

**LL.B. (3 Year Degree Course) Sem-VI (CBCS - 2015 COURSE) :
SUMMER - 2019**

SUBJECT : ENVIRONMENTAL LAW

Day : Saturday
Date : 11/05/2019

S-2019-1759

Time : 02.00 PM TO 05.00 PM
Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 "Any activity which pollutes the environment and makes it unhealthy, hazardous to human health or health of flora and fauna, is violative of right to have "living environment", implicitly guaranteed by Article 21". Comment with the help of case laws.

OR

Define environment and discuss the causes of pollution and environmental degradation.

Q.2 The International conference on Human Environment in the year 1972, at Stockholm was the turning point in the international environmental law. Explain the important features of Stockholm declaration.

OR

Critically evaluate the Rio declaration on Environment and development with special reference to the principle of sustainable development.

Q.3 Although there are existing laws dealing directly or indirectly with several environmental matters, it is necessary to have a general legislation for environmental protection. Existing laws generally focus on specific types of pollution or on specific categories of hazardous substances. Some major gaps in areas of environmental hazards are not covered. Critically evaluate the salient the features of Environment (Protection) Act, 1986.

OR

Explain the powers and functions of Central Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981.

Q.4 Wildlife is one of our basic and natural resources that satisfies the needs or wants of civilization. Therefore, this resource must be conserved, preserved and protected for the existence of mankind. Discuss the essential feature of Wildlife Protection Act.

OR

Forests are a major natural resource and are also recognized as a colorful expression of natures. Management of forest is an essential aspects of the Protection of the environment. Discuss the above statement with the help of Indian Forest Act, 1927 and Forest (Conservation) Act, 1980.

Q.5 a) A PIL was filed by an NGO, in High Court highlighting the mining activities which have denuded the Mussoorie Hills of trees and forest cover and accelerated soil erosion resulting in landslides and blockage of underground water. The court ordered for the closure of polluting quarries.

On appeal to the Supreme Court, the quarry owners as well as the workers employed therein contend that, 'closing down order' cannot be passed in view of their right to life under Article 21 of the Constitution. Decide.

- b)** Case study on :-
Banwasi Seva Ashram v. State of U.P., (1986) 4 SCC 753.

OR

- a)** Enormous quantities of highly toxic trade effluents emitted by Industry X, has caused grave damage to village Z, which has become the vicinity of chemical industrial plants in India. It poisoned water, earth and everything that came in contact with it and caused death and disease in the whole village. It lead to collective revolt by the villagers leading to the imposition of Sec. 144 Cr. P.C. by the District Magistrate. As per the order of the Magistrate, the chemical industries have been closed. However the consequence of this action, viz.-the enormous damage done to the water, earth, cattle's and the plants remained to be addressed.

What judicial remedies are available to the villagers?

- b)** Case study on :
Church of God (Full Gospel) in India v. K.K.R. Magestic Colony Welfare Assn., (2000) 7 SCC 282.

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