

**SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR**



**WITH EFFECT FROM 2017-18
COURSE STUDY**

**GROUP E
LLM
(ENVIRONMENT & LEGAL ORDER LAW)**

SEM I	<p>Core Subject: 1. Indian Constitution Law: the New Challenges -I 2. Law and Social Transformation in India</p>	<p>Elective Subjects: Environment & Legal Order: Group E 3. Environment And Development: Law And Policy-I 4. Environmental Legislation-I 5. Environment And International Legal Order-I</p>
SEM II	<p>1. Indian Constitution Law: the New Challenges–II 2. Jurisprudence</p>	<p>Elective Subjects: Environment & Legal Order: Group E 3. Environment And Development: Law And Policy-II 4. Environmental Legislation-II 5. Environment And International Legal Order-II</p>
SEM III	<p>1. Judicial Process 2. Legal Education and Research Methodology</p>	<p>Elective Subjects: Environment & Legal Order: Group E 3. Resource Management and the Law 4. Prevention and Control of pollution 5. Biological diversity and legal orders</p>
SEM IV	<p>1. Dissertation & Viva Voce 2. Class Room Teaching 3. Doctrinal Research 4. Non Doctrinal Research 5. Clinical Research Report</p>	

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CORE SUBJECTS/COURSES

SEMESTER I

Group B	Criminal Law
Group C	Business Law
Group E	Environment & Legal Order
Group G	Constitution & Legal Order
Group J	Human Rights Law

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01CLEN21	Course Title: Indian Constitutional Law: the New Challenges-I	
Course Credit :	Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	Federalism <ul style="list-style-type: none"> • Creation of new states • Allocation and share of resources - distribution of grants in aid • The inter-state disputes on resources • Rehabilitation of internally displaced persons. • Centre's responsibility and internal disturbance within States. • Directions of the Centre to the State under Article 356 and 365 • Federal Comity: Relationship of trust and faith between Centre and State. • Special status of certain States. • Tribal Areas, Scheduled Areas 	
2	State: Need for widening the definition in the wake of liberalization. <ul style="list-style-type: none"> • Democratic process • Nexus of politics with criminals and the business. • Election • Election commission: status. • Electoral Reforms • Coalition government, 'stability, durability, corrupt practice' • Grass root democracy. 	
3	Right to equality: privatization and its impact on affirmative action. <ul style="list-style-type: none"> • Doctrine of severability, doctrine of waiver • law and law in force, The Mandal case • national commission for backward classes 	
4	Law regarding Empowerment of women <ul style="list-style-type: none"> • Human trafficking, mercy killing 	

	<ul style="list-style-type: none"> • Human right jurisprudence • Natural justice and due process 	
5	Right to Freedom <ul style="list-style-type: none"> • Freedom of press and challenges of new scientific development • Freedom of speech and right to broadcast and telecast. • Right to information • Right to strikes, hartal and bandh. 	

REFERENCE BOOKS

1. Durga das Basu - Introduction To The Constitution Of India
2. Durgadas Basu - Shorter Constitution Of India
3. V.N. Shukla - Constitution Of India
4. Seervai - Indian Constitution
5. J.N.Pandey - Constitutional Law Of India
6. Dr. K.C. Joshi - The Constitution Law Of India

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FACULTY: LAW LL.M. (CBCS)

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01CLEN22 Course Credit :	Course Title: Law and Social Transformation in India-I Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	<p>Law and Social change</p> <ul style="list-style-type: none"> • Law as an instrument of social change. • Law as the product of traditions and culture. Criticism and evaluation in the light of colonisation and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India. <p>Women and the law</p> <ul style="list-style-type: none"> • Crimes against women. • Gender injustice and its various forms. • Women's Commission. • Empowerment of women: Constitutional and other legal provisions. <p>Children and the law</p> <ul style="list-style-type: none"> • Child labour. • Sexual exploitation. • Adoption and related problems. • Children and education. 	
2	<p>Language and the law</p> <ul style="list-style-type: none"> • Language as a divisive factor: formation of linguistic states. • Constitutional guarantees to linguistic minorities. • Language policy and the Constitution: Official language; multi-language system. • Non-discrimination on the ground of language. <p>Community and the law</p> <ul style="list-style-type: none"> • Caste as a divisive factor • Non-discrimination on the ground of caste. • Acceptance of caste as a factor to undo past injustices. • Protective discrimination: Scheduled castes, tribes and backward classes. • Reservation; Statutory Commissions., Statutory provisions. 	

<p>3</p>	<p>Regionalism and the law</p> <ul style="list-style-type: none"> • Regionalism as a divisive factor. • Concept of India as one unit. • Right of movement, residence and business; impermissibility of state or regional barriers. • Equality in matters of employment: the slogan "Sons of the soil" and its practice. • Admission to educational institutions: preference to residents of a state. <p>Religion and the law</p> <ul style="list-style-type: none"> • Religion as a divisive factor. • Secularism as a solution to the problem. • Reform of the law on secular lines: Problems. • Freedom of religion and non-discrimination on the basis of religion. • Religious minorities and the law 	
<p>4</p>	<p>Modernisation and the law</p> <ul style="list-style-type: none"> • Modernisation as a value: Constitutional perspectives reflected in the fundamental duties. • Modernisation of social institutions through law. • Reform of family law • Agrarian reform - Industrialisation of agriculture. • Industrial reform: Free enterprise v. State regulation - Industrialisation environmental protection. • Reform of court processes. • Criminal law: Plea bargaining; compounding and payment of compensation to victims. • Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok adalats. • Prison reforms. • Democratic decentralisation and local self-government. 	
<p>5.</p>	<p>Alternative approaches to law</p> <ul style="list-style-type: none"> • The jurisprudence of Sarvodaya--- Gandhiji, Vinoba Bhave; Jayaprakash Narayan---Surrender of dacoits; concept of grama nyayalayas. • Socialist thought on law and justice: An enquiry through constitutional debates on the right to property. • Indian Marxist critique of law and justice. • Naxalite movement: causes and cure 	

REFERENCE BOOKS

1. Marc Galanter - Law and Society in Modern India (1997), Oxford
2. Robert Lingat- The Classical Law of India (1998), Oxford
3. U. Baxi -The Crisis of the Indian Legal System (1982). Vikas, New, Delhi
4. Manushi- A Journal About Women and Society

5. Duncan Derret - The State, Religion and Law in India (1999). Oxford University Press, New Delhi
6. H.M.Seervai -Constitutional Law of India (1996)
7. D.D. Basu-Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi
8. Law and Menace of Child Labour (2000) Armol Publications,Delhi.- Sunil Deshta and Kiran Deshta
9. Malik and Raval - Law and social transformation
10. Tripathi -Indian Law Institute, Law and Social Change : Indo-American Reflections,

ELECTIVE SUBJECTS
SEMESTER I

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FACULTY : LAWLL.M. (CBCS)

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELEN21	Course Title: ENVIRONMENT AND DEVELOPMENT: LAW AND POLICY-I	
Course Credit :	Course Type : Optional Paper 1	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	The Idea of Environment <ul style="list-style-type: none"> • Ancient and medieval writings • Traditions 	
2	Natural and biological sciences: perspectives Modern concept: Conflicting dimension	
3	Development <ul style="list-style-type: none"> • Theories of development • Right to development 	
4	<ul style="list-style-type: none"> • Sustainable development - national and international perspectives • Developing economies 	
5	Policy and Law <ul style="list-style-type: none"> • From Stockholm to Rio and after • Post - Independence India 	

REFERENCES BOOKS:

1. C.M. Abraham - Environmental Jurisprudence in India (1999), Kluwer
2. MadhavGadgil and RamachandraGuha - This Fissured Island: An Ecological History of India (1996), Oxford.
3. R.B. singh& Suresh Misra -Environmental Law in India (1996), Concept Publishing Co., New Delhi.
4. Kailash Thakur - Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
5. Richard L. Riversz, et. al. (eds.) - Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
6. Christopher D.Stone - Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996) -Oceana
7. Stuart Bell and Donald McGillivray, Environmental Law (2000), Blackstone Press.
8. Charles A.R. Webster -Environmental Health Law (1981)
9. Leelakrishnan, P et. al. (eds.) Law and Environment (1990), Eastern

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FACULTY : LAW LL.M. (CBCS)**

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELEN22	Course Title: ENVIRONMENTAL LEGISLATION-I	
Course Credit :	Course Type : Optional Paper 3	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	General Laws on Environmental Concern <ul style="list-style-type: none"> • Code of Criminal Procedure : Public nuisance • Provisions in the Indian Penal code • Local bodies law : an overview 	
2	Environment (Protection) Act,1986 <ul style="list-style-type: none"> • 'Necessary and proper clause' : concentration of power on the Central Government 	
3	Environment (Protection) Act,1986 <ul style="list-style-type: none"> • Delegated legislation: power to make rules, regulation and to issue directions • Delegation of powers 	
4	Coastal Zone Management <ul style="list-style-type: none"> • Sea erosion 	
5	CRZ Notification <ul style="list-style-type: none"> • Prohibitions and exemptions • Permissible activities • Classification of zones 	

REFERENCES BOOKS:

1. Leelakrishnan -P et. al. (eds.), Law and Environment (1990), Eastern, Lucknow
2. Leelakrishnan, P -The Environmental Law in India (1999), Butterworths, India.
3. Department of Science and Technology- Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report).
4. Indian Law Institute, Environment Protection Act: An Agenda for Implementation (1987)
5. Indian Journal of Public Administration - Special Number on Environment and Administration, July September 1988, Vol. XXXV, No.3 Findley - R.W. and Farber, D.A., Environmental Law

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SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELEN23	Course Title: ENVIRONMENT AND INTERNATIONAL LEGAL ORDER-I	
Course Credit :	Course Type : Optional Paper 3	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	International Concern for Environment Protection <ul style="list-style-type: none"> • World environment movement 	
2	<ul style="list-style-type: none"> • Natural and cultural heritage • Role of international and regional organizations 	
3	International Obligations towards Sustainable Development <ul style="list-style-type: none"> • International financing policy • World environment fund 	
4	Global Environmental Facility (GEF) <ul style="list-style-type: none"> • International co-operation • Poverty alleviation 	
5	Marine Environment <ul style="list-style-type: none"> • Marine resources: conservation and exploitation • Scientific research and exploration • Antarctic environment 	

REFERENCE BOOK:

1. PriyaKanjaniTrivedi - International Environmental Laws (1996), A.P.H. Publishing Corporation, New Delhi.
2. Sir Elworthy and Jane Holder - Environmental Protection: Text and Materials (1997), Butterworths
3. Nathali L.T.J. Horbach -Contemporary Developments in Nuclear Energy Law (1999), Kluwer.
4. HenrickRingbom (ed.) - Competing Norms in the Law of Marine Environmental Protection (1997), Kluwer.
5. Claus Bosselmann and Benjamin J. Richardson - Environmental Justice and Market Mechanism(1999), Kluwer.
6. Jean-Pierre Beurier - New Tehnologies and Law of Marine Environment (2000), Kluwer.
7. Richard L.Reversz et.al. (eds.)- Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
8. DovorVidas - Protecting the Polar Marine Environment (2000), Cambridge.
9. AynsleyKellor - International Toxic Risk Management (1999), Cambridge.

10. ZhiguoGao - Environmental Regulation of Oil and Gas (1998), Kluwer.
11. Indian Law Institute - Legal Control of Environmental Pollution (1980)
12. Varshney, C.K. (ed.)- Water Pollution and Management (1983), Wiley Eastern, New Delhi