

ROHIT ROY

PhD, LLM, B.S.L.LLB

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PROFESSIONAL EXPERIENCE

Dec 2017 – Present

Christ (Deemed to be University)

▪ **Assistant Professor**

International Environmental Law – Subject taught in the academic year 2018-19

The course examines various aspects of international environmental law including the link between environment and development, the law pertaining to international organizations, transboundary pollution, the global commons and the protection of species.

Environmental Law – Subject taught in the academic year 2017-18

The course explores various aspects of domestic (Indian) environmental law including common law remedies, constitutional provisions and the examination of statutes like the Environmental Protection Act, Water (Prevention and Control of Pollution) Act and the Air (Prevention and Control of Pollution) Act.

Food Law – Subject taught in the academic year 2017-18

The course examines the fundamental concept of the right to food. It also explores themes such as institutions and rules governing food law, the standards that apply to the Public Distribution system, the interactions between international organizations and domestic governments, and how the government ensures the three basic concepts of adequacy, availability and accessibility and prevents starvation, famine and provides employment and women empowerment.

Property Law – Subject taught in the Academic year 2017-18 and 2018-19

The course explores the fundamentals of Indian property law and the structural arrangements of the transfer of property in India. It also examines statutes such as the Transfer of Property Act, and the Indian Easement Act.

The Law of Contract (II) – Subject taught in the Academic year 2017-18

The course is designed as an advanced course pertaining to the law of contracts. It explores concepts such as indemnity, guarantee, bailment, pledge, agency and partnership.

Apr 2017 – Nov 2017

International Tax Research and Analysis Foundation (ITRAF)

▪ **Research Fellow**

The position entailed research on matters of international and domestic taxation and the publication of findings as working papers with the final objective of external publication. Research projects included regulatory changes in tax law and commercial law in India affecting mergers and acquisitions as well as the OECD BEPS initiative, and a review of the MLI implementing Action 15 of the initiative and India's reservations document.

Oct 2013 – Oct 2014

Cardiff University

▪ **Part-time Tutor**

Tutor in Commercial Law (Undergraduate Level)

Tutor in Law of the EU (Undergraduate Level)

WTO Law Module on the WTO and the Environment (Postgraduate Level)

Commercial Law – Taught six tutorial groups for the academic year 2013-14.

Tutorials examined fundamental legal issues associated with commercial transactions including introductions to the nature and role of commercial law before addressing the sale of goods (with emphasis on the Sale of Goods Act 1979), and other aspects of the sale of goods, such as agency and security. Tutorials looked at domestic business to business transactions as well as the influence of the EU regulations. My duties included preparing and delivering tutorials, student liaison and marking formatives. I also provided feedback on the end of year exam questions.

EU Law – Taught three tutorial groups for the academic year 2013-14.

Tutorials examined various aspects of EU law including, the EU's constitutional and institutional structure, the principal sources and development of EU law, its relationship to the national legal order in the United Kingdom and the resolution of conflicts between national law and EU law, the enforcement of EU law by the CJEU and national courts, and the free movement of goods and services. My duties included preparing and delivering tutorials, student liaison, group work assessment and marking formatives.

WTO Law – Conducted two seminars for the academic year 2013-14 and one seminar for 2012-13.

The seminars were titled 'The WTO and Environmental Issues' and 'The WTO and Bilateral and Plurilateral Trade Agreements'.

'The WTO and Environmental Issues' seminar looked at the various WTO provisions concerning environmental regulations and standards in the GATT, GATS, SPS and TBT Agreements. It discussed the developed and developing country friction that affect the proper formation and implementation of international environmental policies and standards in WTO and international trade in general, including the issues of Processes and Production Methods (PPMs) and extraterritoriality.

'The WTO and Bilateral and Plurilateral Trade Agreements' seminar looked at the WTO compatibility and the interrelationship between bilateral and plurilateral agreements including WTO-*plus* agreements. Topics of discussion included the MFN exceptions and the 'Enabling clause' as well as a look into Investor-State Dispute Settlement Clauses. My duties included preparing and delivering the seminars and seminar sheets. I also drafted summative and 'resit' questions for the WTO module.

May 2011 – Sep 2013

Prof Rohan Kariyawasam,

Professor of Law at Anglia Ruskin University

Previously Professor of Law at Cardiff University

Research Assistant

Researcher for British Academy grant on "*Market Competition, Net Neutrality, and Privacy: A New Layering Theory*" (2013)

Duties included researching on the various aspects of market competition, net neutrality and 'Layering theory'. I also liaised and went for meetings with national and EU broadband and telephony regulators such as OFCOM, ARCEP and the European Commission as well as other academics in the field

Dec 2009 – Dec 2013 **Kindle Magazine, Calcutta, India**

Columnist

Articles were submitted on a monthly basis on various topics including Foreign Direct Investments affecting indigenous tribes, review of international conferences such as the CITES, trade related aspects leading to the US instituting proceedings against India's Solar energy mission and climate change and species conservation issues, of others.

EDUCATION

Oct 2010 – Feb 2017 **PhD in Law**
Cardiff Law School, Cardiff University, UK

Thesis topic: *"Environmental Standards in World Trade: A Study of the Trade-Environment Nexus, Disadvantages of the Unilateral Imposition of Standards, and Mutual Recognition as an Alternative"*

- WTO Law
- Environmental Law
- Law of International Institutions
- Public International Law
- International Commercial Law
- International Trade Relations

The thesis discusses environmental standards within international trade in goods. It compares the unilateral imposition of standards by nation states and their potential to be perceived as technical barriers to trade. The research compares unilateral standards (and the corresponding developed and developing country friction) with the increase of standards through transnational governance, especially through mutual recognition agreements, and agreements with elements of mutual recognition. Considering the international trade-environment paradigm, the thesis simultaneously considers the WTO compatibility of environmental standards, national unilateral instruments and mutual recognition agreements. This also necessitates research into the commercial and environmental priorities of national policy and national regulations.

Sep 2007 – Sep 2008 **LLM in International Commercial Law**
Cardiff Law School, Cardiff University, UK

Dissertation Topic: *"Revisiting Old Ties: Indo-UK Trade Relations in the New World Economy"*

- World Trade Law
- International Banking Law
- Comparative Corporate Governance
- Commercial Legal Practice

The dissertation looks at the trade relations between India and the UK. It concentrates on the difference in policies of their intellectual property regimes, the effects on foreign direct investment and the amendments required due to WTO obligations. The dissertation follows with a discussion on the pharmaceutical industry and the effect 'compulsory licencing' may have on trade between India and the UK.

Jul 2002 – Jul 2007 **B.S.L. LLB**
Symbiosis Society's Law College,
Symbiosis International Education Centre (Deemed University), India

- Company Law
- Law of Contract
- Intellectual Property Law
- Administrative Law
- Economics
- Tort etc.

PUBLICATIONS

Chapter in Edited Books:

Minimum Standards to the OECD BEPS Multilateral Convention: An Indian Perspective in Shome, P (ed), *Challenges in Domestic and International Taxation: Emerging Indian Experience* (Taxesutra, 2018)

This piece seeks to discuss the recently signed MLI on BEPS (Action 15). The paper compares the various drafts and the eventual, negotiated final instrument and discusses the dynamics of global interests that shaped the MLI. In that regard, the paper will look at India's position (including the position paper it submitted) and the various treaties that India has agreed to bring under the multilateral convention.

Working Paper:

'Cross-border Mergers and Acquisitions: Regulatory Changes in Indian Corporate and Tax Laws'

Written for the International Tax Research and Analysis Foundation

Available at: <http://itraf.org/document/paper/Working%20paper-1%20-260717.pdf>

This paper looks at some of the recent and significant regulatory changes affecting FDI related M&As. The past few years have seen policy changes aimed at encouraging FDI into the Indian market. Simultaneously, tax regulations have had to be implemented due to an increase in tax avoidance schemes by MNEs. The paper therefore looks at the tax regulations affecting cross border M&As. It highlights the various provisions of the IT Act 1961, which serve to temper anti-avoidance regulations.

Contribution to Other Authors:

Edited section of paper on eco-labels published as part of:

Rohan Kariyawasam, *'Can the Technology and Regulation of Labeling Deliver Trust in Fair Trade?'* in Janet Dine and Brigitte Granville (eds.), *The Processes and practices of Fair Trade: Trust, Ethics and Governance*, (Routledge, 2012)

The paper looks at the WTO compatibility of eco labels concerning Process and Production Methods (PPMs). It discusses the provisions allowing eco-labels within the WTO framework, including the General exception clauses in GATT and GATS and the TBT Agreement and its consideration under various WTO case-laws. It also looks at the two committees under which eco-labels are discussed - The Committee on Trade and Environment (CTE) and the Committee on Technical Barriers to Trade (TBT Committee).

Column/Blogs:

'Keep off the grass'

Monthly column at Kindle magazine analysing Environmental issues in India (print and online)

Available at: <http://kindlemag.in/category/column/keep-off/>

Monthly column written for one of India's fastest growing print and online magazine. Articles were submitted on a monthly basis on various topics including FDI affecting indigenous tribes, review of international conferences such as the CITES, trade related aspects leading to the US instituting proceedings against India's Solar energy mission and climate change and species conservation issues, of others.

'Arguing the EC Seal Products Ban – The Recent WTO Deliberations'

Blog post for the Welsh Centre For International Affairs

Available at: <https://wciavoices.wordpress.com/tag/rohit-roy/>

The write up was a two part piece on the EC Seal Products Ban. The blog post was written on behalf of the WCIA: UNA Wales.

CONFERENCES

February 2013

Gregynog 2013: Welsh Law Schools' Conference

Topic: *"Mutual Recognition Agreements: The Potential for Higher Environmental Standards in International Policy and Trade"*

The talk discussed the various MRAs and international agreements with aspects of mutual recognition and their ability to increase environmental standards.

June 2012

Extravaganza 2012: Cardiff Law School Conference

Topic: *"Mutual Recognition Agreements and the Raising of Standards"*

The talk discussed the potential of MRAs in increasing environmental standards.

February 2012

Gregynog 2012: Welsh Law Schools' Conference

Topic: *"Mutual Recognition Agreements: The WTO Perspective"*

The talk discussed the WTO compatibility of Mutual Recognition Agreements.

June 2011

Extravaganza 2011: Cardiff Law School Conference

Topic: *"The WTO Compatibility of Eco-Labels"*

The talk discussed the WTO compatibility of ecolabels.

INTERNSHIPS

January – April 2009

Environmental Law Foundation, London, UK

Duties included researching on environmental and planning matters, and liaised with member network of lawyers on various legal matters including:

- Statutory Nuisance
- Noise Pollution
- Conservation of Habitats and Species
- Planning Regulations etc.

Duties also included the setting up and management of an entire seminar on the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009. This included liaising with speakers, reviewing the talks, organizing the venue, managing costs, implementing ticket sale structures, advertising the event and in general managing and coordinating staff assigned to the conference.

November – December 2005 **(Calcutta)**

M/s Fox Mandal & Associates, Attorneys & Advocates

April – May 2004 (New Delhi)

Prepared for commercial arbitrations and court proceedings, and researched on various commercial matters including banking, intellectual property, SEZ laws and TRAI regulations.

ADDITIONAL ACTIVITIES

November 2009

Invited Panellist

Talk given on the comparative international legal aspects of censorship as co-panellist in “*Censorship in India*” a discussion organized by Kindle Magazine, 2009. The talk discussed the various Indian legal provisions and regulations related to censorship and the freedom of speech.

April 2013

Telders International Moot Court Competition 2013

Member of the **International Board of Review (IBOR)** 2013

April 2013

WTO Dispute Settlement EC-Seal Products

External observer at the open hearing for the Dispute Settlement Panel discussion (Second Substantive Meeting) on EC-Seal Products

REFEREES

Prof. Rohan Kariyawasam

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Law and Social Sciences
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