

**2011**

**LL.M.**

**3RD SEMESTER EXAMINATION**

**PREVENTION AND CONTROL OF POLLUTION**

**PAPER—LLM\_302**

*Full Marks : 100*

*Time : 4 Hours*

*The figures in the right-hand margin indicate full marks.*

*Candidates are required to give their answers in their own words as far as practicable.*

*Illustrate the answers wherever necessary.*

*Answer any four questions.*

1. "The Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights) Act, is a long awaited legislation to protect the rights of certain downtrodden groups in India." However, there is some opposite view; because, "according to some people it is a step to destroy the forests?"

Analyse both the statements and give a conclusion.

2. What was the object behind enacting the National Green Tribunal Act, 2010? Critically examine the remedial role played by the Tribunal for controlling environment pollution.

Explain the efficacy of penal provisions under the Act for enforcing the Tribunals direction, order and award.

8+8+9

3. What was the object behind enacting the Indian Forests Act, 1927 ?

Explain the legal process for constituting Reserve Forest. Critically examine the role of the Judiciary in maintaining forests for Ecological Balance. 7+8+10

4. What do you mean by the term Environment? How a court takes cognizance of offence committed under different legislations to protect environment ?

5. Explain the efficacy of the penal provisions under the Water Act for controlling water pollution.

Whether under the code of criminal procedure any statutory authority is empowered to control water pollution? Explain. 15+10

6. The "Air (Prevention and Control of Pollution) Act, 1981" is a legislative device to control air pollution and improve the quality of air. — Explain the process of taking cognizance of complaints by the court.

Critically examine the functions of the statutory administrative bodies under the Air Act. 13+12

7. "Destruction of wild life will cause large environmental disorder."

Explain the object behind the Wild Life Protection Act 1972.

Discuss the functions of the various authorities under the Act. 15+10

8. Examine the role of Indian Judiciary to control the noise pollution. 25