



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.M. 2nd Semester Non-Specialisation Examination, 2022

ENVIRONMENTAL LAW

PAPER CODE: LL.M. FC 2.1

Time Allotted: 4 Hours

Full Marks: 100

*The questions are of equal value.
The figures in the margin indicate full marks.*

Answer any four questions

1. “The right to life is not confined to a mere animal existence but extends to the right to live with human dignity”. In the light of this statement discuss critically how the courts in India evolved a new right to environment. 25
2. What is sustainable development? Critically examine the role of the Indian judiciary in the context of the application of the doctrine while deciding cases. 25
3. “..... While every attempt must be made to preserve the fragile ecology of the forest area every effort shall be made to ensure that the tribals, when resettled are in a position to earn their livelihood.” In the light of this statement critically discuss the role of the judiciary in balancing the protection of forests and rights of the tribals living in the forest area. 25
4. An essential outcome of the Bhopal Gas tragedy and the subsequent Oleum Gas leakage was the legislative enactment of Public Liability Insurance Act, 1991. In this context explain critically whether the provisions under this Act have been successful in providing relief to the victims. 25
5. “In most developing countries, waste is managed by the governmental bodies who allocate a large amount of resources but rarely obtain the desired result. In developing economies, problems and issues related to municipal solid waste management (MSWM) take precedence over other governance issues mainly due to possible impact on public health. A United Nations Development Programme (UNDP) survey of major cities around the world found that after unemployment, insufficient solid waste disposal ranked as the most serious problem faced by urban residents.” 10+11+4=25
 - (a) In this backdrop discuss the causes and impact of solid wastes and its management.

- (b) Comment on the legislative framework, policies and initiative (if any) taken up in India that aims to address the problem relating to solid waste management.
- (c) Suggest some measures to efficiently deal with the solid waste management and issues relating to it.
6. (a) Elucidate the importance of preserving bio-diversity for a healthy environment including the living creatures and human lives. 6+7+12=25
- (b) What are different issues that pose threat to the bio-diversity globally in general and nationally (India) in particular?
- (c) State the different laws and policies for the protection of bio-diversity framed internationally and nationally.
7. "The uncertainty surrounding potential threats to the environment has frequently been used as a reason to avoid taking action to protect the environment". 18+7=25
- However, in this regard the environmental jurisprudence, accepted nationally and internationally has evolved certain principle(s) to cope up with such issues to better up our path for sustainable development. In this backdrop explain such principle of environmental jurisprudence that can preserve and save the environment from potential threat even in case of uncertainty.
- (a) Explain if such principle is effective in preserving biodiversity.
- (b) How globalization becomes one of the major causes of global warming and climate change? Explain briefly.
8. Write short notes on any *two* of the following 12 $\frac{1}{2}$ \times 2=25
- (a) Environment Policy, 2006
- (b) Doctrine of Eminent Domain
- (c) Conventions and legislations for the Wildlife Protection.

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