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19 (Sem-6) INEV

2021

INTERNATIONAL ENVIRONMENTAL LAW

Paper : 6-4

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

I. Fill in the blanks with appropriate answers:

1×10=10

(a) The Right to a Healthy Environment is an/a _____.

(individual right/collective right)

(b) The Wildlife (Protection) Act, 1972 was _____ of Stockholm Conference.

(outcome/coincidental)

(c) "Ecology is permanent economy", was the slogan of _____.

(Narmada Bachao Andolan/Chipko Movement)

Contd.

- (d) The World Commission on Environment and Development (WCED) in 1983 was headed by _____.
(Mrs. Indira Gandhi/Mrs. G.H. Brundtland)
- (e) The Rule of Strict Liability is of _____.
(English origin/Indian origin)
- (f) “Deepor Beel” in Guwahati was recognised as one of the largest wetlands in Asia at the _____ Convention.
(Vienna/Ramsar)
- (g) Biological Oxygen Demand (BOD) generally represents how much oxygen is needed to break down _____ matter in water. (organic/inorganic)
- (h) The United Nations Environment Programme (UNEP) was set up at the _____.
(Stockholm Conference/Rio Earth Summit)
- (i) The Right to Self-Determination is a _____ Generation of Human Right.
(First/Third)
- (j) The Indian delegation at the Rio Earth Summit was led by _____.
(Mr. Narashimha Rao/Mrs. Indira Gandhi)

2. Answer briefly : $2 \times 5 = 10$

- (a) Distinction between *In-situ* conservation and *Ex-situ* conservation in International Environmental Law.
- (b) Cause of Action in the Tajmahal case.
- (c) Carbon dioxide problem and climate change.
- (d) Kyoto Protocol.
- (e) COP26 and India.

3. Is "Public Hearing" a mandatory requirement under the Draft EIA Notification, 2020 ? Discuss the importance and significance of Public hearing as an integral part of natural justice before granting NOC to a proposed project. $4+8=12$

Or

What was the main objective of the Central Government for enacting The Water (Prevention and Control of Pollution) Cess Act, 1977 ? Discuss precisely. 12

4. What do you understand by the term "indangered species" and "threatened species" ? What is the purpose of CITES and how does it address the issues on trade of endangered species ? Discuss.

$3+3+6=12$

Or

What is Ozone layer depletion ? Is there any international convention for the protection of ozone layer ? Discuss briefly, the importance and significance of ozone layer in the stratosphere in the climatology and biology of the earth. 4+2+6=12

5. There is a disparity between economic development and environmental protection and as an attempt to address such disparities, the concept of sustainable development was globally accepted and is followed in India, as well. Now based on this concept, the Supreme Court of India banned a huge power plant that was causing environmental pollution. However, the plant served employments to nearly 2 lakhs of labourers who are now left with no alternative sources to maintain their livelihood, thereby making them to starve. The same concept of sustainable development also provides for eradication of poverty and unemployment.

Now justify the decision of the Supreme Court with relevant case laws and what shall be done to provide relief to the two lakhs labourers concerned. 8+4=12

Or

Do you think that the United Nations has been proactive with regard to problems on human health and global environment ? Give your comment. 12

6. “In the recent United Nations Climate Change Conference, 2021, more commonly referred to as COP26, several major coal-using nations have pledged for the first time to phase out their use of the heavily polluting fossil fuel or to speed up existing plans to do so, while others announced commitments to end investment in new coal-fired power plants.”

What role was played by the Prime Minister of India in the COP26 in this regard ? Discuss. 12

Or

Is the State a “trustee” of its natural resources ? Give your answer in the light of established legal doctrines and decided cases by the Supreme Court of India. 12

7. "Human rights violations lead to environmental degradation and that environmental degradation leads to human rights violations."

Do you agree with the above statement ? Give your answer in the light of international conferences in this regard and Draft Declarations and Framework Principles on Human Rights and the Environment.

12

Or

Was the settlement secured by the Supreme Court of India in the Bhopal Gas Leak Case, justified ? Discuss critically.

12