

LL.M. 2ND SEMESTER

OPTIONAL PAPER

LAW REGARDING ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

INDIAN LAW RELATING TO REGULATION AND CONTROL OF POLLUTION

Paper: 203-D

Max. Marks: 100

Credits: 5

Time: 3 Hours

Note:

1. There shall be total Five Units in the question paper.
2. Unit-I shall contain one compulsory question having four parts of five marks each. This question shall be spread over the entire syllabus.
3. There shall be two questions in each Unit i.e. Unit-II to Unit-V.
4. The student is required to attempt four questions by selecting one question from each unit i.e. Unit-II to Unit-V. Each question shall carry twenty marks.

COURSE OBJECTIVES:

- To understand the historical evolution and development of environmental law in India.
- To analyze legal remedies available for addressing pollution-related issues and judicial mechanisms for their enforcement.
- To examine the legal framework governing wildlife conservation and protection in India.
- To evaluate laws and regulations pertaining to the protection and management of water bodies in the country.
- To develop a comprehensive understanding of the regulatory framework and enforcement mechanisms for controlling pollution in various sectors.

UNIT-I

Historical overview and Development of Environment Law in India

- Concept and History of Environmentalism in Indian Tradition.
- Pre – Independent Environment legislations
- National Policies related to Environment Protection.
- Revolutionary Movements related Environmental Protection.

UNIT-II

Legal and Judicial Remedies

- Protection Measures under the Indian Constitution.
- Dynamic Judicial Role in Environmental Protection.
- Environmental Protection and General Civil and Criminal Laws.
- Environmental Protection in Common Law.

UNIT-III

Wildlife Laws

- Protection of Wildlife under Constitutional and Criminal Law.
- Jurisprudence behind protection of animals.
- State intervention in the management of Sanctuaries and National Parks.
- Statutory framework for protection against cruelty to Animals.

UNIT-IV

Protection of Water Bodies

- Water Bodies and its classifications under law.
- Encroachment of Water bodies and its Preventive measures.
- Legal Perspectives on Groundwater in India.
- Interface of ground water depletion and poverty in India.

COURSE OUTCOME:

- Students will be able to demonstrate knowledge of the historical background and evolution of environmental law in India.
- Students will be able to identify and assess legal and judicial remedies available for addressing pollution-related disputes.
- Students will be able to analyze the legal provisions and implications of wildlife laws for conservation efforts in India.
- Students will be able to evaluate the effectiveness of laws and regulations in protecting and conserving water bodies in the country.
- Students will be able to apply legal principles and regulations to address pollution-related challenges in diverse environmental contexts.

SUGGESTED READINGS:

1. UNESCO India and Centre de Sciences Humaines : New Delhi Urban Policies and the Right to the City in India.
2. Surendra Malik and Sudeep Malik : Supreme Court on Environmental Law EBC Publications.
3. Centre for Environmental and Sustainable Development, GNLU Environmental Law: Decentralized Governance EBC Publications.
4. Justice Krishna Iyyer : Law and Urban Poor in India B.R. Pub. Corp.
5. "Law and Urbanization" : Indian Law Institute of Law, New Delhi.