



JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY
SCHOOL OF SPATIAL PLANNING
UNIVERSITY EXAMINATION FOR THE DEGREE OF BACHELOR OF SCIENCE IN
WATER RESOURCE AND ENVIRONMENTAL MANAGEMENT
SEMESTER 2016/2017 ACADEMIC YEAR

CENTRE: MAIN CAMPUS

COURSE CODE: PES 3211

COURSE TITLE: ENVIRONMENTAL LAW AND POLICY

EXAM VENUE:

STREAM: SPATIAL PLANNING

DATE:

EXAM SESSION:

TIME: 2 HOURS

Instructions:

- 1. Answer question 1 (compulsory) and ANY other 2 questions.**
- 2. Candidates are advised not to write on the question paper.**
- 3. Candidates must hand in their answer booklets to the invigilator while in the examination room.**

- 1 i. Each discipline tends to characterize the environment according to the subject they are familiar with just like the old tale of an elephant and the seven blind men. Discuss (10 marks)
- ii. Explain the growth of modern environmental law (15 marks)
- iii. Explain the difference between law and policy (5 mark)
2. Discuss at least five principles of environmental law. (20 marks)
3. The residents of Nyalenda estate in Kisumu have had environment issues spanning over one year now. Mr. Hog says the environment is marred with filthiness from a permanently broken sewer line which sips into the Kewasco water system. In essence the water is contaminated. The roads are under permanent un-ending constructions causing pollution by dust. The terrain is so rugged, a lot of pit holes have been dug and on two occasions people fell there in. One survived and the other passed on. The residents have approached you as an environmental law specialist.
- i. Discuss the legal right(s) that have been infringed. (8 marks)
- ii. Explain how they can seek legal redress (7 marks)
- iii. Discuss the remedies the court is likely to award. (5 Marks)
4. Mr. Ochieng Odhiambo wants to construct a multimillion storey building. He has been advised to do an Environmental Impact assessment. Take Him through the entire legal process of Acquisition of the EIA report. (20 marks)
5. Discuss any TWO of the following:-
- a). Riparian rights (10 marks)
- b. Discuss the failure to comply with statutory requirements (10 marks)
- c. Discuss the weaknesses in enforcing environmental laws. (10 marks)