

Unit 12 - Week 10

Course outline
How does an NPTEL online course work?
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Week 10
<input type="radio"/> Environmental Justice Dispensation: Role of Higher Judiciary
<input type="radio"/> Catalytic Role and Complementary Role of the Judiciary
<input type="radio"/> Positive Aspects of Judicial Activism
<input type="radio"/> Critical Review of Judicial Activism
<input type="radio"/> Overview of the law relating to Compensation for Environmental Wrong and History of the Growth of Environmental Tribunals
<input type="radio"/> History and Growth of Environmental Tribunals
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Assignment 10

The due date for submitting this assignment has passed.
As per our records you have not submitted this assignment.

Due on 2020-12-13, 23:59 IST.

- 1) Which of the following is not a reason for the Higher judiciary to act as an environmental justice dispenser? **1 point**
- Poor drafting of environmental statutes
 Continuous dilution of environmental statutes through frequent amendments
 Inefficient administration and enforcement of the environmental statutes.
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
None of the above
- 2) The concept of continuing mandamus was propounded in which of the following cases? **1 point**
- Centre for social justice v. UOI
 MC Mehta v. UOI
 TN Godavarman v. UOI
 Shivarao Shantaram Wagle v. UOI
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
MC Mehta v. UOI
- 3) Which of the following are illustrations of judicial activism towards environmental justice? **1 point**
- Elevating environmental problems to the status of violation of FRs
 Expanding horizons of human rights to include right to environment
 Protecting tribal rights by preserving forests
 All of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
All of the above
- 4) Which of the following is a negative aspect of relying on PILs for environmental justice? **1 point**
- Delays in deciding PILs leading to confrontation with Executive
 Finality of decision of Supreme Court and no option of further appeal
 Continuous confrontation between judiciary and the executive
 All of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
All of the above
- 5) Which of the following is not a salient feature of the Public Liability Insurance Act, 1991? **1 point**
- Imposition of no-fault liability against owners of hazardous substances
 Allows any person who is injured or whose property is damaged to claim relief
 Removes any limitation period for claiming relief
 Provides strict penalties for violation
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Removes any limitation period for claiming relief
- 6) The Public Liability Insurance Act, 1991 was enacted due to which of the following tragedies? **1 point**
- Bhopal gas tragedy
 Oleum Gas leak
 Uphaar Cinema Tragedy
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Bhopal gas tragedy
- 7) The National Environment Tribunal Act, 1995 was enacted due to which of the following tragedies? **1 point**
- Bhopal gas tragedy
 Oleum Gas leak
 Uphaar Cinema Tragedy
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Oleum Gas leak
- 8) Which of the following is not a salient feature of the National Environment Tribunal Act, 1995? **1 point**
- Created a mechanism to hear and decide upon compensation for the death of or injury to a person and damage to property and environment caused by accidents in handling of Hazardous Substances and activities.
 Bench to comprise of both judicial and technical members.
 Bench bound by procedure of CPC.
 The orders of the Tribunal were enforceable as decrees of a court of law.
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Bench bound by procedure of CPC.
- 9) Which of the following was not a reason for enacting the Environmental Appellate Authority Act, 1997? **1 point**
- Need for authentication of EIA process by Appellate Body
 Problem of normal courts to adjudge on the scientific issues involved in environmental matters
 Need for reducing arrears of the High Court and Supreme Court
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Need for reducing arrears of the High Court and Supreme Court
- 10) Which of the following is not a salient feature of the Environmental Appellate Authority Act, 1997? **1 point**
- Authority not bound by CPC
 Restricts jurisdiction of civil courts
 Appeal to the High Court having territorial jurisdiction over dispute
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Appeal to the High Court having territorial jurisdiction over dispute
- 11) Which of the following was the main reason for the failure of the Environmental Appellate Authority Act? **1 point**
- No power with the authority to enforce its orders
 Failure to create awareness about the Act
 Reluctance on part of retired judges to accept appointment to the authority
 Failure of the government to appoint a Chairman
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Failure of the government to appoint a Chairman
- 12) Which of the following is one success of the Environmental Appellate Authority? **1 point**
- Provided a blueprint for a Professional and Scientifically equipped Adjudicatory Body to adjudicate on Environmental Problems through NGT
 Showed that tribunals can function effectively with proper infrastructure and personnel
 Helped in reducing arrears of High Courts and Supreme Court
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Provided a blueprint for a Professional and Scientifically equipped Adjudicatory Body to adjudicate on Environmental Problems through NGT
- 13) Which of the following is a unique feature of environmental legislations? **1 point**
- The designated authority performs both administrative and adjudicatory functions
 Designated authorities are not bound by the procedure of CPC
 Designated authorities enjoy the powers of a civil court
 None of the above
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
The designated authority performs both administrative and adjudicatory functions
- 14) In which of the following cases did the Supreme Court hold that the 'right to environment' is a derivative of the 'right to life'? **1 point**
- Subhash Kumar v. State of Bihar
 M.C. Mehta v. Kamal Nath
 Indian Council for Enviro-Legal Action v. Union of India
 Animal Welfare Board of India v. A Nagaraj
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Subhash Kumar v. State of Bihar
- 15) Which of the following is a pre-requisite to file a PIL for environmental cases? **1 point**
- Bonafide cause
 Larger Public Interest
 Locus Standi
 Both a and b
- No, the answer is incorrect.**
Score: 0
Accepted Answers:
Both a and b