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4 SEM LLB 2 ENV

2009

(December) ✓

ENVIRONMENTAL LAW

Paper : 402

Full Marks : 80

Time : Three hours

The questions are of equal value.

The figures in the margin indicate full marks for the questions.

Answer any five questions.

1. "The Indian Constitution is amongst a few in the world that contains specific provisions on environment protection."
Discuss the above statement specially by explaining all the relevant provisions of Indian Constitution on Environmental protection. 16
2. State the powers and functions of the Central Board constituted under the Water (Prevention and Control of Pollution) Act, 1974. 16

3. Write brief notes on : (*any four*) $4 \times 4 = 16$
- (a) Ecology
 - (b) Judicial dynamism
 - (c) Taxidermy
 - (d) Radioactive pollution
 - (e) Kyoto Protocol.
4. (a) What is ozone depletion ?
- (b) What are the threats posed to human existence by this depletion ? $8 + 8 = 16$
5. What is Protected Forest ?
Explain the power of the State Govt. to make rules for protected forest. $4 + 12 = 16$
6. Under what circumstances is hunting of wild animals permitted ?
Can permit be granted for educational purpose and scientific research ? $10 + 6 = 16$
7. What is Environment ?
Describe the powers of the Central Government to take measures to protect and improve environment. Cite case laws. $6 + 10 = 16$

8. "The Air (Prevention and Control of Pollution) Act, 1981 originally did not have effective provision for penalties, but the Amendment Act of 1987 has made widespread changes."
Explain the provisions for penalties for offences as inserted through the subsequent Amendment.

16

9. What are the restrictions on the dereservation of forests *or* use of forests land for non-forest purposes ?

8+8=16

10. Give the facts, decision and reasons for decision in *any one* of the following cases :

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(a) *M. C. Mehta*

Vs.

Union of India

(AIR 1987, SC. 1086) Oleum Gas Leak case.

(b) *M. C. Mehta*

Vs.

Union of India

(AIR 1988, SC. 1037) Ganga Pollution (Tanneries) case.