

Total number of printed pages-7

19 (V) ENVL 5.4

2023

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 appropriate option given in the brackets : $1 \times 10 = 10$

(a) The Latin word *pollutionem* for pollution means _____. (to defile/to decontaminate)

(b) One of the key elements of depletion of ozone layer, CFC stands for _____.

(Chlorofluorocarbon/Chloroflouridecarbon)

Contd.

(c) If the environmental pollution causes public nuisance, it is punishable under _____ of the Indian Penal Code.
(Sec. 268/Sec. 270)

(d) In matters of environmental pollution, the High Courts under Article 226 are generally competent to grant the remedy of *mandamus*, *certiorari* and *prohibition* only. (True/False)

(e) 'Precautionary principle' and 'Polluter pays principle' were developed in the _____.
(Earth Summit 1992/Earth Summit 2002)

(f) The origin of 'public trust doctrine' can be traced back to _____.
(Roman law/ Greek law)

(g) Any person aggrieved by the order of the State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 can prefer an appeal within _____.
(thirty days/ sixty days)

(h) Any liquid, gaseous or solid substance which is discharged from any industrial operations and disposal system other than domestic sewage is called _____.
(sewage effluent/trade effluent)

(i) _____ of the Environment Protection Act, 1986 deals with 'hazardous substance'. (Sec. 2(b)/Sec. 2(e))

(j) The Wildlife (Protection) Act, 1972 was passed by the Parliament under _____ of the Constitution.
(Article 251/Article 252)

2. Write short notes on : 2×5=10

(a) Preventive Measures of Environmental Pollution

(b) Judicial Dynamism and Environment

(c) Precautionary Principle

(d) Objectives of the Air (Prevention and Control of Pollution) Act, 1981

(e) Types of Forests

3. Discuss in brief about the international concern for environment protection. Mention about the initiative taken by the Govt. of India towards environmental protection.

12

Or

"The Constitution of India is amongst a few in the world that contains specific provisions for environmental protection."

Explain the statement with the help of relevant provisions of the Constitution of India.

4. Discuss the role of Indian judiciary in mitigating the environmental pollution citing recent case laws.

12

Or

Explain with landmark case when environmental pollution may amount to nuisance under the law. What are the remedies available for nuisance for an aggrieved person?

8+4=12

5. Write a brief note on the commitment of the world community for *Sustainable Development* agreed for the protection of environment from *Stockholm to Rio de Janeiro*. Give an emphasis on the commitment made in the *Johannesburg Declaration*.

8+4=12

Or

Write a note on the origin of the concept of 'Sustainable Development'. Discuss the scope and ambit of sustainable development in the wake of liberalisation and globalisation.

4+8=12

6. What is noise pollution? What are the causes and effect of noise pollution? Mention about the various measures to control noise pollution in India. $2+3+3+4=12$

Or

Find out the distinction between sewage effluent and trade effluent. What are the measures laid down for prevention of water pollution caused by them under the Water (Prevention and Control of Pollution) Act, 1974? $4+8=12$

7. What is purpose of passing the Public Liability Insurance Act, 1991? State the fundamental principle of liability based on which relief is given under the Act. When does the liability to give relief arise? Write about provision dealing with offences committed by company under the Act? $3+3+3+3=12$

Or

Write notes on the following:

- (a) Salient features of National Environment Appellate Authority Act, 1997
- (b) Judicial attitude towards forest conservation with case laws
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