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21 (5) ENLW 5-4

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: $2 \times 5 = 10$

- (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: $6 \times 2 = 12$
(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 enter 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