

<b>Course Title:</b> Environmental Policy, Law and Governance				
<b>Course code:</b> UES 204	<b>No. of credits:</b> 4	<b>L-T-P:</b> 52-8-0	<b>Learning hours:</b> 60	
<b>Pre-requisite course code and title (if any):</b>				
<b>Department:</b> Natural and Applied Sciences				
<b>Course coordinator:</b>		<b>Course instructor:</b>		
<b>Contact details:</b>				
<b>Course type:</b> Major		<b>Course offered in:</b> Semester 4		
<b>Course Description</b> The course 'Environmental Policy, Law and Governance' is designed to provide students with a comprehensive understanding of the legal frameworks, policies, and governance mechanisms that guide environmental protection and sustainable management of resources. It covers the evolution of environmental laws, policy instruments, institutional frameworks, and international environmental agreements, with a specific focus on India. Students will explore various aspects of environmental governance, including pollution control, biodiversity and forest conservation, climate change mitigation, and the role of judiciary in environmental jurisprudence.				
<b>Course objectives</b> The course aims to build the following basic understanding among students: <ul style="list-style-type: none"> <li>To provide an understanding of the role of environmental policy and law in natural resource management and pollution control.</li> <li>To analyze the legal and institutional frameworks for environmental governance in India and at the global level.</li> <li>To equip students with knowledge of key environmental policies, regulations, and judicial decisions influencing environmental protection.</li> <li>To develop skills in interpreting and applying environmental laws and policies to real-world issues.</li> </ul>				
<b>Course content</b>				
<b>Module</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	<b>Introduction to Environmental Policy and Law</b>			
	This module explores the evolution of environmental law in India, focusing on its constitutional foundations and principles. It also highlights the judiciary's role in shaping environmental policies.  Historical Development of Environmental Law: International and Indian; Constitutional Provisions on Environmental Protection; Role of Judiciary in Environmental Protection; Principles of Environmental Law: Sustainable Development, Precautionary Principle, Polluter Pays Principle, Public Trust Doctrine and Absolute Liability	12		
2	<b>Pollution Control and Waste Management: Laws, Policies and Institutional Framework</b>			
	This module focuses on India's key pollution control laws. It examines the institutional roles of Pollution Control Boards and the National Green Tribunal.  Environmental Protection Legislations: Air (Prevention and Control of Pollution) Act, 1981, Water Act, 1974, Environment Protection Act (EPA), 1986, Rules under EPA, 1986; Role of Central and State Pollution Control Boards, National Green Tribunal; Environmental Impact Assessment (EIA): Concepts, Processes, and EIA Notification 2006; Case Studies of Ministry of Environment Programmes: National Water Policy, Green India Mission, National River Conservation Programme, National Afforestation Programme.	15	5	
3	<b>Forest and Biodiversity Conservation</b>			
	This module examines the legal frameworks for forest and biodiversity protection in India. It also explores community-based conservation efforts and national programs.	12	3	

	National Forest Policy; Legal Framework for Forest: Indian Forest Act, 1927, Forest Conservation Act, 1980; Rights of Forest Dwellers; Wildlife Protection Act, 1972, Biological Diversity Act, 2002; Community-based Conservation Initiatives and Rights; Case Studies of Conservation Programs: Project Tiger and Elephant Division, 2023, Joint Forest Management; Issues and Challenges in Forest Governance			
4	<b>International Environmental Agreements and Contemporary Issues</b>			
	This module delves basic principles of international environmental law. It explores global treaties and key international environmental agreements.  Definition of International Law; Sources of International Law; UNFCCC, Convention on Biodiversity, CITES Contemporary Issues: Space Law and Environmental Concerns; Marine Genetic Resources and Governance under International Law	13		
	<b>Total</b>	52	8	
<b>Evaluation criteria</b>				
<ul style="list-style-type: none"> <li>• Minor Test 1: Written test [at the end of teaching of modules 1] -- 15%</li> <li>• Minor Test 2: Written test [at the end of teaching of modules 2] -- 20%</li> <li>• Major Test: Written test [at the end of the semester, full syllabus] -- 40%</li> <li>• Term Paper/Project: 25%</li> </ul>				
<b>Learning outcomes</b>				
<p>Upon completion of the course, the students will be able to:</p> <ul style="list-style-type: none"> <li>• understand the legal and policy frameworks guiding environmental governance in India and globally. [minor 1, minor 2 and major test]</li> <li>• analyze the role of judiciary and public policies in environmental protection. [term paper]</li> <li>• apply principles of environmental law to practical case studies and real-world scenarios. [term paper]</li> <li>• develop critical thinking skills to assess environmental laws, policies, and governance mechanisms. [minor 1, minor 2 and major test]</li> </ul>				
<b>Pedagogical approach</b>				
The course will be delivered through a combination of lectures, case study discussions, policy analysis, and project work. Students are expected to actively participate in classroom discussions and engage with reading materials prior to each session.				
<b>Reading materials</b>				
<ul style="list-style-type: none"> <li>• Divan, S. &amp; Rosencranz, A. (2005). <i>Environmental Law and Policy in India</i>, 2nd ed., Oxford University Press, New Delhi.</li> <li>• Leelakrishnan, P. (2008). <i>Environmental Law in India</i>, 3rd ed., Lexis Nexis, India.</li> <li>• Birnie, P., Boyle, A., &amp; Redgwell, C. (2009). <i>International Law and the Environment</i>, 3rd ed., Oxford University Press, Oxford.</li> <li>• Sands, P. (2002). <i>Principles of International Environmental Law</i>, 2nd ed., Cambridge University Press, Cambridge.</li> <li>• Shyam Divan (2016). <i>Environmental Law and Policy in India: Cases, Materials and Statutes</i>, 3rd ed., Lexis Nexis.</li> <li>• Gadgil, M. &amp; Guha, R. (1995). <i>Ecology and Equity: The Use and Abuse of Nature in Contemporary India</i>, Oxford University Press, New Delhi.</li> <li>• Jadhav, N. (2002). <i>Biodiversity Law: A Casebook</i>, 2nd ed., Eastern Book Company, Lucknow.</li> <li>• Singh, Chhatrapati (2000). <i>Water Law in India: Cases and Materials</i>, 2nd ed., Oxford University Press, New Delhi.</li> <li>• Guha, R. (2000). <i>Environmentalism: A Global History</i>, Oxford University Press, New Delhi.</li> <li>• Upadhyay, S. &amp; Upadhyay, V. (2002). <i>Handbook on Environmental Law: Forest Laws, Wildlife Laws, and the Environment</i>, Vols. I-III, Lexis Nexis-Butterworths, New Delhi.</li> </ul>				

**Journals**

- *Economic and Political Weekly*
- *Journal of Environmental Law*
- *Indian Journal of Environmental Protection*
- *Journal of Indian Law Institute*

**Reports**

- World Bank (2020). *India: Strengthening Environmental Regulations*, World Bank Publications.
- Ministry of Environment, Forest and Climate Change (MoEFCC), India. (2018). *State of Environment Report*.
- UNEP (2019). *Global Environment Outlook (GEO-6): Healthy Planet, Healthy People*, United Nations Environment Programme.
- IPCC (2021). *Sixth Assessment Report on Climate Change*, Intergovernmental Panel on Climate Change.

**List of Cases:**

- Rural Litigation and Entitlement Kendra vs. State of Uttar Pradesh (1985) (Module 1)
- M.C. Mehta vs. Union of India (Ganga Pollution Case, 1985) (Module 1 and 2)
- M.C. Mehta vs. Union of India (Oleum Gas Leak Case, 1986) (Module 1 and 2)
- Sachidanand Pandey vs. State of West Bengal (1987) (Module 1)
- M.C. Mehta vs. Union of India (Taj Trapezium Case, 1996) (Module 1 and 2)
- Indian Council for Enviro-Legal Action vs. Union of India (1996) (Module 1)
- Vellore Citizens Welfare Forum vs. Union of India (1996) (Module 1)
- T.N. Godavarman Thirumalpad vs. Union of India (Forest Conservation Case, 1996) (Module 3)
- Samatha v. State of Andhra Pradesh (1997) (Module 3)
- Narmada Bachao Andolan vs. Union of India (2000) (Module 1)
- M.C. Mehta vs. Kamal Nath (2000) (Module 1)
- Karnataka Industrial Areas Development Board vs. C. Kenchappa (2006) (Module 2)
- M.C. Mehta vs. Union of India (Delhi Air Pollution Case, 1998-ongoing) (Module 1 and 2)
- Wildlife First v. Ministry of Forest and Environment (2008) (Module 3)
- Almitra H. Patel vs. Union of India (Solid Waste Management Case, 2010) (Module 2)
- Niyamgiri Hills Case (2013) (Module 3)
- Centre for Environmental Law (WWF) v. Union of India & Others (2013) (Module 3)
- Arjun Gopal vs. Union of India (Firecracker Ban Case, 2017) (Module 1)
- T.N. Godavarman Thirumalpad vs. Union of India (Elephant Corridor Case, 2018) (Module 3)
- MK Ranjitsinh et al. v. Union of India et al. (2024) (Module 3)

**Student Responsibilities**

The students must attend the classes regularly and ensure timely submissions of tutorials and assignments. Their other responsibilities include feedback and discipline in the class.

**Course Designed by:**

- Dr. Manini Syali, Assistant Professor, Department of Policy and Management Studies, TERI School of Advanced Studies, New Delhi

**Course Reviewers:**

The course is reviewed by the following reviewers:

- Dr. M. Sakthivel, Professor, Tamil Nadu National Law University
- Dr. Aditi Singh, Associate Professor, Woxsen University, Hyderabad