

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-VII

Course Code	BAL704
Course Title	Environmental Law
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	An introduction to the concepts and principles which underpin environmental law from the national to the international law. The course will address Constitutional law provisions relating to the environment; Sustainable development as a legal concept and related environmental protection principles, The remedies in statutory law and the protection of wildlife and forests.

UNIT-I

Definitions and Concepts: Environment; Ecology; Biodiversity; Pollution;

Climate Change

Common Law and other statutory remedies: Law relating to Public Nuisance:

Indian Penal Code (Ss. 268 and 290) Criminal Procedure Code (Ss. 133 &144)
and Civil Procedure Code (S91)

Constitutional Provisions: Directive Principles of State Policy, Fundamental

Duties Art 48 A, 51 A (g) and Right to Clean and Healthy Environment

UNIT –II

Prevention and Control of Pollution in India

Water (Prevention, Control and Abatement of Pollution) Act 1974

Air (Prevention, Control and abatement of Pollution) Act 1981

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

The Environment Protection Act, 1986

The Public Liability Insurance Act, 1991

The National Green Tribunal Act, 2010

UNIT –III

Protection and Conservation of Forest and Wild Life

The Forest (Conservation) Act 1980

The Forest Rights Act, 2006

Wild life Protection Act, 1972

UNIT –IV

Emerging Principles: International and National Perspectives

Polluter pays

Precautionary principles

Public Trust Doctrine

Sustainable Development

Role of Indian Judiciary in evolving these Principles

International Environmental Law

International Trade in Hazardous Waste; Convention on Control of

Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention 1989)

Customary International Law concerning Transboundary Pollution and

Environmental Harm: In context of contribution made by the Rio Declaration, the International Law Commission and International Court of Justice

Suggested Readings:

Armin Rosencranz and Shyam Diwan: Environmental Law and Policy in India, Oxford, 2005

P Leelakrishnan, Environmental Law in India, (2nd Edn.), Lexis Nexis, New Delhi, 2005.

Jaswal, P.S: Environmental Law, Allahabad Law Agency

Patricia Birnie; Alan Boyle; Catherine Redgwell, , International Law and the

Environment, 3rd Ed, Oxford, 2009

Stuart Bell, Donald McGillivray, Ole Pedersen, Emma Lees, and Elen Stokes,

Environmental Law 9th Edition, Oxford University Press, 2017

Philip Sands: Principles of International Environmental Law, 4th Ed, Cambridge, 2018