

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, <div><div>1. Mapping of various laws and policies relating to energy sector</div><div>2. Case studies on energy sector covering government policies, judicial decisions and topics such as environment, business, national and international trade etc.</div></div>				
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) <div><div>1. Petroleum pricing and legal issues</div><div>2. Gas price dispute between Government and Reliance Industries</div><div>3. BP Oil spill disaster and liability issues</div></div>			
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"> 1. Coal sector and NGT- Bhopal NGT Bench as an example 2. Health and safety in coal industry 3. Coal thermal power plant and consenting process 4. The Coal Mines (Special Provisions) Act, 2015 			
4.	Module 4: Renewable Energy Law	2	5	
	<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"> 1. Structuring and legal issues in setting up a Renewable Energy Project. Students can choose any one of project 2. WTO Solar Panel Case 3. Subsidy and taxation in RE projects 			
5.	Module 5: Nuclear Energy and Law	2	5	
	<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"> 1. Kudankulam Project judgment of Madras High Court/Supreme Court 2. Public participation in nuclear projects 3. Nuclear regulatory regime and safe handling of radioactive substance (Delhi University case as example) 4. Discussion of an EIA of one of the NPPs 			
Total		8	20	0

Evaluation procedure: <ul style="list-style-type: none"> • Class participation • Term paper • Presentation • Test 3 	Weightage (%) <ul style="list-style-type: none"> : 10 : 25 : 25 : 40
Learning outcomes : By the end of the course, it is expected that the students will be: <ol style="list-style-type: none"> 1. Able to understand specific sectoral legal issues and the nature of energy business 2. Appreciate the critical legal issues relating to energy, environment and society 	
Pedagogical approach : 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.	
Suggested Readings : Basic readings are provided below. Other than basic reading, literatures and case study will be circulated in advance to prepare the tutorials. <ul style="list-style-type: none"> • Report of expert committee on integrated energy policy, 2006 • The Final Report of the Expert Group on Low Carbon Strategies for Inclusive Growth, Planning Commission, 2014 • India Energy Outlook, World Energy Outlook Special Report, 2015 • Evaluation Report on Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY), Planning Commission 2014 • Indian Brand Equity Fund Foundation, Oil & Gas sectoral reports (Monthly updates) • Statutory updates by Ministry of petroleum & Natural Gas official website (http://petroleum.nic.in) • PwC reports (http://www.pwc.in/government-reforms-and-infrastructure-development/oil-and-gas-publications.html) • Governance of the Petroleum and Natural Gas Sector in India: A Status Note, TERI-NFA Working Paper Series No. 15 • Report of the Committee on the Production Sharing Contract Mechanism in Petroleum Industry http://eac.gov.in/reports/rep_psc0201.pdf • Report of the Committee on Gas Pricing – 2014, http://petroleum.nic.in/docs/committee_report_on_gas_pricing_2014.pdf • Regulations & Tariff Orders Issued By Regulatory Commissions For Renewable Energy Sources In India (http://mnre.gov.in/file-manager/Compendium/Program.htm) • Renewable Energy Policies and Guidelines.(Wind, solar, hydro, biofuels and others- Centre and States) • Policies Governing Regulation of Nuclear and Radiation Safety, http://www.aerb.gov.in/AERBPortal/pages/English/prsrel/policies.pdf <p>Sector laws will be discussed throughout the modules</p>	
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:

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