



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 6th Semester Examination, 2023

ENVIRONMENTAL LAW

PAPER CODE: CC15 / CC17

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

Answer Question No. 7 and any four from the rest

1. “Right to life is a fundamental right under Article 21 of the Constitution and includes the right of pollution free water and air for full enjoyment of life”. — In this context explain the Constitutional perspective of Environmental Law in India with the help of landmark judgments. 20
2. “Sustainable Development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.— In this context write notes on the following: 5×4 = 20
 - (a) Sustainable Development
 - (b) Public Trust Doctrine
 - (c) Polluters Pays Principle
 - (d) Precautionary Principle.
3. (a) The shift from strict liability to absolute liability is the need of hour. The law cannot remain static. In the light of the above argument explain the remedies available under Common Law perspective in respect of environment degradation. 10+10
(b) In the purview of Air (Prevention and Control of Pollution) Act, 1981, discuss the powers and functions of Boards to combat air pollution.
4. (a) Define the term Environment and explain the general powers of the Central Government to protect and improve environment under the Environmental (Protection) Act, 1986. 10+10
(b) Explain the provisions relating to the preventions, control and abatement of Environmental Pollution under the EPA, 1986.

5. The Common Law remedies against the environmental pollution are available under the Law of Torts and it is rightly observed that environmental pollution amounts to civil wrong and by its nature it is a tort committed against the whole community. Explain the statement with the help of relevant case laws. 20
6. (a) Explain the functions of National Board to promote the conservation and development of wild life and forest under the Wildlife Protection Act of 1972. 8+12
(b) The Act deals with protected areas such as Sanctuaries, National Park, Community reserve, and a Conservation Reserve. Explain their meaning and importance under the WPA (1972).
7. Write short notes on any *four* of the following: 5×4 = 20
(a) Object of Forest Conservation Act, 1980
(b) National Green Tribunal
(c) Object of National Environmental Policy of 2006
(d) Reserved Forest
(e) No fault liability
(f) Global warming.

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