

Course title: Legal and Regulatory Aspects of Infrastructure				
Course code: BSI 167	No. of credits: 2	L-T-P distribution: 20-08-0	Learning hours: 28	
Pre-requisite course code and title (if any):				
Department: Department of Business Sustainability				
Course coordinator (s): Mr M V Shiju			Course instructor (s): Mr. M V Shiju	
Contact details: mvshiju@teriuniversity.ac.in				
Course type	Core	Course offered in: Semester 1		
Course description				
This course provides an overview of the Constitutional and general legal context in which the infrastructure sector operates. It also covers the legislative and policy framework within which the specific infrastructure activity has to be undertaken. Special emphasis is placed on the regulatory law of different infrastructure sectors, and attempts to undertake a comparative assessment of the regulatory laws and policies of different infrastructure sectors.				
Course objectives				
<ul style="list-style-type: none"> ▪ To provide an overview of the constitutional and the general legal context in which the infrastructure sector operates ▪ To examine the importance of independent regulation in infrastructure ▪ To analyse the laws and policies and the reforms carried out in select infrastructure sectors 				
Course content				
Module	Topic	L	T	P
1.	Constitutional aspects Indian Constitution – Salient features – Fundamental Rights - Allocation of jurisdiction over different infrastructure sectors between the Centre and State - law making powers Allocation of natural resources: Judicial review Administrative law	3	1	0
2.	Independent regulation: New Mechanism of Governance in infrastructure Theories of regulation-genesis of Independent regulation-evolution of regulation in different jurisdictions- Design and structure of regulators-scope and functions-regulatory process- regulatory autonomy and accountability-regulatory predictability and certainty	3	0	0
3.	Infrastructure Sectoral polices, reforms and laws			
	Power Sector/Electricity Introduction-evolution of the power sector reforms, polices- Electricity Act, 2003 - National Electricity policy- legal framework- the state electricity boards- licensing framework- Provisions Relating to and working of Electricity Regulatory Commissions-their structure, role and functions	3	2	0
	Telecommunications The national telecom policies-the legal framework- regulatory agencies-functioning, power and functions of TRAI and TDSAT	3	2	0
	Oil, Petroleum and Natural Gas Reforms, policies and legal framework -New Exploration Licensing Policy (NELP)- production sharing contracts- the Petroleum Regulatory and Natural Gas Board Act – the emerging regulatory reforms	2	1	0
4.	Water Water policy and General Legal framework and reforms-Water rights- state jurisdiction- new regulatory reforms in water sector-	2	1	0
	Transport Law, policy and reforms relating to Airports-Railways-Road –Port; TAMP; an overview of coastal shipping and Inland Water Transport policy	3	1	0
	Waste Management: Legal and regulatory framework	1	0	0

	Total	20	8	0
Evaluation criteria				
▪	Term paper and presentations	50%		
▪	Major Test	50%		
Learning outcomes				
1. The students will be able to understand the laws applicable to the infrastructure sector				
2. The students would have acquired the skill to interpret the relevant legislation and judicial pronouncements.				
Pedagogical approach				
A combination of lecture based and problem based learning would be used. Case studies would be used for initiating discussions in the module on specific sectors.				
Materials				
Required text				
1. National Transport Development Policy Committee Report (Rakesh Mohan Committee)				
2. Jain, M. P. (2014), <i>Indian Constitutional Law</i> , 7 th Edn., LexisNexis, New Delhi.				
3. Baldwin, R. and C. McCrudden (1987), <i>Regulation and Public Law</i> , Weidenfeld & Nicolson, London.				
4. Basu, D. D. (2003), <i>The Constitutional Law of India</i> , 7 th Edn, Wadhwa and Company, New Delhi.				
5. Massey, I.P (2008), <i>Administrative Law</i> , 7 th Edn, Eastern Book Company, Lucknow.				
6. Joshi, Piyush (2003), <i>Law Relating to Infrastructure Projects</i> , 2 nd Edn, Butterworths, New Delhi.				
7. S K Sarkar, Leena Srivastava (ed) (2002), <i>Reforms in the Infrastructure Sectors: Next Steps</i> , TERI Press, New Delhi.				
8. Sarkar, S. K. and Srivastava, Leena (ed) (1999), <i>Transition to a liberalized environment: experiences and issues in regulation</i> , TERI Press, New Delhi.				
9. Sundar, S. and Sarkar S. K. . (2000), <i>Framework for Infrastructure Regulation</i> , TERI Press, New Delhi.				
10. Shapiro, Sidney and Tomain, Joseph (2003), <i>Regulatory law and policy: Cases and Materials</i> , LexisNexis, New Delhi.				
11. India Infrastructure Reports				
Case studies				
Websites				
Journals				
Additional information (if any)				
Student responsibilities				
Attendance, feedback, discipline, guest faculty etc.				

Course reviewers:

1. Mr. Nishant Beniwal, Associate Partner at Khaitan & Co
2. Mr. Mohit Abraham, Consultant