

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course:
Environmental
Law and Studies
Program: B.Sc.
LLB (IPR
Hons.)
Course Code:
CLCC 4014

Semester : V
Duration : 03 hrs.
Max. Marks: 100

Instructions:

SECTION A
(Type the answers in test box)

Objective Type Questions/Definitions/fill in the blanks

5Qx2M=10 Marks

Q. No.		Marks	CO
Q. No.1	Describe the absolute liability principle and in which case was it propounded by the Indian Supreme Court?	2	2
Q. No.2	What was the ratio of the Trail Smelter Arbitration?	2	3
Q. No.3	Describe the ratio in the Wild Buffalo's case.	2	3
Q. No.4	Name the remedies for 'Private Nuisance' in Environmental cases.	2	2
Q. No.5	Give 2 examples of religious or cultural practices related to environmental preservation in India.	2	1

SECTION B
(Scan and upload)

(Conceptual based question)

4Q x5M=20 Marks

Q. No.		Marks	CO
Q. No.1	Trace the genesis of the Precautionary Principle.	5	2
Q. No.2	Discuss the objectives of the Forest Rights Act, 2006.	5	1
Q. No.3	Appraise the crux of the Public Trust Doctrine with respect to Environmental Law.	5	3
Q. No.4	Evaluate the concept of 'Labor Environmental Jurisprudence'.	5	2

SECTION-C
(Scan and upload)

(Descriptive/Analytical Questions)		2Qx10M=20 Mark	
Q.No.		Marks	CO
Q.No.1	Analyze the paradigm shift in Environmental Jurisprudence from the ‘Anthropocentric’ to ‘Eco centric’ approach with the help of relevant case laws.	10	2
Q.No. 2	Examine the National Environment Policy of India in light of the Objectives laid down by the said policy.	10	3
SECTION-D			
<i>(Scan and upload)</i>			
(Case Studies/ Application Based Questions)		2Qx25M =50 Marks	
Q.No.		Marks	CO
Q.No.1	A chemical manufacturing industry was operating in an area for many years. It was observed by a few people later that the industry was creating pollution and was detrimental to the environment. A group of public spirited persons approached the Court for the same. Various arguments were put forth from both sides and including arguments with respect to the problems which will arise if the industry is shut down. Elucidate the various considerations from both sides and support your answer with relevant provisions as well as pronouncements of the Court.	25	4
Q.No.2	Tribe <i>abc</i> has been living in forest <i>xyz</i> since before the enactment of the Forest Act, 1927. The members of the tribe are known for their excellence and expertise in Traditional Medicinal Knowledge. They obtain the medicinal plants required for their purpose from forest <i>xyz</i> and the members of the community earn their livelihood through their medicinal knowledge. They reside in the forest <i>xyz</i> and they have extreme affinity to their cultural, religious and spiritual identity. In the year 2006, they decided to apply to the Appropriate Authority for establishing their claims related to the Forest <i>xyz</i> . Keeping these facts in mind, provide legal advice for the tribe <i>abc</i> to establish their claims.	25	4