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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 : 5×2=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) 6×2=12

- (a) Montreal Protocol 1987

- (b) Keyoto 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