




# Capacity Development Program in Environment Management

## K.J. Somaiya College of Science and Commerce

### Module 1: Environmental Policy & Regulations 2016-17

<b>Module Title – Environmental Policy &amp; Regulations</b>			
<b>Department</b>	Environmental Science		
<b>Course Coordinator</b>	<b>Dr.Sugandha Shetye</b> Dean (Academic Affair) Associate Professor, Department of Chemistry Course coordinator, M.Sc. Environmental Science		
<b>Module Coordinators</b>			
 <b>Dr. Prasad Modak</b> Director Ekonnnect Knowledge Foundation	 <b>Mr. Pravartak Pathak</b> Advocate High Court Mumbai Director Enviro Vigil	 <b>Ms. Lucille Andrade</b> Associate Vice President Environmental Management Centre LLP	
<b>Course Duration</b>	Five Days	<b>Contact Details</b>	<a href="mailto:sugandha@somaiya.edu">sugandha@somaiya.edu</a> ; <a href="mailto:vaishu.su14@gmail.com">vaishu.su14@gmail.com</a>
<b>Module Description</b>			
<p>Policies and regulations form the foundation of Governance. In India, policies on the management of environmental and social aspects have been evolved following the principles of and the rights enshrined in our Constitution. The environmental governance was subsequently institutionalized and later structured under the landmark legislation: The Environmental Protection Act of 1986 that was framed after the Bhopal tragedy.</p> <p>In the year 2006, the Ministry of Environment &amp; Forests came up with the National Environmental Policy that presented an integration of the environmental and social governance with the economic development to address poverty and improve livelihoods of the people.</p> <p>This module will provide an overview and a narrative on the evolution of environmental policy and key regulations in India. The most recent amendments made will also be covered. The institutional arrangements for implementation such as MoEF&amp;CC, Departments of Environment and the Pollution Control Boards will be described. Challenges faced in the implementation will also be discussed in the form of case studies. Linkages between national regulations with multilateral environmental agreements (MEAs) and key international conventions will also be brought out.</p> <p>The module will also cover provisions such as National Green Tribunal (NGT), Public Interest Litigation (PIL), Right to Information Act (RTI) and the Judicial Activism in India. Group work will be conducted using real life case studies.</p>			

Finally, other forms of regulations especially those by the markets and investors will be covered. These forms of regulations will include topics such as Eco labels, equator principles and social codes of conduct.

### Module Objective

1. To create understanding of the framework of environmental governance
2. To develop deeper understanding of India's environmental policy and key regulations
3. To learn about the institutions that are responsible for the implementation.
4. To know the market based regulations as driven by consumers and investors

### Topics Covered In Modules

1. National Environmental Policy of India
2. Water Act, Air Act, Environmental Protection Act and Various Key Rules
3. Wildlife Protection Act and forest conservation Act and Rules
4. Environmental Impact Assessment Notification, Coastal Regulation Zone Notification
5. Rules on waste management
6. Land Acquisition, Rehabilitation and Resettlement (LARR) and Social Impact Assessment
7. National Green Tribunal, PIL and RTI
8. Eco labels and Social Codes of Conduct
9. Equator Principles and Requirements of Private Sector Banks (e.g. International Finance Corporation) and Development Financing Institutions such as the World Bank, Asian Development Bank

### Course Content

#### Day 1 – 26<sup>th</sup> September, 2016 : Introduction to Environmental Governance

9:30 – 10:00	10:00 – 12:00	12:00 – 13:00	13:00 – 14:00	14:00 – 15:00	15:00 – 17:00
<b>Introduction to the Module</b> <ul style="list-style-type: none"> <li>• Welcome note</li> <li>• Module outline and coverage</li> </ul>	<b>Introduction to Principles of Environmental Governance</b> <ul style="list-style-type: none"> <li>• Concept of Sustainable Development</li> <li>• Ecosystems and Natural Resources</li> <li>• Natural Resource Depletion and Degradation</li> <li>• Environmental Issues of Pollution</li> <li>• Global issues like Climate Change</li> </ul>	<b>Evolution of Environmental Governance in India</b> <ul style="list-style-type: none"> <li>• Initial efforts</li> <li>• Signing MEAs</li> <li>• Establishing Regulations</li> </ul>	<b>Lunch Break</b>	<b>The National Environmental Policy</b> <ul style="list-style-type: none"> <li>• Constituents of NEP</li> <li>• Critique on NEP</li> <li>• Measures taken to implement NEP</li> </ul>	<b>Group work on Comparative Assessment &amp; Gap Analyses</b> <p>Students divided into 4 groups. Environment policies of four other countries across the globe will be provided. Each group will be given one other country Environment Policy to compare with India NEP and present at the end of the session.</p>
<b>Prof. Sugandha Shetye</b>	<b>Dr. Prasad Modak</b>	<b>Ms. Lucille Andrade</b>		<b>Mr. Rohit Pansare</b>	<b>Coordinated by Ms. Lucille Andrade and Mr. Rohit Pansare</b>

#### Day 2 – 27<sup>th</sup> September, 2016: Early Regulations on Environment Protection

9:30 – 11:30	11:30 – 13:00	13:00 – 14:00	14:00 – 16:00	16:00 – 17:00
<b>Regulations Governing</b>	<b>Protection of Wildlife</b>	<b>Lunch</b>	<b>Environmental</b>	<b>Session with an Expert</b>

<b>Water, Air and Noise Pollution</b> <ul style="list-style-type: none"> <li>• Key regulatory provisions of Water Act, Water Cess Act, and Air Act</li> <li>• Institutional Arrangement</li> <li>• Functions of CPCB and SPCB</li> <li>• Standards</li> </ul>	<b>and Forests</b> <ul style="list-style-type: none"> <li>• Key regulatory provisions of Wildlife Protection Act and Forest Conservation Act</li> <li>• Institutional Arrangement</li> <li>• Wildlife and Forest Clearance procedures</li> </ul>		<b>Protection Act and Key Rules</b> <ul style="list-style-type: none"> <li>• Key regulatory provisions</li> <li>• Institutional Arrangement</li> <li>• Drafting Rules and Notifications under the Act</li> <li>• Standards</li> </ul>	<b>from Pollution Control Board</b> <ul style="list-style-type: none"> <li>• How regulations are implemented by the PCBs</li> </ul>
<b>Adv. Raghunath Mahabal</b>			<b>Dr. Sadhana Mahashabde</b>	<b>MPCB Legal Cell – Dr. Deole</b>

**Day 3 – 28<sup>h</sup> September, 2016: Project/ Industry based Regulations**

9:30 – 11:30	11:30 – 13:00	13:00 – 14:00	14:00 – 15:00	15:00 – 17:00
<b>Environmental Impact Assessment Notification and Environmental Clearance</b> <ul style="list-style-type: none"> <li>• Clearance procedure</li> <li>• Process steps in the clearance procedure</li> <li>• Timeline for getting clearance under different scenarios</li> <li>• Composition of Clearance Committees</li> <li>• Videos on Public Hearing</li> <li>• How to read an EC document</li> </ul>	<b>Coastal Regulation Zone Notification and Clearance</b> <ul style="list-style-type: none"> <li>• How is CRZ defined</li> <li>• CRZ Classification, prohibited and regulated activities</li> <li>• CRZ Clearance Process</li> <li>• CZMPs</li> <li>• Institutional arrangement for CRZ</li> </ul>	<b>Lunch</b>	<b>Land Acquisition, Rehabilitation and Resettlement (LARR) and Social Impact Assessment</b> <ul style="list-style-type: none"> <li>• Key regulatory provisions</li> <li>• Institutional Arrangement</li> </ul>	<b>Group Work on a Case Study of Environmental Clearance</b> <p>Enactment of Appraisal of a project.</p> <p>Draft EIA report and project pre-feasibility report will be shared on the previous day for reading.</p> <p>Groups will be formed among students representing Expert Appraisal Committee (comprising of Experts in EIA, Environmental quality, Forestry, Life Sciences, Sector, Environmental Economics) and Project Proponent. Each group/person will have to play their role during the Appraisal.</p>
<b>Ms. Lucille Andrade</b>	<b>Mr. Rohit Pansare</b>		<b>Mr. Santosh Shidhaye</b>	<b>Coordinated by Ms. Lucille Andrade and Mr. Rohit Pansare</b>

**Day 4 – 29<sup>h</sup> September, 2016: Residues and Legal Remedies**

9:30 – 11:00	11:00 – 13:00	13:00 – 14:00	14:00 – 15:30	15:30 – 17:00
<b>Key Rules on Management of Residues</b> <p>Hazardous Waste, E-Waste, Biomedical Waste, Municipal Solid Waste, Plastic Waste,</p>	<b>Group Exercise on a Comparative Assessment between the Waste Management Rules</b> <p>A framework for</p>		<b>Legal Remedies for Environmental Protection</b> <ul style="list-style-type: none"> <li>• National Green Tribunal</li> </ul>	<b>Discussion with NGT Lawyers</b> <ul style="list-style-type: none"> <li>• Functioning of NGT</li> <li>• Discussion on cases filed in NGT</li> </ul>

C&D Waste Key compliance requirements under the Rules from different stakeholders	comparison will be provided, 6 groups will be formed, copy of the Rules will be provided, and groups will identify requirements of the regulation as per the framework. Differences between the Rules as per the comparison framework will be discussed at the end of the session.		<ul style="list-style-type: none"> <li>• Right to Information Act</li> <li>• Public Interest Litigations</li> <li>• Remedies from High Court and Supreme Court</li> <li>• Case Studies on NGT, PIL and RTI</li> </ul>	
<b>Mr. Pranay Krishnan and Ms. Asha Panwar</b>	<b>Coordinated by Ms. Asha Panwar and Ms. Vibhuti Agarwal</b>		<b>Adv. Uday Warunjikar</b>	<b>Coordinated by Adv Pravartak Pathak with Dr Sadhana Mahashabde and Adv. Uday Warunjikar</b>

### Day 5 – 30<sup>h</sup> September, 2016: Market-based Regulations

9:30 – 11:30	11:30 – 13:00	13:00 – 14:00	14:00 – 15:00	15:00 – 16:30	16:30 – 17:00
<b>Introduction to Market based Regulations</b> <ul style="list-style-type: none"> <li>• ISO 14001, OHSAS 18001</li> <li>• Ecolabels</li> <li>• Emission Trading</li> <li>• ESG at FIs</li> </ul>	<b>Eco labels and Social Codes of Conduct</b> <ul style="list-style-type: none"> <li>• Types of labels</li> <li>• Discussion on specific labels</li> </ul>	<b>Lunch</b>	<b>Environmental Social Governance at Financing Institutions</b> <ul style="list-style-type: none"> <li>• International trends in FIs</li> <li>• Equator Principles</li> <li>• World Bank, ADB, DFIs, UNEPFI Safeguards</li> <li>• Elements of E&amp;S Governance at FIs</li> <li>• Indian Scenario on ESG at FIs</li> </ul>	<b>Panel discussion with Chief Sustainability Officers of Reputed Companies</b>	<b>Course Feedback</b>
<b>Dr. Prasad Modak</b>	<b>Mr. Pranay Krishnan</b>		<b>Ms. Lucille Andrade</b>	<b>Coordinated by Ms. Sonal Alvares</b>	<b>Prof. Sugandha Shetye</b>

**Evaluation Criteria:** Assessment of Group Work during the course

#### Learning Outcomes

- Participants will learn about the Environmental and Social Governance presently practiced in India
- Participants will learn about the National Environmental Policy and Key Regulations. Linkages with global initiatives will also be explained
- The institutional arrangements for implementation will be understood and the procedures that need to be followed
- Participants will be exposed to other forms of governance especially the market based instruments and requirements of the investors and expectations from the communities and consumers

#### Pedagogical Approach

The course will be delivered through a mix of classroom lectures with case studies. There will be discussion sessions and group work with opportunities to interact with experts from regulators, lawyers and managers of the corporate world.