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19 (3-5) ENLW 5-4

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)

Contd.

- (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 \_\_\_\_\_. (Bhupal 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 : 5×2=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.