

Course Title : Infrastructure Policies, Reforms, and Law				
Course code: PPM 151		No. of credits: 3	L-T-P: 38-04-00	Learning hours: 42
Pre-requisite course code and title (if any): NA				
Department: Department of Business Sustainability				
Course coordinator: Mr. M V Shiju			Course Instructor: Mr. M V Shiju	
Contact details: mvshiju@teri.res.in				
Course type: Core			Course offered in: Semester 2	
Course description: This course attempts to provide an overview of important physical infrastructure sectors and the reforms, including the regulatory reforms, initiated to attract investment, to improve efficiencies, to rationalise tariff and to enhance consumer welfare. The course will also provide an overview of the sector specific legislation, the Constitutional and general legal context in which sector laws operate and of the regulatory law, where it exists. The course is divided into four modules. First three modules provide an overview of the general legal framework within which the infrastructure sector operate. The fourth module covers certain important infrastructure sectors like telecom, electricity, oil and natural gas and transport.				
Course objectives:				
<ul style="list-style-type: none"> • To provide an overview of the various physical infrastructure sectors in India • To analyse the general legal framework in which these sectors operate • To critically examine the sector specific laws and the reforms carried out in these sectors 				
Course contents				
Module	Topic	L	T	P
1	Module 1: Legal and Policy Aspects <ul style="list-style-type: none"> • Constitutional aspects Constitutional law-allocation of jurisdiction over different infrastructure sectors between the Centre and State - law making powers Administrative Law • Policy Formulation Role of Centre and State in policy formulation – Central funding of infrastructure projects – central oversight and interference. • Private Participation Investment requirements – non ideological factors leading to commercialisation and privatisation of infrastructure- from socialism to market driven economy- legal framework for private sector participation – modes of Public Private Partnership (PPP)- dispute settlement clauses in concession agreements. 	4 2 3	2	0
2	Module 2: General legal context of infrastructure business <ul style="list-style-type: none"> • Environmental Aspects General Framework on environmental regulation and guidelines- Coastal Zone 	4	2	0

	<p>Regulation- Forest (Conservation) Act -Environmental Impact Assessment- Role of judiciary</p> <ul style="list-style-type: none"> • Land Acquisition Land Acquisition – Rehabilitation and resettlement 	3		
3	<p>Module 3: Independent regulation: New Mechanism of Governance in infrastructure</p> <p>Theories of regulation-genesis of Independent regulation-evolution of regulation in different jurisdictions- Design and structure of regulators-scope and functions-regulatory process-and regulatory autonomy and accountability-regulatory predictability and certainty</p> <p>Regulatory law in India</p>	4	0	0
4	<p>Module 4 : Infrastructure Sectorial polices, reforms, and laws</p> <ul style="list-style-type: none"> • Power Sector/Electricity Introduction-evolution of the power sector reforms, polices-National Electricity policy- new legal framework- the state electricity boards- licensing framework- Provisions Relating to and working of Electricity Regulatory Commissions-their structure, role and functions • Telecommunications The national telecom policies-the legal framework- Reforms - Policies • Oil, Petroleum and Natural Gas Reforms, policies and legal framework -New Exploration Licensing Policy (NELP)- production sharing contracts- the new Petroleum Regulatory and Natural Gas Board Act – the emerging regulatory reforms • Transport Law, policy and reforms relating to Airports-Railways-Road –Port/TAMP and an overview of coastal shipping and Inland Water Transport policy 	4 4 4 6		
	Total	38	4	
<p>Evaluation criteria:</p> <p>Presentations and Assignments: 50%</p> <p>Final Examination : 50%</p>				

Learning outcomes:

- To appreciate the importance of law and legal institutions in infrastructure
- To understand the need for reforms in various infrastructure sectors
- To understand the rationale for independent regulatory structures and the role of PPP.

Pedagogical approach:

A combination of class-room interactions, tutorials, assignments and projects.

Materials:**Suggested readings:**

1. I.P Massey (2008), *Administrative Law*, Lucknow: Eastern Book Company.
2. D D Basu (2009), *The Constitutional Law of India*, New Delhi: Lexis Nexis Butterworths.
3. Baldwin, R. and C. McCrudden (1987), *Regulation and Public Law*. London: Weidenfeld & Nicolson,
4. Piyush Joshi(2003), *Law Relating to Infrastructure Projects*, New Delhi: Butterworths.
5. S K Sarkar, Leena Srivastava (ed), (2002), *Reforms in the Infrastructure Sectors: Next Steps*, New Delhi: TERI .
6. SK Sarkar, Leena Srivastava (ed) (1999), *Transition to a liberalized environment: experiences and issues in regulation*, New Delhi: TERI.
7. S Sundar & SK Sarkar (2000), *Framework for Infrastructure Regulation*, New Delhi: TERI.
8. Sidney Shapiro & Joseph Tomain,(2003), *Regulatory law and policy: Cases and Materials* LexisNexis.

Additional information (if any):NA**Student responsibilities:**

Attendance, feedback, discipline: as per university rules.

Course Reviewed by:

1. Dr. Rajesh Babu, Associate Professor, IIM Calcutta
2. Dr. Bindu Ronald, Associate Professor, Symbiosis Law School, Pune