

MAHATMA GANDHI UNIVERSITY
School of Indian Legal Thought
OBE Syllabus for One Year LLM

2020

FACULTY OF LAW

BRANCH - ENVIRONMENTAL LAW

School of Indian Legal Thought

VISION

Vision of Mahatma Gandhi University

“Mahatma Gandhi University envisions excelling in the field of higher education and catering to the scholastic and developmental needs of the individual, through continuous creation of critical knowledge base for the society’s sustained and inclusive growth a sense of social justice”

MISSION

M1. To conduct and support undergraduate, postgraduate and research-level programmes of quality in different disciplines of legal studies

M2. To foster teaching, research and extension activities for the creation of new knowledge for the development law and society

M3. To help in the creation and development of human power that would provide intellectual leadership to the community specifically marginalised section in the society.

M4. To provide skilled human power to the professional, industrial, administrative, hospital management and service sectors in the country so as to meet global demands and standards.

M5. To help promote the diverse cultural heritage of the nation and preserve the environmental sustainability, plurality and quality of life

M6. To cater to the holistic and comprehensive development of the region through legal interventions and academic leadership

GRADUATE ATTRIBUTES OF MAHATMA GANDHI UNIVERSITY

Graduate Attribute 1: Interdisciplinary Knowledge, Skills and Attitude MGU graduates should be able to acquire interdisciplinary and cross disciplinary knowledgebase, skills and attitudes as a consequence of the learning they engage with their programme of study. These qualities should equip students to live and work in a rapidly changing and complex globalized world.

Graduate Attribute 2: Equity, Sustainability, Diversity and Inclusiveness MGU graduates should acquire the spirit of equity, sustainability, diversity and inclusiveness during their course of study. They should acquire all the core ethical values to enable them to act as compassionate and dignified citizens

Graduate Attribute 3: Societal Interaction/Community Service MGU graduates should have the ability to acquire knowledge to disseminate it and actively engage with the world through community service.

Graduate Attribute 4: Net Working and Collaboration MGU graduates should acquire skills to be able to collaborate and build academic network with educational institutions, research organizations and industrial units in India and abroad.

Graduate Attribute 5 : Lifelong Learning MGU graduates should be lifelong learners for the pursuit of continuous knowledge upgrading for either personal or professional reasons. This should enhance social inclusion, active citizenship, personal development, self-sustainability as well as competitiveness and employability to adapt with transformability of the society.

Program Education Objectives (PEO)

PEO I To make LL.M graduates conceptualize, critically analyze and acquire In-dept

knowledge of law by imbuing in them the unique ability of synthesizing knowledge towards adding value in the areas law towards an advanced legal scholarship

PEO2 To promote lateral thinking by way of enabling LL.M graduates to see at the things from different perspectives there by making them to come out with significant solutions to address the complex legal problems of the current world.

PEO3 To inculcate a spirit of enquiry, so that Law Graduates search for facts and truths by developing methodologies that supports critical analysis and decision making. Enables the students to develop new perspectives through new methodologies to improve their understanding of transformative potential of law in an unjust world.

PEO4 To ignite the passion for legal research by orienting them in the application of research methodology and instil ability to recognize cause-and-effect relationships, define problems, formulate hypotheses, test hypotheses, analyse, interpret and draw conclusions from data, establish hypotheses, predict cause-and-effect relationships; and make them learn to select and apply in complex decision making processes and develop their capacity to intervene fruitfully in the law making and law implementing processes

PEO 5 To inculcate a spirit of Ethics and Social Commitment in the personal and professional life of law graduates so that they add value to the society and take a lead role to address the issues of the marginalised sections in the society through legal interventions

PEO 6 Compare the jurisprudential aspects between various legal systems across the globe and to develop best legal practices for adaptable for the nation.

PEO to mission mapping

PEO 1 PEO2 PEO3 PEO4 PEO5 PEO6

M1 3 3 2 3 1 1

Correlation: 3- High, 2-Medium, 1-Low

School of Indian Legal Thought

Mahatma Gandhi University

Environmental Law

Branch : Environmental Law

SYLLABUS

Sl. No	Course Code	Course Title	POE	CREDITS	CA	ESA	Marks	Sy Ar
1	SILTMPC 01	Research method, Teaching and Legal Writing	LL.M	3	40	60	100	Ar 1
2	SILTMPC 02	Comparative Public Laws/Systems of Governance	LL.M	3	40	60	100	Ar 2
3	SILTMPC 03	Law and Justice in a Globalizing World	LL.M	3	40	60	100	Ar 3
4	SILTMPC 25	General Principles of Environmental Law	LL.M	3	40	60	100	Ar 32
5	SILTMPC 26	Natural Resources Management Law	LL.M	3	40	60	100	Ar 33
6	SILTMPC 27	International Environmental Protection Law	LL.M	3	40	60	100	Ar 34

	Second Semester							
	Course Code	Course Title	POE	CREDIT	CA	ESA	Marks	Sy Ar
1	SILTMPC 28	Forest and the Law	LL.M	3	40	60	100	Ar 36
2	SILTMPC 29	Government control and judicial control	LL.M	3	40	60	100	Ar 35
3	SILTMPE 30	Environmental Law and Human Rights	LL.M	3	40	60	100	
4	SILTMPC 31	Dissertation & Viva	LL.M	6	175	25	200	

PROGRAM SPECIFIC OUTCOME

PO 1 To enable an understanding of the basic concepts in the area of Environmental Law
PO2 To foster an in depth understanding on the latest developments in the area of Environmental law
PO3 Study the specialized subjects with a globalized perspective and do a comparative study of the Indian law with other countries To assess and contribute to policy making/advocacy through fresh perspectives that arise out of the comparative study of the systems
PO4. To acquaint, train and equip students with a comprehensive knowledge and relevance

of Environmental law in the present times.
PO5To enhance advocacy and teaching and research skills
PO 6: To enhance the ability of the students to analyze the legal problems and challenges from scholarly and objective point of view and work towards finding solutions to the problems by application of laws and regulations
PO7: Develop written and oral communication skills consistent with the conventions of the legal discipline and the high expectations of academic integrity.

1. SILT - RESEARCH METHODOLOGY SEMESTER I

Core

Credit-3

Introduction and Course Objective

The course objective is to familiarize the research methods used in legal research. Research methodology includes the philosophy and practice of the entire research process and use of the legal source material. The course also includes different types of research methods and different legal research and legal writing techniques in order to equip students for further legal research. In addition, the course covers the processing and presentation techniques of primary and secondary data in socio-legal research and the development of research topics for LL.M. Masters thesis.

Course Outcomes (CO)

On successful completion of this Course, the students will be able to:

CO1 - Present a complex socio legal issue in a coherent and engaging manner and also to create the proper ways of citation, put away evaluate and create Blue Book, ILI Format and OSCOLA etc.

CO2 - Conduct effective doctrinal as well as empirical legal research by using fundamental tools of legal research.

CO3 - Understand and create accurate research methods for a legal health care issue.

CO4 - structure a research proposal to write a dissertation and to design research process.

CO5 - Write research papers/notes and case comments.

Mapping of course outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	Po7
CO 1				✓	✓		
CO 2				✓	✓		
CO 3				✓	✓		
CO 4				✓	✓		
CO 5					✓		

Course Content

Module: I -	Research as a social science and scientific research Qualities of scientific research, meaning of research – nature and utility of research -
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	<p>pure and applied research - value of research – problems of objectivity in research – the research process – multidisciplinary approach to research - Notion of Research and knowledge -Specific Characteristics of Research - Types of Research -Doctrinal, Non-Doctrinal -Exploratory, Descriptive, Experimental -Qualitative, Quantitative - Longitudinal-Impact -Case Study -Attitude Measurement - Projective</p>
Module: II	<p>Formulation of problem in research</p> <p>Research problem identification- validation of research problem - formulation of research question - hypothesis, their nature and role – concepts and their role in investigation - research design- Hypothesis difference between proposition, hypotheses and theory. Types of hypotheses. Testing of hypothesis, and Operationalisation of the Hypotheses-Objectives of Study</p>
Module: III	<p>Doctrinal research - data collection Doctrinal sources – primary and secondary sources – case study method – observation and interview - case books – writings – international documents – judgments of international bodies and superior courts of</p>

	different countries—legislation – statutory instruments and judicial decisions
Module: IV	<p>Non-doctrinal research</p> <p>Empirical research – census method of data collection – sMethodology - Sampling, Estimation: Types of sampling; Sampling distribution; Estimation; Confidence intervals for means; Confidence intervals for proportions.— optimum sampling – different methods for collection of data – interview, preparation of questionnaires – classification of data</p>
Module: V	<p>Statistical analysis of data and reporting</p> <p>Tabulation and graphical presentation of data –Use of Statistics in Social Sciences - Drawing of Inferences - Analysis/Interpretations – Jurimetrics - What is Impact? -Measuring of Impact— standard deviation – elements of probability study and its use in research – presentation of research reports – style of presentation - practical experience in collection of data and analysis</p>

	of data using computer and internet.
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Core Readings:

1. Pauline V. Young, Scientific Social Survey and Research, Prentice Hall,(1966).
2. William J. Grade and Paul K. Hatt, Methods in Social Research, McGraw-Hill Book Company, London (1952).
3. H.M.Hyman, Interviewing in Social Research, University of Chicago, (1965).
4. Payne, The Art of Asking Questions, Princeton University Press (1980).
5. Erwin C. Surrency, B.Felf and J. Crea, A Guide to Legal Research, Oceanea Publications, (1966).
6. Morris L. Cohan, Legal Research in Nutshell, West Publishing Co., (1996).
7. The Blue Book: A Uniform System of Citations, Havard Law Review Association, (2000).
8. Legal Research and Methodology, ILI Publication, (2001).
9. Manheim, Sociological Research: Philosophy and Methods, Doresy Press, (1997),Chs.6-17.
10. Morris L. Cohen, How to Find the Law, University of Michigan, (1989) Chs.1,13,17&18.
11. Peter Goodrich, Reading the Law, B. Blackwell, (1986) Ch.2.
12. John A Yogis, Michalelosipeaea, Philip. W. Whitehead, Legal Writing and Research Manual, Lexis NexisButterworths, (2004).

Suggested Readings:

1. A.K. Phophalia, Modern Research Methodology, Paradise Publishers, 2010.

2. Action Research in Crime Prevention", Report on an International Seminar on Use of Research as a Basis for Social Defency Policy and Planning, Denmark 20-23 Aug. 1973, pp. 28-37, 59-62, United Nations (1975).
3. AnwarulYaqin, Legal Research and Writing Methods, LexisNexis ButterworthsWadhwa, Nagpur, 2008
4. Bailey, Methods of Social Research, pp. 18, 31-66 (1978)
5. Bakshi, P.M. "Legal research of Law Reform" in Legal Research and Methodology,121, 217 (1983).
6. Baxi, U., "The Travails of Stare Decesis in India in" Legal Change: Essay in Honor of Professor Julius Stone (1983, A .R. B lack S hield E dn.) Butterworths, Sydney Australia.
7. Baxi, U., Crisis of Indian Legal System, 244-288 (1982).
8. Baxi, U., Socio-Legal Research in India: A programmsschrift, Occasional Monograph (1975). Department of Law, University of Delhi.
9. Baxi, U., Towards Sociology of Indian Law (1986).
10. Blue Book the Uniform System of Citation, (17th Ed. 2000).
11. C.R. Kothari, Research Methodology: Methods & Techniques, New Age International Publishers, 2006.
12. Eherllich, Ugen, Fundamental Principles of the Sociology of Law, 1-36.
13. Frederic Schauer, Thinking like a Lawyer, Harvard University Press, 2009
14. Friedman and Macaulay, Law and the Behavioral Sciences, pp. 308 -315, 372 -399(1969)
15. George, Gadbois J r, (ii) " Indian Supreme Court Judges: A Portrait", 3 Law and Society Review, 317-335 (1963).
16. George, Gadbois J r, (iv) The Supreme Court of India: A Preliminary Report of an Empirical Study" 4 Jr. of Constitutional and Parliamentary Studies, 53-54 (1970).
17. George, GadboisJr, (i) "Participation in Supreme Court Decision Making" 24 JILI p. 1 (1982).
18. Gerald D .Berreman, " Ethnography: Method and Product" in V .K. Srivastava, Methodology and Fieldwork (Edit) 2004 Oxford.

19. Gibson, Colin S., " Legal Impact Analyses: The Ideal and the Practicable" in Legal Research and methodology, ILI, at 663.
20. Gupta and Deepa Gupta, Research Methodology, PHI, 2013
21. Jain, S.N., " Doctrinal and Non-doctrinal Research" in Legal Research and Methodology, ILI, 167 (1983)
22. Jain, S.N., "Legal Research and Methodology" in 14 JILI 487 (1972)
23. Jones, Ernest M., "Some Current Trends in Legal Research" in 15 J our Leg. Edn. 21 (1962-63).
24. Lindsay Prior, Using Documents in Social Research, Sage Publication, 2003.
25. M.N. Borse, Handbook of Research Methodology, Modern Methods And New Techniques, Srinivas Publication, 2005.
26. Manual of Style for authors, Editors and Copy Writers, University of Chicago (13th ed. 1982).
27. Mark Abrahamson, Social Research Methods pp 197-331 (1983).
28. Michael G. Maxfield and Earl Babbie, Research Methods for Criminal Justice and Criminology, Thompson Learning, 2001.
29. Nanlin, Foundations of Social Research, pp. 15 4 (1976).
30. Pedekar, V.H. How to Write Assignments Research Paper, Dissertations and Thesis, (1982).
31. Peter Clough And Cathy, But Brown, A Students' Guide For Research Methodology, Sage Publication, 2002.
32. Price and Bitner, Effective Legal Research, 311-380.
33. Ram Ahuja, Research Methods, pp 52-91 (2001).
34. Robert Watt, Concise Legal Research, (4th Edt.) 2001.
35. Sadhu and Singh, Research Methodology in Social Sciences, (1983).
36. Sadhu and Singh, Research Methodology in Social Sciences, pp 1-34 (1983).
37. Stone, J., Social Dimensions of Law and Justice, 91-93.
38. Ullaman, W., The Medieval Idea of Law, 1-6 (1946).
39. Winston Jackson, Research Methods: Rules for Survey Design and Analysis, P HI, 1988

2. SILT - COMPARATIVE PUBLIC LAW

(Semester – 1)

Core

(Credits 3)

Course Objective:

Public Law was first defined by Romans as res publica which meant Public Good. Public Law regulates the relationship between individual and the State. The three Constitutions identified for the comparative study (Constitution of United States of America, 1787, the Constitution of India, 1950, and the Constitution of South Africa, 1996) have differences as well as similarities in various aspects.

The aim of the course is to develop an in-depth understanding of Constitutions of the United States of America, India and South Africa in theory and practice. A comparative study of the fundamental constitutional doctrines of various legal systems will help the student to appreciate the strength and weakness of a particular legal system.

Course Outcome:

After completing this paper the students will be able to:

CO 1 - Understand the evolution of basic doctrines and its transformation into the foundations of the given Constitutions.

CO 2 - Understand about various forms of state and forms of government in theory and in practice.

CO 3 - Understand theoretically the methodology of comparing various legal systems in order to appreciate the strength and weakness of that system from its socio-economic and political background.

CO 4 - Evaluate the role of judiciary in interpreting and upholding constitutional rights.

CO 5 - Analyse the role of public law in the era of globalisation.

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	Origin and development; Nature and Scope of Public Law- Distinction between Public Law and Private Law- Relevance, Significance and Types of Constitutions- § Comparative Study of Constitutions: Advantages & Problems in comparison
Module II	Constitutions of the United States, India and South Africa: An Overview- Constitutionalism – Essential Features-Doctrine of Separation of Powers – Application in US, India and South Africa- Rule of Law – Application in US, India and South Africa

Module III	Federalism- Models of Federalism- Application in US, India and South Africa-Constitutional Amendments in US, India and South Africa- Theory of Basic Structure- Origin and Development- Modes of Constitutional Review – Judicial Review – Limitations
Module IV	Constitutional Rights and Duties- Remedies for the violation of Constitutional Rights- Role of Judiciary in upholding Constitutional Rights- Growth and Development of Social Action Litigations
Module V	Implementation of International Obligations-Application of international law in the municipal-Legal systems of India, USA and South Africa-Role of Constitutions in the transformation of the society- Changing Role of Public Law in the era of Globalisation

Suggested Readings:

1. D. D. Basu, Comparative Federalism, (Wadhwa, 2008).
2. D. D. Basu, Comparative Constitutional Law, (Wadhwa, 2008).
3. Prof.Dr.A.Lakshminath, Comparative Law and Select Legal Systems, (Hind Law House,2011).

4. Granville Austin, The Indian Constitution: Cornerstone of a Nation, (Oxford University Press, 35th Impression, 2019).
5. Hilaire Barnett, Understanding Public Law,(Cavendish,2010).
6. Elisabeth Zoller, Introduction to Public Law: A Comparative Study, (MartinusNijhoff,2008).
7. Christopher Forsyth, et. al., Effective Judicial Review: A History of Indian Experience, (Oxford University Press, 2010).
8. Granville Austin, Working A Democratic Constitution: Cornerstone of a Nation, (Oxford University Press, 14thImpression, 2019).
9. David Strauss, The Living Constitution (Oxford University Press, 2010).
10. Dr.Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004).
11. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008).
12. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
13. M.V. Pylee, Constitution of the World (Universal, 2006).
14. Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989).
15. Neal Devins and Louis Fisher, The Democratic Constitution (Oxford University Press, 2010).
16. Sudhir Krishna Swamy, Democracy and Constitutionalism in India – A Study of the BasicStructure Doctrine (Oxford University Press, 2009).

3. SILT - JUSTICE IN A GLOBALISED WORLD

(Semester – 1)

Core – 3

(Credits 3)

Introduction and Course Objective

In the era of globalization, no country of this world is untouched with its effect. This course builds on the understanding of law, justice and international law gained by students at the undergraduate level and this paper intent to provide them as an advanced knowledge. This course will discuss the debates surrounding globalization, justice, its changing meaning and the impact that it has on many fields of law. It will provide an understanding of how law and legal institutions have to change in order to maintain pace with the global rules. The shrinking policy space at the national level is also be discussed. The course will end with the demand for possible change in international law and global institutions heard from different quarters

Course Outcomes

After the successful completion of the course, the students will be able to:

CO1. Analyse the concept of Globalization and Its Impacts.
CO2. Understand the process of globalization and its impact on international as well as municipal law.
CO3. Analyse the concept and emerging issues of Law and Justice in a globalizing world
CO4. Evaluate the effect of globalization on law and justice nationally and internationally.
CO5. Analyse and suggest the reform in international law and working modalities of international institutions

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2	✓						
CO 3					✓		
CO 4				✓			
CO 5							✓

COURSE CONTENT

MODULE I	<p>GLOBALIZATION: MEANING, REACH AND FORM</p> <p>Concept of state- different phases of growth- The concept of globalization – historical perspective- phases of colonialism- contemporary globalization- features, reach -specific emphasis on legal changes in the areas of environmental justice, labour, finance and trade, emergence of transnational law.</p>
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MODULE II	<p>LAW AND GLOBALIZATION</p> <p>The impact of globalisation on nation states and their sovereignty- Treaty making power in India-legal changes in India and globalisation- Indian judicial process and globalization - Impact of Federalism and Democratic Law Making. Impact of globalization on Human Rights, Economic, social and cultural rights, human rights and human development, Trade Law Globalization and Free Market Impact on welfare state - Natural Resources Environment Displacement for Development Problem of Unemployment.</p>
MODULE III	<p>INTERNATIONAL INSTITUTIONS AND GLOBALIZATION</p> <p>Growing role of international institutions; globalization and the free market- democratic deficit in international institutions; international financial institutions, ILO, WTO; Environmental organizations, Global Administrative law, erosion of sovereignty- International Rule of Law</p>
MODULE IV	GLOBALIZATION AND UNIVERSAL

	<p>VALUES</p> <p>Concept of Global Justice, Cosmopolitanism Globalization and Social Justice/ Global Distributive Justice. Poverty and global justice, climate justice, economic justice labour justice, fair trade and marginalized group, justice delivery and globalization; Global constitutionalism</p>
MODULE V	<p>ENSURING JUSTICE IN A GLOBALIZED WORLD.</p> <p>Access to justice- legal literacy, legal aid, lokadalats, role of law commission, public opinion -lobbying subject committees and select committees</p>

REFERENCES

1. ANDHYARJUINA T.R. JUDICIAL ACTIVISM AND CONSTITUTIONAL DEMOCRACY (Tripathi 1992)
2. ANTHONY MCGREW, DAVID HELD (EDS.), GOVERNING GLOBALIZATION: POWER, AUTHORITY AND GLOBAL GOVERNANCE (Polity Press 2002).
3. CARDOZO THE NATURE OF JUDICIAL PROCESS (Yale University Press 1995)
4. FRIEDMAN- LAW IN A CHANGING SOCIETY (2nd Ed UIVERSAL BOOK TRADERS 1996)
5. ISHWARA BHATT-LAW AND SOCIAL TRANSFORMATION (EBC, 2012)

6. JAYAKUMAR N.K. JUDICIAL PROCESS IN INDIA (APH Publishing Corporation 1997).
 7. JULIUS STONE SOCIAL DIMENSIONS OF LAW AND JUSTICE (Universal Law Publishing Company 1999)
 8. LAKSHMI NATH, PRECEDENT IN INDIAN LEGAL SYSTEM EBC (3rded, Lexis Nexis, 2009).
- RUPERT CROSS PRECEDENT IN ENGLISH LAW (4thed Oxford 199

Semester-one

4.Branch Core 1- General Principles of Environmental Law

Environmental Law defined as law relating to environment. The word environment is defined under Environmental Protection Act as one which includes water,air and land and interrelation which exists among and between water,air and land,and human beings ,other living creatures, plants ,micro-organisms and property. The development of Environmental Law through the International Conventions, Indian Constitutional law, various legislative legal frame works and Judicial decisions are also improve the concept of environment in detail

The aim of the course is to develop an in-depth understanding of the concept of environment developed through the International Environmental law and domestic laws. A comparative study of the environmental legal system existing in America, UK and India is also another objective of this course. Detailed discussions of various principles of environmental law are expected to study in detail.

Course Outcome:

After completing this paper the students will be able to:

CO1. Create overall assessment of environmental jurisprudence

CO2. Understand the various principles of environmental law and its applicability

CO3- Evaluate the role of international environmental law for the fast development of environmental jurisprudence

CO4- Evaluate the role of Government for implementing sustainable development principles

CO5 –Evaluate the scope of environmental education and awareness

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	<p>Concept of environment –meaning and concept of environment- necessity for protection- Ecosystems and eco-balance – green house effect – depletion of ozone layer- relevance of law- International dimensions- various Conventions and Treaties-Stockholm Declaration.</p>
Module II	<p>Sustainable Development — Concept, Problems and perspectives- International Conventions and treaties on Sustainable Development- Rio Declaration on Environment and Development 1992 - World Summit on Sustainable Development 2002- UN Commission on Sustainable Development 1993- United Nations Environment Programme (UNEP)- National Environment Policy (NEP) 2006- Principles of Sustainable Development.</p>
Module III	<p>Constitutional perspectives – right to life and clean environment – public interest litigation-Evolution of Absolute Liability in Environmental Law-Application of Public Trust doctrine.</p>

Module IV	Environmental planning – Environmental education, training programme and role of non-governmental organisation
Module V	Environmental impact Study – Environmental impact Assessment - Environmental Impact Assessment Agency- Cost Benefit Analysis- - public participation – right to information- US National Environment Policy Act 1969- Environmental Clearance Regulation 2006 in India

Suggested Readings:

Suggested readings:

1. Eliot H, Blaustein et. al., Your Environment and You (1974) Oceana
2. Darryl D' Monte Temples or Tombs Industry versus Environment : Three Controversies (1985)
3. Leelakrishnan P. Et. al. (eds) Law and Environment (1990)
4. World commission on Environment and Development, Our Common Future (1987) Oxford
5. Mohan I. Environment and Habitat (1989) Part III Ashish, Publishing House, New Delhi
6. Sharma S. C. Environmental Education (1986) Metropolitan, Delhi.
7. Indera P. Singh and S. C. Tiwari (eds.) Man and His Environment (1980) pp. 1-48.
8. J. Bandyopadhyay (ed.) India's Environment Crises and Responses (1985), Nataraj Publishers, Dehra Dun.
9. Stephen C.M. Coffery and Robery E. Lutz Environmental Pollution and Individual Rights : An International Symposium (1978)

10. Joseph J. Seneca & Michal K. Tanssig, Environmental Economics (1979) Prentice Hall, New Jersey, Ch. V
11. H. H. Singh et. al. (eds.) Geography and Environment (1986) Concept Publishing Company, New Delhi.
12. Khoshoo T.N., Environmental Concern and Strategies (1988) Ashish, Delhi, Chapters I, VIII and IX
13. James E. Krier, Environmental Law & Policy (1971), Bobbs Merrill, New York, Chapter 2
14. William H. Rodgers, Environmental Law (1977), West Ch., I, II and VI
15. Mohan I, Environmental Awareness and Urban Development (1988) Ashish Publishing House, New Delhi.
16. Indian Journal of Public Administration, Special number on Environment and Administration Vol. XXXV July September 1988 No.3
17. Thomas J. Schoerbacum, Environmental Policy Law (1985) Chapter I and II, The foundation press, New York.
18. Kailash Thakur- Environmental Protection Law and Policies in India(1997)
19. Armin Rosencranz, Environmental Law and Policy in India (2001)

5. Branch Core II- Natural Resources Management Law

Natural Resource Management is a mechanism to protect land and water resources. It is also to preserve forest and natural resources and to manage coastal zone in a sustainable manner. Protection of natural resources is necessary for the conservation of biological diversity. Proper management of land and water resources is an important element of maintaining ecological balance, as well as achieving economic growth without disturbing the resources basis.

The aim of the course is to develop an in-depth understanding of various legal frame works in India. Different governmental policies are discussed in detail. A comparative study of law relating to management of natural resources in India, America and UK is also another objective of this course. Various international and national agencies constituted for the implementation of natural resources management are also another objective of this course.

Course Outcome:

After completing this paper the students will be able to:

CO 1.Understanding of various legal frame works for the protection natural resources

CO2. Understanding of Forest Management and preservation of forest resources

CO3. Understanding of tribal natural resources management and wild life conservation

CO4. Evaluate the various legal frameworks for the coastal zone management

CO5. Evaluate the legal regulation for energy resource management

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	Environment Protection Act 1986- Authorities- Functions and Powers- Prevention Control and abatement of pollution under the Act- Critical evaluation of the Statute- Public Liability Insurance Act,1991 – Water, Air and Noise Pollution- Water (prevention and Control of Pollution) Act,1974- Air (prevention and Control of Pollution) Act,1981- Authorities under the Acts- Powers and Functions- Prevention and control of
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	<p>pollution-Critical evaluation of the statute- Legal measures to abate noise pollution- case laws- Bhopal Gas Leak Disaster (processing of Claims Act) Act, 1985 and subsequent developments- Other international Laws.</p>
Module II	<p>Land management: concept, problems and perspectives</p> <p>Water management: concept, problems and perspectives</p>
Module III	<p>Forest management – impact of developmental projects – forest and tribal people – wild life conservation</p>

Module IV	Coastal zone <i>management – encroachment on</i> coastal zone – dumping of waste – mangroves
Module V	Energy sources management: problems – alternative sources of energy

Suggested readings:

1. Frank J. Frelease, *Water Law Resources Use and Environmental Protection* (1874) West
2. Desh Bandhu and Garg, *Social Forestry and Tribal Development* (1986) Indian Environmental Society.
3. Upadhyay C.B., *Forest Laws* (1984) Hind Publishing House, Allahabad.

4. Chatrapati Singh, *Common Property and Common Poverty: India's Forest, Forest Dwellers and the Law* (1986)
5. Desmond D' Abreo, *People and Forests* (1985)
6. Darryl D' Monte, *Temples or Tombs, Industry versus Environment: Three Controversies* (1985)
7. Leelakrishnan P., et. al. (eds), *Law and Environment* (1990)
8. Indian Journal of Public Administration, Special number on Environment and Administration, July-September 1988 Vol. XXXV No.3
9. Findley, R. W. and Farbor D.A., *Environmental Law* (1981) West Chapters VI & VII
10. David Rugher, *Environmental Law* (1986) Butterworths London, Part II & IV
11. Daniel R. Mandeker *Environmental and Land Controls Registration* (1976) Bobbs-Merril, New York, Chapters IV and VI.
12. Khoshoo, *Environmental concepts and strategies* (1988) Ashish, Delhi, Chapters III to VIII and X.
13. Centre for Science and Environment, *The State of India's Environment* 1982 and *The State of India's Environment* 1984-85, Delhi.
14. A.R. Bam and P.N. Gantam, *Natural Heritage of India* (1989), R.K. Publishers, Delhi.
15. Hanks, E.H. Tarlock, A.D. and Hank J.L. *Environmental Law and Policy* (1974) Chapter IV
16. Thomas J. Schoenbum, *Environmental Policy Law* (1985), Chapter III, The Foundation Press, New York.
17. Kailash Thakur- *Environmental Protection Law and Policies in India*(1997)

Core Paper III. International Environmental Protection Law

International environmental law is the major source for the development of modern environmental law. Conflict between permanent sovereignty over natural resources and enforceability of modern international environmental law is also discussed in this paper. Role of National and international agencies entrusted for the implementation of international environmental law is examined in this paper.

The aim of the course is to develop an in-depth understanding of various International legal frame works of international environmental law. Various international agencies constituted for the implementation of international conventions and treaties are discussed in detail. A comparative study of applicability of international environmental law in India, America and UK is also another objective of this course.

Course Outcome:

After completing this paper the students will be able to:

CO 1. Understanding of various International conventions and treaties

CO2. Understanding of sovereignty principle restricting its applicability

CO3. Understanding of Marine environment conservation

CO4. Evaluate the problems of Trans boundary pollution hazards

CO5. Evaluate the legal regulation over International implementary agencies

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module I	<p>International concern for environmental protection – role of national and international organizations- Precedents-permanent sovereignty over Natural Resources-Stockholm conference- Rio Conference – World Summit on Sustainable Development-Rio Summit-2030 Agenda for Sustainable development</p>
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Module II	<p>Sources of International Law-prevalence of treaties-Principles of International Environmental Law-No Harm Principle-principle of prevention-precaution in international law-Co-operation –notification-consultation-prior informed consent-Environmental Impact Assessment-polluter pay principle-principle of participation-principle of intergenerational equity</p>
Module III	<p>Marine environment conservation – United Nation Convention on the law of sea 1984 -International sea bed authority – Antarctic environment – outer space</p>

Module IV	Trans boundary pollution hazards: concept, problems, regulation- Legal frameworks-Implementatory agencies
Module V	International implementatory agencies-legal regulations –problems and limitations- Applicability in India, America and UK

Suggested readings

1. World Commission on Environment and Development, *Our Common Future* (1987), Oxford
2. British Institute of International and Comparative Law, *Selected Documents on International Environmental Law* (1975) London.
3. Irene H Vam Lier, *Acid Rain and International Law* (1981) Bunsel Environmental Consultants - Toronto.
4. R. A. Malaviya, *Environmental Pollution and its Control under the International Law* (1987) Chugh Publication, Allahabad.
5. Standing Committee on Environmental Law, American Bar Association, *Common Boundary/ Common Problems : The Environmental Consequences of Energy Production* (1982)
6. Indian Law Institute, *Mass Disasters and Multinational Liability : The Bhopal case.*(1986) Inconvenient forum and convenient catastrophe : The Bhopal Case 1986
7. International and Regional Conventions on various areas noted in the thematic break up of this paper.
8. Digvijay Singh, *The Eco-vote* (1985) Prentice Hall, New Delhi
9. Jan Schneider/ *World Public order of the Environment* (1979), University of Toronto.
10. James Darros and Douglas M. Johnston, *The International Law of Pollution* (1974), Mac Millan, London.
11. Pierre-Marie Dupuy, *International Environmental Law*, 2018, Cambridge University Press, UK
12. Priya Ranjan Trivedi, *International Environmental Law* (1996)
13. Arjun Prasad Nagore, *Biological Diversity and International Environmental Law* (1996)

Core Paper IV. Forest and the Law

Forests are the major natural resource and are also recognised as a colourful expression of nature. Therefore, management of forest is an essential aspect of protection of the environment. This paper discusses different forest protection laws and Wild Life Protection laws with the support of existing legal frameworks. Forest and Wild Life Protection laws in India, US and UK are also analysed in detail.

The aim of the course is to develop an in-depth understanding of various International and national legal frameworks of forest laws. International and national forest policies are discussed in detail. A comparative study of forest laws in India, America and UK is also another objective of this course.

Course Outcome:

After completing this paper the students will be able to:

CO 1. Understanding of various International conventions and treaties relating to Forest and Wild Life Protection

CO2. Understanding of various legal frame works for the protection of Forest

CO3. Understanding of various legal frame works for the protection of Wild Animals

CO4. Evaluate the problems of forest protection in accordance with sustainable development principles

CO5. Evaluate the legal regulation over cruelty against animals

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	Significance of forest – historical perspectives of forest protection – national and international efforts to conserve forest
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Module II	<p>Forest legislation – sustainable development and forest conservation – controls over private forests – social forestry-Indian forest Act 1927- Classification of Forest- Authorities, powers and Functions- (Forest Conservation) Act,1980</p>
Module III	<p>problems of enforcement – forest offences - problems of prosecution</p>

Module IV	Forest and the Tribal people
Module V	<p>Forest and wild life - Convention on International Trade in Endangered species of Wild Fauna and Flora - Wild Life Protection Act,1972 - Wild life-plants- Sanctuaries- National Parks- Trade in Wild Animals – Animal Articles and Trophies- Prevention of cruelty against Animals Act – Authorities and Functions – Protection of zoos. Wild Life Protection in UK and US</p>

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Paper V Government control and Judicial Control

Governmental control is through the statutory bodies and legislative mechanism. Policy decisions of the government are also helping to enforce governmental control. This paper also discusses judicial control through the process of common law remedy and judicial review. Explanation regarding the various agencies of the government for enforcing government control and the role of various judicial bodies are discussed in detail

The aim of the course is to develop an in-depth understanding of various International and national legal frame works for governmental control. Role of International and national judicial bodies for judicial control are discussed in detail. A comparative study of government control and judicial control in India, America and UK is also another objective of this course .A comparative study of relevant decisions of the above countries are another objective

Course Outcome:

After completing this paper the students will be able to:

CO 1.Understanding of various International and national legislative mechanism used for Governmental control

CO2. Understanding of International and national agencies of the government used for effective Governmental control

CO3. Understanding of various International and national judicial bodies constituted for judicial control .

CO4. Evaluate the different types of judicial remedies used for judicial control

CO5. Evaluate the conflict of jurisdiction of International Judicial bodies and national judicial bodies.

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						
CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	<p>Government control through the legislative mechanism-</p> <p>Government control through Local self Government system</p>
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Module II	<p>Environmental Disputes and Remedy through International Court of Justice- International environmental tribunals-International Court of Environment with global jurisdiction-European Court of Justice – International Arbitration court-- Diplomatic methods- Negotiation- Mediation Conciliation--Enquiry</p>
Module III	<p>Constitutional Remedies under India, American and UK Constitution</p>

Module IV	<p>Civil disputes- Nuisance- Public Nuisance – Private Nuisance Negligence—trespass-- Absolute Liability - Common Law Remedies- Injunctions- Restitution and Damages--Criminal offences-Offence affecting public health, safety, convenience, decency and morals—public nuisance-- Punishment</p>
Module V	<p>National Environmental Tribunal ACT,1995 - National Environmental Tribunal – Jurisdiction- Appeal –National Environment Appellate Authority Act 1997- National Green Tribunal Act,2017- National Green Tribunal (Practices and Procedure) Rules,2011-National Green Tribunal(Recruitment, salaries and other terms and Conditions of Service of officers and other employees) Rules,2011</p>

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Suggested readings

1. O.P Dwivedi Indias, s Environmental Policies, Programmes and Stewardship, 1997, Macmillan Press Ltd, Newyork
2. Sean Coyle, Karen Morrow, The philosophical Foundation of Environmental Law, 2008, USA
3. Dr.jur.Herald Hohmann, Precautionary Legal Duties and Principles of Modern International Environmental Law, 1994, Khiwer Academic Publication, USA.
4. Thomas P Lyon and John W. Maxwell Corporate Environmentalism and Public Policy, 2004, Cambridge University Press, UK
5. Alan E Boyle & Michel R Anderson, Human Rights Approach to Environmental Protection, 1996, Oxford University Press, New York
6. Environmental Law and Policy in India, 2011, Oxford University Press, New Delhi
7. V.R Krishna Iyer, Environmental Protection and Legal Defence, 1992, Sterling Publishers Private Ltd.
8. Pro. Leelakrishnan, P, Environmental Law Case Book, 2004, LexisNeis Butterworths Publication, New Delhi
9. Dr. R.G Chaturvedi & Dr.M.M Chaturvedi. 1998, Law Book Company P Ltd. Allahabad
12. Susan Wolf, Environmental Law, 2005, Canvendish Publishing Co. London
13. Shyam Diwan Armin Rosencranz, Environmental Law and Policy in India 2000, Oxford University Press, New Dehi.

Paper V Environment and Human Rights

This course mainly focuses on human rights violations in environmental hazards. All human beings depend on the environment in which we live. A safe, clean, healthy and sustainable environment is integral to the full enjoyment of a wider range of human rights, including the rights to life, health, food, water and sanitation.

The main aim of the course looks into the various situations of human rights violations and protection of the environment was interlinked. Main focus has given to the possibilities of violations in natural calamities and ecological imbalance. The main thrust has given to the judicial bodies constituted for providing remedies.

Course Outcome:

After completing this paper the students will be able to:

CO 1. Students must be able to understand deepest knowledge of national legal frameworks and International convention relating to human rights violations of environmental causations

CO2. Understand the role of various international and national organizations stands for the protection of human rights in environmental disasters.

CO3. Analyze the various possibilities of human rights violations in natural calamities and also discuss effective remedies.

CO4. Evaluate the effectiveness of national and international judicial bodies stands for the protection of human rights

CO5. Evaluate the role NGO for the protection of human rights of affected persons in environmental calamities

Mapping of Learning Outcomes with program outcomes

	PO 1	PO 2	PO 3	PO 4	PO 5	PO6	PO7
CO 1	✓						

CO 2		✓					
CO 3			✓				
CO 4					✓		
CO 5						✓	

Course Content:

Module 1	<p>Environment-Nature, Concept and Definition</p> <p>Role of international human rights law in the protection of Environment</p> <p>Environmental Protection and Common Law</p> <p>Environmental Rights in existing human rights Treaties</p> <p>Environmental Rights in European Union</p> <p>Access to Environmental Justice and procedural rights in International Institutions</p>
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Module II	<p>Development versus Environment</p> <p>Polluter Pays Principle</p> <p>Precautionary Principle</p> <p>Intra and Inter Generational Equity</p> <p>Sustainable Development- Cost Benefit Analysis</p> <p>Environment Impact Assessment</p> <p>Contribution of Judiciary</p>
Module III	<p>Machinery to Protect Environment</p> <p>Statutory Bodies</p> <p>Role of International Bodies</p> <p>Role of Non- Governmental Organisation</p>

Module IV	<p>Mass Disasters and Environmental Protection</p> <p>Judicial Approach</p> <p>Effectiveness of Governmental mechanism and technological support</p> <p>International and National Funding agencies</p>
Module V	<p>Common Law Remedies</p> <p>Injunctions-Restitution and Damages</p> <p>Constitutional Remedies</p> <p>Human Rights Remedies</p>

Suggested readings

1. Benimdhhab Chatterjee- Environment Laws – Implementation, Problems and Perspective, Deep and Deep, Kolkata.
2. Alan Boyle and David Freestone- International Law and sustainable Development – Past Achievements and Future Challenges, Oxford University Press, Oxford.
3. Environmental Protection, Law and Policy - Jane Holder and Maria Lea, Cambridge University Press, Cambridge.
4. Francesco Francioni -Environment, Human Rights and International Trade ,Hart Publishing, Oxford.
5. Tim Stephens- International Courts and Environmental Protection, Cambridge University Press, Cambridge.
6. Paul and Kathleen Mahoney- Human Rights in 21st Century, Martinus Nijhoff Publishers, Boston