Course title: Business and Taxation Laws			
Course code MPL 142	**No. of credits** 3	**L-T-P distribution:** 20-25-0	**Learning hours:** 45
Pre-requisite course code and title (if any)			
Faculty	Department of Policy Studies (Centre for Postgraduate Legal Studies)		
Course coordinator (s) Dr. Kavita	**Course instructor (s)** Dr. Kavita		
Contact details- kavita@terisas.ac.in			
Course type	**Core**		
Course offered in	**Semester 2**		

Course Description

This course introduces the laws relating to Business and Taxation Laws with respect to infrastructure sector. It aims at providing the students comprehensive information about the formation of a company, and the legal issues involved its operation and management.

Course objectives

1. To introduce various forms of business structures that are possible in infrastructure projects
2. To examine competition law and laws relating to taxation with respect to specific sectors of Infrastructure
3. To analyse specific infrastructure projects through case studies

Course content	**L**	**T**	**P**
Module 1: ***Business law and kinds of infrastructure projects*** Different forms of legal association Companies Act 2013; types of companies under Companies Act Legal provisions relating to Incorporation, Management and Winding up SPV; Joint Ventures, Public Private Partnership Models (PPP), Management Contract etc.	**7**	**5**	
Module 2: Competition Law Competition Act, 2002: Anticompetitive agreements; Abuse of dominance; Combinations CCI; Role of sectoral regulators Case studies	**5**		
Module 3: ***Taxation Laws under Infrastructure Sector*** Income Tax; Manner & Procedure of Charging from Different Modules of Infrastructure under Income Tax Act, 1961 as per there income earning capacities. Stamp Duty; Manner & Procedure of Charging from Different Modules of Infrastructure under the Indian Stamp Act, 1899; Works & Contract Tax; on different Modules of Infrastructure as per the terms & conditions decided between the parties. Sales Tax; Depending upon the nature of transactions by Different Modules of Infrastructure.	**8**	**4**	

Excise Duty; As Applicable on Different Modules of Infrastructure Custom Duty; As Applicable with the rules & regulations of working of Different Modules of Infrastructure.			
Module 4: ***Infrastructure projects and case studies*** Airports Roads and National Highways Railways Ports and shipping (The discussions will be around the topics covered in Modules 1, 2 and 3).		**4** **4** **4** **4**	
Total	**20**	**25**	

Evaluation criteria

- Class participation : 10
- Term Paper : 25
- Presentation : 25
- Final examination : 40

Learning outcomes

By the end of the course, it is expected that the students will:

1. Be able to grasp the nature of and forms of companies incorporated and competition issues in the infrastructure sector
2. Be able to analyse various taxation laws applicable to the infrastructure sector.
3. Have a comprehensive understanding of how firms operating in the specific infrastructure sectors are legally organised and managed.

Pedagogical approach

A mixture of lecture and discussion methods will be adopted. The topics under each module will be introduced through an introductory lecture, followed by discussions by students. Students are expected to come prepared and initiate discussions on topics that have been assigned beforehand.

Materials

Statutes:

Airport Authority of India Act, 1994.
Aircraft Act, 1934
National Highways Act, 1956
National Highways Authority of India Act, 1988
Indian Railways Act, 2012
Indian Companies Act, 2013
Income Tax Act, 1961

Books:

1. Joshi, Piyush (2003), *Laws Relating to Infrastructure Projects*, Second edition, New Delhi: LexisNexis Buterworths.
2. Datar, Aravind P. and Balasubramanian S. (2014), *Ramaiya's Guide to the Companies Act*, Eighteenth Edition, New Delhi: LexisNexis.
3. Furse, Mark (2008), *Competition Law of the EC and the UK*, Sixth Edition, Oxford: Oxford University Press.
4. Ramappa, A. (2006), *Competition Law in India*, New Delhi: Oxford University Press.

5. Majumdar, A. K., Kapoor, G.K. and Dhamija, Sanjay (2014), *Company Law and Practice*, New Delhi: Taxmann Publication.
6. Singhania, Dr. V. & Singhania, Dr. K. (2016), *Direct Taxes, Law and Practice*, Fifty Sixth edition, New Delhi: Taxmann Publication.

Additional information (if any)

Student responsibilities

Course Reviewers

1. Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune.
2. Dr. Lovely Dasgupta, Assistant Professor, West Bengal National University of Juridical Sciences, Kolkata.