

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES – LEVEL V
SECOND CONTINUOUS ASSESSMENT TEST – 2022/2023
ENVIRONMENTAL LAW – LLU5811/LWU3314
DURATION- (01) ONE HOUR



Date: 3rd December 2023

Time: 1.30 p.m. – 2.30 p.m.

Total number of question -01

Students will be penalized for illegible handwriting.

1. In the light of the decisions in *Environmental Foundation Ltd v Urban Development Authority of Sri Lanka and Others*, SC (F.R) Application No.47/2004 and *Muhammad Tariq Abbasi and Others v Defence Housing Authority and Others*, Constitutional Petition No D-403 of 2005, decided on 13th March 2007, discuss the following;

- (i) Identify one of the principles and concepts of Environmental Law addressed in both the above mentioned cases and examine how it has been applied in each case to achieve the common objective of the right to enjoy a public place. Compare and contrast the respective positions in the two cases.

(10 Marks)

- (ii) Critically analyse how the courts in Sri Lanka and Pakistan have contributed to the interpretation of a right to environment in the light of the provisions available in the two Constitutions. What lessons can Sri Lanka draw from the Pakistan case?

(10 Marks)

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