

Course Title: Governance and Law				
Course Code: PPS 153		No. of Credits: 2	L-T-P Distribution: 30-0-0	Learning hours: 28
Pre-requisite course code and title (if any): None				
Department: Policy Studies				
Course coordinator: Mr. Shri Prakash			Course instructor: Mr. Shri Prakash	
Contact details: shri.prakash@terisas.ac.in				
Course Type: Core			Course offered in: Semester 2	
Course description: This course is designed keeping in mind that the participants are professionals who have experience in implementing policies and have meaningfully contributed to policy making. With that assumption, the course starts with a module intended to refresh some basic concepts that try to locate the role of law in public policy. The remaining modules are intended to study in somewhat detail two dynamic areas of governance that have huge relevance to public policy: independent regulation and environmental governance. This course will directly help the participants in their major projects.				
Course objectives:				
<ul style="list-style-type: none"> ▪ To critically analyse the role of independent regulators in governance and the impact of independent regulation in policy making ▪ To understand the competition law regime and its impact on governance ▪ To appreciate the importance of law in addressing environmental concerns, influence of international norms and the role of judiciary in environmental governance 				
Course contents				
Module	Topic	L	T	P
1.	Law and Public Policy: Introduction Importance of law and institutions in public policy Constitution: Source and limitation on governmental power International law and its influence on policy making An introduction to Administrative Law	6	0	0
2.	Independent regulation: Concept and Theories Theories of regulation- Types of regulation Genesis of Independent regulation-evolution of regulation in different jurisdictions – Different routes to regulation Scope and functions - regulatory process- regulatory autonomy and accountability	6	0	0
3.	Regulation in Infrastructure sector in India: Case study Independent regulatory bodies in different infrastructure sectors: Electricity, Telecom and Transport Review of the reforms - Role of the sector regulator and the Government Measuring Regulatory Performance: Impact on consumer welfare; improvement in efficiency in service; ensuring equity, justice and environmental protection Policy directives by the government – Different approaches Regulatory Impact Assessment	6	0	0
4.	Competition law and policy Need for competition law and policy - Origins and scope – development dimensions – government procurement Regulation-Competition interface; Role of sector regulators in promoting competition	4	0	0
5.	Environmental law and policy Evolution of environmental laws in India – Role of Judiciary Constitutional provisions – Overview of laws and institutions Role of judiciary in policy making; general principles Public participation in environmental decision making	8	0	0
Total		30	0	0

<p>Evaluation criteria:</p> <ul style="list-style-type: none"> ▪ Presentations: 50% ▪ Term paper: 50 %
<p>Learning outcomes:</p> <p>On completion of this course, the participants would be able to:</p> <ul style="list-style-type: none"> ▪ Make contributions in the form of articles and policy briefs that analyses the role of independent regulatory bodies in ensuring equity, justice and socio-ecological integrity ▪ Critically analyse the role of judiciary in policy making and implementation especially in the field of environmental law.
<p>Materials:</p> <p>Required text</p> <p>Suggested readings</p> <p>Reading material in the form of articles, case studies, orders by regulatory commissions, judgments by higher judiciary etc. will be circulated for each topic of discussion. In addition the following readings would give a broad background to the course:</p> <ol style="list-style-type: none"> 1. Khosla, Madhav (2012). The Indian Constitution. Oxford University Press, New Delhi. 2. Baxi, Upendra (2016). Law, Politics, and Constitutional Hegemony: The Supreme Court, Jurisprudence, and Demosprudence. In Choudhry, Sujit et.al. The Oxford Handbook of the Indian Constitution. Oxford University Press, New Delhi. 3. Singh, M. P. (2016). The Federal Scheme. In Choudhry, Sujit et.al. The Oxford Handbook of the Indian Constitution. Oxford University Press, New Delhi. 4. Moran, Michael (2002). Understanding the Regulatory State. British Journal of Political Science, 32 (2): 391-413. 5. Thiruvengadam, Arun and Joshi, Piyush (2013). Judiciaries as Crucial Actors in Southern Regulatory Systems: A Case Study of Indian Telecom Regulation. In Dubash, N. K. and Morgan, M. The Rise of the Regulatory State of the South. Oxford University Press, Oxford. 6. Dubash, Navroz K. (2006). Emergent Regulatory Governance in India: Comparative Case Studies of Electricity Regulation. http://regulation.upf.edu/bath-06/10_Dubash_Rao.pdf 7. Singh, Ajit (1999). Competition Policy, Development and Developing Countries. Working Paper, ICRIER, New Delhi. 8. Guha, Ramachandra (2006). How Much Should a Person Consume? Chs. 4 and 5. Permanent Black, New Delhi. <p>Case Studies</p> <p>Websites</p> <p>Journals</p> <p>Other readings</p>
<p>Additional information (if any):</p>
<p>Student responsibilities:</p> <p>Attendance, timely feedback, discipline: as per university rules, adopt peer learning and knowledge sharing within the class</p>

Course reviewers:

1. Prof. M. P. Singh, National Law University, Delhi.
2. Prof. S. Sundar, Distinguished Fellow, TERI, New Delhi.