



THE ICFAI UNIVERSITY ICFAI LAW SCHOOL



NATIONAL SEMINAR

on

EMERGING ISSUES RELATING TO ENVIRONMENTAL LAWS: NATIONAL
PERSPECTIVES

on

30th-31st March, 2018



Venue :

The ICFAI University, Dehradun
Rajawala Road, Central Hope Town, Selaqui, Dehradun
Pin: 248011, Uttarakhand
www.iudehradun.edu.in

The ICFAI University, Dehradun

The ICFAI University, Dehradun is established under the provision of the ICFAI University Act, 2003 (Act 16 of 2003) enacted by the State of Uttarakhand. The University is recognized by the University Grants Commission under Section 2(f) of UGC Act, 1956. The University is a member of the Association of Commonwealth Universities, London and Association of Indian Universities, New Delhi. The University is located at Selaqui, Dehradun (Uttarakhand). Since its inception, the University has maintained the standard and decorum in the educational environment. Its main objective is to create and disseminate knowledge and impart skills in core areas through innovative educational programs, research and development, thereby developing a new cadre of professionals with high degree of competence and a deep sense of ethics and commitment. The University is global in outlook and cosmopolitan in character. The University focuses on four vital disciplines of Law, Management, Engineering and Education. The programs are structured in such a way so as to impart the students with quality education, quality research and industry interface.

ICFAI Law School

ICFAI Law School (formerly known as Faculty of Law) is one of the constituent bodies of the ICFAI University, Dehradun. ICFAI Law School (ILS), The ICFAI University, Dehradun is established with an objective of developing a new generation legal professionals through comprehensive and contemporary body of integrated knowledge of Law, Management and Social Sciences. The law programs at ILS [BBA. LL.B. (Hons.), B.A. LL.B. (Hons.) and LL.B.] are duly recognized by the Bar Council of India. In addition to it, LL.M. (One Year) and Ph.D. programs are also offered at ILS. These programs have a fine blend of theoretical learning and practical training to sharpen the professional knowledge and skill of the students to transform them as leaders in the legal profession. ILS is committed to shape a new cadre of legal professionals through a comprehensive and contemporary body of integrated knowledge of law, management and Social Sciences and rigorous education and research programs. ILS has the social responsibility of continuing to be a centre of excellence in the field of legal education, a position which it has occupied within a short span of time. ICFAI Law School is Ranked 8th among top 10 law colleges in India by India Today – Nielsen Survey, 2017.

About the Seminar

Environment and life are interrelated. Our lives depend on natural resources which need to be protected. The journey from Stockholm Conference to the Johannesburg Summit led to the recognition that all human beings are entitled to a healthy and productive life in harmony with nature. The Stockholm Declaration recognized that man is a part of nature, and life depends on it. U. Thant, the then secretary General, United Nations, in Stockholm Conference appealed “Like or not, we are travelling together on a common planet and we have no national alternative but to work together, to make an environment in which we and our children can live a full and peaceful life”. It is impossible to separate the well-being of the human beings from the well-being of the earth. Principle 16 of the Rio declaration provides for a National authority to endeavor to promote the internalization of environment costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution with due regards to the public interest and without distorting international trade and investment. Since 1992, the volume and quality of environment legislations at International and National level have expanded hugely and international agreements (such as Kyoto Protocol) have not only raised the profile of environmental change but also began to drive global policy change. The impact of climate change is being felt today and the world community's resolve to take urgent steps to arrest the catastrophe is evident in the Paris Agreement of 2016.

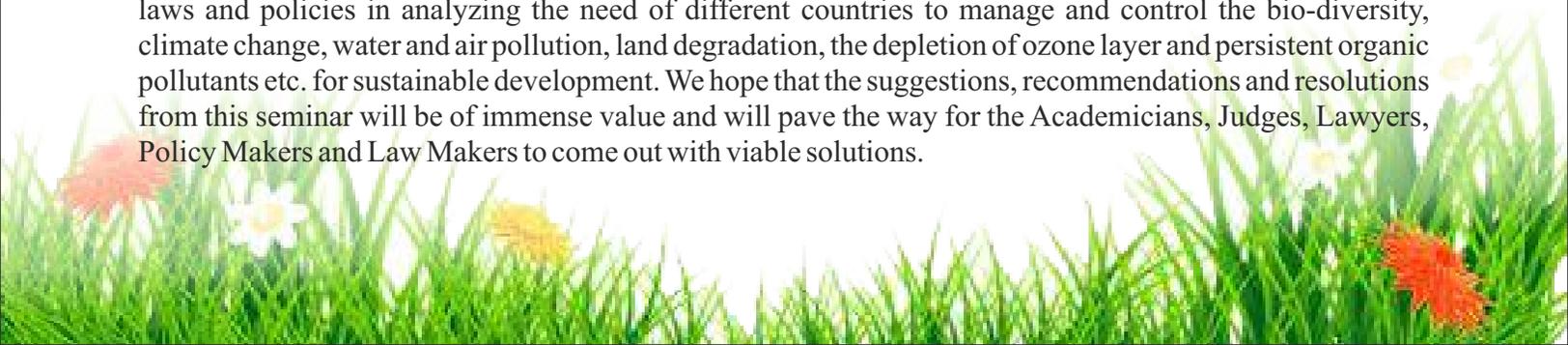
The Paris Agreement's central aim is to bring all nations together for a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist

developing countries to do so. But it is regrettable that the US administration has decided to withdraw from the Paris Agreement. However with or without the US global efforts to prevent dangerous climate change would continue. Any country that fails to implement the Paris Agreement is increasing risk for itself, business, investors, citizens and for the world. This increases the impetus on others to act in order to protect their assets. Citizens in almost all countries, not only know the issues, but also tend to feel that the quality of environment is important for their own well being and for the common good.

India plays an important role in several significant international initiatives concerning environment. Many regulatory instruments and administrative agencies created under environmental statutes are required to implement legislative mandates. The important environment legislations in India are broadly contained under the umbrella of Environment Protection Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974; the Water Act, 1977, and the Air (Prevention and Control of Pollution) Act, 1981. The laws in respect of management of forest and biodiversity are contained in the Indian Forest Act, 1927; the Forest (Conservation) Act, 1980; the Wild Life (Protection) Act, 1972 and the Biodiversity Act, 2002. Beside these there are several other enactments such as Environment (Protection) Rules, 1986; Laws related to Hazardous Wastes, Eco-Labeling and Environment Impact Assessment Notification etc. The National Environment Policy, 2006 is also indented to be a statement of India's commitment in making a positive contribution to international efforts.

The role of the Supreme Court as final interpreter is increasingly reflected in various judgments. The most important achievement of modern law in India is the constitutionalisation of environmental problems by the apex court of India. Indian environmental jurisprudence is achieving new dimensions day by day. The various statutes have been interpreted in the light of the constitutional scheme relating to protection and preservation of the natural environment. The Supreme Court has given creative interpretation in the series of cases e.g. Sachidanand Pandey v. State of West Bengal, AIR 1987 SC; Damodar Rao v. S.O. Municipal Corporation, AIR 1987; Oleum Leakage Case; Municipal Corporation, Ratlam v. Vardhichand, AIR 1980 SC; Rural Litigation and Entitlement Kendra, Dehradun v. State of Uttar Pradesh, AIR 1987 SC; Indian Council for Enviro-Legal Action v. Union of India, AIR 1999 SC; Animal Welfare Board of India v. A. Nagaraj and Ors. (2014) 7 SCC; Taj Trapezium Case; TN Godavarman Thirumulpad v. Union of India and Ors.; and Subhash Kumar v. State of Bihar and Ors. and interpreted the right to life and personal liberty, to include the right to a wholesome environment. The apex court has laid stress on the duties of the state and citizens combined in article 47, 48-A and 51-A (g), of the Constitution of India. It is recognized that maintaining a healthy environment is not the state's responsibility alone, but also that of every citizen. In this way, the judiciary in India has played a pro active role of public educator, policy maker, and super administrator, and on appropriate occasions sought, inspiration from international laws and principles to reinforce, strengthen and widen the environmental discourse in India. However, even with a plethora of international environmental treaties and declarations, and domestic environmental laws and policies, one might ask what else can be done to reverse the destruction of natural ecosystems and to protect human beings, especially the most disadvantaged and vulnerable communities of the world, from the devastating effects of environmental despoliation. The courts have not been sufficiently successful in establishing the right to wholesome environment as a fundamental right. Had it been so, the efforts would have been far more effective. However, that possibility is still in the womb of the future, though there are many hurdles on the way. The future may witness unfolding of mysteries of the new fundamental right.

In the light of above discussion, the present seminar focuses on global and national environmental laws and policies in analyzing the need of different countries to manage and control the bio-diversity, climate change, water and air pollution, land degradation, the depletion of ozone layer and persistent organic pollutants etc. for sustainable development. We hope that the suggestions, recommendations and resolutions from this seminar will be of immense value and will pave the way for the Academicians, Judges, Lawyers, Policy Makers and Law Makers to come out with viable solutions.



The Seminar will focus on following Issues/ Sub-themes:

- Environmental Law- Principles and Policies in India
- Global Warming, Climate Change and Depletion of Ozone Layer
- Environmental Protection and Sustainable Development: Indian Legal Perspective
- Green Economy, Poverty Eradication and Human Resource Development
- Technological Advancement and Environment Degradation
- Protecting the Marine Environment: Role of Environmental Law and Policy
- Biodiversity and Natural Resources at Global and National level
- Protection of Flora and Fauna: National Scenario
- Environmental Issues and Dispute Resolution Mechanism
- Public Participation for Enforcement of Environmental Laws in India
- Environment and the Role of Supreme Court of India

Above identified issues /sub-themes are only illustrative. Participants may select the related topics covered under the main theme.

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Call for Papers-

Research Papers/Articles and Case Studies from legal fraternity are invited for presentation in the National Seminar. Communication of acceptance will be sent to authors for presentation. Co-authorship is allowed, but each author is required to register and pay the registration fee individually.

Important Dates

Last date for Abstract Submission: 15th March, 2018

Last Date for Communication of Acceptance of Abstract: 18th March, 2018

Last Date for Submission of Full Paper: 25th March, 2018

The abstract and full length paper must include Title, Author(s) Name & Designation, Name of the institution of the researcher, Mob. No. and e-mail address.

Submission Guidelines

The submission shall consist of an abstract and full paper.

An abstract shall not be more than 300 words excluding title and keywords.

The length of the paper should not exceed 3000 words.

Footnotes must conform to the authoritative standard, rules of legal citation and must include a description of each authority adequate enough to be understood by a reader.

Paper in MS Word format with the subject “National Seminar on Emerging Issues Relating to Environmental Laws: National Perspectives”.

Cover page must contain name, nationality, e-mail, contact number, and name of the college/university along with the address of the participants.

In case of co-authorship, the covering letter should include details of all the authors.

Submission of abstract and full paper must be made to nationalseminar.ils@iudehradun.edu.in

Delegates must submit the hard copy of his/her paper on the day of seminar, at registration desk.

The paper should be in the following format:

Font Type: Times New Roman

Font Size: 12

Line Spacing: 1.5

Foot Note Size: 10pt

Registration Fee Details

Delegate Categories	Upto 18 th March, 2018	After 18 th March, 2018/ On Spot Registration
Students	Rs. 700/-	Rs. 1000/-
Research Scholars	Rs. 1000/-	Rs. 1200/-
Advocates/Academicians	Rs. 1200/-	Rs.1500/-

Note- Co-authorship is allowed, but each author is required to register and pay the registration fee individually. Payment should be made by cash/ demand draft (any nationalized Bank)/ NEFT/ RTGS.

Account Details-

The demand Draft should be drawn in the favour of **“The ICFAI University Imprest Account” payable at Dehradun** and must be sent to **Dean, ICFAI Law School, The ICFAI University, Dehradun. Registration fee by demand draft must reach on or before 25th March, 2018.**

For NEFT/RTGS

Bank : HDFC Bank
Branch : 56 Rajpur Road- Dehradun
Current A/C no. : 02252000003034
IFSC Code : HDFC0000225

To confirm the registration, the scanned copy of the demand draft/ acknowledgment copy of online transfer and transaction no. must be emailed to nationalseminar.ils@iudehradun.edu.in

Accommodation

ICFAI Law School, The ICFAI University, Dehradun will arrange accommodation on prior intimation for the delegates on sharing basis @Rs.400/-(Room Rent, bedding, complementary breakfast and dinner) per person per day. The weather is expected to be pleasant at that time.

Note- No T.A. & D.A. shall be provided to delegates by the organizers. Other details regarding Seminar can be obtained from the Organizing Secretary / Coordinators and viewed at the University website-www.iudehradun.edu.in.

Address for Correspondence-

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Some Important Contacts-

For any details and query such as Registration, transportation, accommodation etc. contact the following:

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Ashish Kumar Rai	9918473419



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Organized by: **ICFAI Law School**

Registration Form

To be emailed at : nationalseminar.ils@iudehradun.edu.in

Name :

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Title of Paper : (use capital letters)

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Oral Presentation/Poster Presentation

Name of the Presenter : (in capital letters).....

Co-Author (s) : 1

2

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Bank:..... Receipt No. :

Do you require Accommodation, available at a nominal payment basis ? Please tick on the appropriate- Yes No

Dated : ___ / ___ / 2018

Signature