

Name:	
Enrolment No:	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**

**End Semester Examination, December 2018**

**Course: ENVIRONMENTAL LAW**

**Course Code: LLBL431**

**Semester: IX**

**Programme: B. Tech-CS-LLB-CL-NU-IX; B.Tech-ET-LLB-IPR**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

**SECTION A**

S. No.		Marks	CO
Q 1	Statement of question:		
A.	The following judgment is related to environmental pollution: (i) Mumbai Kamgar Sabha v. Abdulbhai Faizulbhai (ii) Hussainara Khatoon v. State of Bihar (iii) Municipal Corporation, Ratlam v. Vardichand	2	CO1
B.	In the following case, environment-development dialogue is introduced by the Court: (i) Rural Litigation and Entitlement Kendra, Dehradun v. State of UP (ii) Badhua Mukti Morcha v. Union of India (iii) Vishaka v. State of Rajasthan	2	CO1
C.	The following provision of the Constitution is related to environmental protection: (i) Article 21A (ii) Article 39A (iii) Article 48A	2	CO1
D.	The following judge has had contribution to the development of environmental law: (i) Vivian Bose (ii) V. R. Krishna Iyer (iii) Y. Chandrachud	2	CO1
E.	The following event has had contribution to the development of environmental law: (i) Tibetan diaspora (ii) National emergency (iii) Bhopal gas disaster	2	CO1

**SECTION B**

Q	Statement of question		
2.	Discuss the legislative development in the environmental law regime in India.	<b>20</b>	<b>CO2</b>

**SECTION-C**

Q	Statement of question		
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3.	Discuss one among its earliest judgments where the Apex Court has dealt with balance between environment and development.	20	CO2
<b>SECTION-D</b>			
Q	Statement of question	50	
4.	<p>A gigantic dam project earned sanction of the Ministry of Environment and Forests. The intended result of the project lies in equitable distribution of the water resources to arid and semiarid terrains adjacent to the river basin. Unintended consequence but lies in submerge of default habitats of few millions of tribal population in the terrain since time immemorial.</p> <p>In course of judicial process, the Apex Court has extended a position of <i>amicus curie</i> to you. Appreciate prospects and consequence of the given project with precedence from earlier decisions and legal rights of the beneficiary and those at loss of habitat. While preparing your draft, highlight contribution of the multilateral environmental agreements (MEAs) where India is a party.</p>		CO4

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**Instructions:**

**SECTION A**

S. No.	Statement of question:	Marks	CO
Q 1	Statement of question:		
A.	The following legislation has provided for the institution of Pollution Control Board: (i) The Water (Prevention and Control of Pollution) Act, 1974 (ii) The Environment (Protection) Act, 1986 (iii) The Biodiversity Act, 2002	2	CO1
B.	The following legislation has provided for extensive rulemaking power to delegate environmental governance in favour of Central Government (i) The Air (Prevention and Control of Pollution) Act, 1981 (ii) The Environment (Protection) Act, 1986 (iii) The Public Liability Insurance Act, 1991	2	CO1
C.	The following doctrine is related to environmental jurisprudence: (i) Anti-trust (ii) Public trust (iii) Equity trust	2	CO1
D.	Stockholm Conference on Human Development took place in: (i) 1972 (ii) 1982 (iii) 1992	2	CO1
E.	Rio Conference on environment and Development took place on: (i) 1972 (ii) 1982 (iii) 1992	2	CO1

**SECTION B**

Q	Statement of question	Marks	CO
2.	Discuss the impact of international instruments upon the environmental governance in India.	20	CO2

**SECTION-C**

Q	Statement of question		
3.	Discuss the development of environmental jurisprudence by National Green Tribunal in India.	20	CO2
<b>SECTION-D</b>			
Q	Statement of question	50	
4.	<p>In course of prolonged nonintentional armed conflict between the state and a major Naxalite outfit called Peoples Liberation Front in India, both sides indulge in steps leading to degradation of sustainable regional environment. While the non-state actor is engaged in otherwise illegal timber trade as per the global regime, security forces deployed by the State is engaged in falling of timber across the forest establishments to minimize surprise attack upon their troops from combatant force on reverse side. Thus, both sides indulge in deforestation for reasoning of their own. Consequently, habitat of traditional forest dwellers are getting threatened with the forest cover getting squeezed from inside and outside alike.</p> <p>The matter was raised by S. C. Mehta, a professional lawyer turned <i>pro bono</i> activist who pleads his concern for violation of international environmental obligation India pledges before the international community vis-à-vis environmental modification, etc. in course of armed conflict. As <i>amicus curie</i> of the Court, highlight arguments for both sides followed by the concern for Mehta as he raises voice before the Court to spearhead the voice of sanity; also legitimate interests of the voiceless.</p>		CO4