note on the concept of sustainable development. Discuss the role of judiciary in maintaining sustainable development. $6+6=12$

Or

Describe the important principles that had been accepted in the Stockholm Conference on Environment and Development 1972. 12

5. What are the sources of air pollution ? Describe the effect of air pollution. What measures are to be taken to prevent and control of air pollution ?
4+4+4=12

Or

Discuss the facts and rule laid down in Ganga pollution case. 12

6. Mention the salient features of the Environment (Protection) Act 1986. What powers have been conferred on the Central Government by the Environment (Protection) Act, 1986 to take measures to protect and improve environment ? Discuss.
4+8=12

Or

Discuss the impact of deforestation on environmental degradation. What action plan would you like to suggest for preventing environmental degradation through deforestation ?
6+6=12

Total No. of printed pages = 3

19 (F) ENVL 6

2011

ENVIRONMENTAL LAW

Sixth Paper

Full Marks – 100

Time – Three hours

The questions are of equal value.

Answer any *five* questions.

1. 'The Indian Constitution is amongst a few in the world that contains specific provisions on environmental protection'.

Discuss the above statement specifically by explaining all the relevant provisions of the Indian Constitution on environment protection.

2. Describe composition, powers and functions of the Central Pollution Board for prevention and control of water pollution.

[Turn over

3. Write notes on any two :
- (a) Sustainable Development
 - (b) Kyoto Conference
 - (c) Stockholm Declaration.
4. Judicial dynamism in matters of environmental pollution began in our country with the decision of the Supreme Court in *Ratlam Municipality Vs. Virdhi Chand*. Discuss the above statement.
5. Discuss the procedure to be followed as per the Environment (Protection) Act, 1986 for collection of any sample for the purpose of analysis. What penalties can be imposed for contravention or non-compliance of any provision of the Act ?
Who are liable to punishment under the Act in case of violation of the provisions of the Act by any company and any Government Department.
6. On what grounds under the law of tort the environmental pollution cases can be adjudicated ? Discuss with reference to case laws.
7. What is the meaning of noise pollution ? Discuss the sources and effect of noise pollution. What measures are to be taken to prevent and control noise pollution ?

8. Write a note on the Biological Diversity Act, 2002.

9. What do you mean by Depletion of Ozone Layer and global warming (Green House Effect)? What is the importance of Green House Effect and consequence of Green House Effect?