

NIRMA UNIVERSITY
Institute of Law
B.A., LL.B. (Hons.) and B. Com., LL.B (Hons.)
Academic Year 2020-21
Semester VI

L	T	P	C
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Course Code	2BL644
Course Title	Environmental Law

Course Learning Outcomes (CLOs):

At the end of the course, students will be able to –

1. Describe meaning of environment pollution and its kinds.
2. Describe international legal measures to deal with various issues relating to environment.
3. Explain various legal principles relating to environment protection.
4. Explain the constitutional and legal framework relating to environment protection
5. Explain the remedies and liabilities provided under various laws relating to environment protection.
6. Appraise Indian statutory framework and judicial approach on environment protection.

Syllabus:

Units

Teaching hours: 60
03 Hours

Unit. I Concept of Environment and Environmental Pollution

- Introduction: Concept of Environment and Scope of Environmental Law
- Concept of Pollution
- Meaning and Contents
- Kinds of Pollution
- Effects of Pollution

Unit. II International Environmental Legal Regime

06 Hours

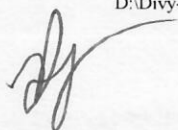
- Stockholm Conference on Human Environment-1972
- The Concept of Green House Effect and Ozone Depletion
- Rio conference on Human Environment and Development, 1992
- U.N. declaration on right to development.
- Wetlands-The Convention on Wetlands (Ramsar, Iran, 1971)
- Climate Change Frame work – UNFCCC-1991, Kyoto Protocol-comparison of the same with Paris Agreement, 2015

Unit. III Historical Development

03 Hours

- Historical Perspective: Indian Tradition of Dharma and Environment
- Scope During the British *Raj*- Industrial Development and Exploitation of Nature
- Free India- Continuance of British Influence
- Old laws and New Interpretation

Unit. IV	Constitutional Perspectives on Environment Protection	10 Hours
	<ul style="list-style-type: none"> • Constitutional Setup of Environment Protection with Special Emphasis on Federal Structure • Directive Principles and Fundamental Duties • Right to Equality and Environment Protection • Right to Freedoms and Environment Protection • Right to Life and Environment Protection • Freedom of Religion and Environment Protection • Right to Wholesome Environment as Fundamental Right • Right to Food and Environment Protection 	
Unit. V	Various Principles of Environment Protection	10 Hours
	<ul style="list-style-type: none"> • Sustainable Development • Principles of Intergenerational and Intra-generational Equity • Precautionary Principle • Polluter Pays Principle • Public Trust Doctrine 	
Unit. VI	Statutory Framework of Environment Protection	12 Hours
	<ul style="list-style-type: none"> • Concept of Nuisance and Environment Pollution: The Indian Penal Code 1860 and The Code of Criminal Procedure 1973 • Water Pollution- The Water (Prevention and Control of Pollution) Act, 1974 • Air Pollution - Air (Prevention and Control of Pollution) Act, 1981 • Noise Pollution • Environment Protection -Environment (Protection) Act 1986 • Environment Impact Assessment • Coastal Zone Regulations • Environmental Audit and Eco Mark • The National Green Tribunal Act, 2010 	
Unit. VII	Regulation of Hazardous Substances	06 Hours
	<ul style="list-style-type: none"> • The Bhopal Disaster and Its aftermath • The Strict liability and Absolute Liability Principles • The Public Liability Insurance Act 1991 • Bio-Medical Waste Disposal • Electronic Waste Management • Genetic Engineering 	



Unit. VIII Environmental and Disaster Concerns in Town Planning 06 Hours

- Town and country planning: Concept of “Green spaces & Lung Spaces”
- Law: enforcement and constraints
- Planning – management policies
- Disaster Emergency Preparedness
- National Disaster Management Act, 2005
- Gujarat State Disaster Management Act, 2003

Unit. IX Conservation and protection of Resources 06 Hours

- Forest conservation-The Indian Forest Act, 1927 and The Forest (Conservation) Act, 1980
- The Forest Rights Act, 2006
- The Compensatory Afforestation Fund Act, 2016
- Denudation of forest: judicial approach
- Wild life- The Wildlife (Protection) Act, 1972 with special reference to Sanctuaries, national parks, Licensing of zoos and parks
- State monopoly in the sale of wild life and wild life articles
- Offences against wild life.

Unit. X Protection of Biodiversity and IPR 03 Hours

- Bio-diversity –Importance and need for protection
- Legal control- Convention on Biological Diversity, 1992 , Cartagena Protocol on Biosafety, 2000 National Biodiversity Act, 2002
- Control of eco-unfriendly experimentation on animals, plants, seeds and microorganism.

Suggested Readings²:

- Leelakrishnan, P. (2016). *Environmental Law in India*. Gurugram: LexisNexis.
- McGillivray, S. B. (2006). *Environmental Law*. Oxford: Oxford.
- Rosencranz, S. D. (2013). *Environmental Law and Policy in India*. Delhi: Oxford India.
- Singh, G. (2016). *Environmental Law*. Lucknow: Eastern Book Company.

L= Lecture, T= Tutorial, P= Practical, C= Credit

² This is not an exhaustive list