

**B. A.LL.B. (Hons) 5 Year Integrated Course
4th Semester
Environmental Law**

Paper 406

Internal Assessment:20 Marks

Theory: 80Marks

Total: 100 Marks

Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b)The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d)Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit -V shall carry 20 Marks.

UNIT-I

History of Environmental Protection in India, Environmental Problems & Factors Responsible, Constitutional Provisions and environmental protection in India. International concern for environmental protection and sustainable development including Stockholm Declaration of 1972, World Commission on Environment and Development, 1987 Rio-Declaration, 1992 and Earth Summit of 1997

Leading Case: Indian Council for Enviro-legal Action v. Union of India AIR 1996 SC1446.

UNIT-II

The Environment (Protection) Act, 1986:
Definitions (Section2), General powers of Central Government (section 3-6), Prevention, Control and Abatement of Environment Pollution (Section 7-17), Miscellaneous (Section 18-26)
The National Green Tribunal Act, 2010
Definitions(Section 2), Establishment of Tribunal (Section 3-13), Jurisdiction, Powers and Proceeding of the Tribunal(Section 14-25) Penalty(Section 26-28) Miscellaneous (Section 29-38).

Leading Case: M.C.Mehta v. Union of India (Oleum Gas Leak Case) AIR 1987 SC 1086

UNIT-III

Water (Prevention and Control of Pollution) Act, 1974:
The Central and State Boards for prevention and Control of Water pollution (Section 3-12),Joint Boards (Section 13-15), Powers and Functions of Boards (Section 16-18), Prevention and Control of Water Pollution (Section 19-33A), Penalties and Procedure (Section 41-51) Air (Prevention and Control of Pollution) Act 1981:
Definitions (Section 2), Central and State Boards for the prevention and control of Air Pollution (Section 3-15),Powers and Function of Boards(Section 16-18), Prevention and Control of Air Pollution (Section 19-31A), Criminal Law and Environment Protection.

Leading Case: M.C. Mehta v. Union of India AIR 1988 SC 1037 (Kanpur Tanneries

Case)

UNIT-IV

The Wild life (Protection) Act, 1972: Authorities under the Act (Section 3-8), Hunting of wild Animals(Section 9-12), Sanctuaries, National Parks and Closed Areas(Section 18-38),Central Zoo Authority and Recognition of Zoos (Section 38A-38J),Constitution of National Tiger Conservation Authority and its powers and functions (Section 38L and 38O), Tiger and other Endangered Species Crime control bureau (Section 38 Y and 38Z), Trade or Commerce in wild Animals, Animal articles and Trophies(Section 39-49), Prohibition of Trade or Commerce in trophies etc. (Section 49A-49C), Prevention and detection of Offences (Section 50-58), Miscellaneous (Section 59 - 66).The Indian forest Act, 1927:Interpretation clause (Section 2), Reserved Forest (section 3-27), Village forest (section 28),Protected Forest (section 29-34),Control over forest and land not being the property of Government (Section 35-38) Duty on Timber and other forest Produce (section 39-40), Control of timber and other forest produce in transit (section 41-44), Collection of drift and standard Timber (section 45-51), Penalties and Procedure (section 52-69), Cattle Trespass(section 70-71), Forest officers (section 72-75), Miscellaneous (Section 79-85 A).

Leading Case: Indian Handicraft Emporium v. Union of India, (2003) 7 SCC 589

Suggested Readings

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|---------------------------------------|---|
| 1. Agarwal, S. : | Legal Control of Environmental Pollution |
| 2. Chaturvedi, R.G. &Chaturvedi, M.M. | Law on Protection of Environment and prevention of Pollution |
| 3.H.N. Tiwari | Environmental Law |
| 4.Krishna Iyer, V.R. : | Environmental Pollution and Law, 1984 |
| 5.. Paras Diwan : | Environmental Administration-Law and Judicial Attitude, Vols. I & II, 1992 |
| 6. Rama Krishna : | The Emergence of Environmental laws in Developing Countries-A Case Study of India |
| 7. Srivastava, A.B. : | Protect Global Environment, 1994 |
| 8. Jaswal, P.S & Nishtha : | Environmental Law |
| 9. Shanthakumar, S. : | Introduction to Environmental Law |
| 10 Aggarwal, Nomita : | Noise Pollution |
| 111. Sripada, S. : | The Municipal Corporations and Environment. |