

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : DECEMBER - 2024
TENTH/SIXTH SEMESTER
Sub.: Environmental Laws (LW-10002-602)

Date : 11/12/2024

Total Marks : 60

Time: 10.00 am to 12.30 pm

Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) Discuss the constitutional provisions in India that provide the foundation for environmental protection. How the Constitutional provisions contribute to the promotion of environmental sustainability?

OR

B) Explain the objectives of Water (Prevention and Control of Pollution) Act, 1974, in controlling pollution in India. Write down the functions of Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCB) established under the Act.

Q. 2. Answer the following question. (15)

A) Analyze the significance of the National Green Tribunal (NGT) in India's environmental legal framework. Discuss its powers, functions, and the types of cases it can adjudicate.

OR

B) Examine the role of public interest litigation (PIL) in advancing environmental protection in India. Discuss landmark cases where PIL has been used to protect the environment,

Q. 3. Write Short Notes. (any four) (20)

- a) Environment Impact Assessment
- b) Polluter pays Principle
- c) Rio Declaration
- d) Remedies under Law of Torts
- e) Types of Forests
- f) Authorities under Air (Prevention and Control of Pollution) Act

Q. 4. Answer the following questions. (10)

A) A construction company, "SkyBuild Pvt. Ltd.," begins a large residential project near a protected forest area. During the construction, the company inadvertently clears a portion of the forest land and disrupts the habitat of several endangered species, violating the provisions of the Forest Conservation Act, 1980, and the Wildlife Protection Act, 1972. Environmental activists file a complaint with the State Pollution Control Board, which issues a notice of violation and orders the company to halt construction and restore the affected area.

SkyBuild Pvt. Ltd. challenges the notice, claiming that they were not aware of the proximity to the protected forest and that the violation was unintentional.

Question

What are the legal provisions under the Forest Conservation Act, 1980, and the Wildlife Protection Act, 1972, that have been violated by the construction company?

OR

- B) In a busy residential area of Mumbai, a new construction project has begun, and the construction company is operating heavy machinery, such as cranes and jackhammers, for extended hours. The work continues well into the evening, causing excessive noise. Residents, particularly the elderly and young children, are facing severe disturbances, resulting in sleep deprivation and health problems. Several residents file complaints with the local police and the State Pollution Control Board (SPCB), but the construction company claims that their activities are within the permissible noise limits and are necessary for completing the project on time. The residents, frustrated by the ongoing noise, demand immediate action to stop the construction during nighttime hours.

Question

Analyze the situation with reference to relevant environmental laws for controlling the Noise Pollution and possible remedies for the affected residents
