

[A3]

SARDAR PATEL UNIVERSITY
B.A./BCOM/B.B.A.LL.B.(Honors Integrated)
NINTHSEM EXAMINATION(CBCS)

2017

7th November 2017(Tuesday)

10-00 AM.TO 12-00 P.M.

ENVIORMENTAL LAWUL09CBLHO1

TOTAL MARKS: 50

NOTE- FIGURES TO THE RIGHT INDICATE FULL MARKS OF THE QUISTIONS.

Q-1 Answer any two:

(10)

1. The Constitutional (42nd Amendment) Act, 1976 added a new directive principle in Art 48A which deals specially with protection & improvement of Environment. In this way the Constitution of India became one of the rare constitutions of the world where specific provisions were made in the Supreme Law imposing obligations on the State to protect and improve the environment. Is the Directive Principle of State policy doing its duty properly. What is your opinion about it.

2. The Constitutional (42nd Amendment) Act, 1976 added a new directive principle in Art 48A which deals specially with protection & improvement of Environment. In this way the Constitution of India became one of the rare constitutions of the world where specific provisions were made in the Supreme Law imposing obligations on the State to protect and improve the environment. Is the Directive Principle of State policy doing its duty properly. What is your opinion about it.

3. Climate is weather conditions of a place or area conditions of temperature, rainfall, wind etc. the saying goes "Climate is what you except weather is what you get." The word "Climate" describes the general average pattern of the weather in a place over a period of years. Climatologists generally consider 30 years as the time needed to assess the climate of a place. As we know since last few years there is an immense change in the climate. Do you think we can stop this change in climate? Explain the remedies in your own words.

4. Environment is a term that everyone understands and no one is able to define. The Term environments has not been defined by any of the major treaties, declarations, codes of conducts, guidelines etc. as it is an International issue in one of the Convention merely referred obliquely to man's environment, adding that both aspects of man's environment the natural and the man-made, are essential, for his well – being & enjoyment of basis human rights. Name this convention & also explain whether this convention helped or it was a failure.

(1)

(PTO)

Q2. "Since the beginning, European states have engaged relentlessly in the process of divesting indigenous people of their lands, and have sought to justify and legitimize this practice through the use of doctrines." Does this statement mean that it is related with the Environmental Issue? Explain any two of the legal doctrines which are mentioned in this

OR

Q-2 What is the meaning of Environment? Explain the need of the United Nations Conference on Environment & Development (UNCED) 1992 (The Earth Summit, 1992) in detail. (15)

Q3. What is the meaning of "Forests" according to the Environmental Law? Explain its usefulness and the Indian Forest Act, 1927 in detail. (15)

OR

Q3. Explain Judicial Activism & also explain the role of Indian Judiciary in the evaluation of environmental protection in detail. (15)

Q4. Short Notes: Answer Any two (10)

1. Water Pollution
2. Fundamental Duties relating to environmental protection.
3. Kyoto Protocol to the United Nations Framework Convention on Climate change, 1997.
4. The Biological Diversity Act, 2002

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(2)