



THE WEST BENGAL NATIONAL
UNIVERSITY OF JURIDICAL SCIENCES

CENTRE REPORTS

CENTRE FOR RESEARCH
AND STUDIES IN LAND,
MINING AND REAL ESTATE
LAWS



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COMPILED REPORT OF CENTRE
FOR RESEARCH AND STUDIES
IN LAND, MINING, AND REAL
ESTATE LAWS (CRSLMREL)

ABOUT THE CENTRE

During the 2019-20 academic year, WBNUJS established the Centre for Research and Studies in Land, Mining, and Real Estate Laws (CRSLMREL). Dr. M.P. Chengappa (Assistant Professor of Law at NUJS) is the Faculty Co-ordinator of the centre and oversees it.

The operation of the market economy, social welfare, environmental legislation, and the effectiveness of regulatory frameworks are all influenced by issues relating to land acquisition, real estate, and mining regulations. As a consequence, discussions over land, mining, and real estate law are vitally essential. Many legal firms around the country have dedicated divisions just for this purpose. The number of cases pending in these categories demonstrates that land acquisition, real estate conflicts, and mining laws are critical areas of the legal profession.

The Centre seeks to raise awareness and influence academic discourse in all of these disciplines through carrying out research, interacting with stakeholders, developing resource materials, and hosting training sessions and seminars for industry experts.

The Centre's major objectives and goals are outlined below:

- To cater for and perform numerous studies, including research, modification of policies, and capacity building, both independently and in partnership with governmental and non-governmental organizations
- To make necessary changes in academics and drafting policies in these areas that shape regulation, governance, and litigation
- To consult with all stakeholders, including governmental and non-governmental organizations, as well as the community and civic society.

The Centre has worked on and accomplished a lot with respect to our aims and objectives. Listed below are the events, activities and seminars which have been undertaken so far.

1. 1-DAY NATIONAL SEMINAR ON CONCILIATION AND MEDIATION – EFFECTIVE DISPUTE RESOLUTION UNDER RERA, 2016.

On December 30, 2021, the Mumbai Grahak Panchayat (MGP) and the WBNUJS Center for Research and Studies in Land, Mining, and Real Estate Laws jointly arranged a one-day national seminar on conciliation under RERA, 2016. The conference included topics such the best ways to resolve disputes, the views of developers and purchasers, and the difficulties and potential paths forward for mediation and conciliation under RERA, 2016.

Key speakers included:

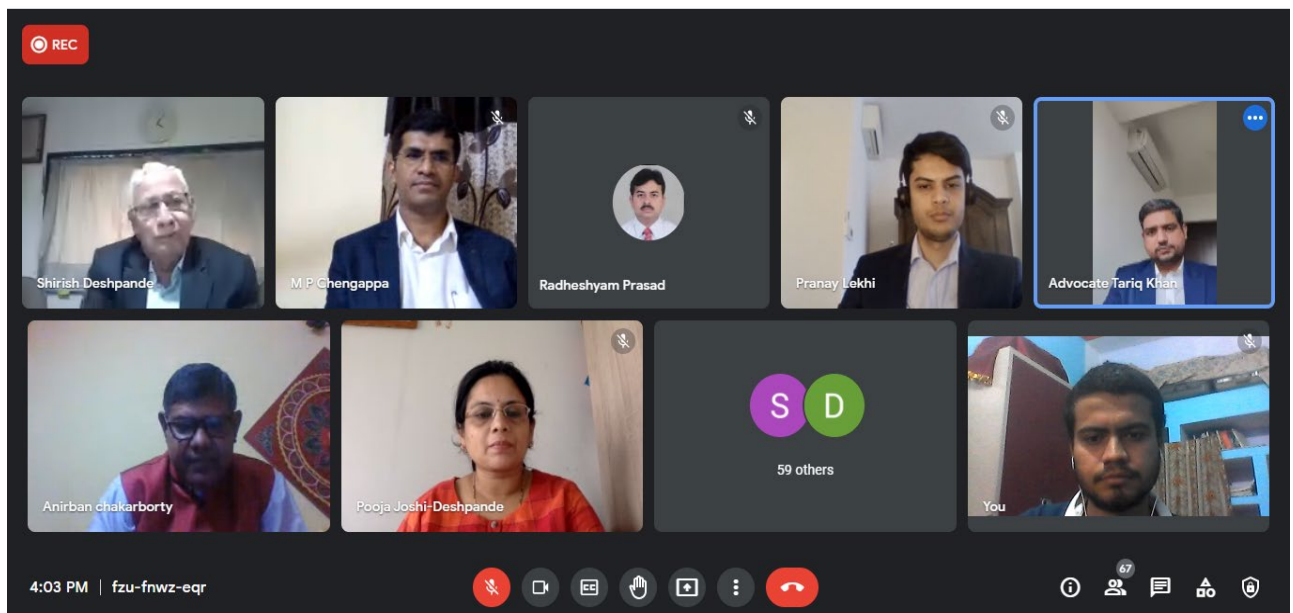
- Chief Guest: Hon'ble Justice Suraj Govindaraj (Karnataka High Court)
- Guest of Honor: Hon'ble Justice Madhumati Mitra (Former Judge, Calcutta High Court)
- Adv. Shirish Deshpande (Chairman, Mumbai Grahak Panchayat)

The inaugural session was led by Prof. (Dr.) Nirmal Kanti Chakrabarti (Vice-Chancellor, WBNUJS). Panels featured notable figures such as:

- Mr. Ajoy Mehta (Chairman, Maharashtra RERA)
- Mr. Ravindra Dutt Paliwal (Conciliator Consultant, UP RERA)
- Dr. Niranjan Hiranandani (Vice Chairman, National Real Estate Development Council)
- Mr. Nandu Belani (President, CREDAI Bengal)
- Dr. Archana Sabnis (MahaRERA Core Committee Member, MGP)
- Dr. Anirban Chakraborty (Professor of Law, NALSAR)
- Mr. Tariq Khan (Registrar, International Arbitration and Mediation Center)
- Mr. Pranay Lekhi (Legal Advisor, Allen & Overy LLP)

The valedictory session was addressed by Adv. Shirish Deshpande and Dr. M. P. Chengappa (Program Director).

A screenshot of the Seminar.

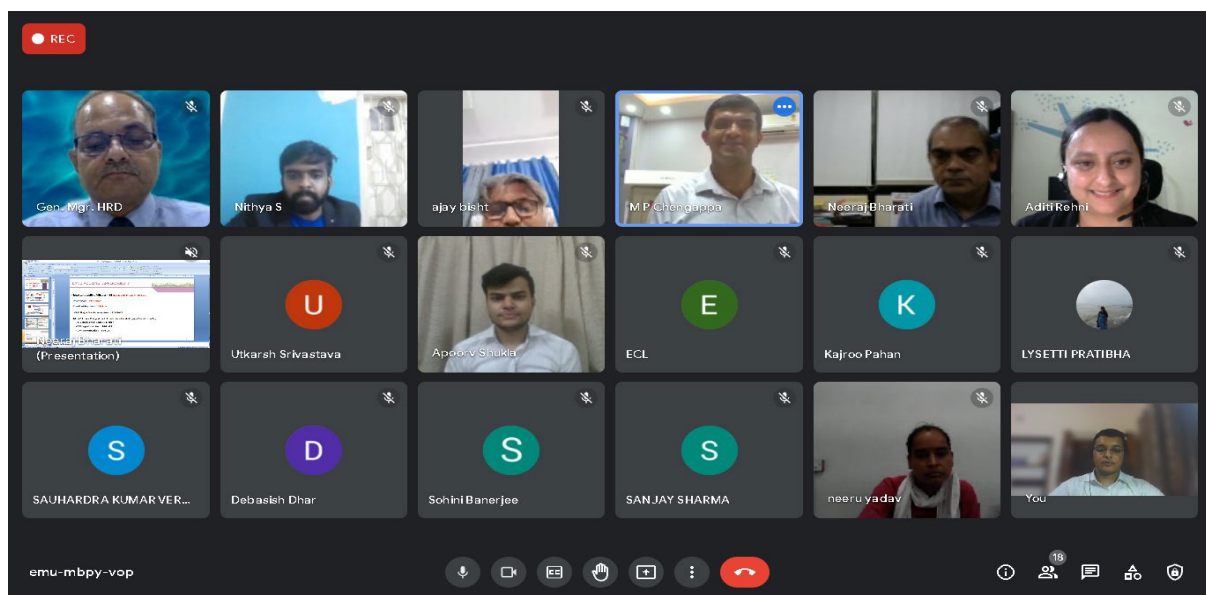


2. 1 DAY NATIONAL SEMINAR ON LAND ACQUISITION AND SUGGESTING ALTERNATIVES TO LAND ACQUISITION

The West Bengal National University of Juridical Sciences (WBNUJS) hosted a National Seminar on Land Acquisition on September 30, 2021. Western Coal Field Limited and MOIL Limited sponsored the conference, which focused on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act of 2013 (RFCTLARR Act). It was available to all WBNUJS students and sponsoring company officials.

The seminar's subjects included eminent domain, constitutional property rights, retrospective land acquisition, administrative challenges, social impact evaluations, and land pooling programs. Dr. M. P. Chengappa, Dr. Sanjay Kumar, and Ms. Usha Singh organized the event, which featured speakers like Dr. Namita Wahi and Prof. (Dr.) Jayanta Bhattacharya. Participants appreciated the conference for its educational lectures and lively discussions about land acquisition regulations.

A screenshot of the Seminar.

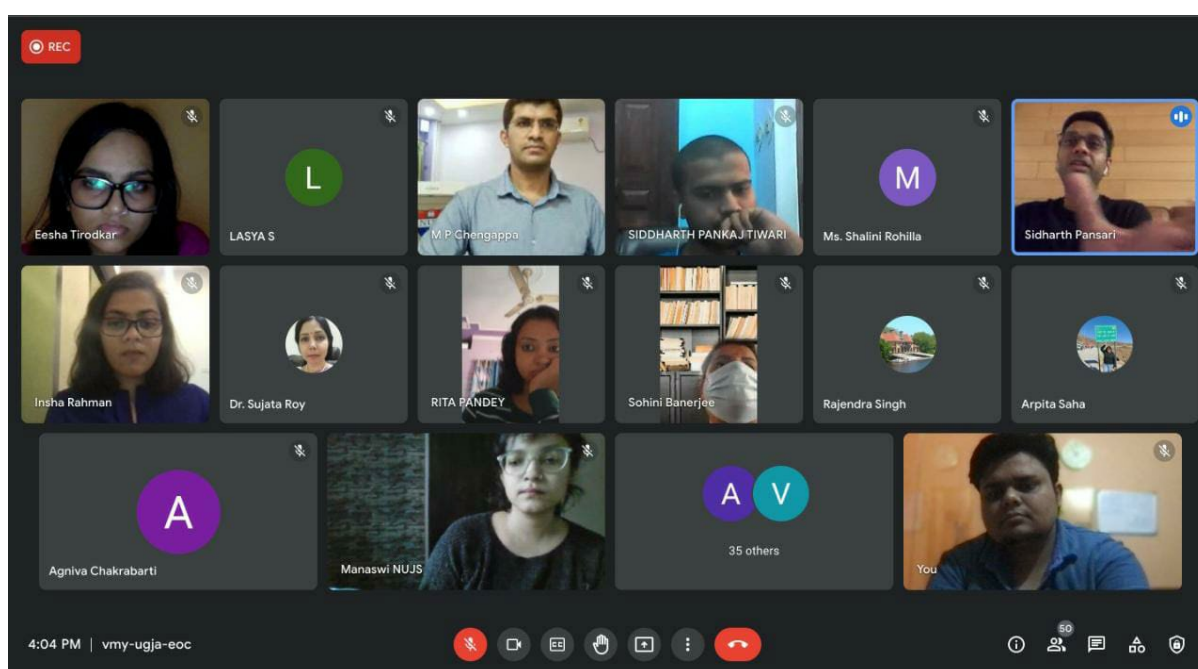


3. 2-DAY NATIONAL SEMINAR ON DISPUTE RESOLUTION UNDER THE REAL ESTATE DEVELOPMENT AND REGULATION ACT, 2016 BY WBNUJS

On November 13-14, the Centre for Research and Studies in Land, Mining, and Real Estate Laws at WBNUJS sponsored a National Seminar on Dispute Resolution under the Real Estate Regulation and Development Act of 2016. Day one had three panels that discussed the legitimacy of the regulatory framework in state real estate, real estate adjudication difficulties and opportunities, and the relationship between RERA and other legislation. Notable speakers included Shri Gautam Chatterjee (retired IAS), Prof. (Dr.) M.K. Ramesh, and Mr. Jayant Mehta (senior advocate). Prof. (Dr.) Nirmal Kanti Chakrabarti launched the seminar, which was conducted by Dr. MP Chengappa.

Subsequent panels discussed the consequences of RERA with notable experts such as Mr. Gaurav Dasgupta, Mr. Devashish Bharuka, and Prof. (Dr.) Anirban Chakraborty. The sessions were characterized by vigorous participation and interesting conversations. Day two featured paper presentations from students, academicians, and practitioners, which were moderated by Dr. MP Chengappa, Dr. Sanjit Kumar, Ms. Mahamaya Chatterjee, and Ms. Salini Rohilla Panigrahi. Siddharth Pansari of Primac Projects delivered the seminar's valedictory address.

A screenshot of the Seminar.



4. 4-DAY SPECIAL LECTURE SERIES ON THE LEGAL REGIME GOVERNING REAL ESTATE LAWS IN INDIA

The Centre for Research and Studies in Land, Mining and Real Estate Laws at WBNUJS organized a 4-Day Special Lecture Series on "The Legal Regime Governing Real Estate Laws in India" from November 13-16, 2022, under the guidance of Dr. M.P. Chengappa. The inaugural session, led by Vice-Chancellor Prof. (Dr.) Nirmal Kanti Chakrabarti, featured Chief Guest Shri Gautam Chatterjee, IAS, and Guest of Honour Dr. Ashok R. Patil. The series included lectures from distinguished speakers such as Adv. Shirish V. Deshpande, Adv. Pooja Joshi, Adv. Akshat Bajpai, Mr. Ajar Rab, Ms. Poornima Singh, Ms. Mahamaya Chatterjee, and Mr. Piyush Mishra, covering key topics like RERA, consumer rights, mediation, legal challenges, Supreme Court decisions, and the interplay of IBC and RERA.

On the final day, a panel discussion moderated by Mr. Abhiroop Mukherjee featured experts including Mr. Prajata Kishore Chakrabutty, Adv. Jasleen Kaur, Mr. Adeeb Naqvi, and Ms. Sanskriti Agarwal. The valedictory session was addressed by Shri Ashok Saraf, emphasizing improvements in RERA implementation and the importance of conciliation. Notable discussions included Mr. Chatterjee's insights on RERA's future, Mr. Patil's analysis of the Consumer Protection Act's intersection with RERA, and various speakers highlighting the need for efficient dispute resolution mechanisms, enforcement challenges, and the digitization of land records. The event fostered active engagement and critical discussions on the legislative framework governing real estate in India, aiming to enhance transparency, trust, and timely project completion.

A few screenshots of the Workshop.



5. STUDY TOUR TO EAST CALCUTTA WETLANDS

The Centre for Research and Studies in Land, Mining and Real Estate Laws (CLRELS) at WBNUJS organized an educational study tour to the East Calcutta Wetlands on March 12, 2022. Under the guidance of Prof. M.P. Chengappa and Mr. Bala Murugan, IFS, the tour was coordinated by students Vala Srihitha and Mehul Jain. Sixty students, including third-year administrative law and fourth-year land law students, participated to gain practical insights into the ecological and legal importance of the wetlands.

Upon arrival, students were welcomed with breakfast and refreshments. Guided tours through the wetlands allowed them to observe unique ecological processes and understand the legal frameworks protecting this ecosystem. Prof. Chengappa and Mr. Murugan provided extensive knowledge on wetland conservation, management challenges, and the role of legal regulations. This hands-on learning experience effectively connected theoretical knowledge with practical environmental and land law aspects, making it an enriching and memorable educational event.

A photo from the Wetlands.



6. EAST KOLKATA WETLANDS FIELD VISIT REPORT

On February 11, 2023, third-year students from the West Bengal National University of Juridical Sciences, Kolkata, visited the East Kolkata Wetlands (EKW) as part of their Administrative Law course, guided by Dr. M.P. Chengappa and Dr. Atul Alexander. The EKW, a Ramsar site known for its sewage-fed fish ponds and wastewater-fed aquaculture system, is threatened by urbanization and pollution. The visit focused on the East Kolkata Wetlands (Conservation and Management) Act, 2006, and the role of the East Kolkata Wetlands Management Authority (EKWMA), which was reconstituted in 2017 to include thirteen members from various

government departments and experts in wetland ecology, hydrology, fisheries, and socio-economics, chaired by the Minister-in-Charge of the Department of Environment, Government of West Bengal. The EKWMA also adheres to the Wetlands (Conservation and Management) Rules, 2017.

The wetlands play a crucial role in sewage treatment, flood protection, and supporting agriculture, which is vital for Kolkata's affordability, especially given the city's vulnerability to flooding exacerbated by climate change. During the visit, Mr. K. Balamurugan, the Chief Environmental Officer for the Government of West Bengal, discussed the environmental conservation efforts and administrative challenges of managing the wetlands. The visit, coordinated by students Simran Sonkar, Ambreen Rahman, Shreya Singh, Poulami Das, and Arpita Jaiswal, included a field tour, breakfast, and student-led activities, offering valuable insights into environmental conservation and administrative processes.

Some photos from the Wetlands.



7. REPORT ON ONE-WEEK COMPULSORY TRAINING COURSE ON BENEFIT SHARING OF FOREST ECOSYSTEM SERVICE UNDER CUSTOMARY AND FORMAL LAWS: THE WAY FORWARD FOR FOREST DEVELOPMENT.

From August 02-06, 2021, a virtual training course for Indian Forest Services (IFS) Officers, themed "Benefit Sharing of Forest Ecosystem Services under Customary and Formal Laws: The Way Forward for Forest Development," was conducted via Google Meet. Guided by Vice Chancellor Prof. (Dr.) Nirmal Kanti Chakrabarti, with Dr. M.P. Chengappa as Course Director and Ms. Garishma Bhayana as Organizing Coordinator, the course began by emphasizing environmental law principles such as sustainable development and the polluter pays principle. Featuring 22 presentations from experts and 13 from NUJS students and Ph.D. scholars, the curriculum covered benefit sharing in forest ecosystems, international frameworks like the Convention on Biological Diversity and the Nagoya Protocol, and national laws including the Biological Diversity Act, 2002, and the Compensatory Afforestation Fund Act, 2016. Case studies and landmark environmental cases such as T.N. Godavarman vs. Union of India and the Lafarge decision highlighted practical applications. Other topics included land use policy, the roles of the Supreme Court and National Green Tribunal in forest conservation, and issues of bio-piracy and intellectual property. Interactive discussions allowed IFS officers to share experiences, culminating in a valedictory session presided over by Prof. Chakrabarti, with notable speakers Prof. Dr. T.R. Subramanya and Dr. A.K. Sanyal. The course concluded with closing remarks by Dr. Chengappa and a vote of thanks by Ms. Bhayana, enhancing participants' understanding of benefit sharing in forest ecosystems.

8. One-Week Compulsory Training Course on Legal Framework on Wetland Management and Conservation in India

The West Bengal National University of Juridical Sciences (WBNUJS), guided by Vice-Chancellor Prof. (Dr.) Nirmal Kanti Chakrabarti, was nominated by the Ministry of Environment, Forest & Climate Change, Government of India to conduct a compulsory one-week training course on "Legal Framework on Wetland Management and Conservation in India" from August 01-05, 2022. Thirteen IFS officers from across India attended the program, which featured a variety of expert-led sessions and a field visit to the East Kolkata Wetlands. The inaugural session included notable figures such as Shri Vivek Kumar, IAS, and Shri Balamurugan K, IFS, with significant contributions from Prof. Dr. Arup Poddar. Sessions were led by experts including Prof. Dr. MK Ramesh, Dr. Nathalie Doswald, and Dr. M.P. Chengappa, focusing on national and international wetland conservation laws. Highlights included a field visit on the second day, led by Shri Balamurugan K, and expert discussions from various professionals like Prof. Vijay Kishore Tiwari, Dr. Ritesh Kumar, and others on international frameworks and landmark judgments. The third day featured a brainstorming session by Prof. Dr. Sairam Bhat and discussions on community management, international best practices, and CSR fund applications. The fourth day included talks on wetland governance and case studies on Chilika Lake, while the final day focused on sharing experiences and challenges, with discussions on environmental litigation, economic utility, and personal experiences with wetlands in different regions.

Some photos from the Training Course.



9. ONE-WEEK COMPULSORY TRAINING COURSE ON LEGISLATIVE PARADIGM GOVERNING THE CONSERVATION OF THE BIOLOGICAL RESOURCE IN INDIA WITH SPECIAL FOCUS ON ACCESS AND BENEFIT SHARING.

The one-week compulsory training course for Indian Forest Services (IFS) Officers, held from 9th to 13th October 2023, centered around the theme "Legislative paradigm governing the conservation of biological resources in India with special focus on access and benefit sharing." Guided by Prof. (Dr.) Nirmal Kanti Chakrabarti and directed by Dr. M.P. Chengappa, with Ms. Manisha Kayal and Aarushi De as Organizing Coordinators, the course covered critical aspects of biodiversity conservation laws. Sessions commenced with an examination of wetlands legislation, addressing ambiguities in definitions and state government powers, and the significance of both natural and human-made wetlands, despite controversies. Legal frameworks such as the Environmental Protection Act of 1986 and Central Wetland Rules 2017 were discussed, alongside legal precedents like *Raja Muxafdar Bhatt v. State of JK* 2021. Challenges specific to wetlands in non-forest areas and along the Bangladesh border highlighted the necessity for a cohesive Wetland Policy, especially amid urbanization pressures.

Further discussions included biodiversity preservation, focusing on the Forest Rights Act, 2006, and its implementation gaps in West Bengal's tribal areas. Joint Forest Management (JFM) was critiqued for its unintended effects on tribal communities. Intellectual Property Law's impact on biodiversity was explored, covering biotechnological innovations, traditional knowledge protection, genetically modified crops, TRIPS agreement implications, and biopiracy ethics. The Nagoya Protocol and Access Benefit Sharing (ABS) principles were elucidated, with examples from Uttarakhand and Idukki district's Biodiversity Management Committees (BMCs) emphasizing equitable benefit-sharing and sustainable resource management.

Field trips to Kolkata's wetlands and the Sunderban Tiger Reserve provided practical insights into conservation efforts, showcasing community involvement and innovative practices. The training concluded with a session on environmental statistics, stressing the importance of forests and marine ecosystems in climate change mitigation and biodiversity preservation.

Some photos from the Training Course.

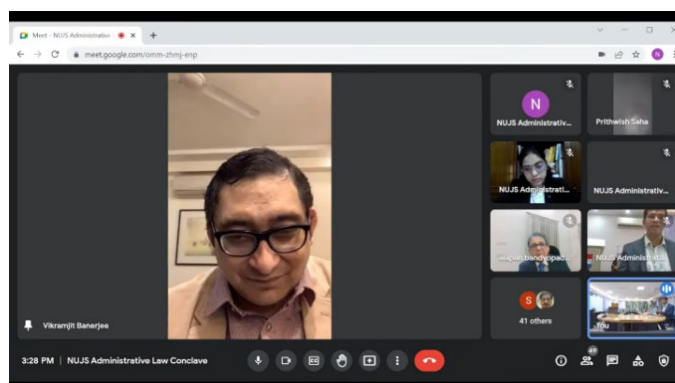
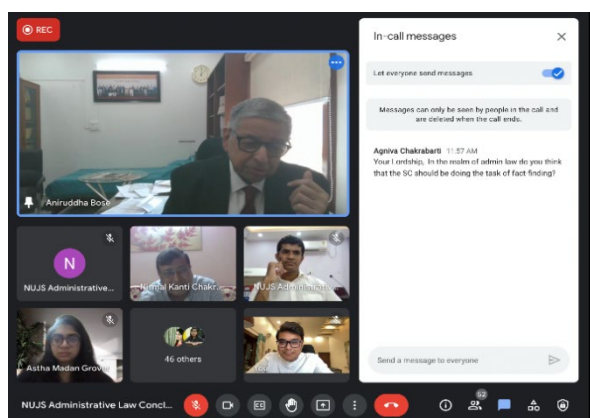


10. REPORT ON 2-DAY INTERNATIONAL CONCLAVE ON CONTEMPORARY ISSUES IN ADMINISTRATIVE LAW

The West Bengal National University of Juridical Sciences (WBNUJS), Kolkata, hosted an International Conclave on Contemporary Issues in Administrative Law on February 19-20, 2022. Conducted under the guidance of Vice Chancellor Prof. (Dr.) Nirmal Kanti Chakrabarti, coordinated by Prof. (Dr.) MP Chengappa, and supported by student coordinators, the event was held via Google Meet and streamed live on NUJS's YouTube channel in association with the Competition Commission of India. The conclave addressed themes such as the interplay between constitutional and administrative law, the expansion of common law principles, individual liability, administrative decision-making, tribunal justice systems, natural justice principles, and the role of RTI in governance. Distinguished guests included Chief Guest Hon'ble Justice Indira Banerjee, Guest of Honour Hon'ble Justice Aniruddha Bose, and Honorary Guest Hon'ble Justice Soumen Sen, alongside numerous notable panelists like Shri Vikramjit Banerjee, Shri Alapan Bandyopadhyay, and Prof. Dr. V. Vijayakumar. The event culminated in a Valedictory Session presided over by Justice Indira Banerjee, providing a platform for engaging discussions among academicians, professionals, researchers, and students from across the country.

This event brought together a multitude of perspectives and fostered rich discussions on contemporary administrative law issues, making it a significant gathering for legal minds.

A few screenshots of the Session.





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