



# ADVANCED CONTRACTS, TENDERING AND PUBLIC PROCUREMENT

## PROF. SAIRAM BHAT

Department of Law

National Law School of India University

**PRE-REQUISITES :** Basic Understanding of Contracts in general and Law and legal System

**INTENDED AUDIENCE :** Students, Government Officers, Administrators, Business Professionals and others.

**INDUSTRY SUPPORT :** Drafting and negotiation of contract and understanding of contractual clauses and their implications are essential components of every industry, trade and business activity. Therefore, the course will be relevant for every Industry and Business professional and students of law and allied fields who want to work in the business sector. Besides and understanding of public procurement, tendering and the essentials of government contracts is relevant for all stakeholders in the Government sector and Central /State Civil Servants.

### COURSE OUTLINE :

Contracts have become indispensable to every realm of the lives of the individuals and corporations alike. The Course will aid in understanding the basics and general principles of contract law in India. It will also aid in understanding the application of general principles of contracts in specific circumstance which are the footholds for business associations and commercial transactions. The law of special contracts plays an important role in commercial transactions, particularly with the advent of the modern enterprises which, by a legal fiction, are considered to have personality and may enter into transactions in their own right., Much of the day to day commercial transactions can facilitated by intermediaries acting within the scope of the authority that has been conferred on them whether expressly or by implication. Special contracts are widely used in the commercial world. Government Contracts is a separate field of contract law as the government is accorded a special protection the grounds of "public interest" and "public finance". In the modern era, government contracts have assumed a great significance. Today a large number of individuals and business organizations enjoy largess in the form of government contracts, licenses, quotas, mineral rights, jobs etc. The Learners of the course will be able to understand and appreciate the basic principle of contract law, law relating to special contracts and the law relating to public procurement and tendering.

### ABOUT INSTRUCTOR :

Prof. Sairam Bhat, Professor of Law at National Law School of India University, Bengaluru, India's pioneer legal institution, with over 20 years of experience in the legal fraternity. His areas of specialization include the Law relating to Public Private Partnerships, Competition Law, Tendering, Contract Management, Environment Protection and the Law on Right to Information.

He has served as a Consultant to several Governmental and Non-Governmental Organisations and has conducted several training programmes and workshops for various officers of Government of India, and other State Governments under the aegis of various government bodies including the Administrative Training Institute, Mysore; National Academy of Direct Taxes, Delhi; Vaizag Steel; Central Silk Board; National Productivity Council; GIPARD, Goa and Fiscal Policy Institute, Bengaluru.

He did his LL.M, and Ph.D from the Department of Law, University of Mysore and has been awarded the 'Young India Environmental Law Fellowship' and served as Adjunct Faculty at Golden Gate University, California, USA, during the fall, 2003. As a Fulbright-Nehru Fellow, 2010, he was a 'Visiting Researcher' at the Georgetown University, Law Centre Washington DC, during Aug-Dec. 2010. He was also a Linnaeus-Palme Academic Exchange Fellow at the Royal Institute of Technology, Stockholm, Sweden, 2012-13. He has published books titled, Natural Resources Conservation Law [SAGE], Right to Information [Eastern Book House], Contracts, Agreements and Public Policy [NLSIU Book Series -1], Energy Law and Policy in India [NLSIU Book Series-2], Right to Information and Good Governance [NLSIU Books Series-3]. He is also the Chief Editor of the Journal on Environmental Law, Policy and Development and Journal on Law and Public Policy, published by NLSIU.

### COURSE PLAN :

**Week 1:** Basics of Contract Law - I

**Week 2:** Basics of Contract Law - II

**Week 3:** Basics of Contract Law - III

**Week 4:** Basics of Contract Law - IV

**Week 5:** Special Contracts - I

**Week 6:** Special Contracts - II

**Week 7:** Special Contracts - III

**Week 8:** Special Contracts - IV

**Week 9:** Law on Public Procurement and Tendering - I

**Week 10:** Law on Public Procurement and Tendering - II

**Week 11:** Law on Public Procurement and Tendering - III

**Week 12:** Law on Public Procurement and Tendering - IV