# **TABLE OF CONTENTS**

UNIT 1: INTERNATIONAL ENVIRONMENTAL LAW [5 LECTURES]...... 6

Development of international environmental law; nature and scope of key international environmental law principles and rights (substantive and procedural)

U.N. Conference on Human Environment, 1972 – Stockholm Principles, Establishment of Environmental Institutions like UNEP; World Charter for Nature, 1982; Ozone Protection – Montreal Protocol for the Protection of Ozone Layer, 1987 as amended; U.N. Conference on Environment and Development, 1992 - Rio Principles; U.N. Convention on Biological Diversity,1992; Cartagena Protocol on Biosafety, 2000; U.N. Convention on Climate Change1992, Kyoto Protocol, 1997; Forest Principles; Agenda 21; Human Right to Healthy Environment; Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, 1998 (Aarhus Convention); Johannesburg Conference, 2002; Rio+20-United Nations Conference on Sustainable Development, Paris Agreement, 2015

Trail Smelter Arbitration (United State/Canada), 3 U.N. Rep. Int'l Arb. Awards 1905	5
(1941)	6
Case Concerning the Gabcíkovo-Nagymaros Project (Hungary/Slovakia), Internatio	
Court of Justice, Judgment of 25 September 1997 (separate opinion of Vice-Presiden	<i>it</i>
Weeramantry)	12
Case Concerning Pulp Mills on the River Uruguay (Argentina/Uruguay), Internation	ıal
Court of Justice, Judgment of 20 April 2010	25

Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446	33
Indian Council for Enviro-Legal Action v. Union of India, (2011) 12 SCC 768	47
Vellore Citizens Welfare Forum v. Union of India, AIR 1996 SC 2715	50
Narmada Bachao Andolan v. Union of India, AIR 2000 SC 3751	58
Intellectuals Forum, Tirupathi v. State of A.P., AIR 2006 SC 1350	79
Jitendra Singh v. Ministry of Environment & Ors., Supreme Court, Civil Appeal No.	
5109/2019, decided on 25 November 2019	90

#### 

Fundamental Rights - Article 14 (Right to equality, non-arbitrary and non-discriminatory treatment), Article 19(1)(g) (Freedom to carry on trade or business), Article 21 (Right to life, livelihood and wholesome environment) and Article 32 (Right to Constitutional remedies); Directive Principles of State Policy – Article 47, 48-A; Fundamental Duty – Article 51-A(g); Article 226 (Powers of High Courts); Public Interest Litigation - Nature – Non-Adversarial, Collaborative, Co-operative and Investigative; Locus Standi - Pro Bono Publico; Representative Standing; Citizens' Standing

Subhash Kumar v. State of Bihar, _AIR 1991 SC 420	
Rural Litigation and Entitlement Kendra v. State of U.P., (1985) 2 SCC 431	
M.C. Mehta v. Union of India, AIR 1997 SC 734	103
M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388	116
M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997	127
M.C. Mehta v. Kamal Nath, 2002 (2) SCALE 654	130
Sachidanand Pandey v. State of West Bengal, AIR 1987 SC 1109	134

UNIT 4: PREVENTION AND CONTROL OF WATER AND AIR POLLUTION [5 LECTURES] 148 The Water (Prevention and Control of Pollution) Act, 1974 – Water Pollution – Meaning; Central and State Pollution Control Boards –Constitution, Powers and Functions; Water Pollution Control Areas; Samples of Effluents – Procedure; Consent Requirement – Procedure, Grant/Refusal, Withdrawal, Review, Appeals, Revision; Restraint Order; Citizen Suit Provision; Offences and Penalties; The Water Cess (Prevention and Control of Pollution) Act, 1977

The Air (Prevention and Control of Pollution) Act, 1981- Air Pollution – Meaning, Causes and Effects; Central and State Pollution Control Boards - Functions; Air Pollution Control Area; Consent Requirement - Procedure, Grant/Refusal, Withdrawal; Restraint Orders; Citizen Suits; Noise Pollution (Regulation and Control) Rules, 2000; Offences/Penalties; Vehicular pollution

M.C. Mehta v. Union of India, AIR 1988 SC 1037	148
M.C. Mehta v. Union of India, AIR 1988 SC 1115 1	57
<i>M</i> /s Delhi Bottling Co. Pvt. Ltd. v. Central Board for the Prevention and Control of	
Water Pollution, AIR 1986 Del. 152 1	164
Municipal Council, Ratlam v. Vardichand, (1980) 4 SCC 162	167
State of M.P. v. Kedia Leather & Liquor Ltd., _AIR 2003 SC 3236	175
Forum Prevention of Envn. & Sound Pollution v. Union of India, AIR 2005 SC 3136 I	179
Church of God (Full Gospel) in India v. KKR Majestic Welfare Colony Welfare	
Association, AIR 2000 SC 2773	192

4

Techi Tagi	Tara v.	Rajendra	Singh Bha	andari &	Ors, 2	Supreme	Court,	Civil Appeal N	ю.
1359/017,	Judgem	ent of 22 k	September	· 2017					231

#### 

The Indian Forest Act, 1927; The Forest (Conservation) Act, 1980; Kinds of Forest Land -Private, Reserved, Village, Protected; Use of Forest Land for Non-Forest purposes; Rights of Tribals and Forest Dwellers—The Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2006

The Biological Diversity Act, 2002—access to biological resources and benefit sharing; Regulation of genetically modified organisms; The Manufacture, Use, Import, Export and Storage of Hazardous Micro-Organisms Genetically Engineered Organisms or Cells Rules, 1989.

Protection of Wildlife - the Wildlife (Protection) Act, 1972; Sanctuaries and National Parks; Licensing of Zoos and Parks.

*TN Godavarman Thirumulpad* v *Union of India*—Shomona Khanna, 'Boundaries of Forest Land: The Godavarman case and Beyond', in Sharachchandra Lele & Ajit Menon eds., *Democratizing Forest Governance in India* 225 (Oxford University Press, 2014).

### **Prescribed Legislations**

- 1. The Water (Prevention and Control of Pollution) Act, 1974
- 2. The Air (Prevention and Control of Pollution) Act, 1981
- 3. The Environment (Protection) Act, 1986
- 4. The Public Liability Insurance Act, 1991
- 5. The National Green Tribunal Act, 2010
- 6. The Biological Diversity Act, 2002
- 7. The Wildlife (Protection) Act, 1972
- 8. The Forest (Conservation) Act, 1980
- 9. The Indian Forest Act, 1927
- 10. The Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2006.

## **Policies and reports**

- 1. The National Environment Policy, 2006
- 2. The National Forest Policy, 1988
- 3. The National Water Policy, 2012
- 4. The Wildlife Conservation Strategy, 2002
- 5. The World Commission on Environment and Development, Our Common Future, 1987
- 6. IPCC Fifth Assessment Report (AR5). Synthesis Report: Climate Change 2014.

## **Prescribed Books**

- 1. Philippe Sands and Jacqueline Peel, *Principles of International Environmental Law* (4th ed., 2018).
- 2. Shibani Ghosh ed., *Indian Environmental Law: Key Concepts and Principles* (2019).
- 3. Geetanjoy Sahu, Environmental Jurisprudence and the Supreme Court: Litigation, Interpretation, Implementation (2014)
- 4. Shyam Diwan and Armin Rosencranz, *Environmental Law and Policy in India– Cases, Materials and Statutes* (2nd ed., 2001)
- 5. P. Leelakrishnan, Environmental Law Case Book (2nd ed., 2010)
- 6. Gurdip Singh, *Environmental Law in India* (2<sup>nd</sup> ed 2016)
- 7. P. Leelakrishnan, Environmental Law in India (5<sup>th</sup> ed., 2019)
- 8. Stuart Bell & Donald Mc Gillivray, Environmental Law (7th ed., 2008)