Course title: Environmental Aspects of Business Activities			
Course Code: MPL 125	**No. of credits : 3**	**L-T-P Distribution** : 30-15-0	**Learning Hours** : 45
Pre-requisite course code and title (if any):			
Department: Centre for Postgraduate Legal Studies			
Course coordinator : Dr. Kavita **Course Instructor**: Dr. Moumita Mandal			
Contact Details:			
Course type: Core **Course offered in:** Semester 2			
Course Description Business organizations have to comply with various environmental regulations on a daily basis. These regulations start operating from the inception stage onwards. In addition, the growing environmental consciousness and consumer preferences have forced businesses to go green. In this context, this course is intended to introduce the students to the legal issues in the interface between environment and business. In that process, it introduces various environmental regulations that directly affect business operations. The environmental standards and the liability issues in mergers and acquisitions are also discussed. The course will build on the knowledge gained in the basic course on Environmental Law and Policy.			
Course objectives 1. To create a new idea for bringing a new legal regime for business for the protection environment. 2. To evaluate the existing law and policy relating to business and the environment in India. 3. To analyze the role of the different national and international institutions which are dealing with the issues of business and environment. 4. To practically apply the existing legislation and policies. 5. To understand the development of Laws and policies both nationally and internationally. 6. To remember the laws, judgments, and so on relating to the environment and business.			

Course Content	**L**	**T**	**P**
Module 1: Introduction	6	3	0
-The Changing Nature of Business and Its Interaction with Nature and Sustainable Development -Nature as a Commodity, Valuation Issues, Property Rights -Greening of Business: Environmental Standards and Management -Forest Stewardship Council, Marine Stewardship Council -Sustainable Stock Exchange Initiative, -Sustainability Reporting under the Existing Law -CSR Requirements under the Companies Act			
Module 2: Consent and Industrial Sitting	6	3	0
-Consent requirements: Consent to operate and establish -Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981-uniform consent rules -Environment (Sitting for Industrial Projects) Rules -Legal Regulation of Manufacture, Storage and Import of Hazardous Chemical - Green Business Guide by ITCILO, GIZ, UNEP and ILO			
Module 3: Environmental Clearance	4	3	0
- Environmental scanning -Concept of Environmental Impact Assessment (EIA)-mandatory, discretionary & debate -Environment (Protection) Act, 1986, EIA notification- categorization, steps involved, general conditions, validity and monitoring; -Appeal – role of National Green Tribunal (NGT)			
Module 4: Clearances under the Forest and Wildlife Protection Laws	6	3	**0**

-Forest (Conservation) Act, 1980; Procedure for forest clearance; different stages; valuation, -Compensatory afforestation -The Central Empowered Committee (CEC) -Wildlife (Protection) Act, 1972 and clearances			
Module 5: Climate Justice	6	3	
- Equity Concerns to Climate Change, Environmental Justice, and Climate Justice. - Use of Environmentally Sound Technologies (ESTs) and Climate Change - Clean Development Mechanism and REDD+CDM-Past and Future -Climate change as a human rights issue: Indigenous people, gender. -Climate Change and Third World Approach - Role of the International Court of Justice -Decisions of Regional Human Rights Courts (EU, USA)			
Total	30	15	0

Evaluation criteria *Weightage*

- Class participation 10
- Minor test : 20 [Unit 1]
- Term Paper : 10 [Unit 1-6]
- Presentations : 10 [Unit 1-6]]
- Major Test : 50[Unit 2-6]

Learning outcomes

By the end of the course, it is expected that the students will be able to:

1. To create a new idea for bringing a new legal regime for business for the protection environment (Research paper writing).
2. To evaluate the existing law and policy relating to business and the environment in India (minor and major tests).
3. To analyze the role of the different national and international institutions which are dealing with the issues of business and environment (class participation).
4. To practically apply the existing legislation and policies (minor and major tests).
5. To understand the development of Laws and policies both nationally and internationally (Research paper and presentation).
6. To remember the laws, judgments, and so on relating to the environment and business (minor and major tests).

Pedagogical approach

A mixture of lecture and discussion methods will be adopted. The topics under each module will be introduced through an introductory lecture, followed by discussions by students. Students are expected to come prepared and initiate discussions on topics that have been assigned beforehand.

Materials

Suggested Readings

1. Kohli, Kanchiand Menon, Manju (eds.) (2016), *Business Interests and Environmental Crisis*, New Delhi: Sage.
2. UNEP (2015), *Stock exchanges and Sustainability*, Geneva: International Environment House.
3. OECD (2006), *Environmental Compliance and Enforcement in India: Rapid Assessment*, New Delhi: OECD India.
4. Pratima Bansal and Andrew J. Hoffman (ed.) (2011), The Oxford Handbook of Business and the Natural Environment: Oxford OUP.
5. Purva Mhatre, Vidyadhar V. Gedam, Seema Unnikrishnan, Rakesh D. Raut, "Circular economy adoption barriers in built environment- a case of emerging economy,"*Journal of Cleaner Production*, Volume 392, 2023
6. Purva Mhatre, Vidyadhar Gedam, Seema Unnikrishnan, Sanjeev Verma, "Circular economy in built environment – Literature review and theory development," *Journal of Building Engineering*, Volume 35,2021
7. Guidance Note UNDP Social and Environmental Standards (SES), 2022; https://ses-toolkit.info.undp.org/sites/g/files/zskgke446/files/2023-03/UNDP%20Social%20and%20Environmental%20Screening%20Procedure_JULY2022_ENGLISH.pdf
8. World Bank, Environmental and Social Screening Checklist; https://documents1.worldbank.org/curated/en/471791594632799255/pdf/Appendix-1-Environmental-and-Social-Screening-Checklist.pdf
9. MEF&CC, Environmental impact assessment (EIA); https://moef.gov.in/environmental-impact-assessment-eia
10. ILO, What is a green job?; https://www.ilo.org/resource/article/what-green-job
11. ILO, Green jobs, Just transition towards environmentally sustainable economies and societies; https://www.ilo.org/media/252966/download
12. The Green Business Guide is developed by ITCILO, GIZ, UNEP and ILO; https://www.ilo.org/publications/green-business-guide

Case laws:

Abhilash Textile and Ors. vs. The Rajkot Municipal Corporation (05.08.1987 - GUJHC): MANU/GJ/0095/1988

M.C. Mehta vs. Kamal Nath and Ors. (Span Motel Case) (13.12.1996 - SC)

Indian Council for Enviro-Legal Action and Ors. vs. Union of India (UOI) and Ors. (Bichhri Case) (13.02.1996 - SC)

Union Carbide Corporation and Ors. vs. Union of India (UOI) and Ors. (Bhopal Gas Leak Case) (03.10.1991 - SC)

M.C. Mehta and Ors. vs. Union of India (UOI) and Ors. (Shriram GasLeak Case) (17.02.1986 – SC

Rural Litigation and Entitlement Kendra, Dehradun and Ors. vs. State of U.P. and Ors. (Dehradun Quarrying case)

T.N. Godavarman Thirumulkpad vs. Union of India (UOI) and Ors. (12.12.1996 - SC)

Additional information (if any)

Student responsibilities

Reviewers:

1. Shiju M V, Professor, Sai University, Chennai.
2. Dr. Tahir Qureshi, Assistant Professor, Symbiosis Law School Hyderabad.