



## COURSE MANUAL

**Name of the Elective Course: Environmental Law Clinic**

**Course Code: L-EC-0019**

*Reimagining Justice in India's Shared Ecologies*

**Name of the Faculty Instructor:**  
Prof. Prakhar Pandey

**Course Collaborators:**  
Agami, Socratus Collective Wisdom Corporation, Foundation for Ecological Security



**FALL 2026  
(AY2026-27)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, *Environmental Law Clinic* is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

## **Part I**

Course Title: **Environmental Law Clinic**

Course Code: **L-EC-0019**

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **4 Credits**

Level: **Both**

Medium of Instruction: **English**

Pre-requisites (if applicable): N/A

Equivalent Courses: N/A

## Part II

### 1. Acknowledgement of Course Ideators

This course was ideated by the clinical faculty Prof. Prakhar Pandey in consultation with Agami, Foundation for Ecological Security, and Socratus Collective Wisdom Corporation, who shall also contribute as co-instructors and collaborators for this course.

### 2. Course Description

This course proposes a new paradigm, a fresh theoretical contribution of looking at environmental and climate justice in India through the lens of *Shared Ecologies*. ‘Shared Ecologies’, here, specifically refers to the relational spaces in which humans and non-humans co-inhabit, co-use, and co-suffer. More generally, it refers to the broader socio-ecological fabric where multiple species, communities, and institutions intersect, overlap, and contest. When working with ecological landscapes like rivers, lakes, forests, coasts, and urban parks, it is impossible to ignore the multiple ongoing interactions between nature, human, and non-human communities. In these ecologies, benefits and harms overlap from incidences of environmental and climate action, appropriation of land, pollution and environmental degradation or climate shifts.

This conceptual axis aims to braid the threads from existing frameworks that govern the environment and natural resources and aims to move beyond the entrenched dichotomies between anthropocentrism and ecocentrism. These binaries often structure how we teach environmental law, how we frame environmental litigation, and how policy imagines the idea of “sustainable development.” Yet, in practice, ecological, political, and social systems rarely submit to these neat divisions.

The course will blend commons governance (community-led resource management), multispecies justice (fairness for all species), climate justice (who is affected and who bears the cost of mitigation, adaptation, disasters), and environmental justice (protecting marginalised groups from environmental harm). The course seeks to go beyond the human versus nature debate to explore how relational justice unfolds in the real and messy spaces we all live in.

Within this broader framework of Shared Ecologies, this semester we will focus on water commons such as ponds, lakes, groundwater, wetlands, *johads*, and rivers, as its primary site of inquiry. Water commons are among India’s most contested and instructive shared ecologies. They are productive ecosystems, cultural landscapes, customary governance systems, and crucial sites of memory, injustices and legal battles. In the everyday life of a pond or a wetland, the abstractions of environmental law become viscerally concrete: a fisherfolk community’s livelihood sits alongside a migratory bird’s habitat, a Dalit neighbourhood’s water access sits alongside a municipal authority’s development agenda, and a centuries-old *johad* sits alongside a real estate boundary wall. These are not separate problems requiring separate legal solutions. They are the same space, the same harm, and the same question of justice. By anchoring the course in water commons,

students will learn to read ecological landscapes as legal terrains, tracing how benefits and burdens are distributed across species, communities, and institutions in ways that doctrine alone cannot capture.

The course will ground this inquiry in the specific water commons of Delhi NCR and Haryana, a region where the crisis of disappearing water bodies is acute, legally rich, and geographically accessible for fieldwork. This region holds within it a remarkable diversity of shared water ecologies: the vast seasonal wetland of Najafgarh Jheel along the Delhi-Haryana border, the urban lakes of Bhalswa and Sanjay contested by fisherfolk and real estate interests alike, the migratory bird sanctuary at Sultanpur under pressure from Gurugram's expanding periphery, and the traditional *johads* of the Aravalli foothills sustained by community revival movements. Each of these sites is home to overlapping human and non-human communities whose relationships to water are customary, ecological, and legal all at once. By working with some of these landscapes through field visits, community engagement, legal mapping, and advocacy outputs. Students will not only develop doctrinal competence in water and environmental law but also the contextual literacy to practise it meaningfully.

### **3. Course Aims**

- 1) The course aims to provide students with a holistic and grounded understanding of how environmental injustices manifest shared ecological spaces, with particular attention to water commons.
- 2) The course aims to explore the possibility of building on the EJ canons without dismissing them and rather learning from them, identifying their limits, and pushing toward a more complex and politically grounded orientation.
- 3) To develop the conceptual framework of Shared Ecologies as a tool for legal analysis, advocacy, and policy work.
- 4) To encourage students to move beyond doctrinal skills toward contextual legal learning through the ability to read landscapes and engage with stakeholders and governance systems.
- 5) To cultivate transferable professional skills: legal research, fieldwork, policy drafting, client-facing writing, and interdisciplinary reasoning.
- 6) To produce practice-ready outputs such as legal primers, policy briefs, advocacy notes, and case compendiums that have real-world application.

### **4. Teaching Methodology**

The Teaching Methodology shall employ clinical pedagogical tools including a combination of:

- Reflexive learning and writing through reflection essays connecting theoretical concepts to personal insights.
- In-class clinical activities such as writing workshops, role-playing, stakeholder consultations and student-led seminars.
- Socio-legal research tools including workshops in ethnographic methods, storytelling, oral histories, deep listening, and qualitative data analysis.
- Experiential activities including ecosystem walks (e.g., Lake/ River Walks, ) and community engagement.
- Collaborative and problem-based learning through case-based scenarios (e.g., drafting representation/ legislation for a river/ lake/ any water body); reimagining existing frameworks to develop creative solutions. Additionally, sessions with guest speakers and collaborators will bring interdisciplinarity in the class.

## 5. Intended Learning Outcomes

<b>Course Intended Learning Outcomes</b>	<b>Weightage in %</b>	<b>Teaching and Learning Activities</b>	<b>Assessment Tasks/ Activities</b>
Developing a conceptual/ theoretical framework of Shared Ecologies to analyse ecological justice questions	20%	<ul style="list-style-type: none"> <li>• Lectures on environmental justice, climate justice, multispecies justice and water commons.</li> <li>• Seminar style discussions of key texts and frameworks</li> <li>• Small-group case studies</li> <li>• Consultations/ Guest lectures</li> </ul>	In-class activities Reflection Essays Research Memo Final Project Presentation
Critical understanding of the legal, policy, and governance frameworks applicable to water bodies and commons in India	30%	<ul style="list-style-type: none"> <li>• Lectures on Indian water laws, environmental statutes, constitutional provisions, local governance, and customary regimes</li> <li>• Reading seminars</li> <li>• Policy analysis workshop</li> </ul>	In-class activities Reflection Essays Research Memo

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
		<ul style="list-style-type: none"> <li>Stakeholder mapping</li> </ul>	Final Project Presentation
Grounded learning and skill development through field visit, community engagement, and ecological observation in a legally and ethically grounded manner	30%	<ul style="list-style-type: none"> <li>Preparatory sessions on ethics, consent and field visits</li> <li>Ecological observation workshops</li> <li>Interview/ FGD techniques</li> <li>Collaborative engagement with a local community organization/ partner organisations</li> </ul>	Fieldwork Report/ Note Final Project Presentation
Interdisciplinary skills to engage with benefits and harms that are distributed across species, communities, and institutions in shared water ecologies	30%	<ul style="list-style-type: none"> <li>Skill workshops</li> <li>Team-based problem-solving labs</li> <li>Understanding access to justice data</li> <li>Stakeholder consultation</li> </ul>	In-class activities Fieldwork Research Memo Final Project Presentation

## 6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework. **This is a Continuous Assessment course and there is no End Semester Exam.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	<b>Outstanding</b> – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			extraordinary critical and analytical ability
75 – 79	A+	7.5	<b>Excellent</b> - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	<b>Very Good</b> - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	<b>Good</b> - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	<b>Fair</b> – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	<b>Acceptable</b> - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	<b>Marginal</b> - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	<b>Pass 1</b> – Pass with basic understanding of the subject matter
40 – 44	P2	1	<b>Pass 2</b> – Pass with rudimentary understanding of the subject matter
Below 40	F	0	<b>Fail</b> - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
Incomplete	I	0	<b>Incomplete</b> - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “I” grade. If an “I” grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

## 7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Class Participation	20 Marks	Ongoing engagement through class participation, contributions during in-class activities, attendance at meetings, active involvement in guest sessions, workshops and fieldwork
Reflection Essays	15 x 2 = 30 Marks	1 Personal Reflection Essay 1 Short Essay (600–800 words)  (to be submitted as instructed)  Students shall reflect on how course materials and concepts connect with them personally and to real legal questions.
Research Memo/ Report	15 Marks	A research memo analysing the legal framework governing one category of water commons (e.g., ponds, wetlands). Must include doctrine, gaps, and reform arguments.
Fieldwork Report/ Note	10 Marks	A structured report or field note documenting one field visit which shall include site description and selection, community interaction (if any), ecological observation, and legal/ policy implications.

Assessment	Weightage	Remarks
Final Project Presentation	25 Marks	A detailed case study of one Delhi NCR or Haryana water common

### **Part III**

#### **Course/Class Policies**

##### **Cell Phones, Laptops and Similar Gadgets**

To maintain a focused, and participatory learning environment, the use of personal electronic devices during scheduled class hours is restricted. Cell phones, laptops, tablets, smartwatches, and similar devices must be silenced and kept out of sight during class unless the instructor explicitly permits their use. Students with documented accessibility needs or prior urgent-contact arrangements may use devices after informing the instructor. Recording or photographing classes is prohibited without prior consent.

##### **Academic Integrity and Plagiarism**

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

##### **Disability Support and Accommodation Requirements**

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support

Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to [disabilitysupportcommittee@jgu.edu.in](mailto:disabilitysupportcommittee@jgu.edu.in)

### **Safe Space Pledge**

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

## **Part IV**

### **Keywords Syllabus**

#environmentaljustice #environmentallaw #commons #water #climatejustice  
#rightsofnature #multispeciesjustice #sharedecologies

### **Course Design and Overview (Weekly Plan)**

Week	Topics
1	<p><i>Day 1</i></p> <p>The first week will focus on integrating the cohort and introducing students to Clinical Legal Education (CLE), the Environmental Law Clinic, and the overall structure of the clinical course. It will also explain the course design, clarify expectations and ground rules, and introduce the CLE learning-by-doing approach along with the key tools and methods that will be used throughout the course.</p> <p><b>Activity:</b> Reflection Snowball</p> <p><b>Essential Readings:</b></p> <ul style="list-style-type: none"> <li>• Illich, I. (1968). To hell with good intentions. In J. C. Kendall (Ed.), <i>Combining service and learning: A resource book for community and public service</i> (pp. 314–320). National Society for Internships and Experiential Education.</li> <li>• Xaxa, V. (2021, August). How KISS and Indian anthropology degrade tribal people. <i>The Caravan</i>. <a href="https://caravanmagazine.in/education/kiss-kalinga-tribes-ativasi-anthropology-world-congress">https://caravanmagazine.in/education/kiss-kalinga-tribes-ativasi-anthropology-world-congress</a></li> </ul> <p><b>Recommended Readings:</b></p> <ul style="list-style-type: none"> <li>• Adam Babich and Jane F Barrett, ‘Why Environmental Law Clinics’ (2013) 43 <i>Environmental Law Reporter News &amp; Analysis</i> 10039</li> <li>• Kerrigan, K., &amp; Murray, V. (2011). <i>A student guide to clinical legal education and pro bono</i>. Palgrave Macmillan.</li> <li>• Tuck, E., &amp; Yang, K. W. (2012). Decolonization is not a metaphor. <i>Decolonization: Indigeneity, Education &amp; Society</i>, 1(1), 1–40.</li> </ul> <p><i>Day 2</i></p> <p><b>Activity:</b> Guided exercise where students shall discuss and write a reflective account on the given readings/ scenario (250-300 words)</p> <ul style="list-style-type: none"> <li>• Orwell, G. (1968). Shooting an elephant. In <i>Shooting an elephant and other essays</i> (pp. 3–12). Penguin Books.</li> <li>• Collins, B. (1996). Marginalia. <i>Poetry Magazine</i>, February 1996</li> </ul>
<b>Foundations</b>	
2	<b>Setting the Scene: What is a Shared Ecology?</b>

	<p><i>Day 1</i></p> <p>Reflexive learning and writing: These sessions shall aim to build foundational reflective skills in reading, listening, observing and writing. They discuss the frames through which we read a statute, the assumptions embedded in the questions we ask a witness, the imaginative limits of the documents we draft. This week shall lay down the methodological foundations of the course and discuss conditions under which good legal and advocacy work becomes possible.</p> <p><b>Essential Readings:</b></p> <ul style="list-style-type: none"> <li>• Lakoff, G. (2010). Why It Matters How We Frame the Environment. <i>Environmental Communication: A Journal of Nature and Culture</i>, 4(1). Retrieved from <a href="https://escholarship.org/uc/item/6mf9j40q">https://escholarship.org/uc/item/6mf9j40q</a></li> <li>• Baviskar, A. (2011). What the eye does not see: The Yamuna in the imagination of Delhi. <i>Economic and Political Weekly</i>, 46(50), 45–53.</li> <li>• Dear Alice, Solarpunk Video, <a href="https://www.youtube.com/watch?v=UqJJktxCY9U">https://www.youtube.com/watch?v=UqJJktxCY9U</a></li> </ul> <p><i>Day 2</i></p> <p>Building from the Yamuna reading, we examine the central tensions:</p> <ul style="list-style-type: none"> <li>• Do law and policy construct rigid boundaries (human/nature, public/private, use/conservation) in spaces that refuse those boundaries?</li> <li>• What do we mean by 'shared': shared use, shared governance, shared harm?</li> </ul> <p><b>Short documentaries:</b></p> <ul style="list-style-type: none"> <li>• Vanishing Wetlands: Unveiling Delhi's Environmental Crisis   How did Delhi's wetlands disappear? (17 mins) <a href="https://www.youtube.com/watch?v=YwQcN8Nu10">https://www.youtube.com/watch?v=YwQcN8Nu10</a></li> <li>• Delhi's restored wetlands <a href="https://www.dw.com/en/delhis-restored-wetlands/video-51917496">https://www.dw.com/en/delhis-restored-wetlands/video-51917496</a></li> </ul>
3	<p><b>Constitutional, Statutory &amp; Customary Frameworks</b></p> <p>Students shall learn and map the legal architecture governing India's environment and natural resources. This week covers constitutional provisions (Articles 21, 48A, 51A(g)), the key water, land and environment statutes, and the parallel existence of customary governance systems. We shall examine how these frameworks interact and where they intersect.</p>

- How does the Indian Constitution understand the environment, and what are the limits of that understanding?
- What is the doctrine of the Public Trust and how has it been applied to commons?
- Where does formal law and customary governance coexist, compete, or ignore each other?

### Readings

- Divan, S., & Rosencranz, A. (2022). Environmental law and policy in India: Cases and materials (3rd ed.). Oxford University Press. <https://global.oup.com/academic/product/environmental-law-and-policy-in-india-9780192865458>
- Kodiveri, A. (2025). Colonial legacies and decolonial futures: Environmental law and Indigenous resistance in India. In Law 2025 (pp. 261–274). Edward Elgar Publishing. <https://doi.org/10.4337/9781035324408.00027>
- Rajamani, L. (2007). Public interest environmental litigation in India: Exploring issues of access, participation, equity, effectiveness and sustainability. *Journal of Environmental Law*, 19(3), 293–321. <https://doi.org/10.1093/jel/eqm020>

### Activities

- Case analysis: M.C. Mehta v. Kamal Nath (1997) [on Public Trust doctrine in Indian courts]
- Case analysis: Intellectuals Forum, Tirupathi v. State of A.P. (2006) [on protection of public water bodies]
- Legislative mapping: Environment Protection Act, Water Act, Wildlife Protection Act, Forest Rights Act – what applies where?

## Braiding

4-5

### The Four Threads: Commons, Climate, Environmental & Multispecies Justice

This week introduces the four conceptual threads that the course will braid together: commons governance, climate justice, environmental justice, and multispecies justice. Students examine each tradition on its own terms before exploring how they intersect in water commons. The key questions we shall be delving into:

- What does each justice tradition prioritise and what does it leave out?

- Where do commons governance and environmental justice speak to each other, and where do they diverge?
- What does it mean to extend justice claims to non-human beings and species?

### **Activities**

- Jigsaw reading exercise: four student groups each become 'experts' in one thread for a consultation exercise

### **Essential Readings**

- Book Chapter: Elinor Ostrom, 'Governing the Commons: The Evolution of Institutions for Collective Action' (Cambridge, 1990), Ch. 1 & 2
- Mukul Sharma, 'My World Is a Different World': Caste and Dalit Eco-Literary Traditions' (2019) 42(6) South Asia: Journal of South Asian Studies 1013 <https://doi.org/10.1080/00856401.2019.1667057>
- Pamela Hill, 'What is environmental justice?' in *Environmental Justice: A Very Short Introduction* (Very Short Introductions, Oxford University Press, 11 August 2025) <https://academic.oup.com/book/60805/chapter/528969345>
- Schlosberg, D, 'Political Challenges of the Climate-Changed Society' (2013) 46 PS: Political Science & Politics 13.
- David Schlosberg and Lisette B Collins, 'From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice' (2014) 5 WIREs Climate Change 359, access [here](#).
- Celermajer, D., et al. (2025). Institutionalising multispecies justice. Cambridge University Press. <https://www.cambridge.org/core/elements/institutionalising-multispecies-justice/509E27E9B328360ABDEEA184EE0492DE>
- Jacinta Kerketta, 'Ears of Paddy Tied Bound by the Dam' in Angor (adivaani 2016) <https://scroll.in/article/808591/the-anger-of-adivasis-turns-to-poetry-of-anguish-and-hope-in-a-young-womans-hands>

### **Recommended Readings**

- Article by Robert Bullard, 'Anatomy of Environmental Racism' in Toxic Struggles: The Theory and Practice of Environmental Justice (1993) [https://cpb-us-e2.wpmucdn.com/sites.uci.edu/dist/c/3308/files/2020/03/Bullard\\_Anatomy-of-Env-Racism-and-the-EJ-Mov.pdf](https://cpb-us-e2.wpmucdn.com/sites.uci.edu/dist/c/3308/files/2020/03/Bullard_Anatomy-of-Env-Racism-and-the-EJ-Mov.pdf)
- Mahashweta Devi. *Pterodactyl, Puran Sahay and Pirtha*. Trans. Gayatri Chakravorty Spivak. Imaginary Maps. Thema, 2001.

	<ul style="list-style-type: none"> <li>• Amitav Ghosh's <i>The Hungry Tide</i> (2004)</li> </ul>
6	<p><b>Relational Justice and Commons</b></p> <p>Relational Commons is the closest analogue in the existing literature to what a shared ecologies framework proposes. We shall explore how these are not just tenured spaces but practices that unsettle the illusion that individual rights, fixed boundaries, independence, or human-centred governance ever provided a meaningful foundation for conservation.</p> <p><b>Readings:</b></p> <ul style="list-style-type: none"> <li>• Moon, K., D. Marsh, B. Cooke, and R. Kingsford. 2025. "Relational Commons: An Ontological and Governance Framework Beyond Protected Areas and the Boundaries of Conservation." <i>Conservation Letters</i> 18, no. 5: 18, e13137. <a href="https://doi.org/10.1111/conl.13137">https://doi.org/10.1111/conl.13137</a></li> <li>• Wielsch, D. (2013). RELATIONAL JUSTICE. <i>Law and Contemporary Problems</i>, 76(2), 191–211. <a href="http://www.jstor.org/stable/24244728">http://www.jstor.org/stable/24244728</a></li> <li>• Escobar, A. (2016). Thinking-feeling with the earth: Territorial struggles and the ontological dimension of the Epistemologies of the South. <i>AIBR: Revista de Antropología Iberoamericana</i>, 11(1), 11–32. <a href="https://euophilomem.hypotheses.org/files/2018/07/110102e.pdf">https://euophilomem.hypotheses.org/files/2018/07/110102e.pdf</a></li> <li>• Fry, T., Marino, A., &amp; Nijhawan, S. (2022). 'Killing with care': Locating ethical congruence in multispecies political ecology. <i>ACME: An International Journal for Critical Geographies</i>, 21(2). <a href="https://doi.org/10.14288/acme.v21i2.2054">https://doi.org/10.14288/acme.v21i2.2054</a></li> </ul>
<b>Water Commons</b>	
7	<p><b>Week 7</b></p> <p>Day 1</p> <p><b>Water Justice: History, Dispossession &amp; the Politics of Access</b></p> <p>This week shall explore how historically controlled India's water commons, and how has that changed? This week examines the colonial transformation of water governance, the post-colonial inheritance of those structures, and how contemporary legal frameworks distribute access, exclusion, and vulnerability. We begin to develop a specifically Indian theory of water justice.</p> <ul style="list-style-type: none"> <li>• How did colonial law transform water commons into state property?</li> </ul>

- Who is most vulnerable in contemporary water governance, and why?
- What does a specifically Indian water justice look like?

### **Activities**

- Historical mapping exercise: trace the legal transformation of a specific water body from pre-colonial to present.
- Guest session: Researcher or practitioner working on water rights and community governance.

### **Readings**

- Rohan D'Souza, 'Water in British India: The Making of a Colonial Hydrology' (2006) 4(4) *History Compass* 621, access [here](#).
- Shah, M. (2013). Water: Towards a paradigm shift in the Twelfth Plan. *Economic & Political Weekly*, 48(3), access [here](#).
- Agarwal, B. (2001). *Gender and land rights revisited: Exploring new prospects via the state, family and market*. Access [here](#).
- Reviving Rivers with Dr Rajendra Singh, <https://www.youtube.com/watch?v=N9PIBATSFW>

Day 2

### **Ponds & Johads: Village Commons**

Village ponds and johads (traditional earthen check dams) represent some of India's oldest commons structures. This week examines them as legal, ecological, and cultural entities – simultaneously water harvesting infrastructure, habitat, and community property. We examine the legal frameworks that govern (or fail to govern) their protection.

- What is the legal status of a village pond? Who owns it, who governs it, and who has rights over it?
- How do the Revenue Records system, the Gram Sabha, and state governments interact in pond governance?
- What happens when a pond is encroached upon or converted? What legal remedies exist?

### **Activities**

	<ul style="list-style-type: none"> <li>• Case study: Haryana's programme of pond restoration under court orders and analysis of the Punjab &amp; Haryana High Court's directions.</li> </ul> <p><b>Readings</b></p> <ul style="list-style-type: none"> <li>• <i>Hinch Lal Tiwari v Kamala Devi</i> (2001) 6 SCC 496 [3]</li> <li>• <i>Jagpal Singh &amp; Others v State of Punjab &amp; Others</i>, Civil Appeal 1132/2011</li> <li>• Haryana Pond and Waste Water Management Authority Act, 2018. <a href="https://prsindia.org/files/bills_acts/acts_states/haryana/2018/2018HR33.pdf">https://prsindia.org/files/bills_acts/acts_states/haryana/2018/2018HR33.pdf</a></li> <li>• TED Talk: Anupam Mishra: The ancient ingenuity of water harvesting. <a href="https://www.youtube.com/watch?v=eJCTAXb_BWs">https://www.youtube.com/watch?v=eJCTAXb_BWs</a></li> </ul>
8	<p>Day 1</p> <p><b>Lakes &amp; Urban Water Bodies: Development, Encroachment &amp; Contested Rights</b></p> <p>Urban and peri-urban lakes occupy a precarious legal space. They are simultaneously valued as 'blue-green infrastructure' in Master Plans and threatened by encroachment, construction, and drainage. This week examines how Indian courts and regulators have responded to the crisis of disappearing urban lakes, with a particular focus on Delhi's water bodies.</p> <ul style="list-style-type: none"> <li>• What legal protections exist for urban lakes and water bodies, and how effective are they?</li> <li>• How are the DDA, DJB, Delhi High Court, and the National Green Tribunal (NGT) accountable to Delhi's water bodies?</li> <li>• Who has standing to litigate for a lake, and what remedies have courts granted</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>• Case analysis: Sanjay Lake, Bhalswa Lake.</li> <li>• Map exercise: Delhi's 1000+ notified water bodies – which are protected, which are encroached, which are contested.</li> <li>• Guest session: NGT practitioner or Delhi-based water researcher/ lawyer.</li> </ul> <p><b>Readings</b></p>

- *Manoj Misra v. Union of India and Others* (Yamuna rejuvenation, NGT proceedings 2015 onwards)
- *In Re Save the Rivers, Lakes & Water Bodies from Illegal Constructions & Encroachment*, 2024 SCC OnLine Raj 3248
- *Jitendra Singh v. Ministry of Environment*, (2020) 20 SCC 581
- *Udankaar (NGO) v Delhi Pollution Control Committee & Ors.* (NGT) OA No. 105/2021 (PB)

Day 2

### **Wetlands: Ecology, Ramsar, and the Governance Gap**

Wetlands are among the most legally complex of India's shared ecologies – hosting migratory birds, fish communities, and dependent human populations while also being classified as 'wastelands' in revenue records. This week examines the Wetland Conservation Rules, the Ramsar Convention, and the growing body of NGT jurisprudence on wetland protection.

- What is the legal definition of a wetland, and who decides?
- How does the Ramsar Convention interact with Indian domestic law?
- What have courts said about wetlands as habitat and as commons?

### **Activities**

- Analysis of the Wetlands (Conservation and Management) Rules 2017
- Case study: Sultanpur National Park (Haryana) from wetland to national park to restoration site.

### **Readings**

- Wetlands (Conservation and Management) Rules, 2017 – full text
- Ramsar Convention on Wetlands (1971) – text and India's obligations
- *NHAI v. Delhi Pollution Control Committee*, 2026 SCC OnLine NGT 193
- *Allamsetti Satayanarayana v. Union of India*, 2022 SCC OnLine NGT 1010 (Pulicat lagoon)
- *Pawan Kumar v. State of Haryana*, 2022 SCC OnLine NGT 3541
- Mitra, S. (2024). Governing urban wetlands in India: A pathway to sustainable urbanisation. *Oxford Research Foundation for Lineage (ORF)*.

	<p><a href="https://www.orfonline.org/research/governing-urban-wetlands-in-india-a-pathway-to-sustainable-urbanisation">https://www.orfonline.org/research/governing-urban-wetlands-in-india-a-pathway-to-sustainable-urbanisation</a></p>
<p>9</p>	<p><b>Non-Human Communities: Fish, Birds &amp; the Legal Status of Species</b></p> <p>Every water commons hosts non-human communities: migratory birds, local birds, fish, amphibians, reptiles, aquatic plants, and microbial life. These species are simultaneously ecological actors, livelihood resources, and (in some cases) legally recognised entities. This week explores how Indian law does and does not recognise the interests of non-human beings in shared water ecologies.</p> <ul style="list-style-type: none"> <li>• How does the Wildlife Protection Act treat aquatic species? What are its limits?</li> <li>• Can non-human beings have legal standing? What have Indian courts said?</li> <li>• What would multispecies justice look like in a legal instrument governing a wetland or lake?</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>• Analysis: the Uttarakhand High Court's 2017 judgment granting the Ganga and Yamuna the status of legal persons – what it meant, why it was stayed.</li> <li>• Drafting exercise: write a 'rights of the wetland' clause for a hypothetical local wetland governance bylaw.</li> </ul> <p><b>Readings</b></p> <ul style="list-style-type: none"> <li>• <i>Mohd. Salim v. State of Uttarakhand</i>, Writ Petition (PIL) No. 126 of 2014 (Uttarakhand HC, 2017)</li> <li>• Christopher Stone, 'Should Trees Have Standing? – Toward Legal Rights for Natural Objects' (1972) 45 Southern California Law Review 450</li> </ul>
<p>10</p>	<p><b>Human Communities: Fisherfolk, Farmers &amp; the Marginalised User</b></p> <p>The flip side of the non-human: who are the human communities that live from, in, and with water commons? This week focuses on the legal and social situation of fisherfolk, small farmers, Dalit pond users, and women – communities whose relationship to water bodies is often customary, often contested, and rarely protected by formal law.</p> <ul style="list-style-type: none"> <li>• What legal rights, if any, do fisherfolk and pastoralist communities have over the water bodies they depend on?</li> <li>• How do caste, gender, and class structure access to water commons in India?</li> </ul>

	<ul style="list-style-type: none"> <li>• Where does the Forest Rights Act apply to aquatic and riverine communities?</li> </ul> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>• Guest session</li> <li>• Legal audit: which provisions of the Panchayati Raj Acts protect water-dependent communities? What is missing?</li> </ul> <p><b>Readings</b></p> <ul style="list-style-type: none"> <li>• Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006</li> <li>• <i>Tekaba Ao v. Sakumeren Ao</i>, (2004) 5 SCC 672 (dispute over common water body)</li> <li>• <i>Tulsi Ram v. Mathurasagar Pan Tatha Krishi</i>, (2003) 1 SCC 478 (customary fishing rights)</li> <li>• <i>In re: T.N. Godavarman Thirumulpad v. Union of India</i>, 2024 SCC OnLine SC 3778 (Oran judgment dated 18.12.2024)</li> </ul>
11-12	<b>Project Work</b>
13-14	<p><b>Synthesis, Presentations &amp; Course Closing</b></p> <p>The final week is devoted to group presentations and course synthesis. Each group presents their water commons case study to the full class and invited guests from partner organisations. The presentations are followed by a structured closing reflection on the course.</p> <p><b>Activities</b></p> <ul style="list-style-type: none"> <li>• Presentations with Q&amp;A from faculty, partners and peers.</li> <li>• Course closing: structured reflection – what does Shared Ecologies mean to you now that you have worked with it?</li> <li>• Feedback session with partner organisations on outputs and practice pathways</li> </ul>
15	<b>REVISION WEEK</b>

	<p>[NOTE: There shall be teaching classes scheduled during the fourteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.]</p>
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