

| Name:   |  |  |     |
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| Enrolment No:   |  |  |     |
| <b>UPES</b><br><b>End Semester Examination, December 2024</b>   |  |  |     |
| <b>Course: Environmental Studies and Law</b><br><b>Program: B. Tech. LL.B</b><br><b>Course Code: CLCC5021</b> |  | <b>Semester: IX</b><br><b>Time : 03 hrs.</b><br><b>Max. Marks: 100</b>             |     |
| <b>Instructions:</b>  |  |  |     |
| <b>SECTION A</b><br><b>(5Qx2M=10Marks)</b>  |  |  |     |
| S. No.  |  | Marks  | CO  |
| Q 1   | Define the term “occupier” under the Water (Prevention and Control of Pollution) Act of 1974   | 2  | CO1 |
| Q2  | Define ‘Gram Sabha’ under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006  | 2  | CO1 |
| Q3  | Write short note on Agenda 21.   | 2  | CO1 |
| Q4  | Write short note on Intergenerational equity.  | 2  | CO1 |
| Q5  | Define ‘environment’ under the National Green Tribunal Act, 2010.  | 2  | CO1 |
| <b>SECTION B</b><br><b>(4Qx5M= 20 Marks)</b>  |  |  |     |
| Q6  | Discuss the relevant provisions of The Water (Prevention and Control of Pollution) Act of 1974 aimed at preventing and control of water pollution.   | 5  | CO2 |
| Q7  | Identify and explain the duties of citizens in environmental protection as outlined in legal frameworks and public policy. How can citizens apply these responsibilities in their daily lives, and propose strategies to increase public participation and accountability in environmental conservation efforts. | 5  | CO2 |
| Q8  | Examine the powers and functions of the Central Pollution Control Board (CPCB) under the Water (Prevention and Control of Pollution) Act, 1974.  | 5  | CO2 |

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| Q9   | “Actions brought under tort law are amongst the oldest of legal remedies to abate pollution”. Explain.  | 5  | CO2 |
| <b>SECTION-C</b><br><b>(2Qx10M=20 Marks)</b> |   |    |     |
| Q 10   | Discuss the composition, powers and function of the National Green Tribunal (NGT) of India. Critically analyze the functioning of the NGT in rendering environmental justice in India.  | 10 | CO3 |
| Q 11   | Which was the most immediate cause which led to the enactment of Environment Protection Act, 1986? Discuss the powers of central government which have been conferred on it under this act in order to protect and promote the environment.   | 10 | CO3 |
| <b>SECTION-D</b><br><b>(2Qx25M=50 Marks)</b> |   |    |     |
| Q 12   | <p>The government of India, has approved a multi-billion-dollar infrastructure project to construct a mega-industrial park in an ecologically sensitive zone. The project is expected to boost the national economy, generate employment for thousands, and attract foreign investments. However, the proposed site for the park is home to endangered species, a critical forest area, and a river that provides drinking water to several nearby villages.</p> <p>The local communities, primarily indigenous groups, rely on the forest and river for their livelihood, cultural practices, and daily needs. Despite these concerns, the government granted environmental clearance, citing national interest and economic growth. The Environmental Protection Agency of India approved the project under expedited processes, allegedly overlooking environmental impact assessments.</p> <p>Civil society organizations and affected villagers have filed a petition in the Supreme Court, arguing that the project violates their fundamental rights to life, livelihood, and a clean environment under the Constitution of India. They also allege that the clearance violates the country's environmental protection laws and international human rights obligations.</p> <p>The government defends its decision, claiming that development is crucial for poverty alleviation and national progress. It argues that mitigation measures, like reforestation and relocation plans, are in place to address environmental and social concerns.</p> <p>Analyze how this incident might constitute a violation of environmental laws and human rights. Which fundamental rights might be claimed by affected residents, and how could these rights be argued in court? What</p> | 25 | CO4 |

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|      | precedents or international conventions could guide the court in making its decision?   |           |            |
| Q 13 | <p>The people of Marur Municipality are suffering from stench and stink caused by open drains. The alcohol plant situated there is also releasing effluents. The area is having poor sanitation and open public excretion system by the people created environmental pollution.</p> <p>What are the rights available to the residents of Marur? Whether municipality is liable?</p> | <b>25</b> | <b>CO4</b> |