

**SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR**



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

**LLM (Environment & Legal Order)
SEMESTER II
CORE SUBJECTS**

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

SEMESTER : II (w.e.f. July, 2017)		
Course Code : PL02CLEN21	Course Title: Indian Constitution Law: the New Challenges–II	
Course Credit :	Course Type : Core compulsory Optional Paper	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	Credit
1	Emerging regime of new rights and remedies Rights of life and personal liberty Reading Directive Principles and Fundamental Duties into Fundamental Rights Compensation jurisprudence under the constitution Right to education Commercialization of education and its impact. Brain drain by foreign education market.	
2	Right of minorities to establish and administer educational institutions and state control. Inter relation of Art-14,19 and 21 old and present view Inter relation of Art-32 and 226 Constitutional safeguards and minorities in India	
3	Secularism Secularism and religious fanaticism	

	Right against exploitation Right to freedom of religion Uniform civil code and new challenge	
4	Separation of powers: stresses and strain Judicial activism and judicial restraint. PIL: implementation. Judicial independence. Appointment, transfer and removal of judges. Accountability: executive and judiciary. Tribunals	
5	Basic Structure , Amendment & Constitution The constitution and environmental justice Amendment of constitution Basic structure theory of constitution Emergency provisions under the constitution	

Reference books:

1. Marc Galanter (ed.)- 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. U. Baxi (ed.) -Law and Poverty Critical Essays (1988). Tripathi, Bombay.
5. Manushi - A Journal about Women and Society.
6. Duncan Derret -The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
7. H.M. Seervai -Constitutional Law of India (1996), Tripathi.
8. D.D. Basu -Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi

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

SEMESTER : II (w.e.f. July, 2017)		
Course Code : PL02CLEN22	Course Title: Jurisprudence	
Course Credit :	Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	Definition or Meaning , Nature & Scope of Jurisprudence School of Jurisprudence	
2	Concept of Law Kinds of Law Sources of Law – Custom, Legislation & Precedent State & Sovereignty Administration of Justice	
3	Legal Concepts Concepts of Rights& Duties Nature of Law Concepts of Ownership	
4	Concepts of Possession Concepts of Titles Concepts of Liabilities Concepts of Personality	
5.	Concepts of Law of Obligation Concepts of Property Theories of Negligence Wrongful Acts	

REFERENCE BOOKS:

1. Bodenheimer - Jurisprudence - The Philosophy and Method of Law (1996) Universal, Delhi.
2. Fetzgerald (ed) - Salmond on Jurisprudence (1999) Tripathi, Bombay
3. W. Frieridmarin- Legal Theory (1999) Universal, Delhi
4. V.D. Mahajan - Jurisprudence and Legal Theory(1996 Re-print), Eastern, Lucknow
5. M.D.A. Freeman (ed) -Lloyd’s Introduction t Jurisprudence (1994), Sweet & Maxwell
6. Paton G.W.- Jurisprudence (1972) Oxford, ELBS
7. H.L.A. Hart - The Concepts of Law (1970) Oxford ELBS
8. Roscoe Pond -Introduction to the Philosophy of Law (1998 Re-Print) Universal, Delhi
9. Dias -Jurisprudence (1994 First Indian re-Print), Adithya Books, New Delhi
10. Dhyani SN. - Jurisprudence: A Study of Indian Legal Theory (1985) Metropolitan, New Delhi.

**ELECTIVE SUBJECT
(SEMESTER II)
SARDAR PATEL UNIVERSITY
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FACULTY : LAWLL.M. (CBCS)**

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL02ELEN21	Course Title: Environment And Development: Law And Policy: II	
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	Role of government <ul style="list-style-type: none"> • Five Year Plans • Forest Policy • Conservation strategy • Water policy. 	
2	Population explosion and environmental impact	
3	Population and development Population and sustainable development	
4	Constitutional Perspectives <ul style="list-style-type: none"> • Fundamental Rights • Right to environment • Enforcement of the right • Directive principles and fundamental duties • Legislative power 	
5	Environment : Emerging concepts and challenges <ul style="list-style-type: none"> • Polluter pay principle : absolute liability of hazardous • Precautionary principle • Public trust doctrine 	

Reference Book:

1. C.M. Abraham- Environmental Jurisprudence in India (1999), Kluwer
2. Madhav Gadgil and Ramachandra Guha - 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: LAWLL.M. (CBCS)**

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL02ELEN22 Course Credit :	Course Title: ENVIRONMENTAL LEGISLATION-II Course Type : Optional Paper 3	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	Regulation of sea resorts <ul style="list-style-type: none"> • Eco-tourism 	
2	Coastal zone management plans Aquaculture	
3	Laws on Hazardous Substance	
4	1. Preparedness on Environmental Disasters 2. Emerging Legal Controls <ul style="list-style-type: none"> • Eco-mark • Environmental audit • Environment Impact Assessment 	
5	Public participation in environmental decision making <ul style="list-style-type: none"> • Environment information 	

Reference Book:

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
4. Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental
5. Protection (1980) (Tiwari Committee Report).
6. Indian Law Institute, Environment Protection Act: An Agenda for Implementation (1987)
7. Indian Journal of Public Administration, Special Number on Environment and Administration, July September
8. 1988, Vol. XXXV, No.3
9. Findley, R.W. and Farber, D.A., Environmental Law

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FACULTY : LAWLL.M. (CBCS)**

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL02ELEN23	Course Title: ENVIRONMENT AND INTERNATIONAL LEGAL ORDER-II	
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	Marine Environment <ul style="list-style-type: none"> • International Seabed Authority • Pollution from ships • Dumping of oil and other wastes into the sea 	
2	Trans-boundry Pollution Hazards <ul style="list-style-type: none"> • Oil pollution • Nuclear fall outs and accidents • Acid rain 	
3	Trans-boundry Pollution Hazards <ul style="list-style-type: none"> • Chemical pollution • Green house effect • Depletion of ozone layer • Space pollution 	
4	Control of Multinational Corporations and Containment of Environmental Hazards <ul style="list-style-type: none"> • Problems of liability and control mechanisms • Disaster management at international level • Monopoly of biotechnology by MNCs 	
5	Disposal and Dumping of Hazardous Wastes: Transnational Problem and Control	

REFERENCE BOOK:

1. PriyaKanjantivedi, 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. Henrick Ringbom (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 Esatern, New Delhi