


Name:			
Enrolment No:			
<b>UPES</b> <b>End-Semester Examination, December 2024</b>			
<b>Course: Environmental Studies and Law</b> <b>Program: LL.B. (Hons.)</b> <b>Course Code: CLCC3052</b>		<b>Semester: V</b> <b>Time: 03 hrs.</b> <b>Max. Marks: 100</b>	
<b>Instructions: Attempt all the questions. You may draw pictures using pencil.</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
		<b>Marks</b>	<b>CO</b>
Q1	What is the importance of Cartagena Protocol on Biosafety?	2	<b>CO1</b>
Q2	Describe the “absolute liability” principle as propounded by the Supreme Court of India.	2	<b>CO1</b>
Q3	In 1987, the United Nation’s World Commission for Environment and Development published the report “Our Common Future” defining the contours and requirements of Sustainable Development. What is the report popularly known as?	2	<b>CO1</b>
Q4	How do you interpret the fourth law of ecology?	2	<b>CO2</b>
Q5	Pollution Control Boards are the regulatory bodies. Discuss Briefly.	2	<b>CO2</b>
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q6	Discuss “inter-generational equity” and “intra-generational equity” as the concepts of Sustainable Development.	5	<b>CO2</b>
Q7	Explain the compatibility between trade and environmental sustainability using the context of development of WTO in the 21 <sup>st</sup> century.	5	<b>CO2</b>
Q8	What is the “integration principle” concerning environment protection? Discuss with example as to how the Government of India has adopted it.	5	<b>CO2</b>
Q9	Discuss the aims and objectives of the Forest Conservation Act.	5	<b>CO2</b>
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q10	Write short notes on the following: (a) EIA as Tool (5 Marks) (b) Nationally Determined Contributions (5 Marks)	10	<b>CO3</b>
Q11	Explain the requirement of the National Green Tribunal Act, 2010 with reference to its jurisdiction and powers. Has it succeeded in its role?	10	<b>CO3</b>

**SECTION-D**  
**(2Qx25M=50 Marks)**

Q 12	<p><i>Janki</i> is the capital city of <i>Janakpur</i>. There is an area in <i>Janki</i> called Theatre Enclave in Central <i>Janki</i>. This area is mostly inhabited by the high-level officers (HLOs), judicial officers, and upper echelons of civic society. There is an area nearby called <i>pashimabad</i>. This area is dominantly inhabited by rag-pickers.</p> <p><i>Janki</i> is known for severe winters. Rag-pickers generally burn the <i>koodha</i> in night to make temperature bearable. The pollution caused by it was causing acute inconvenience to residents of Theatre Enclave especially in the morning time.</p> <p>The UN General Assembly (UNGA) passed a resolution recognizing the right to a clean, healthy, and sustainable environment as a human right. The UNGA calls upon states, international organizations, businesses, and other stakeholders to “scale up efforts” to ensure a clean, healthy, and sustainable environment for all.</p> <p>Some concerned HLOs of Theatre Enclave filed a PIL under Article 32 of Constitution of <i>Janakpur</i> stating that polluted air caused by burning of <i>koodha</i> by the <i>pashimabad</i> community is violating their right to a clean, healthy, and sustainable environment as a human right and the same is affirmed by <i>Janakpur</i> Constitution under Article 21. The Supreme Court took cognizance of the matter and framed the issues.</p> <p><b>The State of Janakpur is attributed as one of the Respondents by the Supreme Court. As Counsel of the State of Jankpur, you have been asked to submit arguments on behalf of the Respondents.</b></p> <p>In the light of above facts and issues framed, answer:</p> <p>(a) Whether Article 21 of the <i>Janakpur</i>’s Constitution should be evoked to protect the citizens’ environmental rights in this situation. <b>(13 Marks)</b></p> <p>(b) Whether the State should intervene and ban burning of <i>koodha</i> when it might come at the cost of the right to livelihood of <i>pashimabad</i>. <b>(12 Marks)</b></p> <p>The laws of <i>Janakpur</i> are identical to the laws of India.</p>	25	CO4

Q13	<p>The Biodiversity Diversity Act of India plays a pivotal role in the protection and sustainable management of biodiversity in India. You are a legal advisor representing Agro-India Private Limited (AGPL), a biotechnology company based in Stockholm, that wishes to engage in research activities involving the use of genetic resources and traditional knowledge associated with biodiversity in India.</p> <p>In context of the above:</p> <ul style="list-style-type: none"><li>(a) Analyze the key provisions of the Biodiversity Diversity Act, pertaining to access to genetic resources and associated traditional knowledge. <b>(10 Marks)</b></li><li>(b) Identify the legal requirements that AGPL must comply with to obtain access to these resources. <b>(5 Marks)</b></li><li>(c) Appraise the powers and functions of the National Biodiversity Authority and the State Biodiversity Boards with regard to the use of biological resources. <b>(10 Marks)</b></li></ul>	25	CO3
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