

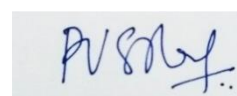
CHOICE BASED CREDIT SYSTEM (CBCS) PROGRAM

**IN
Environmental Law**

For Academic Session 2021 -22

**Programme Structure
&
Curriculum & Scheme of Examination
2021**

**AMITY UNIVERSITY MADHYA PRADESH
GWALIOR**



ENVIRONMENTAL LAW-I

Course Code: CBD 101

Credit Units: 03

Course Objective:

The course content of the syllabus will be helpful to understand the different environmental conservation laws. It will offer an introduction into legal aspects of environmental care, especially from the viewpoint of legal policies. This course takes a hybrid approach to teaching environmental law. This course will provide an overview of some of the major environmental statutes of India.

Course Contents:

Module I: Introduction to Environmental Law

Genesis of environmental law; Genesis of the problem; Indian scenario, Global scenario. Acts and rules applicable to control of Air, Water and Noise-pollutions (with reference to Water Act, 1974, Air Act, 1981 and E.P. Act, 1986). People's response and role of judiciary in India.

Module II: Common Law and Other Statutory Remedies

Common law remedies; nuisance, trespass, negligence, strict liability, law of crimes and environmental protection; civil procedure code and public nuisance.

Module III: Constitutional Provisions and Environment Protection in India

Federal system of Government; obligation to implement international agreements; fundamental duties; directive principles of state policy; fundamental rights – Right to Live, Right to Know, Right to Equality; need for establishment of environmental courts.

Examination Scheme:

Components	CT	Attendance	Assignment/Project/Seminar/Quiz	EE
Weightage	15	5	10	70

ENVIRONMENTAL LAW-II

Course Code: CBD 201

Credit Units: 03

Course Objective:

The course content of the syllabus will be helpful to understand the different environmental conservation laws. It will also increase knowledge: basic concepts, instruments and norms concerning environmental legal policies and enhance competence to analyse and criticise existing systems of environmental law in terms of the legal framework.

Course Contents:

Module I: Sustainable Development and judiciary in India

Sustainable development – national and international perspective – Stockholm Declaration, Montreal Protocol, Brundtland Commission, Earth Summit, U.N. Commission; Salient principles of sustainable development; role of judiciary in protecting environment and sustainable development; industrial development, urbanization and sustainable development.

Module II: Forums for Resolution of Environmental Disputes

Primary judiciary (District Court). High Courts and Supreme Court. The role of Collector under Public Liability Insurance Act, 1991. Environment Tribunal under N.E.T. Act, 1995. National Environment Appellate Authority under the N.E.A. Authority Act, 1997.

Module III: Remedies

Constitutional remedies: Right to environment as a fundamental right, writ jurisdiction under articles 32 and 226. The scope and limit of public interest litigation. Statutory remedies : Under section-133 of criminal procedure code, 1973; Representative suit under civil procedure code, 1908; Under water act, 1974, Air act, 1981 and E.P. act, 1986 (with Special reference to citizens' suit provision.). Under N.E.T. act, 1995; Under N.E.A. act, 1997.

Non Formal Remedies: Mediation, arbitration, conciliation

Examination Scheme:

Components	CT	Attendance	Assignment/Project/Seminar/Quiz	EE
Weightage	15	5	10	70

ENVIRONMENTAL LAW-III

Course Code: CBD 301

Credit Units: 03

Course Objective:

The course content of the syllabus will help to understand the different environmental conservation laws. This course takes a hybrid approach to teaching laws related to wildlife, and forest. The objective is to develop each student's skills in critical thinking and reasoning about environmental policy issues, both historical and current, and about the arguments of advocates on all sides of environmental issues and in writing a concise assessment of a policy issue and options for dealing with it.

Course Contents:

Module I: Laws related to Wildlife Protection and Forest conservation

Need for conservation of wild life; cause of extinction of species; constitutional mandate to protect the wildlife; wildlife protection act 1972; hunting of wild animals; protected areas-reserve forest, sanctuaries, national park, biosphere reserve; Central Zoo Authority; conservation of tiger; penalties and procedures. Constitutional mandate and forest conservation; forest conservation and legislative action; Indian Forest Act 1927; Forest (Conservation) Act 1980; forest conservation and judicial attitude.

Module II: Environment Protection

Scope and commencement of Environment Protection Act, 1986; definitions; power of Government; national green tribunal; prevention, control and abatement of environmental pollution; penalties and procedures; offences by companies and Govt. Departments

Module III: Industrial Accidents

Case Studies - The Bhopal Gas Tragedy, 1984; Chasnala Mining Disaster, 1975; Jaipur Oil Depot Fire, 2009; Korba Chimney Collapse, 2009; Mayapuri Radiological Incident, 2010; Bombay Docks Explosion, 1944;

Examination Scheme:

Components	CT	Attendance	Assignment/Project/Seminar/Quiz	EE
Weightage	15	5	10	70

ENVIRONMENTAL LAW – IV

Course Code: CBD 401

Credit Units: 04

Course Objective:

The course content of the syllabus will be helpful to understand various tribunals and committees related to environmental conservation laws. This course will provide an overview of noise pollution and related issues. This chapter will also help to understand various laws related to management of hazardous and solid wastes.

Course Contents:

Module I: Noise pollution and its control

Meaning and concept; measurement of noise; sources, effects and control of noise pollution. Control of noise pollution under criminal law and other central legislations; constitutional provisions and noise pollution control; noise pollution and judicial attitude.

Module II: Tribunals and Committees

National green tribunal act, 2010; establishment of tribunal, composition of tribunal, qualification of appointed members; jurisdiction, powers and proceedings of the tribunal; procedures and powers of tribunal; execution of award of tribunal; penalties of tribunal; offenses by companies and Govt. Departments; working of National Green Tribunal.

Module III: Laws related to Waste Management

Hazardous waste rules, 2008; manufacture, storage and import of hazardous chemicals rules, 1989; hazardous micro-organisms rules, 1989; chemical accidents rules, 1996; bio-medical waste rules, 1998; ozone depleting substances rules, 2000; municipal solid waste rules, 2000; batteries rules, 2001; wetlands rules, 2010; plastic waste rules, 2011; e-waste rules, 2011; management of hazardous and solid waste.

Module IV: Environment and Development: Law and Policy

Policy of Law and Population, Environment and Development. Post-independence India. Role of government: Five year plans, forest policy, conservation strategy, water policy. Population explosion and environmental impact. Population and sustainable development. Constitutional Perspectives. Fundamental rights: Right to environment, enforcement and fundamental duties, directive principles and fundamental duties, legislative power; Emerging concepts and challenges: Polluter pays principle, absolute liability of hazardous industry, precautionary principle, public trust doctrine.

Examination Scheme:

Components	CT	Attendance	Assignment/Project/Seminar/Quiz	EE
Weightage	15	5	10	70

ENVIRONMENTAL LAW - V

Course Code: CBD 501

Credit Units: 04

Course Objective:

This course will be helpful to understand liability to pay compensation in certain cases on principle of no fault. It will also help to understand the legal regulation regarding coastal zones, prevailing rules regulations of coastal areas. Various industrial accidents and relevant regulatory responses to problems and challenges arising from scientific innovation and technological changes.

Course Contents:

Module I: Public Liability Insurance Act

Public Liability Insurance Act, 1991; Environment relief fund scheme, 2008; National Environment Tribunal Act, 1995

Module II: Coastal Regulation

Coastal Zone Regulation Notification, 2011; areas under Coastal Regulation Zone (CRZ); Prohibited activities under CRZ; Permissible activities under CRZ; classification of CRZ; coastal regulation management; guidelines for coastal tourism.

Module III: Environment Impact Assessment (EIA) & Environment Management Plan (EMP)

Origin of EIA; EIA in developing countries; EIA legal policy and institutional framework; Terms of Reference (TOR); EIA process; public consultation and disclosure; EIA related studies; EIA guiding principles; case studies. Introduction to EMP; Implementation plan; Monitoring of environmental quality; periodic preventive maintenance; safety and health; green belt development; water resource management; training; documentation; social responsibility; environment management cell.

Module IV: Legal Regulation of Biotechnology

Regulation of government sponsored research. Regulation of private R&D. Regulation of deliberate release of genetically mutated microorganisms. Regulation of accidental release of genetically mutated microorganisms. Progress of biotechnology and legal regulation of India.

Examination Scheme:

Components	CT	Attendance	Assignment/Project/Seminar/Quiz	EE
Weightage	15	5	10	70

ENVIRONMENTAL LAW - VI

Course Code: CBD 601

Credit Units: 01

Course Objective:

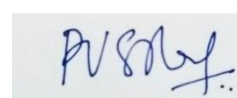
Environmental problems have attained alarming proportions. It is essential to sensitise the students to environmental issues and the laws. The important principles in the field like impact assessment, public hearing, rehabilitation, sustainable development, and precautionary principle, polluter pay principles are to be appreciated. Proper environmental management plan is required to be analysed and evaluated. The course is designed towards having a project oriented, case study, real life experience-based approach.

Course Contents:

Module I: Project Work

Examination Scheme:

Components	Project	Presentation	Viva/	Total
Weightage	40	30	30	100



Text & References

Text

- Shyam Diwan and Armin Rosencranz, *Environmental Law and Policy in India – Cases, Materials and Statutes* (2nd ed., 2001)
- P. Leelakrishnan, *Environmental Law Case Book* (2nd ed., 2006)
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- *Handbook of Environmental Law in India*. P.B. Sahasranaman. Oxford University Press.
- *Biosafety in Industrial Biotechnology*. Hambleton, P. and Salusbury, T. Springer,
- *Agricultural Biodiversity and Biotechnology in Economic Development*. [Joseph Cooper](#), [Leslie Marie Lipper](#) and [David Zilberman](#). Springer.
- Armin Rosencranz - *Environmental Law and Its Policy in India*.
- P. Leelakrishnan - *Environmental Law in India /Cases*.
- Lal's commentaries on Water and Air Pollution laws along with Environment (Protection) Act and Rules, 1986.

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- The National Forest Policy, 1988
- The National Water Policy, 2002
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- Adler, S, (1985) 'Bhopal Journal: Only the Victims Lack a Strategy', *Am Lawyer*, April, 128.
- Leelakrishnan, P et. al. (eds.), *Law and Environment* (1990), Eastern, Lucknow
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- *International Law and Institutions - International Law on Biotechnology* - Der-Chin Horng.
- Simon Ball Stuart Bell - *Environmental Law*.
- Sanjay Upadhyay and Videh Upadhyay - *Handbook on Environmental Laws*.
- S. Shantha Kumar- *Introduction to Environmental Law*.