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19 (V) ENVL 5-4

2020

(Held in 2021)

ENVIRONMENTAL LAW

Paper : 5-4

Full Marks : 56

Time : 2½ hours

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

GROUP-A

1. Fill in the blanks with appropriate answer
given in the brackets : $1 \times 7 = 7$

(i) The World Commission on Environment
and Development (WCED) submitted its
Report in the year 1987 under the able
leadership of _____ .

(Mrs. Indira Gandhi/
Mrs. G. H. Brundtland)

Contd.

- (ii) The subject of Forests and Wildlife was transformed from the State List to the Concurrent List by the Constitution _____ .

(44th Amendment/42nd Amendment)

- (iii) The Bhopal Gas Leak case for claiming compensation for the victims of the disaster was in the nature of a/an _____ .

(individual suit/representative suit)

- (iv) Modern Environmental Law has its roots in the _____ law principles of nuisance. *(Civil/ Common)*

- (v) In the recent Baghjan Oil Well Disaster, in Assam, the offender has its _____ .
(civil liability only/ both civil and criminal liability)

- (vi) The Water (Prevention and Control of Pollution) Act, 1974 was passed by the Parliament under _____ of the Constitution of India.

(Article 249/ Article 252)

- (vii) The measurement of noise is known as _____ .
(hertz/ decibel)

2. Write short notes on : 3+2+2=7

(i) Anthropogenic causes of environmental degradation

(ii) Ecosystem

(iii) Climate change.

3. Write an elaborate jurisprudential account on the Constitutional mandates for environmental protection in India. 7

Or

Discuss the origin and development of environmental jurisprudence of India.

7

4. How does the higher judiciary, in India, respond to Public Interest Litigation for protection and preservation of Elephant corridors in the wildlife sanctuaries and national parks ? Discuss. 7

Or

Write an explanatory note on the basic principles of Sustainable Development.

7

GROUP-B

5. Problem of balancing conflicting interests :
Suggest legal solution, thereof.

There is always a disparity between economic development and environmental protection and as an attempt to address such disparities and in order to make a balance, the concept of sustainable development was globally accepted and is followed in India too. Now based on this concept, the Supreme Court of India banned a huge power plant that was causing environmental pollution. However, the plant served employment to nearly 2 lakhs of labourers who are now left with no alternative sources to maintain their livelihood, thereby, making them to starve. The same concept of sustainable development also provides for eradication of poverty and unemployment. Now, justify the decision of the Supreme Court with relevant case laws and suggest what shall be done to provide relief to the 2 lakhs labourers concerned.

14

Or

A Brick kiln factory was setup in your locality without complying with the mandatory requirements of the Environment Impact Assessment (EIA). What should be your role as a conscious citizen in such a situation ? 14

6. Suggest a sustainable solution to the conflict between sovereign jurisdiction of a country over its territory and trans-boundary pollution. 14

Or

Can a hospital or a pathological laboratory discharge its bio-medical wastes without having an incinerators ? Give your opinion in the light of the existing Rules and Regulations framed for the purpose. 14
