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21 (Sem-9) ENLW 9-2

2016

ENVIRONMENTAL LAW

Paper : 9-2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks : 1×10=10

(a) Growing population is one of the factors responsible for causing environmental pollution. (True/False)

(b) The term nuisance has been derived from the _____ word *nuitce*. (Roman/French)

(c) Negligence is another kind of _____ where a remedy for environmental pollution lies. (crime/tort)

(d) Article _____ uses the expression "natural environmental". [48-A/51-A(g)]

Contd.

(e) Article 226 is not a fundamental right.
(True/False)

(f) Sections _____ deals with the provisions for an action against public nuisance. (133-144/145-153)

(g) The Water (Prevention and Control of Pollution) Act, _____. (1971/1974)

(h) Stationary combustion is one of the man-made sources of _____ pollution. (Water/Air)

(i) Television and Audio Systems are _____ sources of noise pollution. (Industrial / non-industrial)

(j) _____ is known as Magna-Karta of our environment. (Stockholm declaration/Rio declaration)

2. Answer the following : $2 \times 5 = 10$

(a) What is negligence?

(b) Mention *two* directive principles of state policy which provides for environmental protection.

(c) Brundtland Commission.

(d) Define trespass.

(e) What is bio-medical waste?

3. Define environment. Discuss briefly the constitutional provisions pertaining to environmental protection. 12

Or

Define the concept of environmental pollution. Discuss the factors for the growth of environmental pollution. 12

4. Explain the following : $3 \times 4 = 12$

(a) Strict liability

(b) Absolute liability

(c) Nuisance.

Or

Discuss in detail the writ jurisdiction of the Supreme Court and High Courts. Bring out the distinction between Article 32 and Article 226. 12

5. Write on : $3 \times 4 = 12$

(a) Stockholm Conference

(b) Agenda 21

(c) Rio Declaration

(d) Kyoto Protocol.

Or

Discuss the fact of the case — 6×2=12

(a) M.C. Mehta v/s Union of India
(AIR-99 SC-291)

(b) Tajmahal Case.

6. Discuss in detail about the Air (Prevention and Control of Pollution) Act, 1981. 12

Or

Explain about noise pollution along with its causes and effect. 12

7. What was the most immediate cause which led to the enactment of the Environment (Protection) Act, 1986? Discuss the powers of the Central Government, which have been conferred on it under this Act in order to protect and promote the environment. 12

Or

How do the courts in India respond to public interest litigation on environmental protection? Discuss briefly giving reference to at least three leading cases decided by the Apex Court. 12