

DELHI JUDICIAL ACADEMY

Programme name : Sensitization Programme on Environment and Law
Duration : 02 days
Participants : Judicial Officers of DHJS & DJS
Venue : Seminar Hall, 2nd Floor, Delhi Judicial Academy, Sector-14, Dwarka, New Delhi

Date & Day	10.15 am – 11.30 am	11.30 11.45 am	11.45 am – 01.00 pm	01.00 02.00	02.00 pm – 03.15 pm	03.15 03.30 pm	03.30 pm – 04.45 pm
06.10.17 (Friday)	<p align="center">Session-I</p> <p>Environment & Sustainable Development</p> <ul style="list-style-type: none"> • Indian Perspective <ul style="list-style-type: none"> ○ Understanding historical fault lines ➤ Issues of poverty and colonial exploitation ➤ Feasibility of compensation for the past harm <p>Speakers</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA • Dr. Usha Ramanathan, Independent Law Researcher 	T E A B R E A K	<p align="center">Session-II</p> <p>Contribution of the Constitutional Courts in India in the development of Environmental Jurisprudence</p> <ul style="list-style-type: none"> • Article 21 of the Constitution – Should Article 21 be a bottomless barrel • Implementation of the directions of the Constitutional Courts: Issues & challenges • Addressing lack of implementation of directions of the Supreme court and the High Courts in India: <ul style="list-style-type: none"> ○ <i>Municipal Council, Ratlam v. Vardichand</i> [(1980) 4 SCC 162] ○ <i>Rural Litigation and Entitlement Kendra v. State of UP</i> [(1985)2 SCC 431] (<i>Doon Valley Case</i>): ○ <i>M.C. Mehta v. Union of India (Oleum Gas Leak Case)</i> (1987) 1 SCC 395 ○ <i>Vellore Citizens' Welfare Forum v. UOI</i> (AIR 1996 SC 2715) ○ <i>T. N. Godavarman Thirumulkpad v. UOI</i> (AIR 2005 SC 4256) ○ <i>Narmada Bachao Andolan v. State of Madhya Pradesh</i> [AIR2011SC1989] <p>Speakers</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA • Prof. S. N. Singh, Former Dean, Faculty of Law, University of Delhi 	L U N C H B R E A K	<p align="center">Session-III</p> <p>Domestic Environment Law</p> <ul style="list-style-type: none"> • Legal Regime: <ul style="list-style-type: none"> ○ Constitutional Law ○ Common Law ○ Legislation • Water (Prevention & Control of Pollution) Act, 1974 • Air (Prevention & Control of Pollution) Act, 1981 • Environment (Protection) Act, 1986 • National Green Tribunal Act 2010 <ul style="list-style-type: none"> ○ Principles, procedure, composition, reach & efficacy, orders & directives. ○ Improving upon NGT experience. <p>Speakers</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA • Prof. Amar Pal Singh, Professor of Law, University School of Law and Legal Studies, Indraprastha University, Delhi 	T E A B R E A K	<p align="center">Session-IV</p> <p>Environmental Protection</p> <ul style="list-style-type: none"> • Basic principles <ul style="list-style-type: none"> ○ Polluter Pays Principle ○ March from Ex-Post-Facto to Precautionary Principle ○ Public Trust Doctrine ○ Liability <ul style="list-style-type: none"> ➤ Fault & No Fault ➤ Strict & Absolute ➤ Restorative justice ➤ Issues of valuation of harm to environment ➤ Issue of compensation for harm to the humans (health costs) ➤ Liability to the State and the Private Enterprise. • Revisiting the definition of 'State' in Article 12 of the Constitution- A Critique of judgment in <i>M C Mehta v. Union of India</i> (AIR 1987 SC 1086 or 1987 SCR(1) 819) (<i>Oleum Gas Leak</i>) <p>Speakers</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA • Sh. Sanjay Parikh, Sr. Advocate, Supreme Court of India • Prof. Amar Pal Singh, Professor of Law, University School of Law and Legal Studies, Indraprastha University, Delhi

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07.10.2017 (Saturday)	<p style="text-align: center;"><u>Session-V</u></p> <p>International Environment Law</p> <ul style="list-style-type: none"> • Legal Regime: <ul style="list-style-type: none"> ○ Global Conferencing technique ○ Law-making process ○ International Environmental Institutions • Effectuation of environmental commitments at the domestic level: Art.253 of the Constitution of India • Environment & Development debate • Sustainable Development Goals 2030 <p>Speakers:</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA. • Prof. Bharat H. Desai, Chairman, Centre for International Legal Studies & School of International Studies, Jawaharlal Nehru University, New Delhi 	T E A B R E A K	<p style="text-align: center;"><u>Session-VI</u></p> <p>Environmental Jurisprudence:</p> <ul style="list-style-type: none"> • International Perspective <ul style="list-style-type: none"> ○ growing recourse to ‘green courts & tribunals’ in settlement of environmental disputes • Evolution of norms <ul style="list-style-type: none"> ○ <i>Trail Smelter Arbitration</i> ○ <i>Corfu Channel Case</i> ○ <i>Gabcicavo-Nagymaros case</i> ○ <i>Pulp Mills Case</i> ○ <i>Kishenganga Arbitration</i> • National Perspective <ul style="list-style-type: none"> ○ Influence of International case law on evolution of norms at domestic level ○ Need for a methodology to shape evolving norms, such as (i) precaution and (ii) sustainable development • Human Right to: <ul style="list-style-type: none"> ○ Development ○ Healthy Environment ○ Inter-generational Equity <p>Speakers:</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA. • Prof. Bharat H. Desai, Chairman, Centre for International Legal Studies & School of International Studies, Jawaharlal Nehru University, New Delhi 	L U N C H B R E A K	<p style="text-align: center;"><u>Session-VII</u></p> <p>Issues of Investigation, Trial & Procedure</p> <ul style="list-style-type: none"> • Role & Responsibility of Trial Courts in issues relating to: <ul style="list-style-type: none"> ○ Indian Forest Act, 1927 ○ Wild Life Protection Act, 1972 ○ Environment (Protection) Act, 1986 • Development & Forests – Challenges & way forward <p>Speakers:</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA. • Dr. Promode Kant, Foundation Member, Asia Pacific Forest Policy Think Tank of FAO, Director, Institute of Green Economy. • Dr. S. Rajesh, IFS, Regional Deputy Director (Northern Region), Wildlife Crime Control Bureau (WCCB), New Delhi. • Ms. Sunita Narain, Centre for Science & Environment 	T E A B R E A K	<p style="text-align: center;"><u>Session-VIII</u></p> <ul style="list-style-type: none"> • Understanding climate Change <ul style="list-style-type: none"> ○ Possibility of Climate change related litigation • Challenges to effective elimination of wildlife related crimes • Challenges & way forward <p>Understanding environmental impact assessment</p> <ul style="list-style-type: none"> • Procedure & Logistics • Plugging the loopholes and elimination of ‘tailor-made’ EIAs • Improving Environment (Protection) Act 1986 <p>Speakers:</p> <ul style="list-style-type: none"> • Prof. (Dr.) B. T. Kaul, Chairperson, DJA. • Prof. Umesh Kulshrestha, School of Environmental Sciences, JNU