


| Name:  |  |  |     |
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| Enrolment No:  |  |  |     |
| <b>UNIVERSITY OF PETROLEUM AND ENERGY STUDIES</b><br><b>End Semester Examination, December 2022</b>  |  |  |     |
| Course: Environmental studies & Law  |  | Time : 03 hrs.   |     |
| Semester: 9th  |  | Max. Marks: 100  |     |
| Program: B.Tech. LL.B. - CSE   |  |  |     |
| Course Code: CLCC 4014   |  |  |     |
| <b>Instructions:</b>   |  |  |     |
| <ul style="list-style-type: none"> <li>In section "A" explain and define the terms, with relevant sections.</li> <li>In sections "B", "C", and "D", support your answer with the case laws.</li> </ul> |  |  |     |
| <b>SECTION A</b><br><b>(5Qx2M=10Marks)</b>   |  |  |     |
| S. No.   |  | Marks  | CO  |
| Q 1  | Hazardous Waste  | 2  | CO1 |
| Q 2  | Sustainable Development  | 2  | CO1 |
| Q 3  | EIA  | 2  | CO1 |
| Q4   | CRZ Notification, 1991.  | 2  | CO1 |
| Q5   | UNFCCC   | 2  | CO2 |
| <b>SECTION B</b><br><b>(4Qx5M= 20 Marks)</b>   |  |  |     |
| Q6.  | Explain the powers and functions of central pollution control board under Air (Prevention and control of pollution) Act, 1981.                 | 5  | CO3 |
| Q 7.   | Explain the powers and functions of Central Government under the Environment (Protection) Act, 1986.   | 5  | CO3 |
| Q 8.   | Explain the environmental protection under the Post Independence Era.  | 5  | CO1 |
| Q 9.   | Explain the provisions of Law of torts in protection of Environment.   | 5  | CO1 |
| <b>SECTION-C</b><br><b>(2Qx10M=20 Marks)</b>   |  |  |     |
| Q 10.  | Environmental crime refers to the violation of laws intended to protect the environment and human health. Justify the statement by listing out | 10   | CO3 |

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|  | provisions under IPC and Cr.P.C. along with the relevant case laws.  |    |     |
| Q 11.  | Elaborate briefly the contribution of Public Interest Litigation in the development of environmental Jurisprudence in India. Mention the contribution of M.C. Mehta in protection of environment.  | 10 | CO3 |
| <b>SECTION-D</b><br><b>(2Qx25M=50 Marks)</b> |  |    |     |
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| Q 12.  | <p>Where Directive Principles have found statutory expression in Do's and Don'ts the court will not sit idly by and allow municipal government to become a statutory mockery. The law will relentlessly be enforced and the plea of poor finance will be poor alibi when people in misery cry for justice. The dynamics of the judicial process have a new enforcement' dimension not merely through some of the provisions of the Criminal Procedure Code (as here) but also through activated tort consciousness. The officers in charge and even the elected representatives will have to face the penalty of the law if what the Constitution and follow up legislation direct them to do are defied or denied wrongfully. The wages of violation is punishment, corporate and personal.</p> <ol style="list-style-type: none"> <li>1. Write down the provisions under the Constitution of India which deal with Environmental Protection.</li> <li>2. Critically analyse the provisions under IPC and Cr.P.C. and decide whether they are sufficient to charge an individual or corporation guilty of environmental crime.</li> <li>3. Critically analyse the role of judiciary in conservation of environment.</li> <li>4. Do you think establishment of NGT is a way forward in imposing penalties on those who are guilty?</li> <li>5. With the help of relevant caselaws mention various environmental law principles.</li> </ol> | 25 | CO4 |
| Q. 13  | <p>The Tarun Bharat Singh is a non-governmental organization engaged in rural development in Rajasthan. One of the critical needs in Rajasthan's villages is water. The Aravalli range and its forests trap rain water during the brief monsoons and release the water over the dry months. Widespread open-cast mining for limestone and marble in the Alwar District was disturbing the aquifers, springs and the water holding capacity of the Aravalli. The use of dynamite has scarred and devastated the hills. The petitioner's (NGO) case is that the area wherein the illegal mining is going on has been declared as a tiger reserve under the</p>   | 25 | CO3 |

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|  | <p>Rajasthan Wild Animals and Birds Protection Act, 1951 and as a sanctuary and a National Park under Wild Life (Protection) Act, 1972. The Act and notification said the petitioner prohibit all or any mining activity and yet the government of Rajasthan had granted hundreds of licenses for mining marble, dolomite and other minerals in late 1980s, contrary to law.</p> <ol style="list-style-type: none"><li>1. What do you mean by ‘protected area’ under the Wild Life (Protection) Act, 1972?</li><li>2. Explain the powers of state and central government in declaring a particular area as a sanctuary or national park.</li><li>3. Briefly state the various penalties provided under the Wildlife Protection Act, 1972.</li><li>4. In general discuss about the statutory framework for protecting wild animals, plants and their habitats provided under the Wild life Protection Act, 1972.</li><li>5. What in your opinion should be the judgment in this case? Decide with the help of relevant provisions and caselaws.</li></ol> |  |  |
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