



**Damodaram Sanjivayya National Law University,
Visakhapatnam**



**A Two-Day National Webinar
On
Water Management Laws: Life, Livelihood and
Environment**

**Organised by DSNLU
&
Sponsored by ICSSR- Southern
Regional Centre (SRC), Hyderabad
On
04 & 05 September 2021**

Call for Papers

**Email: waterlawsseminar@dsnlu.ac.in
Website: www.dsnlu.ac.in**



Patron



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The Chief Justice of High Court of AP
&
Hon'ble Chancellor, DSNLU

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About DSNLU

Damodaram Sanjivayya National Law University, Visakhapatnam (DSNLU) is a public university constituted under the DSNLU Act, 2008. It is duly recognized by Bar Council of India and University Grants Commission. It offers 5-year integrated B.A. LLB. (Hons.) course, one-year LL.M. program, Ph.D. and LL.D. programs. The University adopts a multidisciplinary approach and has a good work environment. It lies in the foothills of the Eastern Ghats at Sabbavaram, Visakhapatnam district, AP, India. It is fully residential. The campus is green and elegant.

About the Webinar

DSNLU is organising a two-day National Webinar on “Water Management Laws: Life, Livelihood and Environment” on 04 and 05 September 2021. The Webinar is sponsored by the Indian Council of Social Science Research (ICSSR)- Southern Regional Centre (SRC), Hyderabad, a premier institution established by Government of India in 1969 to promote research in social science in the country. The Webinar will be hosted on **Cisco Webex**, an online videoconferencing application. The link will be sent to registered participants. There will be six technical sessions in the Webinar excluding the inaugural and valedictory. E-certificates will be provided to registered participants and paper presenters after the completion of the Webinar.

Objective of the Webinar

Water is the source of life. Oceans and the seas; rivers and the rivulets; ponds and the lakes quench our thirst and keep us clean and tidy. The water which, flows through these rivers and streams flows through our veins. If they are clean, we are clean. We exist, if they exist. Such an important source is facing a man-made crisis. Human intervention has led to depletion of water. The objective of the webinar is to discuss about the following issues.

Access to Water as a Human Right

Commodification; Privatization and Water Markets

Water, like any other source is finite. The commodification and mismanagement of water and other sources is making life unsustainable on this planet. When water is treated as a commodity then the basic question is ‘who is the owner’. Is it the State, the corporate bodies or the people? The courts had to breathe life into the age-old Roman law doctrine of public trust to remind people in power that they do not own water and that they are its mere trustees. Old doctrines are revived, new remedies are evolved but the State keeps resorting to use of the doctrine of eminent domain. The deadly combination of the acts of corporate bodies and the State are converting clean and pristine waters into toxic cesspools.

Prioritizing Allocation of Water

Water flows from higher altitudes to low-lying areas. If left to itself it is an equalizer. But human intervention has always interrupted this natural process. Distribution of water takes place in an inequitable manner. This kind of inequitable distribution perpetuates discrimination on the basis of region, class, caste and the like. Use of water ought to be prioritized.

Water as a source of Life: Unsustainable Practices

Aquaculture, rapid urbanization, tourism, mining, ports and other projects are affecting the coast, water bodies and their catchment areas which is in turn making fresh water a scarce commodity. If there is one community which has a natural claim over fresh and sea waters, it is the fisher folk community. They completely rely on inland and marine fisheries for their livelihood. This kind of development is causing destitution of the marginalized communities. The social and environmental impact of such projects and the efficacy of new Coastal Regulatory Zones notification (2019) has to be probed.

Damming the Rivers

Damming of rivers has also been a bone of contention between States and the indigenous communities. The Narmada Bachao Andolan case led to the development of environmental impact assessment law and the laws related to compensation, restoration and rehabilitation. But how successful are these laws is again a debatable issue. This case also gave a spin to the right to life and stated that it included right to development. This compels us to think about the discourse of development and gingerly evolve new exceptions to this ‘right to development’.

Conservation of Water: Regulation of Usage of Ground Water and Surface Water

Water bodies are drying up due to climate change. While some parts of the country especially major cities are being flooded some places witness acute shortage of water. The scarcity of water is leading to depletion of surface and ground water. Transportation of water is preferred over renovation of traditional water conservation systems in drought prone areas. The linkages between groundwater and surface water; renewable and non-renewable aquifers are yet to be explored. Fine tuning of legal instruments and legal remedies has to be done.

Inter State and Intra State River Water Disputes

Scarcity of water is also leading to intra-state and inter-water State disputes. According to the Constitution of India tribunals have to resolve inter State river water disputes. The orders passed by the inter State River Water Tribunals has at times led to acrimonious responses. The central government has come up with the Inter State River Water Tribunals Bill (2019) constituting a single tribunal with several benches to settle inter-state river water disputes. This is a debatable proposition. In India, there is no provision for the resolution of intra State river water disputes. They cause many fissures within the States which is a major cause of concern. Judicial institutions have to be created and judicial remedies have to be carved out to address this issue.

Interlinking of Rivers

Each river has a distinct ecosystem and that needs to be protected. The social, environmental and economic costs to be incurred in interlinking the rivers and the possible advantages of such projects have to carefully be weighed before undertaking them. The legal implications ought to be probed.

Water Pollution: Externalities; Legal Instruments and Remedies

There are laws to curb water pollution. The flaws have to be identified and loopholes have to be plugged. In an oil spill case, the National Green Tribunal passed an order in 2016 that that the shipping companies have to pay Rs 100 crores as environmental damages. While this is a welcome move there is still some ambiguity with respect to the calculation of damages. What are the criteria and under what headings should the damages be claimed? A focus on externalities of water pollution is missing. While calculating the cost of production waste management is hardly taken into consideration. Dumping of such social costs with impunity is a debatable issue.

Sub Themes for the Technical Sessions

- The broad sub themes for the six technical sessions would be as follows:
- Right to water as a Human Right
- Access and Sharing of Water
- Commodification, Privatization and Water Markets
- Big Dams and Developmental Projects: Legal Implications
- Climate Change, Change in Rainfall Patterns, Water Security: Best Practices for Conservation of Water and Law
- Water Pollution: Externalities, Legal Instruments and Remedies

Note: In addition to above mentioned sub-themes, participants are free to pursue any other relevant sub-themes reflecting their own scholarly interests.

Important Dates

Deadline for Abstract Submission	05 August 2021
Communication of Acceptance	07 August 2021
Last Date for Registration	20 August 2021
Deadline for Full Paper Submission	25 August 2021
Dates of Webinar	04-05 September 2021

Submission Guidelines

- Abstract and Full Paper submissions must be in Times New Roman, font size 12, spacing 1.5
- Footnotes must be in Times New Roman, font size 10, single-spaced
- Footnoting style: The footnoting style of Indian Law Institute, New Delhi
- Margins: 1 Inch on all sides
- Word limit for Abstract is 300-500 words
- Abstract must be accompanied with the name, designation and contact details of Author and co-author
- Word limit for Full Paper is 3000-5000 words (exclusive of Footnotes)
- Co-authorship is allowed up to two authors.
- All the submissions should be sent to waterlawsseminar@dsnlu.ac.in
- Select few papers will be published in a book with an ISBN number subject to the discretion of the University

Registration:

- Registration is open for all. There is **no registration fee**.

Registration Link: <https://tiny.cc/waterlaws>

Organising Committee

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