


Name:			
Enrolment No:			
<b>UNIVERSITY OF PETROLEUM AND ENERGY STUDIES</b> <b>End Semester Examination, December 2022</b>			
<b>Course: Environment Studies &amp; Law</b> <b>Semester: VIIIth</b> <b>Program: BA/BBA/BCOM LLB</b> <b>Course Code: CLCC4014</b>		<b>Time : 03 hrs.</b> <b>Max. Marks: 100</b>	
<b>Instructions: All questions are compulsory.</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	Define the term "Pollution" under the Environment Protection Act, 1986.	2	CO1
Q 2	Explain a key development that took place as a result of Paris Agreement on Climate Change.	2	CO1
Q 3	Write a short note on the composition of the National Green Tribunal.	2	CO1
Q 4	What are the concepts of Laws of Tort pertaining to environment protection?	2	CO1
Q 5	Define Environment Impact Assessment.	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
1.	WTO's legal framework and judicial pronouncements have discouraged the cause of environment protection. Explain this statement briefly.	5	CO2
2.	Elaborate the provisions relating to offences by companies and government departments as mentioned in the Environment (Protection) Act, 1986.	5	CO2
3.	Describe the procedure of removing nuisance under Section 133 of the Code of Criminal Procedure, 1973.	5	CO2
4.	Distinguish between Anthropocentric and Ecocentric Approach towards environment.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
1.	Discuss the evolution of international environmental law in the context of International conventions and treaty based framework.	10	CO3
2.	Discuss the role of Indian judiciary in capturing the essence of right to wholesome environment and preserving it as a constitutional right.	10	CO3

**SECTION-D**  
**(2Qx25M=50 Marks)**

1	<p>Zaptech Limited incorporated in Germany has been working on the cure for a particular disease Rheumatoid Arthritis. The scientists in its R &amp; D unit are at the initial stage of researching the possible major component for the cure. During this research, it was found that extracts from a rare plant called “Vedgiri” has been known to provide relief from severe joint pains. This plant is found in the Vindhyanchal Range in India. Determined to deconstruct the abstract and to find out its chemical composition, the company sent a team of scientists to India to conduct further research on the medicinal properties of Vedgiri and determine whether it can be used for developing the cure for Rheumatoid Arthritis. For centuries, the plant of Vedgiri has been used by the local communities to produce ayurvedic cure for various joint pain related ailments. Many tourists visit this region for getting their ailments treated. The scientists disguised as tourists were able to discreetly procure some samples of Vedgiri plant. They proceeded with the further research in the laboratories established in Germany. Ultimately, they were able to come up with the revolutionary medical innovation which was patented under the German law.</p> <p>The Indian government raised its objection regarding the said patent as they claimed that the medicine was a product of their biological diversity and thus, the granting of the patent for the medicine is a gross violation of the Indian laws related to biodiversity. Comment.</p>	<b>25</b>	<b>CO4</b>
2	<p>In the wee hours of 1<sup>st</sup> February 2022, the students living in hostels around Pondoli, woke up to extreme suffocation and uneasiness caused because of fumes and a toxic gas rising from a nearby plastic manufacturing plant. The plastic manufacturing plant was engaged in manufacturing of plastic and plastic products. It also had a godown where plastic sheets, plastic containers and plastic products were stored before final dispatch. On being extremely suffocated due to the toxic gas, the students immediately informed their hostel authorities who informed the local police. A fire extinguisher was called immediately to call off the fire. An initial investigation reveals that the fumes were as a result of a fire at the plastic industry situated and Pondoli. The factory was manufacturing plastic using a inferior and low quality chemical called o890. The fire caused the chemical to burn and resulted in release of toxic gases. The investigation also revealed that the plastic factory had no provision of extinguishing the fire and lacked fire and safety control provisions. It was also operating without proper approval of the local authorities. As a result of this happening, students and children living in nearby villages have developed severe skin diseases and respiratory ailments.</p>	<b>25</b>	<b>CO4</b>

	<p>The students of a nearby law school have decided to take the necessary legal action against the plastic factory owners and have approached you to help them with the same. You are a legal consultant. What as per you are the different legal remedies available to them on immediate and long-term basis.</p>		
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