

7.1 Course – **I, Environmental Law**

Objectives:

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 inter-generation equity, carrying capacity, sustainable development, and precautionary principle, polluter pay principles are to be appreciated. The law in practice is to be analysed and evaluated. The course is designed towards these objectives.

Course Outcomes:

Student who has taken admission for this course will be able to

1. analyze advanced and integrated understanding of the complex body of knowledge in the field of environmental law
2. develop the capacity to identify new law and apply existing law in the rapidly evolving legal context for environmental law
3. understand in depth knowledge of the specialist area of environmental law and associated disciplinary areas
4. determine and analyse the different causes of pollution and legal remedies to control it on national level.
5. analyse and evaluate laws relating to environmental aspect on a national level and its comparison with other countries.

Contents:

UNIT – I

The Idea of Environment:

Environment: meaning and components- Pollution: meaning, sources, Kinds, and effects of pollution - Ancient and Medieval Writings - Environmental jurisprudence - National environmental policy.

UNIT – II

Environmental Policy and Law: Pre & Post Independence Period -Constitutional provisions on Environment and its Protection: Right to Environment – Duty to protect environment - Public interest litigation and environment -Role of Judiciary on Environmental issues

Doctrines of Environmental Pollution: Evolving new Principles – Absolute Liability -Polluter pays principle - Precautionary principle – Inter generational equity principle -Public trust doctrine.

UNIT - III

International Law and Environmental Protection: Sustainable Development -International

conventions in the development of Environmental Laws and its Policy - From Stockholm to Johannesburg Declaration (Rio) -Trans-boundary Pollution hazards & Regulation; Common Law aspects of Environmental Protection – Criminal Law and environment.

UNIT – IV

Prevention and Control of Water & Air Pollution: Water Act, 1974 and Air Act, 1981 -Pollution Control Board and its powers and functions- offences and penalties -Remedies in case of water and air pollution

Noise Pollution and its control: Noise Pollution (Regulation & Control) Rules, 2000

Wildlife Protection Act, 1972: Hunting – Trade in Animal articles – Authorities under wild life protection Act- Role of Judiciary on wild life protection

Forest Conservation Act, 1980 – judicial approach.

UNIT - V

Environment Protection Act, 1986 - ECO-Mark, Environmental Audit - Coastal Regulation Zone, Environment Impact Assessment: Discretionary Model and Mandatory Model, - Regulation on Bio- Medical Waste - Disposal of Solid Waste.

Prescribed Books:

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.

Reference Books:

Simon Ball Stuart Bell - Environmental Law.

Sanjay Upadhyay and VidehUpadhyay - Handbook on Environmental Laws.

S. Shantha Kumar- Introduction to Environmental Law.

Relevant Bare Acts/Notifications.