

Q 10	Critically discuss the constitutional obligation imposed upon the state and citizens in relation to the protection of environment in India. Is the <i>Right to Clean Environment</i> , a fundamental right? Substantiate your answer with relevant case laws.	10	CO4
Q 11	“ <i>Enactment of Water and Air Act impliedly repealed Section 133 of Code of Criminal Procedure, 1973</i> ”. Comment	10	CO3
SECTION-D Note: Attempt all Questions. Max 50 marks			
Q 12	“ <i>It is a well-known fact that ‘judicial activism’ has contributed immensely to the field of environmental protection in India. There are hundreds of judgements which have collectively contributed to this cause, yet some of these judgements can be specifically highlighted which have considerably influenced the field of environmental protection. Most of these landmark judgements have also come through the means of Public Interest Litigation (PIL).</i> ” In the light of this statement, identify and analyze three landmark judgments rendered by the Indian Judiciary that have considerably influenced the evolution of environmental law and policy in India.	20	CO4
Q 13	A notice was given to about 165 dyeing factories to close down the business as they are polluting water and discharging dirty water on the public roads thereby causing damage to public health. The petitioners claimed that they were doing business for the last 25 years and providing employment to 20,000 to 25,000 families, and that the order is against Article 19(1) (g) also. Is the argument justifiable?	15	CO5
Q 14	Citing relevant principles, legislation and treaties, discuss the issues and decision in case of <i>Research Foundation for Science v. Union of India (2007)</i> related to hazardous substances.	15	CO4

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
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Course: Environmental Law LLBL 431 Semester: VII
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Course Code: LLBL 431 Max. Marks: 100
Time: 03 hrs.
No. of page/s: 2

SECTION A

Note: Attempt all Questions. All Questions carry equal marks. **Max 10 marks**

S. No.		Marks	CO
Q 1	Define the terms ‘environment’ and ‘environmental pollution’ as defined in EPA, 1986.	2	CO1
Q 2	Enumerate the remedies available to a victim of pollution under the Law of Torts.	2	CO2
Q 3	Write short note on salient features of <i>Biological Diversity Act, 2002</i> .	2	CO3
Q 4	What are the various kinds of Wastes? Explain legal rules as regards the disposal and recycling of Waste.	2	CO3
Q 5	“ <i>Environmental Pollution has become an international problem</i> ”. Discuss various developments in this regard.	2	CO2

SECTION B

Note: Attempt any two Questions out of following three: **Max 20 marks**

Q 6	Discuss the powers and functions of the Central Government under <i>Environment (Protection) Act, 1986</i> . In this regard, explain the weakness of the Act.	10	CO3
Q 7	Describe and analyze the role and contributions of India in international environmental dialogue from Stockholm conference to Paris agreement.	10	CO2
Q 8	Describe the salient features of the <i>Plastic Waste Management Rules 2016</i> in light of 2018 amendments. What are the challenges in India for effective implementation of these rules?	10	CO3

SECTION-C

Note: Attempt any two Questions out of following three. All Questions carry Equal Marks. **Max 20 marks**

Q 9	While highlighting the challenges in implementation, describe salient features of <i>National Environmental Policy 2006</i> .	10	CO3
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Q 10	Examine critically the <i>Polluter's Pay Principle, Precautionary Principle and Absolute Liability Principle</i> as propounded by Indian Supreme Court.	10	CO4
Q 11	Discuss the powers and jurisdiction of the National Green Tribunal (NGT) of India. Explain the reasons behind the suggestion of the Supreme Court in various cases for establishing environmental courts. Briefly analyze the functioning of the NGT in rendering environmental justice in India.	10	CO4
SECTION-D Note: Attempt all Questions. Max 50 marks			
Q 12	A filed a complaint in the State Pollution Control Board (SPCB) claiming that an industry Z was polluting the river by discharging untreated effluents in the river. The SPCB directed industry Z to establish effluent treatment plant within two months. After lapse of two months, the SPCB order the closure of industry Z on the ground that industry Z did not comply with the direction of the SPCB. Discuss the validity of the SPCB order in the light of the provisions of <i>Water Act, 1974</i> .	15	CO3
Q 13	Examine National and International Perspective on Sustainable Development. Why does the resettlement and rehabilitation of people affected by mining and dam projects pose a major challenge in India? Illustrate your answer with a case study.	15	CO5
Q 14	What is <i>Citizen suit</i> provision? Discuss the development of this principle in India with help of relevant legislations and case law. Citing two case law examples, enumerate how application of this principle helps in environment law cases.	20	CO5