

## **TERI School of Advanced Studies**

### **Centre for Post Graduate Legal Studies**

#### Minutes of the Board of Studies Meeting

Date: 27-30 June 2020

Venue: Virtual Discussions through Skype, Email and Telephone

A meeting of the Board of Studies (BoS) of the Centre for Post Graduate Legal Studies was held during 27-30 June 2020.

#### External Members –

1. Prof. Dr Manoj Kumar Sinha, Vice-Chancellor/Director, The Indian Law Institute (Deemed University), Bhagawandass Road, New Delhi.
2. Prof. Dr MRK Prasad, Principal, VM Salgaocar Law College, Goa.

#### Internal Members present –

1. Dr Vishnu Konoorayar (HoC)
2. Dr. Vidhi M Chadda,
3. Dr Jaya Vasudevan

- A. The Head of the Centre gave a brief presentation to the members of the Board of Studies (BoS) informing them the underlying philosophy, objectives and the learning outcomes of LL.M programme with specializations in 'Environment and Natural Resources Law' & 'Infrastructure and Business Law'. Board of Studies members appreciated the interdisciplinary nature and unique focus of the LL.M programme that TERI SAS offers. The members believed that no significant changes are required in the Programme and its courses.
- B. Regarding the courses for which course outlines were missing [MPL 101; MPL 102; MPL 103 & MPL 104], the members thought that no other universities in India had defined course outlines for LLM dissertation/seminar. They felt that this would be another unique characteristic of TERI SAS LL.M. About the content and structure of the courses, the members recommended (a) emphasis on publication of the dissertation in MPL 104, and, (b) focus on improving the skill of public speaking in MPL 101 and MPL 102. The members also recommended that the Dissertation Supervisors may mentor the students through


weekly tutorial sessions scheduled as per the credit requirement of MPL 101 and MPL 102. It was opined that the dissertation supervisors may mentor the students working with them and train them the skills of multidisciplinary research, publication of the research outcome and skills of public speaking. The BoS recommended that the weekly tutorial hours spent by dissertation supervisors may be counted towards their semester workload. All these recommendations were duly incorporated, and the BoS members unanimously approved the course outlines of MPL 101, MPL 102, MPL 103 and MPL 104. [Annexures 1 to 4]

- C. Dr Vishnu Konoorayar also introduced the 'CPGLS PhD. Programmes Outline' to the members. The objectives of the document were briefed to the members, and it was approved. [Annexure 5]
- D. About the PhD course titled 'Research and Publication Ethics', BoS external members had raised concern about three subheadings [subheadings 2. Scientific Research & Multidisciplinary Research / 6. Database /7. Research Metrics]. They thought that although these topics are very relevant, these subheadings do not go with the title of the course. However, Dr Jaya Vasudevan conveyed to them that these topics are to be included as per the UGC directive. They were convinced, and the course was approved.[Annexure 6]
- E. Head of the Centre, Dr Vishnu Konoorayar presented the internal audit report of CPGLS/LLM Programme before the members. The members expressed their concern about the inadequacy in the number of regular faculty members. The BoS approved the audit report without any changes. [Annexure 7]
- F. The Members were also briefed about other first and semester LL.M Courses with a request to suggest changes if any. They were also briefed about the minor changes in the learning outcomes in the LL.M courses. The BoS approved these changes in learning

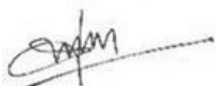
outcome of these courses and were of the unanimous opinion that no other changes are required. [Annexures 8 and 9]

**Annexures: List of documents Approved by CPGLS BoS during its virtual meeting (27-30 June 2020)**

1. Annexure 1: LLM course MPL 101: Seminar/clinic on contemporary issues in infrastructure and environment
2. Annexure 2: LL.M course MPL 102: Seminar/clinic on contemporary issues in infrastructure and environment
3. Annexure 3: LLM course MPL 103: Dissertation 1
4. Annexure 4: LLM course MPL 104: Dissertation 2
5. Annexure 5: CPGLS PhD Programme Outline
6. Annexure 6: PhD course 'Research and Publication Ethics
7. Annexures 7: CPGLS Audit Report
8. Annexures 8: First Semester LL.M Courses with minor corrections in the learning outcomes -MPL 141, MPL 151, MPL 153, MPL 155, MPL 157 and MPL 173.
9. Annexures 9: Second Semester LL.M Courses with minor corrections in the learning outcomes -MPL 132, MPL 134, MPL 142, MPL 146, MPL 148, MPL 152, MPL 154, MPL 156, MPL 158, MPL 159, MPL 161, MPL 163, MPL 165, MPL 166 and MPL 182.



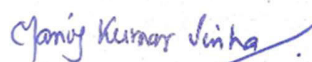
Dr Vishnu Konoorayar



Dr Jaya Vasudevan



Dr Vidhi M Chadda



Prof. Manoj Kumar Sinha



Prof. MRK Prasad

<b>Course Title:</b> Seminar/clinic on contemporary issues in infrastructure and environment			
<b>Course code:</b> MPL 101	<b>No. of credits: 0 (Audit)</b>	<b>L-T-P:</b> 0-0-0	<b>Learning hours:</b> 14
<b>Pre-requisite course code and title (if any):</b> None			
<b>Department:</b> Centre for Post Graduate Legal Studies			
<b>Course coordinator:</b> TBA		<b>Course instructor:</b> TBA	
<b>Contact details:</b> TBA			
<b>Course type:</b> Core		<b>Course offered in:</b> Semester 1	
<b>Course description:</b> This course aims at sharpening the skills of students, and, enable them to handle the challenges related to litigation, teaching, research, policymaking and also that of judicial officers. The skills include: <ol style="list-style-type: none"><li>Expertise in identifying the gaps between law and society, and, also between facts and law.</li><li>The ability to find answers to those variances through appropriate research and logical thinking,</li><li>Capacity to deliberate among peers on various individual, social and public interests that should be balanced while finalising a legal answer, and</li><li>The ability of effective written and verbal representation of these issues before the appropriate forums.</li></ol> It also aims at keeping the students abreast with the contemporary legal developments, particularly in their areas of specialisation viz. environment and natural resources laws and infrastructure and business laws. The course facilitates the students to translate legal theory into practice under the close supervision of the course instructor.			
<b>Course objectives:</b> <ol style="list-style-type: none"><li>To connect the theory and their practical implication through clinical methods.</li><li>To refine the lawyering skills and research acumen.</li><li>To improve the skill of public speaking</li><li>To improve the skill of legal writing</li></ol>			
<b>Course Activities</b> <ol style="list-style-type: none"><li>Identify contemporary issues in infrastructure/environment, find unanswered questions of law, present them in written format, and offer their arguments on each of those questions through seminars/moot courts/mock trials/discussions and debates or any other similar method.</li><li>Participate in the clinical activities of TERI SAS and offer their services to the needy.</li></ol>			
<b>Evaluation criteria:</b> The course instructor shall monitor each student throughout the semester and shall evaluate them on the following aspects at the end of the semester. <ol style="list-style-type: none"><li>Ability to identify the gap between theory and practice and the consequences of such differences: 25%</li><li>Ability to answer the gaps through appropriate research: 25%</li><li>Skill of legal writing: 25%</li><li>Presentation/public speaking: 25%</li></ol>			
<b>Learning outcomes:</b> By the end of the course, the students will: <ul style="list-style-type: none"><li>Upgrade in skills that are required for a lawyer and a legal academic.</li><li>Develop logical thinking on contemporary issues concerning the society</li></ul>			
<b>Pedagogical approach:</b> Seminar, Discussions, Debates, Role-play, Client-Counselling, Moot-Court.			
<b>Additional information (if any):</b>			
<b>Student Responsibilities:</b> Students are expected to: <ol style="list-style-type: none"><li>Follow the News to identify contemporary issues.</li><li>Conduct field visits to gather information on those issues</li><li>Participate in the activities with dedication and zeal.</li></ol>			

**Course reviewers:**

- 1) Dr KS. Harishankar, Assistant Professor, School of Legal Studies, Cochin University of Science and Technology, Kochi, Kerala.
- 2) Dr R. Srinivasan, Professor and Controller of Examinations, Tamil Nadu Dr Ambedkar Law University, Chennai.

**Prepared by:** Dr Vidhi M Chaddha and Dr Vishnu Konoorayar

<b>Course Title:</b> Seminar/clinic on contemporary issues in infrastructure and environment			
<b>Course code:</b> MPL 102	<b>No. of credits:</b> 0 (Audit)	<b>L-T-P:</b> 0-0-0	<b>Learning hours:</b> 14
<b>Pre-requisite course code and title (if any):</b> None			
<b>Department:</b> Centre for Post Graduate Legal Studies			
<b>Course coordinator:</b> TBA		<b>Course instructor:</b> TBA	
<b>Contact details:</b> TBA			
<b>Course type:</b> Core		<b>Course offered in:</b> Semester 2	
<b>Course description:</b> This course aims at sharpening the skills of students, and, enable them to handle the challenges related to litigation, teaching, research, policymaking, and that of judicial officers. The skills include: <ol style="list-style-type: none"><li>Expertise in identifying the gaps between law and society, and, also between facts and law.</li><li>The ability to find answers to those variances through appropriate research and logical thinking,</li><li>Capacity to deliberate among peers on various individual, social, and public interests that should be balanced while finalising a legal answer, and</li><li>The ability of effective written and verbal representation of these issues before the appropriate forums.</li></ol> It also aims at keeping the students abreast with the contemporary legal developments, particularly in their areas of specialisation viz. environment and natural resources laws and infrastructure and business laws. The course facilitates the students to translate legal theory into practice under the close supervision of the course instructor.			
<b>Course objectives:</b> <ol style="list-style-type: none"><li>To connect the theory and their practical implication through clinical methods.</li><li>To refine the lawyering skills and research acumen.</li><li>To improve the skill of public speaking</li><li>To improve the skill of legal writing</li></ol>			
<b>Course Activities</b>			
<ol style="list-style-type: none"><li>Identify contemporary issues in infrastructure/environment, find unanswered questions of law, present them in written format, and offer their arguments on each of those questions through seminars/moot courts/mock trials/discussions and debates or any other similar method.</li><li>Participate in the clinical activities of TERI SAS and offer their services to the needy.</li></ol>			
<b>Evaluation criteria:</b> The course instructor shall monitor each student throughout the semester and shall evaluate them on the following aspects at the end of the semester. <ol style="list-style-type: none"><li>Ability to identify the gap between theory and practice and the consequences of such differences: 25%</li><li>Ability to answer the gaps through appropriate research: 25%</li><li>Skill of legal writing: 25%</li><li>Presentation: 25%</li></ol>			
<b>Learning outcomes:</b> By the end of the course, the students will: <ul style="list-style-type: none"><li>Upgrade in skills that are required for a lawyer and a legal academic.</li><li>Develop logical thinking on contemporary issues concerning the society</li></ul>			
<b>Pedagogical approach:</b> Seminar, Discussions, Debates, Role-play, Client-Counselling, Moot-Court.			
<b>Additional information (if any):</b>			
<b>Student Responsibilities:</b> Students are expected to: <ol style="list-style-type: none"><li>Follow the News to identify contemporary issues.</li><li>Conduct field visits to gather information on those issues</li><li>Participate in the activities with dedication and zeal.</li></ol>			

**Course reviewers:**

- Dr KS. Harishankar, Assistant Professor, School of Legal Studies, Cochin University of Science and Technology, Kochi, Kerala.
- Dr R. Srinivasan, Associate Professor, Tamil Nadu Dr Ambedkar Law University, Chennai.

**Prepared by:** Dr Vidhi M Chaddha and Dr Vishnu Konoorayar

<b>Course Title:</b> Dissertation 1				
<b>Course code:</b> MPL 103		<b>No. of credits:</b> 2	<b>L-T-P:</b> 0-28-0	<b>Learning hours:</b> 28
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> LL.M Programme Coordinator			<b>Course instructor:</b> Dissertation Supervisor (TBA)	
<b>Contact details:</b> <a href="mailto:Program.llm@terisas.ac.in">Program.llm@terisas.ac.in</a>				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1	
<b>Course description:</b> This course aim at involving the students in an independent research study under the guidance of a faculty member on a specific area of law. The students are expected to identify the research gaps in the area, based on their reading and analysis of relevant ‘primary’ and ‘secondary’ sources of law and interpreting them in a multidisciplinary context. A historical study may also be undertaken if it can guide answering the research gaps existing in the present. A comparative study or an impact assessment study may also be used wherever appropriate. Based on the review of literature in the area, the student shall write a ‘research proposal’. The ‘research proposal’ shall provide persuasive evidence that establishes a need for the proposed study, identify the research objectives, and formulate the research questions, describe a detailed methodology that will be adopted for the study. The ‘research proposal’ shall also follow a recognised legal citation system and shall also include a bibliography.				
<b>Course objectives:</b> <ol style="list-style-type: none"><li>1. Develop the skill of designing a comprehensive research study</li><li>2. Learn to carry out a comprehensive review of the literature, identify research gaps in the area of study and develop clarity about the objectives of the proposed research</li><li>3. Understand the logical steps that must be followed to accomplish the proposed research and accordingly learn to identify the research problems, formulate research questions and hypothesis,</li><li>4. Understand the use and shortcomings of different research methods of study,</li><li>5. Understand the importance of using a recognised citation format, and learn to use it uniformly</li></ol>				
<b>Course contents</b>				
<b>S.No.</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	Identification of the research area and preparation of the review of literature	0	10	0
2	Defining the objectives of the proposed research, identification of research gap, and formulation of research questions and hypothesis.	0	08	0
3	Drafting of ‘Research Proposal’	0	10	0
	<b>Total</b>	0	28	0
<b>Evaluation criteria:</b> <ol style="list-style-type: none"><li>1. Attendance for Tutorials (to be marked by the Supervisor): 10</li><li>2. Monthly Presentation before the faculty panel (aggregate of marks awarded by all supervising faculty members present): 30</li><li>3. Evaluation of Research Proposal (aggregate of the marks awarded by the Supervisor and an external examiner): 40%</li><li>4. Final Presentation (aggregate of marks awarded by all supervising faculty members present):20%</li></ol>				
<b>Learning outcomes:</b> On completion of this course, the students would be able to: <ol style="list-style-type: none"><li>1. Identify the research gaps, and</li><li>2. Conduct a review of the literature</li><li>3. Structure and design a research proposal</li><li>4. Learn about different research methods</li><li>5. Use a recognised legal citation style</li><li>6. Undertake a critical study of on a legal issue.</li></ol>				
<b>Pedagogical approach</b> The supervisors shall be available for consultation on the designated tutorial hours (to be scheduled in the timetable). The Supervisor shall interact, guide, supervise and monitor the progress of the work of each student during these hours. The Supervisor may also seek and consider the opinion of experts in the specific area of law under research. Apart from this, students are expected to present their progress before a ‘faculty panel’ comprising of all supervisors and other students every month.				
<b>Reading Material:</b>				

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|---|
| <ol style="list-style-type: none"><li>1) All readings enlisted under the LLM course MPL 173</li><li>2) All research publications relevant to the topic shall be studied by the student</li></ol>  |
| <p><b>Student responsibilities:</b></p> <ol style="list-style-type: none"><li>1. To attend the tutorial sessions offered by their Supervisor as scheduled in the timetable and perform all assigned tasks</li><li>2. To attend and actively participate in the monthly dissertation seminars before the 'faculty panel.'</li><li>3. Strictly comply with time schedules</li></ol> |
| <p><b>Course reviewers:</b></p> <ol style="list-style-type: none"><li>1) Dr Deepa Kansra, Assistant Professor, Jawaharlal Nehru University, Delhi</li><li>2) Dr Zubair Khan, Assistant Professor, Guru Gobind Singh Indraprastha University, Delhi</li></ol> <p>Prepared by Dr Vidhi M Chaddha and Dr Vishnu Konoorayar</p>   |

<b>Course Title:</b> Dissertation 2				
<b>Course code:</b> MPL 104		<b>No. of credits:</b> 3	<b>L-T-P:</b> 0-42-0	<b>Learning hours:</b> 42
<b>Pre-requisite course code and title (if any):</b> MPL 173 and MPL 103				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> LL.M Programme Coordinator			<b>Course instructor:</b> Dissertation Supervisor (TBA)	
<b>Contact details:</b> <a href="mailto:Program.llm@terisas.ac.in">Program.llm@terisas.ac.in</a>				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 2	
<b>Course description:</b> This course is an extension to MPL 103: Dissertation 1. Under this course, students, in consultation with the Supervisor and in tune with the objectives of the study, shall follow the research method (s), collect and analyse data, answer the research problem/questions and write the final dissertation as planned in the ‘research proposal’ submitted in semester 1. The ‘faculty panel’ may permit modification of the proposal, but in exceptional circumstances only.				
<b>Course objectives:</b> <ol style="list-style-type: none"><li>1. Study the techniques of data collection, through the use of appropriate methods</li><li>2. Develop the skill of analysing the data to answer the research questions/test the hypothesis</li><li>3. Develop the skills for legal writing and collection of relevant research material</li><li>4. Master the use of a uniform citation method</li><li>5. Learn the techniques of editing, proofreading and citing a legal document</li><li>6. Understand the requirement of ethics in research and publication, and</li><li>7. Know where to publish/how to publish legal research</li></ol>				
<b>Course contents</b>				
<b>S.No.</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1.	Data collection and analysis	0	16	0
2.	Answering the research questions, testing the hypothesis and dissertation writing	0	16	0
3.	Research ethics	0	2	0
4.	Editing and proofreading	0	6	0
5	Publishing the research	0	2	0
	<b>Total</b>	0	42	0
<b>Evaluation criteria:</b> <ol style="list-style-type: none"><li>1. Attendance for Tutorials (to be marked by the Supervisor): 10</li><li>2. Monthly presentation before the faculty panel (aggregate of marks awarded by all supervising faculty members present): 30</li><li>3. Evaluation of final dissertation (aggregate of the marks awarded by the Supervisor and an external examiner): 40%</li><li>4. Final presentation (aggregate of marks awarded by all supervising faculty members present):20%</li></ol>				
<b>Learning outcomes:</b> On completion of this course, the students would be able to: <ol style="list-style-type: none"><li>1. Collect data, analyse them, and answer the research questions</li><li>2. Perform multidisciplinary research</li><li>3. Write research papers in law</li><li>4. Edit a research paper in law and proofread them, and</li><li>5. Publish their research effectively</li></ol>				
<b>Pedagogical approach</b> The supervisors shall be available for consultation on the designated tutorial hours (to be scheduled in the timetable). The Supervisor shall interact, guide, supervise and monitor the progress of the work of each student during these hours. The guide may also seek and consider the opinion of experts in the specific area of law under research. Apart from this, students are expected to present their progress before a ‘faculty panel’ comprising of all supervisors and other students every month.				
<b>Reading Materials:</b> Primary and secondary literature relevant to the topic shall be reviewed by the student.				
<b>Additional information (if any):</b>				
<b>Student responsibilities:</b> <ol style="list-style-type: none"><li>1) To attend the tutorial sessions offered by their Supervisor as scheduled in the timetable and perform all assigned tasks</li><li>2) To attend and actively participate in the monthly dissertation seminars before the ‘faculty panel.’</li><li>3) Comply with time schedules</li></ol>				

**Course Reviewers:**

1. Mr Amrith Nath, Assistant Professor, Faculty of Law, University of Delhi
2. Dr Sujith Koonan, Assistant Professor, Faculty of Law, University of Delhi

Prepared by Dr Vidhi M Chaddha and Dr Vishnu Konoorayar





## **Centre for Post Graduate Legal Studies**

### **Ph.D. Programme Outline**

#### **Programme Overview**

TERI School of Advanced Studies (TERI SAS) provides an opportunity to Ph.D. students to nurture their independent, analytical and critical thinking. It offers a conducive environment to achieve academic excellence and meet the highest global standards. With these objectives, Centre for Post Graduate Legal Studies (CPGLS), TERI SAS offers a PhD under the broad theme of 'Law and Sustainability'

Operational aspects of each Ph.D. programme are governed and guided by the provisions laid down in the '***TERI School of Advanced Studies Ph.D. Regulations - 2019***'.

#### **Programme USP**

Ph.D. Programme at CPGLS is aimed at creating new knowledge by enabling individual students to exploit their intellectual potential through carefully conducted and meticulously supervised research. It promotes research that is impactful and state of the art. Ph.D. Programmes prepare students to play an active role in international academia through their contributions in their chosen field of study.

#### **Programme Outcomes**

At the end of Ph.D. programme, the students should be able to:

- Have an in-depth understanding of the nuances of the problem being researched and the literature surrounding it
- Explore frontiers of fundamental, applied and interdisciplinary research as decided by the chosen field of study

- Understand and apply scientific methods, tools and techniques to carry out high quality research work
- Independently plan and execute original research with high ethical standards
- Develop suitable communication and interpersonal skills, critical thinking and problem-solving attitude as appropriate for a Ph.D. student

## **Programmes Structure**

The Ph.D. Programme at CPGLS is divided into three stages. These are as follows: -

### **Stage I: Ph.D. Course work**

The Ph.D. course work is designed to develop rigorous research and analytical skills among the students. It is intended to equip them with the necessary research and analytical skillsets. The Ph.D. Course work is governed by the ‘TERI School of Advanced Studies Ph.D. Regulations-2019’ (and subsequent amendments) and UGC (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees) Regulations, 2016 (and subsequent amendments).

### **Ph.D. Course work structure and requirement**

A minimum of 8 credits and a maximum of 16 credits will have to be completed by the Ph.D. students in order to complete their course work. Some courses are mandatory in nature, and some are prescribed by the Centre Research Committee (CRC) on the recommendations of the Student Research Committee (SRC). The Ph.D. course work must be completed within the first two semesters of joining the programme.

Every Ph.D. student must complete the following mandatory courses.

- a) Research Methodology – 3 Credit Course (Credit only course)
- b) Research and Publication Ethics - 2 Credit course (Credit or audit course)
- c) Quantitative Research Method – minimum 2 Credit course from the list of quantitative methods course as prepared by the respective CRC<sup>1</sup>

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<sup>1</sup> University wide list of available courses under this category are provided in Annexure 1.

SRC may also prescribe other advanced level courses from the list of courses offered for Masters Programmes after considering the student's background in relation to the proposed topic of research.

**Stage II: Research proposal defence and research work**

- Students will be permitted to appear for defending their research proposal only after he/she has completed the Ph.D. course work as decided by the SRC.
- As a part of the research proposal defence, a draft research proposal must be prepared in the prescribed format by the student in consultation with the Supervisor(s).
- The Supervisor will schedule the research proposal defence.
- After a satisfactory defence, students shall submit their final research proposal and related documents to the CRC with due approval from the Supervisor. The final research proposal must be submitted to the CRC within a period of 24 months from the date of registration to the Ph.D. programme.
- During the Ph.D. programme, students shall appear before the SRC at least once in each semester to make a presentation of the progress of their work. This process will continue until thesis submission.

**Stage III: Thesis submission:**

Ph.D. students may submit their thesis, in the prescribed format, at any time provided that they have completed the minimum period of registration and complied with all the necessary requirements as specified in "TERI School of Advanced Studies Ph.D. Regulations-2019" (and subsequent amendments). Prior to the thesis submission, the student shall make a presentation in the CRC. All Ph.D. students must submit their thesis within the stipulated period, failing which their registration will be considered null and void.

## **Annexure 1**

### **List of Available Courses Under Quantitative Method Category**

- Environmental Statistics (3 credits)
- Probability and Statistics (4 credits)
- Statistical Methods for Management (3 credits)
- Advanced Statistical Methods for Management (2 credits)
- Multivariate Data Analysis (3 credits)
- Econometrics (4 credits)
- Advanced Econometrics (4 credits)
- Time Series and Regression Analysis (4 credits)
- Quantitative Analysis for Development Practice (3 credits)
- Spatiotemporal Data Analysis (3 credits)
- Optimization techniques for energy management and planning (3 credits)
- Applied Numerical Methods (3 credits)
- Stochastic Modelling (4 credits)

<b>Course Title:</b> Research and Publication Ethics				
<b>Course code:</b>		<b>No. of credits:</b> 2	<b>L-T-P:</b> 22-0-12	<b>Learning hours:</b> 28
<b>Course Title (if any):</b> Research & Publication Ethics				
<b>Department:</b>				
<b>Course coordinator:</b>			<b>Course instructor:</b>	
<b>Contact details:</b>				
<b>Course description:</b> In today's academic world, research ethics is a trending topic. Although conducting research is fascinating, it also entail certain inherent challenges that involve very different ethical issues, such as bias, plagiarism, conflicts of interest, falsification of research results, informed consent, determination of authorship and adequacy of peer review publication processes. With the adequate combination of both theory and practice, this course will certainly help students critically analyzing research philosophy, ethics and case studies in an independent manner. From the pedagogical point of view, they will learn how to manage and evaluate a research work from the very preliminary stage of identifying ethical standards until the final publication of the work. Significantly, through this comprehensive course, students are motivated to address the impact of new technologies and social trends on research ethics and deliberate upon their ideas as to how to rebuild necessary codes of conduct to regulate multidisciplinary research activity. In the process of evaluating and critically debating issues relating to research philosophy and ethics in an exhaustive manner, students will necessarily comprehend the importance of scientific integrity in academic research. Thus, ensues acquisition of relevant reasoning skills that significantly increase the scope of sustainable scientific quality in their future research.				
<b>Course objectives:</b> The purpose of this course is to engage student researchers in reading about, understanding and discussing the responsible code of conduct of interdisciplinary scientific research. Specific learning objectives with respect to research ethics include: <ul style="list-style-type: none"><li>• To know rules, issues, options, and resources for research ethics</li><li>• To familiarize with various institutional ethics review boards/academic integrity guidelines</li><li>• To understand the purpose and value of ethical decision-making</li><li>• To have a positive disposition towards continued learning about research ethics</li></ul>				
<b>Course Overview:</b> This course has a total six units focusing on the basics of philosophy of research and ethics, research integrity and publication ethics in general. Practical sessions are designed to identify areas of research misconduct and predatory publications. Indexing and citation databases, open access publications, research metrics and plagiarism tools will be introduced as part of this course.				
<b>Course Contents</b>				
<b>Module</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
<b>1</b>	<b>Research Philosophy &amp; Ethical Norms &amp; Politics</b> i. Introduction to Research Philosophy: Concept; Definitions; Nature & Scope ii. General Characteristics of a value-based Research, Axiological approach iii. Research Ethics; Definition; Moral Philosophy; Nature of Moral Judgments iv. Political Issues in Research, Ethical Norms & Responses v. Enhancing research interests, Research Collaboration & Research Recognition vi. Ethical guidelines in field research, Concealed Information & Extent of Respondents' rights	4	0	0
<b>2</b>	<b>Scientific Research Conduct &amp; Multidisciplinary Research</b> i. Elements of Research Ethics & Types of Research ii. Mixed Methods in Applied & Action Research iii. Internet search, deep web search, Authenticated v. Fake information iv. Research Integrity & Academic Honesty in Interdisciplinary Research v. Redundant Publications; Duplicate & Overlapping Publications; Salami Slicing vi. Selective Reporting and Misrepresentation of Data	4	0	0
<b>3</b>	<b>Publication Ethics &amp; Best Practices</b> i. Publication Ethics: Introduction, Definition, & Importance			

	ii. Scientific Research Misconduct; Falsification, Fabrication & Plagiarism/Self-plagiarism, Kinds & Remedies iii. Intellectual Property; Reasonable & Fair Use; Copyright and related IPR Issues iv. Violation of Publication Ethics; Authorship/Co-authorship, Joint research/ Contributorship & Patentable Inventions- Extent of Rights & Claims v. Best Practices/Standards Setting Initiatives and guidelines; COPE, WAME, UGC-CARE list etc. vi. Publication Misconduct; Concept; Definition & Kinds of Problems & Unethical Behaviour vii. Identification of Publication Misconduct, Complaints & Appeal Provisions	5	0	0
4	<b>Open Access Publishing &amp; IPR Policy</b> i. Open Access Publications and Initiatives, Creative Common License ii. Predatory Publishers & Journals iii. Reference Management & Referencing Standards in Open Access Publishing iv. SHERPA/RoMEO; Online Resources for Publisher Copyright & Self-archiving Policies v. Data Management, Data Sharing Techniques, Data Reuse & Data Citation vi. Software Tool to identify Predatory Publications developed by SPPU vii. Journal Finder/ Journal suggestions tools viz., JANE, Elsevier Journal Finder, Springer Journal Suggester etc.	3	0	2
5	<b>Publication Misconduct &amp; Remedies</b> <b>A.Group Discussions (2 hrs.)</b> i. Subject specific Ethical Issues, FFP, Authorship ii. Conflict of Interests; Copyright/Plagiarism Issues iii. Sharing of data collected for a research (confidentiality, reuse, dissemination or republishing) iv. Consent in publishing/ using different kinds of data and Simultaneous Submission v. Complaints & Appeals: Case Studies/Examples of Publication Frauds from India & abroad <b>B. Software Tools (2 hrs.)</b> i. Research Literacy & Advocacy; Digital Humanities ii. Use of Plagiarism Software like Turnitin, Urkund & other Open Source Software Tools iii. Grammarly, FigShare etc. iv. Library Support & Regular Training/Practice Sessions on various other Software and Tools like; Mendeley, Endnote, Zotero etc.	2	0	4
6	<b>Database (4 hrs.)</b> i. Indexing Database; Cross-disciplinary Research & Comprehensive Citation Search ii. Citation Database; Web of Science, SCOPUS, OSCOLA etc. iii. Article Influence Score & Cite score	2	0	4
7	<b>Research Metrics (3 hrs.)</b> i. Science Citation Index Expanded (SCIE), Social Sciences Citation Index (SSCI), Emerging Sources Citation Index (ESCI) and the Conference Proceedings Citation Index (CPCI) etc. ii. Impact factor as per Journal Citation Report, SNIP, SJR, IPP Journal Metrics & Cite Score iii. Citation based Metrics; h-index, g index, i10 index, etc., Google Scholar, Alternative Metrics/ Altmetrics	2		2
	<b>Total</b>	22	0	12

**Evaluation criteria:**

Continuous assessment will be done through tutorials, assignments, quizzes and group discussions. Student evaluation will be

based on the minor test and a term paper followed by the final major test that will be conducted at the end of the course. This course has seven modules in total.

- Test 1 & 2 (50%)
- Class Participation (10%)
- Major Test (40%)

**Learning outcomes:**

On completion of this course, the students would be able to:

- To have a positive disposition towards continued learning about research philosophy & ethics
- To know Rules, Regulations, Issues, Options, and Scientific Resources of Research Ethics
- To learn the culture of fairness, honesty and integrity in academic communications and to understand the purpose and value of ethical decision-making
- Avoid wasteful and duplicate publications & encourage original contributions to advance Academic Research and Scholarship
- Acquiring knowledge & professional competence and expertise about Patents, Copyrights, and other forms of Intellectual Property Rights
- To promote social good and prevent or mitigate societal hazards through innovative ideas, creativity and research advocacy

**Pedagogical Approach:**

- Classroom lectures and tutorials, guest lectures, group activity and practical sessions with a significant focus on the detailed discussion of original research articles from scientific journals in class.
- Weightage will be given for active class participation.

**Employability:**

- Academic and Industrial Research involving *multidisciplinary* approach
- Academic Supervision to educate, mentor, and advise students
- Gain experience and advance knowledge of IPR Issues in Educational/Literary Works
- Promotion of research integrity through awareness academic campaigns

**Course Materials:**

**Required Texts/Suggested readings**

- The Handbook of Social Research Ethics, Donna M. Mertens, Pauline E. Ginsberg, SAGE (2009)
- What are Qualitative Research Ethics? Rose Wiles, BLOOMSBURY (2013)
- Research Ethics: Cases and Materials, Robin Levin Penslar, eds, INDIANA UNIVERSITY PRESS (1995)
- Research Ethics: A Philosophical Guide to the Responsible Conduct of Research, Gary Comstock, Cambridge University Press (2013)
- Scientific Integrity and Research Ethics: An Approach from the Ethos of Science, David Koepsell, Springer (2017)
- An Introduction to Ethical, Safety and Intellectual Property Rights Issues, Padma Nambisan, Elsevier (2017)
- Case studies
- Websites
- Journals
- Other readings

**Additional information (if any):**

*Student responsibilities:*

- Class attendance
- Study of course materials as specified by the instructor

**Course Reviewers:**

- Prof. Dr. Vinay K Srivastava , Director, Anthropological Survey of India
- Prof. Dr. Ramesh C Gaur, IGNCA
- Dr. L.N. Venkataramanan, TERISAS
- Ms. Nidhi Srivastava, Fellow, TERI

Prepared by Dr Jaya Vasudevan



**TERI School of Advanced Studies  
Centre for Post Graduate Legal Studies**

**Programme: LL.M with specialisation in 'Environment and Natural Resources Law' and  
Infrastructure and Business Law.'**

**AUDIT REPORT**

**4. Quality Indicator Framework (QIF)**

**Criterion I - Curricular Aspects (150)**

**Key Indicator - 1 .1 Curriculum Design and Development (50)**

**Metric Number: 1.1.1 QIM (20): Curricula developed /adopted have relevance to the local/ national/ regional/global developmental needs with learning objectives including Programme outcomes, Programme specific outcomes and course outcomes of all the Programme offered by the University**

Response: Environmental protection, natural resources management and infrastructural development (which are the focus of the LL.M programme at TERI SAS) have its relevance to the local/national/regional/global developmental needs. Perhaps TERI SAS is the only Institution in India offering LL.M with these specialisations currently. The course outlines of the LL.M programme identifies the learning objectives and outcomes.

**Metric Number: 1.1.2 QnM (20): Percentage of Programmes where syllabus revision was carried out during the last five years**

Response: LL.M programme was started in the academic year 2016-17 and feedback from the students and employers indicates no immediate revision of the programme/courses.

**Metric Number:1.1.3 QnM (10): Average percentage of courses having the focus on employability /entrepreneurship /skill development during the last five years**

*1.1.3.1: Number of courses having the focus on employability/ entrepreneurship/ skill development year wise during the last five years*

Response: 65% (list Attached-Attachment 1)

**Key Indicator - 1.2 Academic Flexibility (50)**

**Metric Number: 1.2.1QnM (30): Percentage of new courses introduced of the total number of courses across all Programmes offered during the last five years**

Response: The LLM programme was introduced in the academic year 2016-17. No new courses introduced

### Key Indicator - 1.3 Curriculum Enrichment

#### **Metric Number: 1.3.1QIM (10): Institution integrates cross-cutting issues relevant to Gender, Environment and Sustainability, Human Values and Professional Ethics into the Curriculum**

Response: All the courses under the LL.M programme addresses the issues in and around the Sustainable Development Goals and its targets (including gender, environment, human rights and values etc.) Students are encouraged to take up such issues in their research, term papers, presentations and discussions.

Metric Number: 1.3.2 QnM (10): Number of value-added courses imparting transferable and life skills offered during the last five years

	Course	2016	2017	2018	2019
1	MPL 101: Seminar/clinic on contemporary issues in infrastructure and environment	yes	yes	yes	Yes
2	MPL 102: Seminar/clinic on contemporary issues in infrastructure and environment	Yes	Yes	Yes	Yes
3	MPL 103: Dissertation	Yes	Yes	Yes	Yes
4	MPL 103: Dissertation	Yes	Yes	Yes	Yes
5	MPL 156: Environmental Aspects of Business Activities	Yes	Yes	Yes	Yes
6	MPL 142: Business and taxation laws in infrastructure projects	Yes	Yes	Yes	Yes
7	MPL 144: Contracts Law and Management	Yes	Yes	Yes	yes

#### **Metric Number: 1.3.3 QnM (5): Average Percentage of students enrolled in the courses under 1.3.2 above**

1.3.3.1: Number of students enrolled in value-added courses imparting transferable and life skills offered year wise during the last five years

As part of the curriculum these courses were offered:

	Course	2016	2017	2018	2019
1	MPL 101: Seminar/clinic on contemporary issues in infrastructure and environment	10	18	15	22
2	MPL 102: Seminar/clinic on contemporary issues in infrastructure and environment	10	18	15	22
3	MPL 103: Dissertation	10	18	15	22
4	MPL 103: Dissertation	10	18	15	22
5	MPL 156: Environmental Aspects of Business	04	08	06	10

	Activities				
6	MPL 142: Business and taxation laws in infrastructure projects	06	10	09	12
7	MPL 144: Contracts Law and Management	06	10	09	12

These additional value-added courses were offered with the aim of imparting transferable and life skills to the students:

	Course	2016	2017	2018	2019	2020
1	"Course on Nuclear Energy and Law" in collaboration with Nuclear Law Association India	Yes	Yes	Yes	Yes	Yes
2	Capacity Building Programme on "Electricity Law, Reforms and Practice"	Yes	No	No	No	No
3	Litigation Clinic for law students and young lawyers	Yes	No	No	No	No
4	'Awareness Workshop on IPR' in collaboration with Confederation of Indian Industry	No	No	No	No	Yes

Records are available at the Centre

#### Metric Number: 1.3.4 QnM (5): Percentage of students undertaking field projects/internships (current year data)

Response: LL.M programme offered by TERI SAS is a one-year rigorous training programme which leaves no scope for an internship (as an internship in most of the law offices requires a certain minimum period of attendance -two months generally). All the students are undertaking field projects as part of MPL 173: Research methods and legal writing (See a newspaper image of the field study conducted at Wazirpur Village in Haryana (news paper clipping below) and 'attachments 2' consisting of field study reports on land acquisition by LLM students in 2019 at Jewar)



## **Key Indicator - 1.4 Feedback System (20)**

**Metric Number: 1.4.1 QnM (10): Structured feedback received from 1) Students, 2) Teachers, 3) Employers, 4) Alumni 5) Parents, for design and review of syllabus - Semester wise /year wise**

Options:

1. Any 4 of the above
2. Any 3 of the above
3. Any 2 of the above
4. Any 1 of the above
5. None of the above

Response: A. Feedback on points 1, 2, 3, and 4 are taken. (Records of the feedback is maintained in the CPGLS file.)

1. Students Feedback: Students are generally satisfied about the contents of the course and the pedagogical methods adopted. However, some of them are not satisfied about the absence of placement to all the students.
2. Teachers' feedback: Teachers are satisfied with the course content. However, their feedback indicates the quality of some of the students and their lack of interest.
3. Employers feedback: Feedback from employers who recruit LL.M students are taken which indicates the need of more practical training in the Programme. They suggest that the Programme should be developed as a finishing school for fresh law graduates in the area of infrastructure law and natural resources law.
4. Alumni feedback: The Programme has 43 alumni so far. They are happy with the course content and pedagogy. However, they feel that internship should be an integral part of the Programme.
5. Parents feedback: The Members of the BoS suggested that parents feedback is not that important at LL.M programme.

**Metric Number: 1.4.2 QnM (10): Feedback processes of the Institution may be classified as follows:**

- A. Feedback collected, analysed and action taken and feedback available on website
- B. Feedback collected, analysed and action has been taken
- C. Feedback collected and analysed
- D. Feedback collected
- E. Feedback not collected

Response: B. Feedback collected, analysed and action taken

## **Criterion II - Teaching-Learning and Evaluation (200)**

**Key Indicator - 2.2 Catering to Student Diversity (20)**

**Metric Number: 2.2.1QIM (5): The Institution assesses the learning levels of the students, after admission and organises special Programmes for advanced learners and slow learners**

Response: CPGLS offers special tutorial sessions for slow learners. For advanced learners, more complex questions are generated, and they are encouraged to find the answer for those questions. For both slow and advanced learners' special lectures are organized (Bridge Course) in Economics (MPL 141) to augment their understanding of the core subjects. Many expert lectures are organized on contemporary issues for engaging the advanced learners. Also, the advanced learners are offered a wide range of elective courses in the realm of their opted specialization for enhanced learning. Learners' are incentivized by offering / instituting scholarships.

### **Key Indicator - 2.3 Teaching-Learning Process (20)**

**Metric Number: 2.3.1QIM (5): Student-centric methods, such as experiential learning, participative learning and problem-solving methodologies are used for enhancing learning experiences**

Response: Two of the LL.M courses MPL 101 and MPL 102 aims to connect the theory and their practical implication through clinical methods. Further, the program has dissertation as a necessary component. Dissertations are written on a contemporary issue under an assigned supervisor by applying doctrinal and/or non-doctrinal methods. Every course at CPGLS adopts learning methods like discussions, debates, guest lectures, role plays, field visits etc.

Legal Aid Clinic established in collaboration with the New Delhi District Legal Services Authority requires the students to offer real – time pro bono legal assistance to the marginalized groups.. Through this, they get the opportunity to refine the lawyering skills and research acumen.

**Metric Number: 2.3.3 QnM (10): Ratio of students to mentor for academic and stress related issues (current year data)**

2.3.3.1: Number of mentors

Response: 1:10 (mentor: student)

### **Key Indicator - 2.4 Teacher Profile and Quality (50)**

**Metric Number: 2.4.3 QnM (10): Average percentage of full-time teachers against sanctioned posts during the last five years**

Response: 3

**Metric Number: 2.4.4 QnM (10): Teaching experience of full-time teachers in number of years (current year data)**

#### 2.4.3.1: Total experience of full-time teachers

Response:

Name	Teaching & Research & consultancy Experience (in years)	Specialisation
Dr Vishnu Konoorayar	17	Environmental law and policy; dispute resolution
Dr Vidhi M Chadda	10	Business and Commercial Laws specifically Company Law, Competition Law and Corporate Insolvency Law

### Key Indicator - 2.5 Evaluation Process and Reforms (40)

**Metric Number: 2.5.1QnM (15): Average number of days from the date of last semester-end/ year- end examination till the declaration of results during the last five years**

2.5.1.1: Number of days from the date of last semester-end/ year-end examination till the declaration of results year wise during the last five years

Response: MPEC of CPGLS is held within ten days of the date of the last semester-end/ year-end examination and result is declared within 10 days thereof. ➡

### Key Indicator - 2.6 Student Performance and Learning Outcomes (30)

**Metric Number: 2.6.1QIM (10): Programme outcomes, Programme specific outcomes and course outcomes for all Programmes offered by the Institution are stated and displayed on the website and communicated to teachers and students**

Response: These are given on the website.

**Metric Number: 2.6.2 QIM (10): Attainment of Programme outcomes, Programme specific outcomes and course outcomes are evaluated by the Institution**

Response: Student feedback is taken twice in each semester to assess the attainment of programme outcomes and course outcome at the University level.

## **Criterion III - Research. Innovations and Extension (250)**

### **Key Indicator - 3.1 Promotion of Research and Facilities (20)**

**Metric Number: 3.1.3 QIM (3): Number of teachers awarded international fellowship for advanced studies/ research during the last five years**

3.1.3.1: The number of teachers awarded international fellowship for advanced studies / research year wise during the last five years

Response: None

**Metric Number: 3.1.4 QnM (4): Number of JRFs, SRFs, Post-Doctoral Fellows, Research Associates and other research fellows in the University enrolled during the last five years**

Response: None

**Metric Number: 3.1.6 QnM (5): Percentage of departments with UGC-SAP, CAS, DST-FIST, DBT, ICSSR and other similar recognitions by government agency (current year data)**

Response: None

### **Key Indicator - 3.2 Resource Mobilization for Research**

**Metric Number: 3.2.1QnM (3): Grants for research projects sponsored by the non-government sources such as industry, corporate houses, international bodies, endowments, Chairs in the Institution during the last five years (INR in Lakhs)**

3.2.1.1: Total Grants for research projects sponsored by the non-government sources such as industry, corporate houses, international bodies, endowments year wise during the last five years (INR in Lakhs)

Response: None

**Metric Number: 3.2.2 QnM (12): Grants for research projects sponsored by the government sources during the last five years (INR in Lakhs)**

3.2.2.1: Total Grants for research projects sponsored by the government sources year wise during the last five years (INR in Lakhs)

Response: 15 Lakhs (ICSSR)

**Metric Number: 3.2.3 QnM (5): Number of research projects per teacher funded by government and non-government agencies during the last five years**

3.2.3.1: Number of research projects funded by government and non-government agencies during the last five years

3.2.3.2: Number of full-time teachers worked in the Institution during the last 5 years

Response: None.

### **Key Indicator - 3.3 Innovation Ecosystem (30)**

**Metric Number: 3.3.3 QnM (7): Number of awards for innovation won by institution/teachers/research scholars/students during the last five years**

3.3.3.1: Total number of awards for innovation won by institution/teachers/research scholars/students' year wise during the last five years

Response: None

**Metric Number: 3.3.4 QnM (10): Number of start-ups incubated on campus during the last five years**

3.3.4.1: Total number of start-ups incubated on campus year wise during the last five years

Response: None

### **Key Indicators - 3.4 Research Publications and Awards (100)**

**Metric Number: 3.4.1QnM (1): The Institution has a stated Code of Ethics to check malpractices and plagiarism in research**

Response: Yes. CPGLS use s Turnitin software.

**Metric Number: 3.4.4 QnM (19): Number of Ph.D.'s awarded per teacher during the last five years**

3.4.4.1: How many Ph.D's are awarded within last 5 years

Response: None

3.4.4.2: Number of teachers recognised as guides during the last five years

Response: two

**Metric Number: 3.4.6 QnM (15): Number of books and chapters in edited volumes / books published, and papers in peer reviewed journals, national/international conference-proceedings per teacher during the last five years**

3.4.6.1: Total number of books and chapters in edited volumes / books published, and papers in



national/international conference-proceedings year wise during the last five years

Response: CPGLS was established as a sperate Centre in 2019.

Year	2019	2020
Number	2	0

### Key Indicators - 3. 6 Extension Activities (4Q)

**Metric Number: 3.6.1QIM (10):** Extension activities in the neighborhood community in terms of impact and sensitising students to social issues and holistic development during the last five years

Response: 05 Activities in collaboration with New Delhi Legal Services Authority

1. Awareness against domestic violence during lockdown
2. Awareness against child abuse during lockdown
3. Awareness against fake news
4. Awareness against tobacco use
5. Cyber security training



**Webinar and Training Session**  
on  
**Cyber Security and Law**  
18<sup>th</sup> June, 2020 | 11:30 AM - 1:00 PM

**Speaker**  
**Mr. Neeraj Aarora**  
Advocate-On-Record,  
Supreme Court of India,  
International Arbitrator and  
Computer Forensics Expert

**PROTECT CHILDREN FROM BEING ABUSED.**  
IT'S OUR DUTY TOWARDS OUR FUTURE.  
To report child abuse, contact New Delhi District  
Legal Services Authority, Patiala House District  
Court, New Delhi

**FAKE NEWS SPREADS FASTER THAN COVID-19.**  
CONTAIN IT, FIGHT IT!  
Report Fake News to New Delhi District Legal  
Services Authority, Patiala House District  
Court, New Delhi

Call 24X7 Toll Free Helpline 1018  
WhatsApp @ 9567992802

TIRI SAS is committed to ending abuse, exploitation,  
trafficking, and all forms of violence against and torture  
of children (SDG 16, Target 2)

Call 24X7 Toll Free Helpline 1018  
WhatsApp @ 9567992802

TIRI SAS is committed to ensuring public access to  
information and protect fundamental freedoms of  
all (SDG 16 Target 10)

**Metric Number: 3.6.2 QnM (10): Number of awards and recognition received for extension activities from Government /recognised bodies during the last five years**

3.6.2.1: Total number of awards and recognition received for extension activities from Government /recognised bodies' year wise during the last five years

Response: None

**Metric Number: 3.6.3 QnM (10): Number of extension and outreach Programmes conducted in collaboration with industry, community, and Non- Government Organizations through NSS/NCC/Red cross/YRC etc., during the last five years**

3.6.3.1: Number of extension and outreach Programmes conducted in collaboration with industry, community and Non-Government Organisations through NSS/ NCC/Red cross/YRC etc., year wise during the last five years

Response: None

**Metric Number: 3.6.4 QnM (15): Average percentage of students participating in extension activities with Government Organizations, Non-Government Organisations and Programmes such as Swachh Bharat, Aids Awareness, Gender Issue, etc. during the last five years**

3.6.4.1: Total number of students participating in extension activities with Government Organizations, Non-Government Organisations and Programmes such as Swachh Bharat, Aids Awareness, Gender Issue, etc. year wise during the last five years

Year	2017	2018	2019	2020
Number	0	0	0	22

### **Key Indicator - 3.7 Collaboration (20)**

**Metric Number: 3.7.1QnM (5): Number of Collaborative activities for research, faculty exchange, student exchange per year**

3.7.1.1: Total number of Collaborative activities for research, faculty exchange, student exchange year wise during the last five years

Response: None

**Metric Number: 3.7.2 QnM (5): Number of linkages with institutions/industries for internship, on the-job training, project work, sharing of research facilities etc. during last five years**

3.7.2.1: Number of linkages for faculty exchange, student exchange, internship, field trip, on-the-job training, research, etc. year-wise during the last five years

Response: None

**Metric Number: 3.7.3 QnM (10): Number of functional MoUs with institutions of national, international importance, other universities, industries, corporate houses etc. during the last five years (only functional MoUs with ongoing activities to be considered) (10)**

3.7.3.1: Number of functional MoUs with institutions of national, international importance, other universities, industries, corporate houses etc. year wise during the last five years

Response: One ( from 2020 onwards with New Delhi District Legal Services Authority) for collaborating in providing legal aid to the needy, and also to conduct research and awareness programmes

### **Criterion IV - Infrastructure and Learning Resources (100)**

Key Indicator - 4.2 Library as a Learning Resource (20)

Metric Number: 4.2.7 QnM (3):

E-content is developed by teachers:

1. For e-PG-Pathshala
2. For CEC (Under Graduate)
3. For SWAYAM
4. For other MOOCs platform
5. For NPTEL/NMEICT /any other Government initiative
6. For institutional LMS

Options:

- A. Any 4 of the above
- B. Any 3 of the above
- C. Any 2 of the above
- D. Any 1 of the above
- E. None of the above

Response:

1. Dr Vishnu Konoorayar wrote chapters for 'Self Learning Material' for IGNOU eGyanKosh resource titled 'Special Rights Law (<http://www.egyankosh.ac.in/handle/123456789/53680>)
2. Dr Vidhi M Chadda prepared two modules on 'kinds of companies' and 'company meetings'. These modules are available at SWAYAM portal hosted by National Law University Delhi. ([https://www.youtube.com/watch?v=aoISYuHm\\_4E&feature=youtu.be](https://www.youtube.com/watch?v=aoISYuHm_4E&feature=youtu.be), [https://swayam.gov.in/nd2\\_cec20\\_mg28/preview-](https://swayam.gov.in/nd2_cec20_mg28/preview-))

## **Criterion V - Student Support and Progression (100)**

### **Key Indicator - 5.1 Student Support (30)**

Metric Number: S.1.3 QnM (9):

Number of capability enhancement and development schemes

1. Guidance for competitive examinations
2. Career Counselling,
3. Soft skill development,
4. Remedial coaching,
5. Language lab,
6. Bridge courses
7. Yoga and Meditation
8. Personal Counselling

Options:

- A. 7 or more of the above
- B. Any 6 of the above
- C. Any 5 of the above
- D. Any 4 of the above
- E. Any <3 of the above

Response: E

### **Key Indicator - 5.2 Student Progression (40)**

**Metric Number: 5.2.2 QnM (15): Percentage of student progression to higher education (previous graduating batch) (current year data)**

5.2.2.1: Number of outgoing students progressing to higher education

Response:

	Name	Year of Passing	Institution Pursuing PhD
1	Apoorva Mishra	2018	GGSIU University
2	Manisha Badoni	2018	TERI SAS
3	Devyani	2018	TERI SAS
4	Jitesh Kadian	2019	JNU

**Metric Number: 5.2.3 QnM (15): Average percentage of students qualifying in state/ national/ international level examinations during the last five years (eg: NET/SLET/GATE/GMAT /CAT/GRE/TOEFL/Civil Services/State government examinations)**

5.2.3.1: Number of students qualifying in state/ national/ international level examinations (eg: NET/SLET/GATE/GMAT /CAT/GRE/TOEFL/ Civil services/State government examinations) year wise during the last five years

Response:

	Name	examination
1	Diksha Sharma (Dec 2019)	NET
2	Tanushree Gupta (Dec 2018)	NET
3	Ayush Parashar (Dec 2018)	NET
4	Devyani (2018)	NET
5	Priya Bhatnagar	NET

### **Key Indicator - 5.3 Student Participation and Activities (20)**

**Metric Number: 5.3.1QnM (10): 5.3.1: Number of awards/medals for outstanding performance in sports/cultural activities at national/international level (award for a team event should be**

**counted as one) during the last five years (10)**

5.3.1.1: Number of awards/medals for outstanding performance in sports/cultural activities at national/international level (award for a team event should be counted as one) year wise during the last five years

Response: None

**Metric Number: 5.3.3 QnM (15): Average number of sports and cultural activities/competitions organised at the institution level per year**

5.3.3.1: Number of sports and cultural activities/competitions organised at the institution level year wise during the last five years

Response: None

<b>Course title:</b> Economic Foundations of Infrastructure and Natural Resource Law				
<b>Course code:</b> MPL 141		<b>No. of credits:</b> 1	<b>L-T-P:</b> 14-0-0	<b>Learning hours:</b> 14
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> Mr. Souvik Bhattacharya			<b>Course instructor:</b> Mr. Souvik Bhattacharya	
<b>Contact details:</b> Souvik.Bhattacharjya@teri.res.in				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1	
<b>Course description:</b> As the title suggests, this course will offer economic foundations for a select set of policies and laws related to infrastructure and natural resources. In particular, it will explore theoretical basis, conceptual foundations and principles from the discipline of economics to examine policies and laws, aided by the relevant case studies. Importance of this course arises from the very fact that policy and legal regime functions with the objective of meeting a number of economic objectives, including augmenting rate of economic growth and social net benefit. Unfortunately, the market, however efficiently it may function, fails to deliver either the public goods like infrastructure or take care of externalities like pollution/waste or efficiently allocate or assign the correct prices for natural resources—these instances of ‘market failure’ makes a strong case of intervention by the State, through appropriate policies and laws, towards achieving a socially beneficial and sustainable outcome, while considering both costs and benefits. Recent instances of the State entering into partnerships with the private players imputes additional challenges to the framing of laws, for such instruments to address the matter of profitability, risk-taking ability, and uncertainties faced by the private players, along with aiming at the social objective.				
<b>Course objectives:</b> 1. To provide a clear understanding on the economic theories, concepts and principles relevant for laws related to infrastructure and natural resources. 2. To connect the theory, concept and principles with the appropriate case studies.				
<b>Course contents</b>				
<b>S.No</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	<b>Economic Efficiency</b> Economic efficiency as a core concept in discipline of economics Variations within ‘efficiency’: technical, cost, value, material, energy	1	0	0
2	<b>Market Structures</b> Perfect competition as an ‘ideal’ for achieving economic efficiency Cases of imperfect competition: monopolistic competition, monopoly, oligopoly	1	0	0
3	<b>Market Failures</b> Cases of market failure Provision of Public Good by the State and private provision Absent markets and role of property rights Externalities and Coase Theorem	2	0	0
4	<b>Role of the State</b> Economics of Regulation Economic principles behind public policy Regulation of Natural Monopoly	2	0	0
5	<b>Instruments: Command and Control vis-à-vis Market based</b> Command and Control type: tax, subsidies Market Based types Relative efficiency of Command-and-Control and Market Based instruments	1	0	0
6	<b>Liability, loss and damages</b>	1	0	0

	Compensation Principle Efficiency of Liability Rules			
7	<b>Case Studies:</b> Oil and Natural Gas Pricing in India Spectrum Allocation Electricity pricing models Coal pricing and bidding models National Highway Toll pricing Computation of Environmental damages and Ecological Values	6	0	0
	<b>Total</b>	14	0	0
<b>Evaluation criteria:</b>				
1. Assignments/Presentations 50%				
2. Written Test 50%				
<b>Learning outcomes:</b>				
On completion of this course, the students would:				
1. Have acquired an understanding of the concept and theoretical background of laws related to infrastructure and natural resources.				
2. Have developed critical thinking on possibilities and challenges in balancing the interests of various stakeholders in these areas.				
<b>Pedagogical approach:</b>				
The course will be delivered through a mix of classroom lectures and discussions around case studies.				
<b>Materials:</b>				
<b>Core text for Module 1-6</b>				
1. Cento Veljanovski, 2007, 'Chapter 2: The Economic Approach' in Economic Principles of law, Cambridge University Press, pp. 19-57				
<b>Module 1</b>				
2. J Stiglitz, 'Chapter 3: Market Efficiency' in Economics of the Public Sector, Third Edition, W W Norton, pp. 55-75				
<b>Module 3 and 4</b>				
3. C T S Ragan and Richard G Lipsey, 1999, 'Chapter 16: Market Failure and Government Intervention and 'Chapter 17: The Economics of Environmental Protection' in Economics, Pearson Canada, pp. 415-445 and 449-469				
4. Richard Ipotito, 2003, 'Chapter 7: Externalities-the Coase Theorem and Rules of Law,' in Economics for Lawyers, George Mason School of Law, mimeo, 168-183				
5. J Stiglitz, 'Chapter 1: The Public Sector in a Mixed Economy', in Economics of the Public Sector, pp. 3-25				
6. J Stiglitz, 'Chapter 4: Market Failure' in Economics of the Public Sector, pp. 76-90				
7. J Stiglitz, 'Chapter 6: Public Goods and Publicly provided Private Goods', in Economics of the Public Sector, pp. 127-152				
<b>Module 4 and 5</b>				
8. Cento Veljanovski, 2006, 'Chapter 7: Regulation' in The Economics of Law, Second edition, The Institute of Economic Affairs, pp. 142-172				
9. Kenneth E Train, 1991, 'Introduction: The Economic Rationale and Task of Regulation' in Optimal Regulation: The Economic Theory of Natural Monopoly, MIT Press, pp. 1-17.				



## **Module 7: Case Studies**

### **Oil and Natural Gas Pricing in India**

10. Paranjoy Guha Thakurta, Jyotirmoy Chaudhuri, 2014, 'How Reliance's Options on Natural Gas Price Hike Narrowed', EPW, XLIX (22), pp. 13-16
11. Paranjoy Guha Thakurata, 2015, 'Great Indian Gas Robbery', EPW, L (49), pp. 12-15

Additional Reference:

Paranjoy Guha Thakurata, Subir Ghosh and Jyotirmoy Chaudhuri, 2016, Gas Wars - Crony Capitalism and the Ambanis, Authorsupfront Publishing Services Private Limited

### **Spectrum Allocation**

12. Upendra Baxi, 2012, 'Good Law, Poor Economics', Indian Express, February 24
13. Rohit Prasad, 2010, 'Value of 2G Spectrum in India', EPW, XLV (4), pp. 25-28
14. Alok Kumar, 2011, '3G Spectrum Auctions in India: A Critical Appraisal', EPW, XLVI (13), pp. 121-129
15. Arun Mehta, Robert Horvitz, 2010, 'Managing and Utilising Spectrum More Efficiently', EPW, XLV (9), pp. 26-28
16. Manas Bhattacharya, 2008, 'The International Experience of Auctioning Spectrum', EPW, September 13, pp. 33-38

Additional reference:

Claudio Feijóo, José Luis Gómez-Barroso and Asunción Mochón, 2009, 'Chapter III: Reforms in Spectrum Management Policy', in In Lee, eds., Handbook of research on telecommunications planning and management for business, Information Science Reference, pp. 33-47

Johannes M. Bauer, 2006, 'A Comparative Analysis of Spectrum Management Regimes', paper presented at the 30th Communications and Internet Research Conference, Alexandria, Virginia, USA. Available online at <http://www.ictregulationtoolkit.org/Documents/Document/Document/2299>

### **Electricity pricing models**

17. Paranjoy Guha Thakurta, 2016, 'Power Tariff Scam Gets Bigger at Rs.50,000 Crore', EPW, LI (21), pp. 12-15  
Power (Coal/Nuclear) pricing and bidding models
18. Sumantra Bhattacharya, Rachit Tiwari, 2014, 'Non-Coking Coal Pricing in India', EPW, XLIX (3), pp. 20-22
19. E A S Sarma, 2013, 'Myopia on Coal', EPW, XLVIII (44), pp. 12-15
20. Suvrat Raju, M V Ramana, 2013, 'Cost of Electricity from the Jaitapur Nuclear Power Plant', EPW, XLVIII (26 & 27), pp. 51-60
21. Pranjul Bhandari, Rohit Lamba, 2013, 'The Coal Saga: The Imminent and the Feasible', EPW, XLVIII (28), pp. 19-21
22. Rahul Tongia and Rangan Banerjee, 1998, 'Price of power in India', Energy Policy, 26 (7), pp. 557-575
23. Kannan Kasturi, 2013, 'Pricing Electricity in Delhi', EPW, 58(1), pp. 20-23

### **Liability**

24. Suvrat Raju, M V Ramana, 2010, 'The Other Side of Nuclear Liability', EPW, XLV (16), pp. 48-54
25. Michael G. Faure and Karine Fiore, 2009, An Economic Analysis Of The Nuclear Liability Subsidy, Pace Environmental Law Review, 26 (2). Available at: <http://digitalcommons.pace.edu/pelr/vol26/iss2/5>

### **National Highway Toll pricing**

26. Ram Singh, 2010, 'A High-handed Approach to National Highways', EPW, XLV (8), pp. 19-21

### **Environmental Damages and Ecological values**

27. L Venkatachalam, 2005, 'Damage Assessment and Compensation to Farmers: Lessons from Verdict of Loss of Ecology Authority in Tamil Nadu', EPW, April 9, pp. 1555-60
28. K. Chopra and P. Dasgupta, 2008, 'Assessing the Economic and Ecosystem Services

Contribution of Forests: Issues in Modelling, and an Illustration', International Forestry Review, 10(2), pp. 376-386

**General additional reading: relevant judgments of the Supreme Court**

**Additional information (if any):**

**Student responsibilities:** Reading financial newspapers like Mint, Economic Times, Business Line, as well magazines like Economist, for identifying the relevant topics for the assignment.

**Course reviewers:**

1. Prabhash Ranjan, South Asian University, New Delhi
2. Daniel Mathew, National Law University Delhi, New Delhi

<b>Course title:</b> Comparative Public Law/Systems of Governance					
<b>Course code:</b> MPL 151		<b>No. of credits:</b> 3		<b>L-T-P:</b> 42-0-0	
<b>Learning hours:</b> 42					
<b>Pre-requisite course code and title (if any):</b> None					
<b>Department:</b> Centre for Post Graduate Legal Studies					
<b>Course coordinator:</b> Ms. Nidhi Srivastava			<b>Course instructor:</b> Ms. Nidhi Srivastava		
<b>Contact details:</b> nidhisrivastava.work@gmail.com					
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1		
<b>Course description:</b> Comparative public law as a discipline has assumed renewed significance especially after the cold war with many states in the erstwhile communist block embarking on framing new constitutions. The purpose of this course is to provide a critical understanding of the main issues, trends and methods in comparative public law. The main areas covered in the course are: Constitutionalism, separation of powers, rights, amendment, and emerging trends and issues. An understanding of the subject would help the students to better appreciate a particular legal system in the wider socio-political context in which it operates. The relevance of this discipline has increased with globalization wherein legal ideas, governance structures and even legal terminologies migrate. An attempt is made not to reduce the course to a mere description of select documents and important judicial decisions, but to use the richness of social science literature and methods in the analysis of various topics.					
<b>Course objectives:</b> 1. To provide an overview of the scope, uses and methods of comparative public law. 2. To address key areas of comparative public law like separation of powers, rights, and judicial review to better understand and appreciate one’s own legal system 3. To critically analyse new constitutional movements that are changing the boundaries of constitutionalism and constitutional systems.					
<b>Course contents</b>					
<b>S.No.</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>	
1	<b>Comparative Public Law: Overview, uses and methods</b> Uses, purposes and challenges of comparative law Different methodological approaches: Classificatory, historical, normative, functional, and contextual. The evolving boundary between public and private law Place of constitutional law and administrative law in a legal system	5	0	0	
2	<b>Constitutions: Making, functions and typology</b> Constitution making: Constituent power, process and the question of inclusiveness, and substance. Functions: Creating organs, conferring power and protection of individual liberties Typology: On the basis of legal character and on the basis of expression of political ideals <b>Sources</b> Constitutionalism	6	0	0	
3	<b>Separation of power: Horizontal and vertical</b> Different forms of government: presidential, parliamentary, hybrid systems Federal and unitary states; Concept of quasi federalism The changing role of the state, emergence of the regulatory state	6	0	0	
4	<b>Rights</b> Similarities and differences	5	0	0	

	Content and scope of rights in different constitutional cultures Overlapping rights Cross-jurisdictional variance in realisation of rights Security of state and individual liberties.			
5	<b>Constitutional Interpretation and Judicial review</b> Courts as the authoritative interpreter of the constitution Origins of judicial review, Judicial Activism Limitations	6	0	0
6	<b>Amendment of the Constitution</b> Different methods Limitations, Basic structure theory	6	0	0
7	<b>Emerging trends and issues</b> Internationalization of constitutional law: Driving forces, divergent practices and criticisms Militant democracy: concept, history, varieties and contestations On-going projects: Global Administrative Law; Global Constitutionalism; Transnational Law	8	0	0
	<b>Total</b>	42	0	0
<b>Evaluation criteria:</b> 1. Minor Test: 25% 2. Class Discussion: 10% 3. Presentation: 25% 4. Major Test: 40%				
<b>Learning outcomes:</b> On completion of this course, the students would: <ol style="list-style-type: none"> <li>1. Be able to understand the similarities and differences between leading legal traditions in key areas like separation of powers, protection of rights and the role of judiciary</li> <li>2. Be familiar with the methodology of comparative public law</li> <li>3. Be able to use comparative methodology in public law analysis</li> </ol>				
<b>Materials:</b> <b>Textbooks</b> Rosenfeld, M. and Sajo, A. (2012). The Oxford handbook of comparative constitutional law. Oxford: Oxford University Press.  Rose-Ackerman, S. and Lindseth, P. L. (2010). Comparative Administrative Law. Cheltenham: Edward Elgar.  <b>Suggested Readings</b> <b>Books</b> Menski, W. (2006). Comparative law in a global context: The Legal Systems of Asia and Africa. Cambridge: Cambridge University Press. Ch. 1.  Ginsburg, T. (2003). Judicial review in new democracies: Constitutional courts in Asian cases. Cambridge: Cambridge University Press. Chs. 1 & 8.  Chemerinsky, E. (2015). Constitutional law: Principles and policies. 5th Ed. New York: Aspen Law & Business. Chs. 1 & 2.				

Singh, M. P. (2011). Comparative constitutional law. 2nd Ed. Lucknow: Eastern Book Company.

### **Articles**

Hirschl, R. (2013). From comparative constitutional law to comparative constitutional studies. *International Journal of Constitutional Law*, 11 (1), 1-12.

Tushnet, M. (1999). The possibilities of comparative constitutional law. *Yale Law Journal*, 108, 1225-1309.

Tushnet, M. (2013). Constitution making: An introduction. *Texas Law Review*, 91, 1983-2015.

Baranger, D. and Murray, C. (2013). Systems of government. In Tushnet, M., Fleiner, T., and Saunders, C.(Eds.), *Routledge Handbook of Constitutional Law*. Oxon: Routledge.

Chibub, J. A., Elkins, Z., and Ginsburg, T. (2013). Beyond presidentialism and parliamentarism. *British Journal of Political Science*, 44 (3), 1-30.

Kennedy, D. (1982). The stages of the decline of the public/private distinction. *University of Pennsylvania Law Review*, 130, 1349-1357.

Alexander, L. and Schauer F. (1997). On Extrajudicial Constitutional Interpretation. *Harvard Law Review*, 110 (7), 1359-1387.

Moran, M. (2002). Understanding the Regulatory State. *British Journal of Political Science*, 32 (2), 391-413.

### **Additional information (if any):**

**Student responsibilities:** Students are expected to actively participate in the class discussion. In addition, students are expected to write response papers to some articles discussed in the class.

### **Course reviewers:**

Dr. Vishnu Konoorayar, Max Planck Institute for European Legal History.

Dr. Jasmine Joseph, The West Bengal National University of Juridical Sciences. Kolkata.

<b>Course title:</b> Law and justice in a globalizing world				
<b>Course code:</b> MPL 153		<b>No. of credits:</b> 3	<b>L-T-P:</b> 42-0-0	<b>Learning hours:</b> 42
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> Dr. Manish Kumar Srivastava			<b>Course instructor:</b> Dr. Manish Kumar Srivastava	
<b>Contact details:</b> manish.shrivastava@terisas.ac.in				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1	
<b>Course description:</b> This course builds on the understanding of international law gained by students at the undergraduate level and is intended as an advanced course. It looks at the process of globalization and its impact on law in the light of history. This course will discuss the debates surrounding globalization, justice, its changing meaning and the impact that it has on many fields of law. It will provide an understanding of how law and legal institutions has to change in order to align with the global rules. The shrinking policy space at the national level will also be discussed. The discussions end with the demand for change in international law and global institutions heard from different quarters.				
<b>Course objectives:</b> 1. To understand the process of globalization and its impact on law and justice in a historical perspective. 2. To critically analyse the concept of global justice and the mechanisms designed to achieve it. 3. To better appreciate the demands for change raised by different groups to the international legal order and institutions in the light of globalization.				
<b>Course contents</b>				
<b>S.No</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	<b>History, Making and Content of International Law</b> History of International Law: The colonial origins Sources Continuity and change Alternative perspectives: Third World, Feminist, Marxist, Critical International legal theory	8	0	0
2	<b>Globalization: Meaning, Reach and Form</b> Different dimensions of Globalization: Social, Political, and Economic Emergence of Transnational Law in a Globalizing World; Globalization and Sovereignty of states	8	0	0
3	<b>Impact of globalization</b> International economic law: Brettenwood institutions, WTO, Investment laws, RTAs, IPRs. International human rights law	8	0	0
4	<b>Globalization and Free Market</b> Impact on welfare state; Natural Resources and Environment; Displacement for Development	6	0	0
5	<b>Concept of Justice in a Globalizing World</b> Concept of Global Justice Humanitarianism as an element of the idea of global justice; International Human Rights Law; Institutions: UNHCR, OHCHR Global Poverty: MDGs to SDGs Globalization and Social Justice/ Global Distributive Justice Role of international mechanisms to control armed conflicts, crimes against humanity, environment and health, oppressive policies and the threat of terrorism; ICC	6	0	0

6	<b>Reformation of International Law and global institutions</b> Demand for change: from Third World, Women, Indigenous people etc. Role and impact of economic, labour and trade institutions: MNCs, UN, WTO, ILO, ICC, etc.	6	0	0
	<b>Total</b>	42	0	0
<b>Evaluation criteria:</b> 1. Minor Test: 25% 2. Class Discussion: 10% 3. Presentation: 25% 4. Major Test: 40%				
<b>Learning outcomes:</b> On completion of this course, the students would: <ol style="list-style-type: none"> <li>1. Have acquired an understanding of the concept and theoretical background of globalization, and global justice.</li> <li>2. Have developed critical thinking on the process of globalization and its impact on international and municipal law and on institutions.</li> </ol>				
<b>Pedagogical approach:</b> The course will be delivered through a mix of classroom lectures and discussions on select readings. Students will be encouraged to read scholarly works from other disciplines.				
<b>Materials:</b> <b>Suggested readings</b> <b>Books</b>  Anghie, A. (2007). Imperialism, sovereignty and the making of international law. Cambridge: Cambridge University Press. Ch. 1, 5 & 6.  Pogge, T. (2002). World poverty and human rights: Cosmopolitan responsibilities and reforms. Cambridge: Polity. Ch. 4 & 7.  Rajagopal B. (2003). International law from below: Development, social movements and third world resistance. Cambridge: Cambridge University Press. Ch. 5 & 7.  Sen, A. (2009). The idea of justice. Cambridge: Harvard University Press. Ch. 18.  Fraser, N. (2010). Scales of justice: Reimagining political space in a globalizing world. New York: Cambridge University Press. Ch. 2 & 6.  Buchanan, A. (2004). Justice, legitimacy, and self-determination: Moral foundations for international law. Oxford: Oxford University Press. Ch. 10 & 11.  Baxi, U. (2002). The future of human rights. New Delhi: Oxford University Press. Ch.1 & 7.  <b>Articles</b>  Singh, A. P. (2008). Globalization and its Impact on National Policies with Reference to India: An Overview of Different Dimensions. Journal of Constitutional and Parliamentary Studies, 42 (1-2), 62-78.				

<p>Sinha, A. K. (2010). Human Rights in the Era of Globalization. Madras Law Journal, 245 (6), 124-136.</p> <p>Chimni, B. S. (2007). A Just World under Law: A View from South. American University International Law Review., 22 (2), 199-220.</p> <p>Chimni, B.S. (2004). International Institutions Today: An Imperial Global State in the Making. European Journal of International Law,15(1), 1-37.</p> <p>Kenendy, D. M. (2003). Two globalizations of law and legal thought: 1850-1968. Suffolk University Law Review, 36(3), 631-679.</p> <p>Kenendy, D. M. (2006). Three globalizations of law and legal thought: 1850-2000. In Trubek, D. M. The new law and economic development. Cambridge: Cambridge University Press. 19-73.</p> <p>Santos, B. S. (2006). Globalizations. Theory, Culture &amp; Society, 23, 393-399.</p> <p>Adam, S. (2011). Distributing Justice. New York University Law Review, 86 (2), 500-572.</p> <p>Developments (2016). The double life of international law: Indigenous peoples and extractive industries. Harvard Law Review, 119, 1755-1778.</p>
<b>Additional information (if any):</b>
<p><b>Student responsibilities:</b> Students are expected to come prepared with the readings for the class. Students will be asked to initiate discussions in the class on a particular topic.</p>

#### Course reviewers:

Prof. T.V.G.N.S. Sudhakar, Professor, The West Bengal National University of Juridical Sciences, Kolkata.

Dr. Shannu Narayan, Assistant Professor, National Law University, Assam.



<b>Course Title:</b> Environmental Law and Policy					
<b>Course code:</b> MPL 155		<b>No. of credits:</b> 2		<b>L-T-P:</b> 28-0-0	
<b>Learning hours:</b> 28					
<b>Pre-requisite course code and title (if any):</b> None					
<b>Department:</b> Centre for Post Graduate Legal Studies					
<b>Course coordinator:</b> Dr. Vishnu Konoorayar			<b>Course instructor:</b> Dr. Vishnu Konoorayar		
<b>Contact details:</b> vishnu.konoorillam@terisas.ac.in					
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1		
<b>Course description:</b> Law and policy plays a major role in the conservation and management of natural resources as well as pollution control. This course intends to introduce the students to the vast field of Environmental Law and Policy. The course would be divided into three broad areas. The first part would cover the basic concepts and principles of Environmental Law. This would include judicial precedents, which now forms an essential part of environmental jurisprudence. The second part would be divided into specific introductory modules on forests and wild life including bio-diversity related laws; Air and Water related laws including mega projects and marine laws; and laws relating to hazardous substances. The third part would discuss the role of judiciary including the National Green Tribunal in protecting the environment.					
<b>Course objectives:</b> <div><div></div><div>1. To provide an overview of the law and policies relating to environment both at the national and international level.</div><div>2. To critically analyse the implementation of these laws and the role of adjudicatory bodies in the field of environment.</div></div>					
<b>Course contents</b>					
<b>S.No</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>	
1	<b>Introduction</b> Environment: meaning and components Environment v. Development debates, trigger events, business and environmental law, a brief introduction to SDGs. Introduction to environmental laws in India; Constitutional provisions, an overview of the laws General principles in Environmental law: Precautionary principle; Polluter pays principle; Sustainable development; Public trust doctrine.	6	0	0	
2	<b>Forest, Wildlife and Biodiversity related laws</b> Evolution and Jurisprudence of Forest and Wildlife laws; Colonial forest policies; Forest policies after independence. Statutory framework on Forests, Wildlife and Biodiversity: IFA, 1927; WLPA, 1972; FCA, 1980; Biological Diversity Act, 2002; Forest Rights Act, 2006. Forest Conservation case Strategies for conservation–Project Tiger, Elephant, Rhino, Snow leopard.	8	0	0	
3	<b>Air and Water Laws</b> National Water Policy Laws relating to prevention of pollution, access and management of water and institutional mechanism: Water Act, 1974; Water Cess Act, 1977, EPA, 1986. Pollution Control Boards Ground water and law Legal framework on Air pollution: Air Act, 1981; EPA, 1986	6	0	0	
4	<b>Environment protection laws and large Projects</b>	4	0	0	

	Legal framework on environment protection-Environment Protection Act as the framework legislation–strength and weaknesses; EIA. Marine laws of India; Coastal zone regulations, Wetland conservation.			
5	<b>Judicial remedies and the role of National Green Tribunal</b> Role of judiciary in environmental protection; Infrastructure projects and the Indian judiciary. Jurisdiction and powers of NGT, A critical analysis of its role, suggestions to make it an advisory body.	4	0	0
	<b>Total</b>	28	0	0

**Evaluation criteria:**

1. Minor test: 30%
2. Term Paper and presentations: 30%
3. Major test: 40%

**Learning outcomes:**

On completion of this course, the students would:

1. Have a strong foundation to undertake specialised courses in the field of environmental laws and policy
2. Develop an interdisciplinary approach to the issues relating to the environment.

**Pedagogical approach:**

A combination of lecture based and problem based learning would be used. Judicial decisions would form the starting point for discussions in the class room. A lot of emphasis is given on self-study.

**Materials:**

**Text Books**

Divan S. and Rosencranz A. (2005) Environmental Law and Policy in India, 2nd ed., Oxford, New Delhi

Sands P. and Peel J. (2012). Principles of international environmental law. 3rd ed, Cambridge: Cambridge University Press.

**Suggested Readings**

Birnie P. (2009). International law and the environment, 3rd ed. Oxford: Oxford University Press.

Dutta, R. (2015). Commentary on the National Green Tribunal Act, 2010. New Delhi: Wadhwa Book Company.

Gadgil, M. and Guha, R. (1995). Ecology and equity. New Delhi: Oxford University Press.

Gadgil, M. and Guha, R. (1997). This fissured land. New Delhi: Oxford University Press.

Guha, R. (2000). Environmentalism: A global history. New Delhi: Oxford University Press.

Kohli, K. and Menon, M. (eds.) (2016). Business interests and the environmental crisis. New Delhi: Sage India.

Lele, S. and Menon, A. (eds.) (2014). Democratising forest governance in India. New Delhi: Oxford University Press.

Sahu, G. (2014). Why the underdogs came out ahead. *Economic and Political Weekly*, 49 (4), 52-57.

Sahu, G. (2014). *Environmental jurisprudence and the Supreme Court: Litigation, interpretation, implementation*. New Delhi: Orient Blackswan.

Singh, C. (1986). *Common property and common poverty*. New Delhi: Oxford University Press.

Upadhyay S. and Upadhyay V. (2002). *Hand Book on environmental law- Forest laws, wildlife laws and the environment*. Vols. I, II and III, New Delhi: Lexis Nexis- Butterworths-India.

**Additional information (if any):**

**Student Responsibilities:**

Students are expected to come prepared with readings and actively participate in the discussions.

**Course reviewers:**

Shibani Ghosh, Fellow, Centre for Policy Research, New Delhi.

Dr. Jacob Joseph, Assistant Professor, National University of Advanced Studies, Kochi.

<b>Course title:</b> Infrastructure Law and Policy				
<b>Course code:</b> MPL 157		<b>No. of credits:</b> 2	<b>L-T-P:</b> 23-05-0	<b>Learning hours:</b> 28
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> Dr. Jaya Vasudevan			<b>Course instructor:</b> Dr. Jaya Vasudevan	
<b>Contact details:</b> jaya.vasudevan@terisas.ac.in				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1	
<b>Course description:</b> This course provides an overview of the Constitutional and general legal context in which the infrastructure sector operates. It also covers the legislative and policy framework within which the specific infrastructure activity has to be undertaken. Special emphasis is placed on the regulatory law of different infrastructure sectors, and an attempt is made to undertake a comparative assessment of the regulatory laws and policies of different infrastructure sectors.				
<b>Course objectives:</b> 1. To provide an overview of the constitutional and the general legal context in which the infrastructure sector operates 2. To examine the importance of independent regulation in infrastructure 3. A general analysis of the laws, policies and the reforms carried out in select infrastructure sectors				
<b>Course contents</b>				
<b>S.No</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	<b>Constitutional aspects</b> Allocation of jurisdiction over different infrastructure sectors between the Centre and State - law making powers Allocation of natural resources: Judicial review Administrative law	3	0	0
2	<b>Independent regulation: New Mechanism of Governance in infrastructure</b> Theories of regulation-genesis of Independent regulation-evolution of regulation in different jurisdictions- Design and structure of regulators-scope and functions-regulatory process- regulatory autonomy and accountability-regulatory predictability and certainty	2	0	0
3	<b>Land Acquisition</b> Concepts of eminent domain and public purpose The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013: Social Impact Assessment, Requirement of consent in the case of certain acquisitions, compensation, rehabilitation and resettlement.	2	0	0
4	<b>Infrastructure Sectoral polices, reforms and laws</b>			
	<b>Power Sector/Electricity</b> Introduction-evolution of the power sector reforms, polices- Electricity Act, 2003 - National Electricity policy- legal framework- the state electricity boards- licensing framework- Provisions Relating to and working of Electricity Regulatory Commissions-their structure, role and functions	3	1	0
	<b>Telecommunications</b> The national telecom policies-the legal framework- regulatory agencies-functioning, power and functions of TRAI and TDSAT	3	1	0
	<b>Oil, Petroleum and Natural Gas</b> Reforms, policies and legal framework -New Exploration Licensing Policy (NELP)- production sharing contracts- the Petroleum Regulatory and	2	1	0

	Natural Gas Board Act – the emerging regulatory reforms			
	<b>Water</b> Water policy General Legal framework and reforms-Water rights- state jurisdiction- new regulatory reforms in water sector.	2	1	0
	<b>Transport</b> Law, policy and reforms relating to Airports-Railways-Road –Port; TAMP; an overview of coastal shipping and Inland Water Transport policy	4	1	0
	<b>Real estate</b> The Real Estate (Regulation and Development) Act, 2016	2	0	0
	<b>Total</b>	23	5	0

**Evaluation criteria:**

1. Minor Test: 25%
2. Class Discussion: 10%
3. Presentation: 25%
4. Major Test: 40%

**Learning outcomes:**

On completion of this course, the students would:

1. Have a strong foundation in infrastructure laws to undertake advanced courses in the field
2. Be conversant with the relevant laws, policies, judicial pronouncement, and reforms in the field.

**Pedagogical approach:**

A combination of lecture based and problem based learning would be used. Case studies would be used for initiating discussions in the module on specific sectors.

**Materials:**

**Suggested theoretical Readings**

Baldwin, R. and C. McCrudden (1987). Regulation and Public Law. London: Weidenfeld & Nicolson.

Joshi, Piyush (2003), Law Relating to Infrastructure Projects. 2nd Edn. New Delhi: Butterworths.

National Transport Development Policy Committee Report (Rakesh Mohan Committee)

Sarkar, S K , and Srivastava L. (eds.) (2002), Reforms in the Infrastructure Sectors: Next Steps, TERI Press, New Delhi.

Sundar, S. and Sarkar S. K . (2000). Framework for Infrastructure Regulation. New Delhi: TERI Press.

Shapiro, S. and Tomain, J. (2003). Regulatory law and policy: Cases and materials. New Delhi: LexisNexis.

Philippe Cullet and Sujith Koonan, 2012, Water Law in India: An Introduction to Legal Instruments

Ramaswamy R Iyer, 2009, Water and the Laws in India, Sage

Talat Fatima, 2012, Transport Law in India, Kluwer Law International

S. K. Chatterjee, 2013, Commentary On The Electricity Laws of India, Delhi Law House

Vikram Raghavan, 2007, Communications Law in India (Legal Aspects of Telecom, Broadcasting and

Cable Services, Lexis Nexis
Mohammad Naseem, 2010, Energy Law in India, Kluwer Law International
<b>Additional information (if any):</b> Important sector specific reports, articles, laws, and court cases will be part of sector modules. The list will be circulated much before each module is taken up
<b>Student responsibilities:</b> Students are expected to come prepared with readings and actively participate in the discussions.

**Course reviewers:**

Nishant Beniwal, Counsel, Kahitan & Co., New Delhi.  
 Avijeet Lala, Partner, HSA Advocates, New Delhi.

<b>Course title:</b> Research methods and legal writing				
<b>Course code:</b> MPL 173		<b>No. of credits:</b> 3	<b>L-T-P:</b> 24-9-18	<b>Learning hours:</b> 51
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator:</b> Dr Mallika Ramachandran			<b>Course instructor:</b> Dr Mallika Ramachandran	
<b>Contact details:</b> ramachandran.mallika@gmail.com				
<b>Course type:</b> Core			<b>Course offered in:</b> Semester 1	
<b>Course description:</b> The course aims to build scientific perspective, attitude and skills for systematic enquiry by developing understanding of philosophical foundations of research, various elements of research design and methods and tools for data collection and analysis. The course will enable comprehension of principles and elements of research methodology, to formulate research problem, objectives and questions. It will introduce students to various methods, tools and techniques related to social and legal research. The focus of the course would be designing studies for applied research. It will also guide them to deal with various ethical and methodological concerns in doing research. The course will also discuss the limitations, benefits, appropriateness, and challenges of using qualitative and quantitative techniques in applied research. The course has a strong practical component. Field visit is an essential part, which will help students understand the real challenges of conducting social research.				
<b>Course objectives:</b> 1. To provide an understanding of various perspectives, methods and tools in social and legal research. 2. To equip students with tools for data collection 3. To enable students to undertake independent legal research				
<b>Course contents</b>				
<b>S.No.</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1	<b>FOUNDATIONS OF SOCIAL RESEARCH</b> Understanding its epistemological roots and methodological Options Introduction to Different Perspectives and types of research Dealing with ethical concerns	4	0	0
2	<b>DESIGNING RESEARCH</b> Defining the Research Problem and Objectives Literature Review (both theoretical and empirical) and gap identification Developing Research Questions Hypothesis & Types of hypotheses Research Design and Sampling	6	2	2
3	<b>METHODS AND TOOLS</b> Ethnographic Approaches Fieldwork and Participant Observation Interview Focus Group Discussion Survey and Questionnaire Design Case Study Participatory Approaches	5	3	6
4	<b>Legal Methods</b> Qualitative Legal Research Case Study Method of Legal Research Comparative Legal Research Inter-disciplinary Legal Research Empirical and Quantitative Legal Research	5	0	6

5	<b>DATA ANALYSIS</b> Quantitative Data Analysis Qualitative Data Analysis • Making sense of multiple perspectives: Approaches and techniques for analysis of qualitative data • Data validation • Identifying needs and policy priorities Identifying limitations of research	4	2	2
6	<b>Legal Writing</b> Elements of legal writing. Purpose of legal writing- research, chamber, courts etc. This covers a practical exercise in writing legal, resulting in writing a research note on a legal topic.	0	2	2
	<b>Total</b>	24	9	18
<b>Evaluation criteria:</b> 1. Research Problem, Objectives and Research Question (Practical): 20% 2. Survey Methods (Practical): 25% 3. Presentation: 25% 4. Major Test (end semester):30%				
<b>Learning outcomes:</b> On completion of this course, the students would: <ol style="list-style-type: none"> <li>1. Carry out independent research pertaining to any specific legal issue</li> <li>2. Design a research, justifying use of various methods/tools to carry out the same</li> <li>3. Collect, analyse and interpret both quantitative and qualitative data</li> </ol>				
<b>Pedagogical approach</b> In order to support active learning, the lectures in this course are supplemented with a large number of tutorials and practical work. The emphasis of these tutorials and practical hours (field visits) is to encourage the active involvement of students in undertaking tasks that help them better understand concepts / methods / tools in social and legal research. Students practice and learn by doing. Interviewing, focus groups, participatory exercises and survey method are practiced, and evaluated, in the form of role play, in-class activities and group exercises.				
<b>Materials:</b> <b>Suggested readings</b> Bryman, A.,( 2008). Social research methods. 3rd edition. Oxford: Oxford University Press.  Desai, V. and Potter, R. B. (eds) (2006). Doing Development Research. London: Sage.  May T. (1997). Social research: Issues, methods and process. Milton Keynes: Open University Press. Robson C. (1993). Real world research: A resource for social scientists and practitioner-researchers. Oxford: Blackwell.  Scheyvens R. and Storey, D. (eds.) (2003). Development fieldwork: A practical guide. London: Sage.  Shirley. White A.(1999). The Art of Facilitating Participation: Realising the Power of Grassroots Communication. New Delhi: Sage.				



Freire, P. (2005). *Pedagogy of the Oppressed*. New York: Continuum.

Cane, P and Kritzer, H.(2010). *The Oxford Handbook of Empirical Legal Research*. Oxford Handbooks

Verma, SK & Wani, Afzal V (eds) (2001). *Legal Research and Methodology*. New Delhi: Indian Law Institute.

Strunk, W. and White E.B. (2000). *Elements of Style*. 4th ed., New York: Longman.

### **Other Readings (for specific modules) :**

#### **Foundations of social research**

Scheyvens R. and Storey, D., 2003, eds., *Development fieldwork: A practical guide*, London: Sage (chapters 8 and 9).

White, H., 2002, 'Combining quantitative and qualitative approaches in poverty analysis', *World Development*, 30(3): 511-522.

#### **Participatory methods**

Cooke, B. and Kothari, U., 2001, eds, *Participation: The New Tyranny?* London: Zed Books (chapters 1 and 9).

Mikkelsen, B., 2005, *Methods for development work and research: A new guide for practitioners*, 2nd edition, New Delhi and London: Sage (chapters 2 and 3)

Mosse, D., 1994, 'Authority, gender and knowledge: Theoretical reflections on the practice of participatory rural appraisal', *Development and Change*, 25(3): 497-526.

#### **Ethnographic approaches**

Hammersley, M., 1992, *What's wrong with ethnography?* London: Routledge.

Scheyvens R. and Storey, D., 2003, eds., *Development fieldwork: A practical guide*, London: Sage (chapter 4).

Thapar-Björkert, S. and Henry, M., 2004, 'Reassessing the research relationship: Location, position and power in fieldwork accounts', *International Journal of Social Research Methodology* 7(5): 363-381.

#### **Survey methods**

Czaja, R. and Blair, J., 2005, *Designing surveys: A guide to decisions and procedures*, 2nd edition,

Thousand Oaks and London: Pine Forge.

Grosh, M. and Glewwe, P., 2000, eds., Designing household survey questionnaires for developing countries: Lessons from 15 years of the living standards measurement study. Washington, D.C.: World Bank.

Groves, R. M. et al, 2009, Survey methodology, 2nd edition, Hoboken: Wiley.

### **Analysing data**

Coffey, A. and Atkinson, P., 1996, Making sense of qualitative data: Complementary research strategies, Thousand Oaks, CA: Sage (particularly chapters 1 and 2).

Robson C. , 1993, Real world research: A resource for social scientists and practitioner-researchers. Oxford: Blackwell (chapter on analysing qualitative data).

Silverman D. 2006, Interpreting qualitative data: Methods for analyzing talk, text and interaction, 3rd edition, London: Sage (sections in part two).

### **Additional information (if any):**

**Student responsibilities:** Attendance: At-least 75% attendance will be necessary to be able to appear for the final exam.

### **Course reviewers:**

Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune

Dr. Anirban Mazumdar, Associate Professor, The West Bengal National University of Juridical Sciences, Kolkata.

<b>Course title:</b> Water Resources law					
<b>Course code</b>	<b>No. of credits: 2</b>	<b>L-T-P distribution:</b> 22 – 0 – 12	<b>Learning hours:</b> 28		
<b>Pre-requisite course code and title (if any):</b> None					
<b>Department:</b> Centre for Post Graduate Legal Studies					
<b>Course coordinator (s):</b> Dr. Sujith Koonan		<b>Course instructor (s):</b> Dr. Sujith Koonan			
<b>Contact details:</b> sujithkoonan@gmail.com					
<b>Course type</b>	<b>Elective</b>				
<b>Course offered in</b>	<b>Semester 2</b>				
<b>Course Description</b> This course is intended to introduce concepts, laws and policies relating to water at the national and international level. The course specifically covers water rights and human rights to water, legal aspects of ground water; national and international water sharing agreements and disputes; conflict resolution and liability.					
<b>Course objectives</b> 1. To introduce the students to various concepts, laws relating to water at the international, and national level 2. To analyse issues relating to access, allocation and use of water resources and the need for regulation 3. To explore the causes for water conflicts, different methods of conflicts resolution and principles used in such resolution					
<b>Course Content</b>			<b>L</b>	<b>T</b>	<b>P</b>
<b>Module 1: An Introduction to the Legal Framework on Water</b>			<b>6</b>		
Rights over Water – Various doctrines - Riparian rights; Prior appropriation; territorial sovereignty; natural water flow, equitable apportionment; equitable utilization- Right of Water and Water Rights, Fundamental right to water - Access to Water – Gender and Class issues  Ownership of water, state’s power: Common law doctrines, Indian Easement Act, 1882; Various irrigation statutes, Doctrine of Public Trust - Human Right to Water - Constitutional Basis of Water regulation  Lake protection in India – Wetland Rules – Case Studies					
<b>Module 2: International Water Law</b>			<b>4</b>		<b>4</b>
An overview of International water law: Diffused nature of International Water Law; Treaties at the global, regional and bilateral level; Soft law instruments  Customary principles of international law in the field of water: limited sovereignty (equitable utilization), no harm, and peaceful resolution of disputes; Principles of polluter pays, prevention, precaution, sustainability and subsidiarity. UN Convention on the Law of the Non-Navigational Uses of International Watercourses, Helsinki Rules on the Uses of Waters of International Rivers;					
<b>Module 3: Ground Water</b>			<b>4</b>		<b>4</b>

Issues relating to ownership; State control; Various state laws; Model Ground Water Bill; Central Ground Water Commission			
Treaties and other instruments at the international level: United Nations Convention to Combat Desertification			
Regional Treaties; Non-Governmental instruments: Helsinki Rules, Berlin Rules, The Seoul Rules on International Ground waters [1986], International Law relating to Transboundary Aquifers: The Guarani Aquifer Agreement; ILC Draft Articles on the Law of Transboundary Aquifers			
<b>Module 4: Reforms</b>	4		2
Reasons; National Water Framework Law; Decentralisation; Private participation;			
<b>Module 5: Conflict Resolution and Liability</b>	4		2
Nature of conflicts; Different modes of dispute resolution National Level (Case Study India):			
Inter-State Water Disputes Act, 1956; Role of judiciary; Mullaperiyar dispute; Narmada Water Disputes Tribunal (NWDT)			
Liability: Nature; Tortious liability; Plachimada Tribunal Bill, 2011 International Tribunal: Kishanganga Arbitration			
<b>Total</b>	<b>22</b>		<b>12</b>
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>Class participation : 10</li> <li>Term Paper : 25</li> <li>Presentations : 25</li> <li>Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will: <ol style="list-style-type: none"> <li>Demonstrate the ability to understand the existing legislative and policy framework governing the water sector and recognition of various rights associated with water.</li> <li>Be able to critically appreciate and practically analyse various water laws and policies in the national and International level.</li> </ol>			
<b>Pedagogical approach</b> Predominantly based on classroom teaching and discussion. It is expected that the students come prepared with the readings, thus leading to a healthy discussion.			
<b>Materials</b> Suggested Readings <b>Books:</b> <ol style="list-style-type: none"> <li>Iyer, Ramaswamy R. (ed). (2009). Water and the Laws in India. New Delhi: Sage.</li> <li>Verghese, B G (2007). Waters of Hope. 4th ed. New Delhi: India Research Press.</li> <li>FAO. (1998). Sources of International Water Law. Rome: FAO Legal Service</li> <li>Iyer, Ramaswamy R. (2003). Water Perspectives, Issues , Concerns, New Delhi: Sage.</li> <li>Philippe Cullet, Sujith Koonan (eds.) (2017) Water Law in India: An Introduction to Legal Instruments, New Delhi, Oxford University Press India.</li> </ol>			

6. Nandita Singh, (2016). *The Human Right to Water: From Concept to Reality*, Springer.

#### **Journal Articles**

7. A Richards & N Singh, (2002), 'Inter-State Water Disputes in India: Institutions and Policies' 18/4 *International Journal of Water Resources Development* 611.
8. C.R. Bijoy, (2006). 'Kerala's Plachimada Struggle – A Narrative on Water and Governance Rights' 41/41 *Economic & Political Weekly* 4332-39
9. Daniel Aguilar, (2011). 'Groundwater Reform in India: An Equity and Sustainability Dilemma' 46 *Texas International Law Journal* 623
10. Jayanta Bandyopadhyay & Shama Perveen, (2004). 'Interlinking of Rivers in India - Assessing the Justifications', 39 *Economic and Political Weekly* 5307-16
11. M.P. Ram Mohan & K Chavaly, (2015). 'The Supreme Court of India and Inter-State Water Dispute: An Analysis of the Judgments on Mullaperiyar Dam', 17/6 *Water Policy* 1003
12. Phillipe Cullet (2012), 'Is Water Policy the new Water Law: Rethinking the Place of law in water sector reforms' 43/2 *Institute of Development Studies Bulletin* (
13. Phillipe Cullet, (2012) *Groundwater: Towards a new Legal and Institutional Framework*, International Environmental Research Centre <<http://www.ielrc.org/content/w1201.pdf>>
14. Vrinda Narain, (2010) 'Water as a Fundamental Right: A perspective from India' 34 *Vermont Law Review* 917

#### **Additional information (if any)**

#### **Student responsibilities**

Attendance, feedback, discipline etc.

#### **Course Reviewers:**

1. Dr. Jacob Joseph, Assistant Professor, NUALS
2. Mr. Sujith Koonan, Senior Teaching Fellow, Department of Law, SOAS

<b>Course title:</b> Climate Change and Law				
<b>Course code</b> MPL 134	<b>No. of credits: 2</b>	<b>L-T-P distribution: 12-16-0</b>	<b>Learning hours: 28</b>	
<b>Pre-requisite course code and title (if any):</b> None				
Department: Centre for Postgraduate Legal Studies				
<b>Course coordinator (s): TBA</b>		<b>Course instructor (s) : TBA</b>		
<b>Contact details: TBA</b>				
<b>Course type</b>	Elective			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b>				
Climate change is one of the main challenges facing humanity today. It has severe implications for the social, economic, and political life of people around the world. An attempt is made in this course to look at the legal responses both at the national and international level to this grave crisis. In addition, the course also looks at the impact of this phenomenon on other branches of law like the law of the sea and human rights.				
<b>Course objectives</b>				
1. To provide an understanding of the international and national laws relating to climate change.				
2. To understand the compliance mechanism envisaged under the international legal regime.				
3. To analyse the impact of climate change on other branches of law				
<b>Course Content</b>			<b>L</b>	<b>T</b>
<b>Module 1: Introduction</b>			<b>4</b>	
Climate Change: causes and effects Basic terminologies: Adaptation, Mitigation, Loss and Damage Equity concerns – Climate Justice				
<b>Module 2: International Legal Regime on Climate Change:</b>			<b>2</b>	<b>6</b>
UN Framework Convention on Climate Change – Kyoto Protocol - Doha Amendment - Paris Agreement Top – Down and Bottom – Up approach, NDCs – Enforcement Montreal Protocol and the Kigali Amendment International Organizations and Institutions: WMO, IPCC				
<b>Module 3: Clean Development Mechanism and REDD+</b>			<b>2</b>	<b>2</b>
CDM: Projects covered and excluded, Governance: International and national levels, Future of CDM projects under the Paris Agreement REDD+: Main elements – Warsaw Framework – Monitoring - Concerns				
<b>Module 4: National Scenario</b>			<b>2</b>	<b>4</b>
India’s obligations under International law NAPCC – Eight Missions – State Action Plans on Climate Change NDCs communicated under the Paris Agreement Energy Policies				
<b>Module 5: Impact on other areas of law and litigation</b>			<b>2</b>	<b>4</b>
Climate Change and the Law of the sea: Implications for sovereignty, Marine biodiversity. Climate change as a human rights issue Trade issues – Technology Transfer – IPRs Litigation Role of NGT				
<b>Total</b>			<b>12</b>	<b>16</b>

<b>Evaluation criteria</b>	
• Class participation	: 10
• Term Papers	: 25
• Presentations	: 25
• Major Test	: 40
<b>Learning outcomes</b>	
By the end of the course, it is expected that the students will:	
1. Be familiar with the international legal regime on climate change.	
2. Be able to appreciate the concerns raised on the ground of equity and the negotiating position of developing countries.	
<b>Pedagogical approach</b>	
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.	
<b>Materials</b>	
Suggested Readings	
<b>Books:</b>	
<ol style="list-style-type: none"> <li>1. Carlarne, Cinnamon P., Gray, Kevin R., and Tarasofsky, Richard (eds) (2016), <i>The Oxford Handbook of International Climate Change Law</i>, Oxford: Oxford University Press.</li> <li>2. French, Duncan and Rajamani, Lavanya (2013), "Climate Change and International Environmental Law: Musings on a Journey to Somewhere", <i>Journal of Environmental Law</i> 25 (3): 437-461.</li> <li>3. Carlarne, Cinnamon (2014), "Delinking International Environmental Law and Climate Change", <i>Michigan Journal of Environmental and Administrative Law</i>, 4: 1.</li> <li>4. Bodansky, Daniel (2016), "The Legal Character of the Paris Agreement", <i>Review of European, Comparative and International Environmental Law</i>, 25 (2): 142-150.</li> <li>5. DeSombre, Elizabeth R. (2000), "The Experience of the Montreal Protocol: Particularly Remarkable, and Remarkably Particular", <i>UCLA Journal of Environmental Law &amp; Policy</i> 19(1): 49.</li> <li>6. Bhullar, Lovleen (2013), "CDM and REDD+: A Comparative Perspective", <i>International Journal of Rural Law and Policy</i>, 3 (1): Article 3.</li> <li>7. Savaresi, Annalisa (2016), "A Glimpse into the Future of the Climate Regime: Lessons from the REDD+ Architecture", <i>Review of European, Comparative and International Environmental Law</i>, 25 (2): 186-196.</li> <li>8. David D.Caron (2013), "Climate Change and the Oceans", in Harry N. Scheiber and Jin-Hyun Paik, eds, <i>Regions, Institutions, and the Law of the Sea: Studies in Ocean Governance</i>, Leiden: Brill Press.</li> <li>9. McInerney-Lankford, Siobh'an (2009). "Climate Change and Human Rights: An Introduction to Legal Issues", <i>Harvard Environmental Law Review</i>, 33: 431 – 437.</li> </ol>	
<b>Additional information (if any)</b>	
<b>Student responsibilities</b>	
Attendance, feedback, discipline etc.	

#### Reviewers:

Dr. Anwar Sadat, Assistant Professor, Indian Society of International Law, New Delhi.

Dr. Jacob Joseph, Assistant Professor, National University of Advanced Legal Studies, Kochi.

<b>Course title:</b> Business and Taxation Laws				
<b>Course code</b> MPL 142	<b>No. of credits</b> 3	<b>L-T-P distribution:</b> 18-24-0	<b>Learning hours:</b> 42	
<b>Pre-requisite course code and title (if any)</b>				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s):</b> Dr. Vidhi M Chadda			<b>Course instructor (s):</b> Dr. Vidhi M Chadda	
<b>Contact details:</b> vidhim.chadda@terisas.ac.in				
<b>Course type</b>	<b>Core</b>			
<b>Course offered in</b>	<b>Semester 2</b>			
<b>Course Description</b> This course introduces the laws relating to Business and Taxation Laws with respect to infrastructure sector. It aims at providing the students comprehensive information about the formation of a company, and the legal issues involved its operation and management.				
<b>Course objectives</b> 1. To introduce various forms of business structures that are possible in infrastructure projects 2. To examine competition law and laws relating to taxation with respect to specific sectors of Infrastructure 3. To analyse specific infrastructure projects through case studies				
<b>Course content</b>			<b>L</b>	<b>T</b> <b>P</b>
<b>Module 1: <i>Business law and kinds of infrastructure projects</i></b>			<b>6</b>	<b>4</b>
Different forms of legal association Companies Act 2013; types of companies under Companies Act Legal provisions relating to Incorporation, Management and Winding up SPV; Joint Ventures, Public Private Partnership Models (PPP), Management Contract etc.				
<b>Module 2: <i>Competition Law</i></b>			<b>4</b>	
Competition Act, 2002: Anticompetitive agreements; Abuse of dominance; Combinations CCI; Role of sectoral regulators  Case studies				
<b>Module 3: <i>Taxation Laws under Infrastructure Sector</i></b>			<b>8</b>	<b>4</b>
Income Tax; Manner & Procedure of Charging from Different Modules of Infrastructure under Income Tax Act, 1961 as per there income earning capacities.  Stamp Duty; Manner & Procedure of Charging from Different Modules of Infrastructure under the Indian Stamp Act, 1899;  Works & Contract Tax; on different Modules of Infrastructure as per the terms & conditions decided between the parties.				



Sales Tax; Depending upon the nature of transactions by Different Modules of Infrastructure.			
Excise Duty; As Applicable on Different Modules of Infrastructure			
Custom Duty; As Applicable with the rules & regulations of working of Different Modules of Infrastructure.			
<b>Module 4: Infrastructure projects and case studies</b>		<b>16</b>	
Airports			
Roads and National Highways			
Railways			
Ports and shipping (The discussions will be around the topics covered in Modules 1, 2 and 3).			
<b>Total</b>	<b>18</b>	<b>24</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentation : 25</li> <li>• Final examination : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will: <ol style="list-style-type: none"> <li>1. Be able to grasp the nature of and forms of companies incorporated and competition issues in the infrastructure sector</li> <li>2. Be able to analyse various taxation laws applicable to the infrastructure sector.</li> <li>3. Have a comprehensive understanding of how firms operating in the specific infrastructure sectors are legally organised and managed.</li> </ol>			
<b>Pedagogical approach</b> 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.			
<b>Materials</b> <i>Statutes:</i> Airport Authority of India Act, 1994. Aircraft Act, 1934 National Highways Act, 1956 National Highways Authority of India Act, 1988 Indian Railways Act, 2012 Indian Companies Act, 2013 Income Tax Act, 1961  <i>Books:</i> <ol style="list-style-type: none"> <li>1. Joshi, Piyush (2003), <i>Laws Relating to Infrastructure Projects</i>, Second edition, New Delhi: LexisNexis Butterworths.</li> <li>2. Datar, Aravind P. and Balasubramanian S. (2014), <i>Ramaiya's Guide to the Companies Act</i>, Eighteenth Edition, New Delhi: LexisNexis.</li> </ol>			

3. Furse, Mark (2008), *Competition Law of the EC and the UK*, Sixth Edition, Oxford: Oxford University Press.
4. Ramappa, A. (2006), *Competition Law in India*, New Delhi: Oxford University Press.
5. Majumdar, A. K., Kapoor, G.K. and Dhamija, Sanjay (2014), *Company Law and Practice*, New Delhi: Taxmann Publication.
6. Singhania, Dr. V. & Singhania, Dr. K. (2016), *Direct Taxes, Law and Practice*, Fifty Sixth edition, New Delhi: Taxmann Publication.

<b>Additional information (if any)</b>
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<b>Student responsibilities</b>
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Attendance, feedback, discipline etc.
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Course Reviewers

1. Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune.
2. Dr. Lovely Dasgupta, Assistant Professor, West Bengal National University of Juridical Sciences, Kolkata.

<b>Course title:</b> Infrastructure Project Finance Law				
<b>Course code:</b> MPL 146	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 14-14-0		
Pre-requisite course code and title (if any):				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s) :</b> Dr. Binoy J. Kattadiyil		<b>Course instructor (s) :</b> Dr. Binoy J. Kattadiyil		
<b>Contact details :</b> bnc@binoynishanisha.in				
<b>Course type</b>	Core			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b> This course aims to provide an overview of the commercial and general legal context in which financing of the infrastructure sector, or project financing is undertaken. The course also covers the legislative and policy framework within which the project finance market operates in India. The course will explore and examine, methods and sources of project financing particularly in India, risks attached with financing of large scale infrastructure projects and project finance documentation in India.				
<b>Course objectives</b> 1. To provide an overview of the general legal context in which the infrastructure project finance take place in India. 2. To introduce the methods of project finance in India. 3. To gives students the opportunity to review and apply the law and practice of project financing to factual scenarios taken from actual project finance deals.				
<b>Course content</b>				
<b>Module</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1.	<b>Overview</b> <ul style="list-style-type: none"><li>• Overview of the project finance and structured finance market in India</li><li>• Regulatory overview of project finance in India - the role of Reserve Bank of India.</li><li>• Project Finance methods and structures</li><li>• Project Finance – risk management</li></ul> Case studies	3	3	
2.	<b>Project Finance Documentation</b> <ul style="list-style-type: none"><li>• Term Sheets</li><li>• Project Financing Documentation</li><li>• Loan Agreements</li><li>• Sponsor Support Agreements and Guarantees</li><li>• Trust and Retention/Escrow Agreements</li><li>• Inter-Creditor Agreements</li></ul> Case studies	4	4	
3.	<b>Security</b> <ul style="list-style-type: none"><li>• Securities in Project Finance – overview</li><li>• Security Documents</li><li>• Security Creation and Perfection</li></ul> Case studies	3	4	
4.	<b>Project Finance Issues</b> <ul style="list-style-type: none"><li>• Sub-debt</li></ul>	4	4	

	<ul style="list-style-type: none"> <li>• Legal Opinions</li> <li>• ‘Material Adverse Change’ and other market clauses</li> <li>• External Commercial Borrowings</li> </ul> Case studies		4	
	<b>Total</b>	<b>14</b>	<b>14</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class Participation 10 %</li> <li>• Essay 25%</li> <li>• Presentations 25%</li> <li>• Major Exam 40%</li> </ul>				
<b>Learning outcomes</b> At the end of the course it is expected that the students will: <ol style="list-style-type: none"> <li>1. Understand the legal basis and methods for project financing of infrastructure projects in India.</li> <li>2. Gain knowledge and understanding of international project finance methodologies and issues, as relevant in the Indian context.</li> <li>3. Understand the role of various players involved in a project finance transaction, the unique risks of a project finance transaction and ways and means to address such risk through the project finance documentation.</li> <li>4. Apply the knowledge gained in professional practice.</li> </ol>				
<b>Pedagogical approach</b> A combination of lecture based and tutorial based learning would be used. Case studies/sample documents would be used for initiating discussions on specific aspects of the Course.				
<b>Materials</b>  Suggested Readings <ol style="list-style-type: none"> <li>1. Joshi, Piyush (2003), <i>Law Relating to Infrastructure Projects</i>, 2<sup>nd</sup> Edn, New Delhi: Butterworths.</li> <li>2. Hoffman, Scott L. (2007), <i>The Law and Business of International Project Finance</i>, 3<sup>rd</sup> Edition, Cambridge: Cambridge University Press.</li> <li>3. Vinter, Graham (2013) <i>Project Finance</i>, 4<sup>th</sup> Edition, London: Sweet and Maxwell.</li> <li>4. Dewar, John (2015) <i>International Project Finance: Law and Practice</i>, 2<sup>nd</sup> Edition, Oxford: Oxford University Press</li> <li>5. Reserve Bank of India (RBI) Master Circulars</li> <li>6. Indian Banks Associations (IBA) – standard drafts of lending documents.</li> </ol>				
<b>Additional information (if any)</b> Students will be provided with hard copies of sample project and credit documents/clauses from time to time.				
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions. Students are expected to have basic understanding of the Contract Law and Transfer of Property Law.				

#### Course reviewers

1. Mr. Sumanto Basu, Partner, J Sagar Associates, New Delhi
2. Mr. Kumarjit Ray, Assistant Professor, NUJS, Kolkata

<b>Course title :</b> Legal Aspects of Bidding and PPP				
<b>Course code :</b> MPL 148	<b>No. of credits :</b>	<b>L-T-P distribution :</b> 12-16-0	<b>Learning hours :</b> 28	
<b>Pre-requisite course code and title (if any) :</b>				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator (s) :</b> Dr. Jaya Vasudevan		<b>Course instructor (s):</b> Dr. Jaya Vasudevan		
<b>Contact details :</b> jaya.vasudevan@terisas.ac.in				
<b>Course type</b>	Core			
<b>Course offered in</b>	Semester 2			
<b>Course Description:</b>  The course is designed to introduce students to the basic legal concepts of competitive bidding and PPP projects. It will also identify the financial and other risks related to bidding and PPP projects as well as challenges in execution of such contracts.				
<b>Course objectives :</b>  1. Apprise students about the basic principles of competitive bidding and PPP projects 2. Discuss the risks and benefits associated with bidding / PPP projects 3. Case law studies on important issues related to bidding / PPP projects 4. Discuss role of governments & regulators				
<b>S. No</b>	<b>Course Contents</b>	<b>L</b>	<b>T</b>	<b>P</b>
<b>1.</b>	<b>Module 1: Introduction to Competitive bidding</b>	<b>3</b>	<b>4</b>	
	Understanding the concept of bidding, basic rules applicable to bidding, its merits and demerits, Bidding vs Bilateral Contracts  Case discussion			
<b>2.</b>	<b>Module 2: Risks associated with bidding and execution of contracts</b>	3	4	
	Introduction to assessment of risks for purposes of bidding, risks related to execution of contracts, challenges in long term contracts – how to address changes and alterations in circumstances; change in law and force majeure clauses, termination and step in rights; dispute resolution  Case study: Review of bid documents for different projects			
<b>3.</b>	<b>Module 3: Introduction to PPP projects</b>	<b>3</b>	<b>4</b>	
	Understanding the concept of PPP projects, its merits and demerits, Role and duty of PPP developers, applicability of RTI Act, Financing models for PPP projects  Case discussion			
<b>4.</b>	<b>Module 4: Role of government and regulators</b>	3	4	
	Role of governments, courts and regulatory bodies in relation to PPP projects – risk of governmental and judicial interventions  Case discussion			
<b>Total</b>		<b>12</b>	<b>16</b>	<b>0</b>

<b>Evaluation procedure :</b>	
	Weightage (%)
• Class participation	: 10
• Term Paper	: 25
• Presentation	: 25
• Final examination	: 40
<b>Learning outcomes :</b>	
By the end of the course, it is expected that the students will be:	
1. Able to understand legal issues related to competitive bidding & PPP projects	
2. Appreciate business and regulatory risks related to PPP and infrastructure projects	
<b>Pedagogical approach :</b>	
The course will be taught through interactive sessions with reference to case laws and materials for understanding the legal issues related to infrastructure and PPP projects.	
<b>Suggested Readings :</b>	
1. Report of the Committee on Revisiting & Revitalizing the Public Private Partnership Model of Infrastructure (Kelkar Committee Report), November 2015	
2. Public Private Partnership Projects in India: Compendium of Case Studies, June 2015	
3. Public Private Partnerships (ppp) in Infrastructure Projects - Public Auditing Guidelines, Comptroller & Auditor General of India, 2009	
<b>Additional information (if any) :</b>	
<b>Student responsibilities :</b>	
Attendance: At-least 75% attendance will be necessary to be able to appear for the final exam.	

#### Course Reviewers:

1. Shri C S Vaidyanathan, Sr. Advocate, Supreme Court of India
2. Dr. Rajesh Babu, Associate Professor, Public Policy and Management, Indian Institute of Management, Calcutta.

<b>Course title:</b> International Environmental Law						
<b>Course code</b> MPL 152	<b>No. of credits:</b> 3	<b>L-T-P distribution:</b> 34-8-0		<b>Learning hours:</b> 42		
<b>Pre-requisite course code and title (if any):</b> Environmental Law and Policy (NRE 155/MPL 155)						
<b>Department:</b> Centre for Postgraduate Legal Studies						
<b>Course coordinator (s):</b> Dr. Vishnu Konoorayar			<b>Course instructor (s):</b> Dr. Vishnu Konoorayar			
<b>Contact details:</b> Vishnu.konoorillam@terisas.ac.in						
<b>Course type</b>	Core					
<b>Course offered in</b>	Semester 2					
<b>Course Description</b> With the environmental issues moving to the centre-stage of international relations, International Environmental Law (IEL) has emerged as a well-established branch of International Law. The development of IEL has huge implications for countries like India that is in the process of development. In this context, this course is an attempt to study the development, actors and coverage of IEL. An attempt is also made to map the linkages of IEL with other areas of law. The foundational course on <i>Environmental Law and Policy</i> offered in the first semester would help in making the linkages between IEL and national environmental laws. The critical understanding of International Law gained in the <i>Law and Justice in a Globalizing World</i> course would help in appreciating the concerns of the developing world.						
<b>Course objectives</b> 1. To analyse the historical foundations of IEL and the general principles around which it is built. 2. To understand the international legal regime on protection of environment and its linkages with other branches of International Law. 3. To critically analyse the compliance and dispute settlement mechanisms adopted and their effectiveness.						
<b>Course Content</b>				<b>L</b>	<b>T</b>	<b>P</b>
<b>Module 1: Introduction</b>				<b>8</b>	<b>2</b>	
Emergence of global environmental consciousness – Environmental protection in oriental civilisations  Influence of other disciplines: Science and Economics  History of IEL: From early fisheries conventions to Rio Conference and beyond. <i>Bering Sea and Trail Smelter Arbitrations</i>  Actors: States, International and Regional Organizations, Non-state actors (NGOs, Scientific Community, Corporates, Media etc.)  General Principles: Sovereign Rights over Natural Resources, Preventive action, Precautionary Principle, Polluter Pays Principle, Sustainable Development, Common but Differentiated Responsibility.  Developing Countries and IEL						

<b>Module 2: Substantive regulation</b>	<b>12</b>	<b>4</b>	
Protection of environmental media: Atmosphere, Land Resources, Forests, Biological Diversity, Freshwater resources, Oceans, seas and marine resources. Regulation of processes and activities: Biotechnology, Toxic chemicals, agricultural products, Waste			
<b>Module 3: State Responsibility, Compliance and Liability</b>	<b>8</b>	<b>1</b>	
State Responsibility, ILC Draft Articles, Implementation, Enforcement, Conflict Resolution. Role of Treaty Secretariats Liability			
<b>Module 4: Linkages with other areas of International Law</b>	<b>6</b>	<b>1</b>	
Trade Law: WTO, RTAs, Investment Law: BITs, Human Rights and Environmental protection			
<b>Total</b>	<b>34</b>	<b>8</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will be able to: <ol style="list-style-type: none"> <li>1. Appreciate the relevance and importance of international legal instruments in addressing global environmental concerns.</li> <li>2. Critique IEL from a developing country perspective.</li> <li>3. Be familiar with the dispute settlement mechanisms used to settle international environmental disputes.</li> </ol>			
<b>Pedagogical approach</b> Predominantly based on classroom teaching. In addition, role play and moot courts will be used. A lot of emphasis will be given on self-study. For this, study materials for each module will be circulated in advance.			
<b>Materials</b> Suggested Readings <b>Books:</b> <ol style="list-style-type: none"> <li>1. Sands, Philippe <i>et.al.</i> (2012), <i>Principles of International Environmental Law</i>, Third Edition, Cambridge: Cambridge University Press.</li> <li>2. Birnie, Patricia and Boyle, Alan (2004), <i>International Law and the Environment</i>, Oxford: Oxford University Press.</li> <li>3. Fitzmaurice, M. A. (2001), "International Protection of the Environment", <i>Recueil Des Cours Collected Courses</i>, Vol 293. The Hague: Hague Academy of International Law.</li> <li>4. Bowman, Michael, Davies, Peter and Redgwell, Catherine (2010), <i>Lyster's International Wildlife Law</i>, Second Edition, Cambridge: Cambridge University Press.</li> <li>5. Desai, Bharat (2003), <i>Institutionalizing International Environmental Law</i>, New York: Transnational Publishers.</li> <li>6. Bilder, Richard B. (1975), "The Settlement of Disputes in the Field of the International Law</li> </ol>			



<p>of the Environment”, <i>Recueil Des Cours Collected Courses</i>, Vol 139, The Hague: Hague Academy of International Law.</p> <p>7. Schrijver, Nico (2003), “The Evolution of Sustainable Development in International Law: Inception, Meaning and Status”, <i>Recueil Des Cours Collected Courses</i>, Vol 309, The Hague: Hague Academy of International Law.</p> <p>8. P. W. Birnie, and A. Boyle(eds) (1995), <i>Basic Documents on International Law and the Environment</i>, Oxford: Oxford University Press.</p> <p><b>Articles:</b></p> <p>1. Sohn, Louis B. (1973), “The Stockholm Declaration on the Human Environment”, <i>Harvard International Law Journal</i>, 14: 423-515.</p> <p>2. Bodansky, Daniel (1993), “The United Nations Framework Convention on Climate Change: A Commentary”, <i>The Yale Journal of International Law</i>, 18 (2): 451-558.</p> <p>3. Sands, Philippe (1993), “International Law on Sustainable Development”, <i>British Yearbook of International Law</i>.</p> <p>4. Schacter, Oscar (1991), “Development of International Environmental Law”, <i>Journal of International Affairs</i>, 44 (2): 457-493.</p> <p>5. Henne, Gudrun and Fakir, Saliem (1999), “The Regime Building of the Convention on Biological Diversity on the Road to Nairobi”, <i>Max Planck UNYB</i> 3: 315-361.</p> <p>6. Sadat, Anwar (2009), “Strengths and Limitations of the Kyoto Protocol: Compliance Mechanisms”, <i>Indian Journal of International Law</i>, 49 (2): 510-533.</p>
<b>Additional information (if any)</b>
<p><b>Student responsibilities</b></p> <p>Students are expected to come prepared with readings and actively participate in the discussions.</p>

Course Reviewers:

1. Prof. Arup Poddar, Professor, West Bengal National University of Juridical Sciences, Kolkata.
2. Dr. Jacob Joseph, Assistant Professor, National University of Advanced Legal Studies, Kochi.

<b>Course title:</b> Mining and Mineral Laws			
<b>Course code</b> MPL 154	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 10-18-0	<b>Learning hours:</b> 28
<b>Pre-requisite course code and title (if any):</b> None			
<b>Department:</b> Centre for Postgraduate Legal Studies			
<b>Course coordinator (s):</b> Ms. Manisha Badoni		<b>Course instructor (s):</b> Ms. Manisha Badoni	
<b>Contact details:</b> manisha.badoni1@terisas.ac.inss			
<b>Course type</b>	Core		
<b>Course offered in</b>	Semester 2		
<b>Course Description</b> Minerals play a significant role in the economic development of a state. Therefore the state has a larger role in regulating the extraction of minerals, which is particularly important for developing countries. Broadly there are three phases in the nature of policies and regulation of the mining sector in developing countries. First, the colonial polices on mining, which favoured private companies from the colonial state. Second, post-World War II policies, which were adopted by most states of the Asia and Africa after their independence in a trend of nationalisation and the involvement of State Owned Enterprises. Third, post globalization neoliberal policies, which aimed at attracting foreign direct investment in the sector. Presently, India, a state rich in minerals, has a federal set-up for regulation of mining and minerals. Its regulatory structure and trajectory closely resembles to that of other developing countries. This course examines the laws and policies relating to the mining sector in India. Since mining is an activity that has externalities, mining law does not stand in neglect of issues relating to environment and tribal rights, setting an epistemological connection between mining law and law relating to environment and tribal rights. Hence the course has a substantial scope for critically understanding such issues.			
<b>Course objectives</b> The course aims to:  1. provide an overview of the legal and policy framework on the mining sector in India  2. understand the causal forces which have been transforming the laws and policies on the sector  3. survey and appraise the major reformative efforts in the sector  4. analyse the impact of mining on the environment and tribal rights and the possibilities of legislation/regulation/policy on mining and minerals in mitigating the externalities caused to environment.  5. provide the participants an inside-out view by familiarizing them with decision-making, enforcement, and dispute settlement/avoidance.			
<b>Course content</b>	<b>L</b>	<b>T</b>	<b>P</b>
<b>Module 1: Introduction and Legal Framework</b>	<b>4</b>		
An introduction to the mining sector in India Allocation of jurisdiction over minerals and mines under the Constitution Minor minerals and other minerals An overview of Policies: National Mineral Policy, 1993; National Mineral Policy, 2008; National Mineral and Exploration Policy, 2016. Overview of laws: Indian Mines Act, 1952; Mines and Minerals (Development and Regulation ) Act, 1957; Atomic Energy Act, 1962; Oilfields (Regulation and Development) Act, 1948 Proprietary rights over minerals: Articles 294 and 297 Coal Nationalisation laws			

<b>Module 2: Laws relating to Prospecting and Mining</b>	<b>2</b>	<b>4</b>	
Mines and Minerals (Development and Regulation) Act, 1957; Mineral Concession Rules, 1960; Mineral Conservation and Development Rules (MCDR) 1988 Powers of Central and State Governments; Reconnaissance permit, Prospecting and Mining licenses/lease, Composite License: Duration, termination etc. Method of grant of license: Auctions Amendments to the MMDR Act Captive mines Royalty: Different types: Unit based, ad valorem, share of profit Character and legal nature: Whether tax or not. 2015 Amendments: District Mineral Foundation, National Mineral Exploration Trust Role of Indian Bureau of Mines, State Departments of Mines and Geology			
<b>Module 3: Mining and Environmental Issues</b>	<b>2</b>	<b>6</b>	
Environmental laws and their applicability to the mining sector, Water and Air Pollution, EIA, Forest and Wildlife Clearance Illegal Mines: Justice Shah Commission Report on Illegal Mining in the State of Goa Role of NGT Sustainable Development Framework, Sustainable mining Initiative			
<b>Module 4: Mining and Laws relating to Scheduled Areas and Tribal Rights</b>	<b>2</b>	<b>2</b>	
Article 244, Schedule V and VI Areas, Restriction on Transfer of Land Panchayats (Extension to Scheduled Areas) Act, 1996 Impact of 2015 Amendments FRA			
<b>Module 5: Conflicts and local communities</b>		<b>6</b>	
Causes, Role of governments, civil society organisations, courts Case studies			
<b>Total</b>	<b>10</b>	<b>18</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Assignment : 25</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> The course will provide the students: <ol style="list-style-type: none"> <li>1. familiarity with the normative legal framework on mining in India</li> <li>2. the ability to appreciate policy-shifts and policy-decisions on mining in India</li> <li>3. knowledge on dispute settlement in the mining sector and ability to imagine dispute avoidance in the sector</li> <li>4. ability to understand externalities cost and propose solutions, particularly in the context externalities of mining like environmental damage and threat to the life and livelihood of tribal population</li> </ol>			
<b>Pedagogical approach</b> Lectures and discussions will be the prominent mode of teaching. 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****Cases:**

1. *Thresiamma Jacob v. Geologist, Department of Mines and Geology* (2013)
2. *In re: Natural Resources Allocation* (2012)
3. *Manohar Lal Sharma v. Principal Secretary* (2014)
4. *India Cement Ltd. v. State of Tamil Nadu* (1990)
5. *State of West Bengal v. Kesoram Ltd.* (2004)
6. *Mineral Area Development Authority v. Steel Authority of India* (2011).
7. *Goa Foundation v. Union of India* (2014)
8. *Samatha v. State of Andhra Pradesh* (1997)

**Books and Articles**

1. Seth, D. D. (2012), *Encyclopaedia of Mining Laws*, Fifth Edition, Lucknow: Eastern Book Company.
2. Khanna, Arpita A. (2013), “Governance in Coal Mining: Issues and Challenges”, *TERI – NFA Working Paper*, New Delhi: TERI.
3. Szablowski, David (2007), *Transnational Law and Local Struggles: Mining Communities and the World Bank*, Oxford: Hart Publishing.
4. ISID (2012), *Sustainable Development: Emerging Issues in India’s Mineral Sector*, New Delhi: Planning Commission.
5. Sreejith, S. G. (2015), “Vedanta and the philosophy of international law: From human sociality to a human reality”, *Indian Journal of International Law*, 55 (1): 3-38.

**Additional information (if any)****Student responsibilities**

Students are expected to come prepared with readings and actively participate in the discussions.

**Course Reviewers**

1. Dr. S. G. Sreejith, Associate Professor, Jindal Global Law School, Sonapat.
2. Dr. Nupur Chowdhury, Center for Law and Governance, Jawaharlal Nehru University, New Delhi.

<b>Course title:</b> Environmental Aspects of Business Activities				
<b>Course code</b> MPL 156	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 14-14-0	<b>Learning hours:</b> 28	
<b>Pre-requisite course code and title (if any):</b> Environmental Law and Policy (NRE 155/MPL 155)				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s) :</b> Dr. Lakshmi Raghupati		<b>Course instructor (s):</b> Dr. Lakshmi Raghupati		
<b>Contact details:</b> Lakshmi.raghupati@terisas.ac.ins				
<b>Course type</b>	Core			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b> 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 business 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 voluntary 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 <i>Environmental Law and Policy</i> .				
<b>Course objectives</b> 1. To analyse various environmental regulations that have a bearing on business activities. 2. To understand the liability principles and its importance in mergers and acquisitions. 3. To provide an overview of the voluntary initiatives by the industry to address environmental concerns.				
<b>Course Content</b>		<b>L</b>	<b>T</b>	<b>P</b>
<b>Module 1: Introduction</b>		<b>4</b>		
The changing nature of business and its interaction with nature Nature as a commodity, valuation issues, property rights Greening of Business Environmental Standards: ISO 14000 family Forest Stewardship Council, Marine Stewardship Council Sustainable Stock Exchange Initiative, Sustainability Reporting CSR requirements under the Companies Act				
<b>Module 2: Consent and industrial siting</b>		<b>2</b>	<b>2</b>	
Consent requirements: Consent to operate and establish Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981 PCBs/CPCB/PCC: powers, composition etc. Uniform consent rules Environment (Siting for Industrial Projects) Rules, 1999 Manufacture, Storage and Import of Hazardous Chemical Rules, 1989				
<b>Module 3: Environmental Clearance</b>		<b>2</b>	<b>4</b>	
Concept of EIA; Models-mandatory, discretionary Environment (Protection) Act, 1986, EIA notification- categorization, steps involved, general conditions, validity and monitoring; Appeal – role of NGT				
<b>Module 4: Clearances under the Forest and Wildlife Protection Laws</b>		<b>2</b>	<b>4</b>	
Forest (Conservation) Act, 1980; Procedure for forest clearance; Different stages; Valuation, Compensatory afforestation CEC, NGT Wildlife (Protection) Act, 1972 and clearances				

<b>Module 5: Biological Diversity</b>	<b>2</b>	<b>2</b>	
Biological Diversity Act, 2002; Access and Benefit sharing; IPR issues, Protection of Plant Varieties and Farmers' Rights Act, 2001.			
<b>Module 6: Liability and other issues</b>	<b>2</b>	<b>2</b>	
Legal principles relating to liability; Public Liability Insurance Act, 1991; Liability for nuclear accidents Extended Producer Responsibility: E-Waste (Management) Rules, 2016, Plastic Waste (Management and Handling) Rules, 2016 Importance in Mergers & Acquisitions			
<b>Total</b>	<b>14</b>	<b>14</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will be able to: <ol style="list-style-type: none"> <li>1. Identify various environmental issues involved in business operations and be in a position to prepare client briefs.</li> <li>2. Spell out various compliance requirements under environmental laws and advise clients accordingly.</li> </ol>			
<b>Pedagogical approach</b> 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.			
<b>Materials</b> Suggested Readings <ol style="list-style-type: none"> <li>1. Kohli, Kanchi and Menon, Manju (eds.) (2016), <i>Business Interests and Environmental Crisis</i>, New Delhi: Sage.</li> <li>2. UNEP (2015), <i>Stock exchanges and Sustainability</i>, Geneva: International Environment House.</li> <li>3. OECD (2006), <i>Environmental Compliance and Enforcement in India: Rapid Assessment</i>, New Delhi: OECD India.</li> </ol>			
<b>Additional information (if any)</b>			
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.			

Course Reviewers

1. Ms. Els Rynaers Kini, Partner, M. V. Kini & Co., Mumbai.
2. Prof. Bindu Ronald, Professor, Professor, Symbiosis Law School, Pune.

<b>Course title:</b> Forest Law and Policy			
<b>Course code</b> MPL 158	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 24-4-0	<b>Learning hours:</b> 28
<b>Pre-requisite course code and title (if any):</b> None			
<b>Department:</b> Centre for Postgraduate Legal Studies			
<b>Course coordinator (s):</b> Mr. Amrithnath S.B.		<b>Course instructor (s) :</b> Mr. Amrithnath S.B.	
<b>Contact details:</b> amrithsb@gmail.com			
<b>Course type</b>	Core		
<b>Course offered in</b>	Semester 2		
<b>Course Description</b> State’s approach towards forests has changed over a period of time. From being considered as an impediment to agriculture during the initial years of colonization, forests were seen as an important source of revenue during a significant part of the colonial rule. The discourse on climate change has forced to view forests as carbon sinks. This course is an attempt to provide an overview of the forest laws and policies both at the national and international level.			
<b>Course objectives</b>  1. To understand the legal regime on forestry in India and the changes in the policy over a period of time. 2. To analyse the role of local communities in forest management under various laws and policies. 3. To appreciate the evolving international law in the field and the concerns of the developing countries.			
<b>Course Content</b>	L	T	P
<b>Module 1: Introduction</b>	4		
History of forest laws and policies in India: Different stages Functions of forests, Purposes of forest management Definition of forests and its importance			
<b>Module 2: Overview of the legal regime</b>	6	1	
Constitutional Provisions – Indian Forest Act 1927, Classification of forests – Forest (Conservation) Act, 1980 – CAMPA, 2016 –Forest Rights Act, 2006 – Role of Judiciary: Forest Conservation case			
<b>Module 3: Forest dwellers and forest governance</b>	4	1	
Van Panchayats, Joint Forest Management, Forest Rights Act, 2006 PESA and its impact on forest governance			
<b>Module 4: Wildlife conservation and forests</b>	4	1	
Wildlife (Protection) Act, 1972 – Protected Areas – Forest dwellers and wildlife conservation, Interface with FRA Environment (Protection) Act, 1986 – ESA Notifications			
<b>Module 5: International Legal regime on forests</b>	6	1	
Regional Agreements: Trends; Soft law instruments: Stockholm Declaration, World Charter for Nature, Rio Declaration, Agenda 21, Forest Principles 1992, Forestry Principles, 2007, SDGs – Goal 15. Treaties: Ramsar Convention, CITES, CBD, UNFCCC, Kyoto Protocol, Paris Agreement, World Heritage Convention, International Tropical Timber Agreement			

REDD+, Economic Law and Forests			
<b>Total</b>	<b>24</b>	<b>4</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25s</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will: <ol style="list-style-type: none"> <li>1. Be able to critically analyse the forest laws and policies both at the national and international level.</li> <li>2. Be able to contribute to the debates and literature on the subject in the form of articles and comments.</li> </ol>			
<b>Pedagogical approach</b> Predominantly based on classroom teaching. A lot of emphasis will be given for self-study. For this module wise reading material will be distributed in advance.			
<b>Materials</b> Suggested Readings <ol style="list-style-type: none"> <li>1. Dutta, Ritwick (2012), <i>Supreme Court on Forests</i>, New Delhi: Universal.</li> <li>2. Gadgil, Madhav and Guha, Ramachandra (1992), <i>This Fissured Land: An Ecological History of India</i>, Berkely: University of California Press.</li> <li>3. Guha, Ramachandra (1989), <i>The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya</i>, Berkely: University of California Press.</li> <li>4. Poddar, et al (Eds.) (2011), <i>Forest Laws and Policies in India</i>, Kolkatta: Regal Publishers.</li> <li>5. Divan, Shyam &amp; Rosenzcraz, Armin (2001), <i>Environmental Law &amp; Policy in India</i>, New Delhi: Oxford University Press.</li> <li>6. Tucker, Richard P. (2012), <i>A Forest History of India</i>, New Delhi: Sage Publications.</li> <li>7. Lele, Sharachchandra and Menon, Ajit (2014), <i>Democratizing Forest Governance in India</i>, New Delhi: Oxford University Press.</li> <li>8. Sahu, Geetanjay (2014), <i>Environmental Jurisprudence and the Supreme Court</i>, New Delhi: Orient BlackSwan.</li> <li>9. Singh C. (1986), <i>Common Property and Common Poverty</i>, New Delhi: Oxford University Press.</li> <li>10. Upadhyay S. and Upadhyay V. (2002), <i>Hand Book on Environmental Law- Forest Laws, Wildlife Laws and the Environment</i>, Vol. I, New Delhi: Lexis Nexis- Butterworths-India.</li> <li>11. Hooker, Ann (1994), "The International Law of Forests", <i>Natural Resources Journal</i>, 34: 823- 877.</li> </ol>			
<b>Additional information (if any)</b>			
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.			

Course Reviewers:

1. Prof. Arup Poddar, Professor, West Bengal National University of Juridical Sciences, Kolkata.
2. Dr. Jacob Joseph, Assistant Professor, National University of Advanced Legal Studies, Kochi.



Course title : Energy Law				
Course code : MPL 159		No. of credits : 2	L-T-P distribution : 8-20	
Learning hours : 28				
Pre-requisite course code and title (if any) :				
Department: Centre for Postgraduate Legal Studies				
Course coordinator (s) : Ms. Nidhi Srivastava			Course instructor (s) : Ms. Nidhi Srivastava	
Contact details : nidhisrivastava.work@gmail.com				
Course type		Elective		
Course offered in		Semester 2		
Course Description:				
Energy availability and access forms the backbone of new modern economy. Many of the conventional energy sources that are in existence for long are seen as polluting in the context of climate commitments. The alternative forms are still in the process of development. The course on energy law will covers major sources of energy and its legal aspects relating to access, regulatory environment, business and environmental aspects.				
Course objectives :				
Energy law course provides students both an overview of applicable laws relating to energy sector in India and also undertakes a critical legal analysis of specific areas of energy sector. The main objectives are, 1. Mapping of various laws and policies relating to energy sector 2. Case studies on energy sector covering government policies, judicial decisions and topics such as environment, business, national and international trade etc.				
Course Contents:				
Module	Topic	L	T	P
1.	Module 1: Introduction to energy sector scenario and law	1		
	National and international scenario and institutions in energy sector; legal basis for energy regulation in India; access issues on energy and electrification.			
2.	Module 2: Oil, Gas and Petroleum Law	2	5	
	Legal basis for OG&P sector regulation (Pre- New Exploration Licensing Policy (NELP) phase); NELP and Production Sharing Contracts; Open Acreage License Policy; laws governing pricing mechanism (including competition laws); proposed reforms; Hydrocarbon Exploration Licensing Policy and Revenue Sharing Contracts; policies and guidelines related to unconventional gases (CBM and shale gas); proposed reforms (post Rangarajan Committee Report on Petroleum Pricing.)  Case study: (groups to choose two) 1. Petroleum pricing and legal issues 2. Gas price dispute between Government and Reliance Industries 3. BP Oil spill disaster and liability issues			
3.	Module 3: Law relating to coal sector	1	5	

	<p>Coal sector in India; broad outlines of the laws applicable; Legislative powers pertaining to coal sector and Regulation of mines and mineral development; Nationalization of coal sector and post liberalisation reforms; Coal sector and environmental Issues; MMDR Act (and its amendments); Compensatory Afforestation Fund Management and Planning Authority and Forest Rights issues</p> <p>Case study (groups to choose two)</p> <ol style="list-style-type: none"> <li>1. Coal sector and NGT- Bhopal NGT Bench as an example</li> <li>2. Health and safety in coal industry</li> <li>3. Coal thermal power plant and consenting process</li> <li>4. The Coal Mines (Special Provisions) Act, 2015</li> </ol>			
<b>4.</b>	<b>Module 4: Renewable Energy Law</b>	<b>2</b>	<b>5</b>	
	<p>National and State level Renewable Energy policies and programmes; general legal issues in Renewable Energy sector; Climate change and Renewable Energy promotion; Draft National Renewable Energy Act 2015; Pricing of Renewable Energy by State Electricity Regulatory Commissions</p> <p>Case study: (groups to choose two)</p> <ol style="list-style-type: none"> <li>1. Structuring and legal issues in setting up a Renewable Energy Project. Students can choose any one of project</li> <li>2. WTO Solar Panel Case</li> <li>3. Subsidy and taxation in RE projects</li> </ol>			
<b>5.</b>	<b>Module 5: Nuclear Energy and Law</b>	<b>2</b>	<b>5</b>	
	<p>Nuclear energy programme and plans; institutions involved in promotion and regulation of nuclear energy; issues and challenges of nuclear energy; environmental concerns; international regulation of nuclear energy</p> <p>Framework of nuclear energy promotion, regulation and safety in India and National and international legal regime for civil nuclear liability</p> <p>Case study: (groups to choose two)</p> <ol style="list-style-type: none"> <li>1. Kudankulam Project judgment of Madras High Court/Supreme Court</li> <li>2. Public participation in nuclear projects</li> <li>3. Nuclear regulatory regime and safe handling of radioactive substance (Delhi University case as example)</li> <li>4. Discussion of an EIA of one of the NPPs</li> </ol>			
<b>Total</b>		<b>8</b>	<b>20</b>	<b>0</b>
<b>Evaluation procedure:</b> Weightage (%) <ul style="list-style-type: none"> <li>• Class participation : 10</li> </ul>				

<ul style="list-style-type: none"> <li>• Assignment : 25</li> <li>• Presentation : 25</li> <li>• Final examination : 40</li> </ul>
<p><b>Learning outcomes :</b></p> <p>By the end of the course, it is expected that the students will be:</p> <ol style="list-style-type: none"> <li>1. Able to understand specific sectoral legal issues and the nature of energy business</li> <li>2. Appreciate the critical legal issues relating to energy, environment and society</li> </ol>
<p><b>Pedagogical approach :</b></p> <p>The energy law course will be taught through interactive sessions based on prior circulated readings. Many legal principles have a strong relation with sector policies and politics, and also court decisions. An introductory lecture on specific sector issues and legal framework will be given in each module. Subsequent classes will be based on tutorials where students will have a central role in identifying and discussing and legal issues.</p>
<p><b>Suggested Readings :</b></p> <p>Basic readings are provided below. Other than basic reading, literatures and case study will be circulated in advance to prepare the tutorials.</p> <ul style="list-style-type: none"> <li>• Report of expert committee on integrated energy policy, 2006</li> <li>• The Final Report of the Expert Group on Low Carbon Strategies for Inclusive Growth, Planning Commission, 2014</li> <li>• India Energy Outlook, World Energy Outlook Special Report, 2015</li> <li>• Evaluation Report on Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY), Planning Commission 2014</li> <li>• Indian Brand Equity Fund Foundation, Oil &amp; Gas sectoral reports (Monthly updates)</li> <li>• Statutory updates by Ministry of petroleum &amp; Natural Gas official website (<a href="http://petroleum.nic.in">http://petroleum.nic.in</a>)</li> <li>• PwC reports (<a href="http://www.pwc.in/government-reforms-and-infrastructure-development/oil-and-gas-publications.html">http://www.pwc.in/government-reforms-and-infrastructure-development/oil-and-gas-publications.html</a>)</li> <li>• Governance of the Petroleum and Natural Gas Sector in India: A Status Note, TERI-NFA Working Paper Series No. 15</li> <li>• Report of the Committee on the Production Sharing Contract Mechanism in Petroleum Industry <a href="http://eac.gov.in/reports/rep_psc0201.pdf">http://eac.gov.in/reports/rep_psc0201.pdf</a></li> <li>• Report of the Committee on Gas Pricing – 2014, <a href="http://petroleum.nic.in/docs/committee_report_on_gas_pricing_2014.pdf">http://petroleum.nic.in/docs/committee_report_on_gas_pricing_2014.pdf</a></li> <li>• Regulations &amp; Tariff Orders Issued By Regulatory Commissions For Renewable Energy Sources In India (<a href="http://mnre.gov.in/file-manager/Compendium/Program.htm">http://mnre.gov.in/file-manager/Compendium/Program.htm</a>)</li> <li>• Renewable Energy Policies and Guidelines.(Wind, solar, hydro, biofuels and others- Centre and States)</li> <li>• Policies Governing Regulation of Nuclear and Radiation Safety, <a href="http://www.aerb.gov.in/AERBPortal/pages/English/prsrel/policies.pdf">http://www.aerb.gov.in/AERBPortal/pages/English/prsrel/policies.pdf</a></li> </ul> <p>Sector laws will be discussed throughout the modules</p>
<p><b>Additional information (if any) :</b></p>
<p><b>Student responsibilities :</b></p> <p>Attendance: At-least 75% attendance will be necessary to be able to appear for the final exam.</p>

#### Course Reviewers:

Nishant Beniwal, Counsel, Khaitan & Co, New Delhi  
Dr J Nandakumar, Energy Studies Programme, JNU

<b>Course title:</b> Telecommunications Law				
<b>Course code</b> MPL 161	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 12-16-0	<b>Learning hours:</b> 28	
<b>Pre-requisite course code and title (if any):</b> None				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s) :</b> TBA		<b>Course instructor (s):</b> TBA		
<b>Contact details:</b> TBA				
<b>Course type</b>	Elective			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b> Telecommunication is a key infrastructure for economic and industrial development. The reforms carried out in the sector, including the entry of private operators, have resulted in unprecedented growth in the sector. This course is an attempt to look at the telecommunication laws and policies in India. As the distinction between telecommunication and broadcasting technologies are getting blurred with the convergence of technologies, this course also takes a look at the broadcasting laws.				
<b>Course objectives</b> 1. To understand the legal framework for telecommunications in India. 2. To critically analyse the regulatory structure and various regulatory agencies in the telecommunication sector. 3. To understand the legal issues involved in the broadcasting sector.				
<b>Course Content</b>			<b>L</b>	<b>T</b>
<b>Module 1: Introduction</b>			<b>4</b>	
Telecommunication Networks and Technological developments: Network scenario: Fixed, Mobile and Internet/Broadband networks, Convergence  History of regulation in India  Telegraph Act, 1885: Legislative history, definition of telegraph, Government's power. The Indian Wireless Telegraphy Act, 1933 Reforms in the sector: National Telecom Policy, 1994; New Telecom Policy, 1999; National Telecom Policy, 2012 Broadband Policy, 2004				
<b>Module 2: Regulatory Framework on Telecommunications</b>			<b>4</b>	<b>6</b>
Governing Legislation: Telegraph Act, 1885, The Telecom Regulatory Authority of India Act, 1997, 2000 Amendments. Key Regulatory and Policy Making Agencies: Department of Telecommunications: Role and Functions, Licensing, Spectrum Allocation, Universal Service Obligation Fund Telecom Regulatory Authority of India: Composition, Role and Functions, Recommendatory and Regulatory Powers Key TRAI Regulations: Interconnection, Tariffs, Quality of Service, Number Portability, Radiation and Safety Issues, Accessibility, Net Neutrality				
<b>Module 3: Consumer Protection and Competition Policy</b>			<b>2</b>	<b>5</b>
Different types of disputes, Provisions under the Telegraph Act, 1885; Role of TDSAT under TRAI Act; Role of TRAI and the regulations for				

Consumer Protection, Role of Consumer Courts Competition Policy and Telecom sector.			
<b>Module 4: Broadcasting and Cable Regulation</b>	<b>2</b>	<b>5</b>	
Legal issues relating to right to broadcast – powers of Ministry of Information and Broadcasting, TRAI Self-regulation			
<b>Total</b>	<b>12</b>	<b>16</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>Class participation : 10</li> <li>Term Paper : 25</li> <li>Presentations : 25</li> <li>Major Test : 40</li> </ul>			
<b>Learning Outcomes:</b> By the end of the course, it is expected that the students will be: <ol style="list-style-type: none"> <li>Able to familiarise with the legal framework for telecommunications in India.</li> <li>Able to effectively resolve the problems/disputes in the area of telecommunication sector in India.</li> </ol>			
<b>Pedagogical approach</b> 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.			
<b>Materials</b> Suggested Readings <ol style="list-style-type: none"> <li>Raghavan, Vikram (2007), <i>Communications Law in India</i>, New Delhi: LexisNexis Butterworths.</li> <li>Bajpai, Manjul (2008), “Telecom Law and Telecom Dispute Settlement Mechanism in India - A Bird's Eye View”, <a href="http://tdsat.nic.in/New%20Compendium19.11.2008/roman_V_1/Manjul_1-36.pdf">http://tdsat.nic.in/New%20Compendium19.11.2008/roman_V_1/Manjul_1-36.pdf</a></li> <li>Prasad, Rohit and Sridhar, V. (2008), “A Critique of Spectrum Management in India”, <i>Economic and Political Weekly</i>, 43 (38): 13-17.</li> <li>Chowdary, T. H. (2000), “For an Independent and Effective Telecom Regulator”, <i>Economic and Political Weekly</i>, 35 (19): 1599-1601.</li> <li>Chowdary, T. H. (2000), “Telecom Regulation and Consumer Welfare”, <i>Economic and Political Weekly</i>, 37 (43): 4354-4356.</li> <li>Consultation Papers issued by TRAI from time to time on various issues</li> </ol>			
<b>Additional information (if any)</b>			
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.			

Course Reviewers:

- Dr. Anirban Majumdar, Associate Professor, West Bengal national University of Juridical Sciences, Kolkata.
- Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune.

<b>Course title :</b> Electricity Law, Reforms and Practice				
<b>Course code :</b> MPL 163	<b>No. of credits :</b> 2	<b>L-T-P distribution :</b> 12-16	<b>Learning hours :</b> 28	
<b>Pre-requisite course code and title (if any) :</b>				
<b>Department:</b> Centre for Post Graduate Legal Studies				
<b>Course coordinator (s) :</b> TBA		<b>Course instructor (s) :</b> TBA		
<b>Contact details :</b> TBA				
<b>Course type</b>		<b>Elective</b>		
<b>Course offered in</b>		<b>Semester 2</b>		
<b>Course Description:</b> This course deals with the legal, policy and business issues concerning the electricity sector of India. It is designed to provide the students with a comprehensive overview of the subject, and the opportunity to explore legal responses to social and economic challenges which the sector faces. The course will involve advanced study of topical legal issues with the aid of real life case studies.				
<b>Course objectives :</b>  This course will give the students an overview of electricity laws and policies in India, take them through the reform cycles that has taken place in Indian electricity sector, and equip the students with the practice of electricity laws. The main objectives are: 1. Mapping of various laws and policies relating to electricity sector; 2. Understanding the reform agenda and policy objectives impacting the electricity sector; and 3. Case studies to get insight into the practice of electricity laws covering government policies, judicial decisions, topics such as open access, parallel licensing, tariff fixation etc.				
<b>Course Contents:</b>				
<b>Module</b>	<b>Topic</b>	<b>L</b>	<b>T</b>	<b>P</b>
1.	<b>Introduction to electricity laws and reforms in India</b>  Political and legislative history of electricity laws and reforms; legal, political and social conflicts surrounding electricity regulation; constitutional and legal basis for electricity regulation in India	2		
2.	<b>Indian Power Sector and Electricity Act, 2003</b>  Overview of Indian power sector; scheme and salient features of EA03; legal and regulatory concepts under EA03; key institutions under EA03; role of government in electricity regulation; EA03 and business interface; walk through of EA03 provisions; critics view point on EA03	2		
3.	<b>Concept of Open Access, Parallel Licensing and power trading</b>  Understanding concept of open access; regulatory provisions and challenges in implementation of open access; multiple licensees in distribution - importance and impediments; provisions regarding power trading, power exchange and market development; captive generating plant  <i>Case studies and Class room exercise:</i>	2		5

4.	<b>Renewable Energy – Regulatory framework</b>  Provisions regarding renewable energy under EA03; regulatory treatment of renewable energy; government policies and programmes  <i>Case studies:</i>	2	2	
5.	<b>Tariff Determination - Generation, Transmission, Distribution</b>  Principles and process for tariff determination; regulatory norms for tariff fixation; concept of ABT and UI mechanism; scheduling and despatch and grid system; POC charges and transmission tariff; Multi Year Tariff; cost plus tariff fixation versus tariff discovery through competitive bidding;  <i>Case studies and Class room exercise:</i>	2	4	
6.	<b>Opportunities and Challenges of electricity regulation in India – Generation, Transmission, Distribution, Trading</b>  Opportunities in electricity sector; challenges in electricity regulation; regulatory uncertainty; issues relating to fuel shortage and power evacuation; subsidy; tariff design; T&D loss; network laying; balancing competition and consumer interest etc.  <i>Case studies and Class room exercise:</i>	2	5	
<b>Total</b>		<b>12</b>	<b>16</b>	<b>0</b>
<b>Evaluation procedure :</b>  <div style="text-align: right;">Weightage (%)</div> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentation : 25</li> <li>• Final examination : 40</li> </ul>				
<b>Learning outcomes :</b> By the end of the course, it is expected that the students will be: <ol style="list-style-type: none"> <li>1. Able to understand specific sectoral legal issues and the regulatory challenges of electricity business</li> <li>2. Appreciate the critical legal and regulatory issues relating to electricity, business and society</li> </ol>				
<b>Pedagogical approach :</b> The electricity law course will be taught through interactive sessions based on prior discussed readings. Many legal principles have a strong relation with sector policies and politics, and also court decisions. The course will brief introduce specific sector issues and legal framework. Subsequent classes will be based on tutorials where students will have a central role in discussing and raising legal issues.				

**Suggested Readings :**

1. Report of Expert Committee on State-Specific Reforms - Structuring of APDRP, Reform Framework and Principles of Financial Restructuring of SEBs, Ministry of Power, Government. of India, September 2002.
2. Report of the Expert Group on Restructuring SEBs, Group headed by Montek Singh Ahluwalia, 2001.
3. Lok Sabha Debates, Electricity Bill 2001.
4. Electrifying India - Regional Political Economies of Development, Sunila S. Kale, Stanford University Press, 2014.

**Additional information (if any) :****Student responsibilities :**

Attendance: At-least 75% attendance will be necessary to be able to appear for the final exam.

**Course Reviewers:**

Mr. Sakya Chaudhuri, Partner, HSA Advocates

Mr. Sanjay Sen, Senior Advocate, Supreme Court



<b>Course title:</b> Competition Law and Policy				
<b>Course code</b> MPL 165	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 22 – 0 - 12	<b>Learning hours:</b> 28	
<b>Pre-requisite course code and title (if any):</b> Infrastructure Law and Policy (MPL 157)				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s):</b> TBA		<b>Course instructor (s):</b> TBA		
<b>Contact details:</b> TBA				
<b>Course type</b>	Elective			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b> Competition law is aimed at protecting the process of competition within the market. Since the nineties, almost all developing countries have enacted competition laws in the lines of the laws of developed countries. This course is an attempt to address some of the issues in competition law that is of interest to countries like India. This course builds on the basic course on <i>Competition law</i> at the undergraduate level and the <i>Infrastructure Law and Policy</i> course offered in the I Semester.				
<b>Course objectives</b> 1. To understand the need and rationale for competition law from a developmental perspective. 2. To critically examine some of the crucial issues like the interface with IPR laws, regulatory laws, environmental laws, and public procurement laws. 3. To critically analyse the emerging international competition law and its impact on developing countries.				
<b>Course Content</b>			<b>L</b>	<b>T</b> <b>P</b>
<b>Module 1: Introduction</b>			<b>10</b>	
Objectives of competition law and policy – Basic concepts: relevant market, anti-competitive agreements, abuse of dominant position and anti-competitive combinations – Evolution of Indian competition law Emerging International Competition Law – Extraterritorial application – WTO agreements – FTAs				
<b>Module 2: Competition Law and Regulation</b>			<b>4</b>	<b>4</b>
Role of sectoral regulators in competition issues – case studies of infrastructure sector				
<b>Module 3: Competition Law and IPRs</b>			<b>4</b>	<b>4</b>
Objectives: complimentary or contradictory? – Competition law remedies for IPR abuses: compulsory licensing – TRIPS provisions				
<b>Module 4: Competition Law and other Government Policies</b>			<b>4</b>	<b>4</b>
Competition law and public procurement – methods of public procurement – bid rigging, collusive bidding and cartelization Competition law and environmental policy – impact of environmental policy on competition: barriers to entry, collusion – Types of governmental interventions and its impact on competition Competition law and labour law – freedom of association and collective bargaining				
<b>Total</b>			<b>22</b>	<b>12</b>

**Evaluation criteria**

- Class participation : 10
- Term Paper : 25
- Presentations : 25
- Major Test : 40

**Learning outcomes**

By the end of the course, it is expected that the students would have:

1. Acquired a critical understanding of competition law and its impact on developing countries like India
2. Acquired the skills to contribute to the academic literature on competition law in the form of position papers, review articles etc.

**Pedagogical approach**

Predominantly based on classroom teaching. In addition, role play and moot courts will be used. A lot of emphasis will be given on self-study. For this, study materials for each module will be circulated in advance.

**Materials****Suggested Readings**

1. Kumar, A. (2007), *The Evolution of Competition Law in India*, in Vinod Dhall (ed.), Dhall, Vinod (ed.), *Competition Law Today: Concepts, Issues, and the Law in Practice*, New Delhi: Oxford University Press.
2. Government of India (2000), *Report of the High-Level Committee on Competition Policy and Law*
3. Singh, A. (1999), *Competition Policy, Development and Developing Countries*, South Centre
4. Sands, Philippe *et.al.* (2012), *Principles of International Environmental Law*, Third Edition, Cambridge: Cambridge University Press. Ch. 19.
5. Gallego, Beatriz C. (2010), —Intellectual Property Rights and Competition Policy, in Correa, Carlos M. (Ed.) *Research Handbook on the Protection of Intellectual Property under WTO Rules: Intellectual Property in the WTO*, Volume I, Cheltenham: Edward Elgar.
6. Korah, Valentine (2007), —Competition Law and Intellectual Property Rights, in Dhall, Vinod (ed.), *Competition Law Today: Concepts, Issues, and the Law in Practice*, New Delhi: Oxford University Press.
7. Mazhuvanchery, Shiju (2010), “Indian Competition Act: A Historical and Developmental Perspective”, *The Law and Development Review*, Vol. 3, No. 2, Article 8.
8. OECD (2006), *Environmental Regulation and Competition*, OECD Policy Roundtables, available at <https://www.oecd.org/daf/competition/1920007.pdf>
9. Nordic Competition Authorities (2010), *Competition Policy and Green Growth: Interactions and Challenges*, available at [http://en.samkeppni.is/media/skyrslur-2010/competition\\_policy\\_and\\_green\\_growth\\_final\\_version.pdf](http://en.samkeppni.is/media/skyrslur-2010/competition_policy_and_green_growth_final_version.pdf)
10. Rubiano, Camilo (2013), *Collective Bargaining and Competition Law: A Comparative Study on the Media, Arts and the Entertainment Sectors*, available at [https://www.fim-musicians.org/wp-content/uploads/fim\\_study\\_competition.pdf](https://www.fim-musicians.org/wp-content/uploads/fim_study_competition.pdf)
11. Vagstad, S. (1995), *Promoting fair competition in public procurement*, *Journal of Public Economics*, 58 (2), 283-307
12. Noonan, Chris (2008), *The Emerging Principles of International Competition Law*, Oxford: Oxford University Press.
13. Taylor, Martyn D. (2006), *International Competition Law*, Cambridge: Cambridge University Press.

<b>Additional information (if any)</b>
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.

Course Reviewers:

1. Dr. Nitya Nanda, Fellow, TERI, New Delhi.
2. Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune.

<b>Course title:</b> Urban Infrastructure Law and Management					
<b>Course code</b> MPL 166	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 12-16-0	<b>Learning hours:</b> 28		
<b>Pre-requisite course code and title (if any):</b> None					
<b>Department:</b> Centre for Postgraduate Legal Studies					
<b>Course coordinator (s):</b> Prof. Shri Prakash		<b>Course instructor (s):</b> Prof. Shri Prakash			
<b>Contact details:</b> shri.prakash@terisas.ac.in					
<b>Course type</b>	Elective				
<b>Course offered in</b>	Semester 2				
<b>Course Description</b> It is expected that the increasing urbanization in India will exert tremendous pressure on urban infrastructure. Laws and policies play a significant role in improving urban infrastructure. In this context, this course is an attempt to provide an overview of the laws and policies relating to urban infrastructure. The course provides an introduction to the urban governance structure in India, an overview of different policies and a critical analysis of the laws and policies in the particular sector.					
<b>Course objectives</b> 1. To provide an overview of the urban governance system in India and the various policies at the national level having a bearing on urban infrastructure. 2. To analyse various laws and policies applicable in different sectors of urban infrastructure.					
<b>Course Content</b>			<b>L</b>	<b>T</b>	<b>P</b>
<b>Module 1: Introduction</b>			<b>2</b>	<b>6</b>	
Urbanization – Theories - Trends – Basic urban infrastructure services  Urban Governance: 74th Constitutional Amendment – Different state and municipal laws – Different types of local bodies – Mayor in council – standing committees – ward committees  Reforms – Area sabhas – public disclosure law – community participation law – e – governance – financial reforms  An Overview of Urban Development Policies and Programmes: Smart Cities, AMRUT, JNNURM, Pradhan Mantri Awas Yojana-Housing for All (PMAY-HFA), Shyama Prasad Mukherji National Rurban Mission (NRuM) etc.  Accessibility  SDGs and Urban Infrastructure: Goal 11					
<b>Module 2: Urban Planning</b>			<b>2</b>	<b>2</b>	
Town and country planning laws – Development Authorities - Master plans – Land acquisition – land pooling – land ceiling laws					
<b>Module 3: Urban Environment</b>			<b>2</b>	<b>2</b>	
Air and water pollution – solid waste management – public spaces					
<b>Module 4: Urban Mobility</b>			<b>2</b>	<b>2</b>	
Metro – BRT – Mono rail – last mile connectivity					

<b>Module 5: Housing</b>	<b>2</b>	<b>2</b>	
Apartment legislations – Rent control – stamp duty – Real Estate Law – Model Building Bye Laws Slum development			
<b>Module 6: Provision of services</b>	<b>2</b>	<b>2</b>	
Para statals – Private participation			
<b>Total</b>	<b>12</b>	<b>16</b>	
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students will: <ol style="list-style-type: none"> <li>1. Be able to appreciate the problems facing urban infrastructure sector and the various policy responses at the national level.</li> <li>2. Be able to make contributions in the form of articles, comments etc. analysing and suggesting reforms in the sector.</li> </ol>			
<b>Pedagogical approach</b> 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.			
<b>Materials</b> Suggested Readings <ol style="list-style-type: none"> <li>1. Baud, I.S.A. and de Wit, J. (2009), <i>New Forms of Urban Governance in India - Shifts, Models, Networks and Contestations</i>, New Delhi: SAGE Publications India.</li> <li>2. Sivaramakrishnan, K.C. (2009), <i>Courts, Panchayats and Nagarpalikas</i>, New Delhi: Academic Foundation.</li> <li>3. Vaidya, Chetan (2009), <i>Urban Issues, Reforms and Way Forward in India</i>, Department of Economic Affairs, Government of India</li> <li>4. Policy documents, and documents related to various urban development programmes available from the sites of the Ministry of Urban Development and Ministry of Housing and Urban Poverty Alleviation, Government of India (<a href="http://urban.india.nic.in">http://urban.india.nic.in</a>; <a href="http://mhupa.gov.in">http://mhupa.gov.in</a>; <a href="http://jnnurm.nic.in">http://jnnurm.nic.in</a>)</li> <li>5. Batra, L. (2009), “A Review of Urbanisation and Urban Policy in Post-Independent India”, Working Paper Series, New Delhi: Centre for the Study of Law and Governance Jawaharlal Nehru University.</li> </ol>			
<b>Additional information (if any)</b>			
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.			

Course Reviewers:

1. Dr. Rajesh Babu, Associate Professor, Public Policy and Management, Indian Institute of Management, Calcutta.
2. Dr. Anil B. Suraj, Centre for Public Policy, Indian Institute of Management, Bangalore.

<b>Course title:</b> Hazardous Waste Law				
<b>Course code:</b> MPL 182	<b>No. of credits:</b> 2	<b>L-T-P distribution:</b> 22 – 0 – 12		<b>Learning hours:</b> 28
<b>Pre-requisite course code and title (if any):</b> Environmental Law and Policy (MPL 155)				
<b>Department:</b> Centre for Postgraduate Legal Studies				
<b>Course coordinator (s):</b> TBA		<b>Course instructor (s):</b> TBA		
<b>Contact details:</b> TBA				
<b>Course type</b>	Elective			
<b>Course offered in</b>	Semester 2			
<b>Course Description</b> With more than 40,000 industries engaged in hazardous activities, hazardous waste poses peculiar problems for a country like India. This elective course is an attempt to study the national and international framework on hazardous waste management. Radio-active waste and municipal waste in not covered in this course				
<b>Course objectives</b> 1. To understand the national and international legal regime on hazardous waste management. 2. To critically examine some of the crucial issues in waste management like the international trade in hazardous waste, producers’ liability etc. 3. To critically analyse the laws relating to e waste and bio-medical waste.				
<b>Course Content</b>			<b>L</b>	<b>T</b> <b>P</b>
<b>Module 1: Introduction</b>			<b>10</b>	<b>0</b>
Definition of Hazardous waste International Legal framework: Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal, 1989, Bamako Convention, 1991, EU Directive 2008/98/EC Legal Framework in India: Environment (Protection) Act, 1986 and the various Rules enacted under it				
<b>Module 2: Management of Hazardous waste</b>			<b>4</b>	<b>4</b>
Prevention, Minimization, Reuse, Recycling, Recovery and Safe disposal. Different methods of disposal and prohibition of disposal at certain sites Packaging and transport Liability: Extended producer liability The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.				
<b>Module 3: International Movement</b>			<b>4</b>	<b>4</b>
Proximity principle Obligations of the exporting and importing countries – Prior Informed Consent – Basel Ban Ship breaking industry in India: A case study – Hong Kong Convention – Role of Judiciary				
<b>Module 4: E Waste and Household waste</b>			<b>4</b>	<b>4</b>
E – waste: Definition – magnitude of the problem in India – Recycling industry The E-Waste (Management) Rules, 2016 – Coverage – Responsibility of manufacturer, producer, dealer, customer, dismantler, recycler – Liability				

Household hazardous waste			
The Batteries Management and Handling Rules, 2001			
<b>Total</b>	<b>22</b>		<b>12</b>
<b>Evaluation criteria</b> <ul style="list-style-type: none"> <li>• Class participation : 10</li> <li>• Term Paper : 25</li> <li>• Presentations : 25</li> <li>• Major Test : 40</li> </ul>			
<b>Learning outcomes</b> By the end of the course, it is expected that the students would have: <ol style="list-style-type: none"> <li>1. Acquired a critical understanding of environmentally sound management of hazardous waste</li> <li>2. Acquired the skills to contribute to the academic literature on the subject in the form of position papers, review articles etc.</li> </ol>			
<b>Pedagogical approach</b> Predominantly based on classroom teaching. In addition, role play and moot courts will be used. A lot of emphasis will be given on self-study. For this, study materials for each module will be circulated in advance.			
<ol style="list-style-type: none"> <li>1. Sands, Philippe et al (2012), <i>Principles of International Environmental Law</i>, Third edition, Cambridge University Press, Cambridge.</li> <li>2. Divan, Shyam and Rosencranz, Armin (2001), <i>Environmental Law and Policy in India</i>, Second edition, Oxford University Press, New Delhi.</li> <li>3. Kellenberg, Derek and Levinson, Arik (2014), “Waste of Effort? International Environmental Agreements”, <i>Journal of the Association of Environmental and Resource Economists</i>, Vol. 1 (1/2): 135-169.</li> <li>4. Johri, Rakesh (2008), <i>E-waste: Implications, Regulations and Management in India and Current Global Best Practices</i>, TERI Press, New Delhi.</li> <li>5. Rousmaniere, Peter and Raj, Nikhil (2007), “Ship Breaking in the Developing World: Problems and Prospects”, <i>International Journal of Occupational and Environmental Health</i>, Vol. 13 (4): 359-368.</li> <li>6. Gidwani, Vinay and Corwin, Julia (2017), “Governance of Waste”, <i>Economic and Political Weekly</i>, Vol. 52 (31): 44-54.</li> </ol>			
<b>Additional information (if any)</b>			
<b>Student responsibilities</b> Students are expected to come prepared with readings and actively participate in the discussions.			

Course Reviewers:

1. Dr. Suneel Pandey, Fellow, TERI, New Delhi.
2. Dr. Jacob Joseph, Assistant Professor, National University of Advanced Legal Studies, Kochi.