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No. of Printed Pages : 2

SARDAR PATEL UNIVERSITY

B.A./ B.B.A./ B.COM., LL.B. (HON.) (V YEARS INTEGRATED LAW)

Ninth Semester Examinations

2016

Wednesday, 23rd November

10:00 A.M. to 12:00 P.M.

UL09CBLH01: ENVIRONMENTAL LAW

Marks: 50

Q1. Attempt any two:

[10]

- A. The appellant had a sugar factory adjacent to the respondents own land cultivated by a water channel, which ran in between the premises of the sugar factory and the land. The appellant stored a large quantity of molasses, a bye product in the manufacture of sugar, in the three tanks of the premises of the factory. One of the tanks close to the respondents land was separated only by the said water channel. Due to borrowing activity of the rodents the said tank contain molasses collapsed and molasses respondent's land damaging the standing paddy and sugar cane crops. Is appellant liable for this damage. Justify the same with proper case laws.
- B. A chemical co., the effluents treatment plant of the industry was not in operation. Partially treated effluents were discharged joining in tank thereby causing water pollution in the tank resulting in danger to public life. The concerned authorities directed closure of industry. Does the concerned authorizes decisions correct to close the industry. Explain the same with proper case laws.
- C. The petitioner contended that the forest cover in the state of Madhya Pradesh has been gradually shrinking. The court gave directions to take urgent steps to prevent any destruction and damage to the environment the flora and fauna and wildlife in those areas. The Supreme Court directed the state Government to take steps. What was that steps and is it appropriate. Explain the same with case law.
- D. The Petitioner filed a writ petition under Art.32 of constitution of India requesting the Supreme Court to issue orders to prevent air pollution on the Taj Mahal a cultural heritage. The Supreme Court gave orders to all the industries that they should use gas instead of coal and those which do not use gas should close their units. All emporia and shops functionally within the Taj Premises have been directed to be closed. Agra bypass road shall be constructed to divert the traffic which passes through the city. Industries should be shifted and they should be given incentives. Do you agree with this orders. Justify the same with proper case laws.

Q2. What is the meant by Environment according to Environment Act? Explain the various kinds of environment and its factors or component effecting the environment in detail

[15]

OR

Q2. Explain Johannesburg Convention, 2002 (World Summit of Sustainable Development 2002) in details.

[15]

Q3. What is the meant by directive principles relating to Environment Protection and also explain the fundamental duties relating to Environmental Protection. [15]

OR

Q3. Explain the following doctrines:

1. Doctrine of Discovery
2. Doctrine of Adverse possession

[15]

Q4. Short Notes- any two

1. Global Warming and its causes and effects
2. Causes of Air Pollution
3. Stockholm Declaration on Human Environment, 1972
4. The Rio Declaration on Environment and Development, 1992.

[10]

X=X=X

(2)