



Business Negligence, Liability and Legal Risk

February 3 - 5, 2020

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Introduction

In India and internationally, Courts have frequently stepped in and extracted substantial damages from companies and their managers, arising from shortcomings in the products, not meeting of statutory requirements, or due to negligence.

This represents legal risk, and its impact extends far beyond the balance sheet of the company. Liability can devolve to both the company and its managers, and it can be civil, criminal or both. For a company, this can affect products and processes, require changes in management, and even adversely affect the reputation of the company. For managers, the cost may have far reaching personal consequences arising from bearing of litigation costs, payment of fines and damages, and even imprisonment.

While civil liabilities entail recovery of wrongful gains, fines and compensation. Criminal liability entails imprisonment. Further, both would likely involve future restrictions on the ability to conduct business and holding of positions in companies.

The course will cover examples from a wide variety of sectors, including FMCG, medical equipment, automobile, finance, liability relating to environmental damage, defamation, privacy, negligence etc.

This programme aims to help managers to identify likely sources of risk and understand the steps that can be taken to mitigate it in a timely manner. Overall, the legal risk that a company and a manager face in day to day business transactions will be the core of the programme.

Objectives

- Identify legal risk arising from regular business activities.
- Implication of tort law in cases of negligence.
- Understanding how criminality is attributable to companies and directors.
- The power of Indian courts- Statutory and Inherent.
- Study examples of:
 - a. Conditions for imposition of liability
 - b. Quantum of fines and compensation
- Learn from real sectoral examples.

Content

- Negligence and liability in business transactions - leading to legal risk
- Corporate criminal liability under Companies Act 2013
- Liability of directors under Companies Act 2013, SEBI regulations and under other civil and criminal laws
- No fault/strict/absolute liability for environmental damages
- Liability under auditing process
- Product liability under negligence
- Consumer Protection Act 2019 and liability of manufacturers and sellers
- Business reputation and defamation, including criminal defamation
- Commercial Disparagement
- Privacy

Pedagogy

The classes are based on case studies (derived from decided and ongoing court cases), exercises and lecture.

Participants' Profile

This programme is open to:

- Leadership across companies covering - CEOs, COOs, Managing Directors, Directors, General Managers, Senior Corporate Managers involved in day to day affairs of the company
- Government officials
- Marketing, sales and legal department of companies that specifically deals with products and services
- Auditors and lawyers

The programme is structured in a way that allows cross learning across leadership and sectors. Both senior and middle level managers are expected.

Faculty Chair

Prof. M P Ram Mohan (Email: mpmohan@iima.ac.in)
The course will have senior officials from legal and business community taking special lectures and case studies.



Nominations and Inquiries

Nominations should reach the Executive Education Office latest by **January 20, 2020**. The last date for early bird discount is **January 13, 2020**.

Organizational sponsorship is generally required, but can be waived in case the participant is likely to gain significantly from the programme for personal improvement or greater job effectiveness.

All nominations are subject to review and approval by the programme faculty (usually after the due date for receiving nominations). A formal acceptance letter will be sent to selected nominees accordingly. Nominees are requested to make their travel plans only after receiving the acceptance letter.

For nomination forms and more information, please contact:

Executive Education

Indian Institute of Management Ahmedabad
Vastrapur, Ahmedabad 380 015.

Phone: +91-79-6632 4461 to 69 and 4472 to 77

Fax: +91-79-2630 0352 (ExEd)/2630 6896 (General)

Email: exed@iima.ac.in

Website: www.iima.ac.in/exed

Certificate

A certificate of participation will be issued to the participants at the end, subject to their having attended all the sessions of the programme.

Venue and Accommodation

The programme will be held at the Indian Institute of Management Ahmedabad. Participants would get full board and air-conditioned single room accommodation on the Institute campus.

IIMA norms do not allow participants to have guests staying with them during the programme.



Programme Fee and Payment

INR 1,20,000 plus 18% GST per person for participants from India and its equivalent in US Dollars for participants from other countries. The fee includes tuition fees, programme materials, boarding and lodging.

The programme fee should be received by the Executive Education Office latest by **January 20, 2020**. In case of cancellations, the fee will be refunded only if a request is received at least 15 days prior to the start of the programme. If a nomination is not accepted, the fee will be refunded to the person/organization concerned.

The programme fee can be paid in one of these two ways:

[A] Electronic Fund Transfer:

1. Name of Beneficiary:
Indian Institute of Management Ahmedabad
2. Savings Bank A/c No. 9369EEP, YES Bank Limited, C. G. Road Branch, Ahmedabad (IFSC: YESB0000007, SWIFT Code: YESBINBB)
3. Name of Remitter: _____ (Please mention the name of the sponsoring organization)
4. Purpose of Remittance:
Business Negligence, Liability and Legal Risk
5. IIMA Permanent Account Number (PAN):
AAATI1247F
6. IIMA Tax Deduction Account Number (TAN):
AHMI00189A
7. IIMA GST Registration Number:
24AAATI1247F1Z4 (SAC: 999293)

After making the payment, please email us the complete transaction details immediately so that we can link your remittance with your nomination.

[B] Payment Gateway

For more information, please visit the respective programmes listed on our website www.iima.ac.in/exed

Discount

Early Bird Discount: Nominations received with payments on or before **January 13, 2020** will be entitled to an early bird discount of 7%. Early submission of fee and nomination does not, however, guarantee acceptance of the application.

Group Discount: Any organization sponsoring four or more participants will be entitled to a discount of 7% on the total fee payable provided that at least four participants actually attend the programme. Organizations can avail themselves of both the discounts subject to a maximum overall discount of 10%.

Any organization sponsoring 25 or more participants across all the programmes in one academic year will be entitled to an overall discount of 15% on the programme fee payable.

The above discounts will be applicable only when the requisite numbers of participants actually attend the programmes.

Alumni Association

Participants who are attending short-duration Executive Education Programmes for the first time, on or after April 1, 2012, will have to attend for a total of 21 days in one or more programmes in order to be eligible for alumni status and alumni identity card, both of which will be awarded on the payment of a one-time alumni fee of INR 10,000.

Indian Institute of Management Ahmedabad (IIMA)

IIMA was set up by the Government of India in collaboration with the Government of Gujarat and Indian industry as an autonomous institution in 1961. The Institute provides education, training, consulting and research facilities in management.

Major Programmes Offered by IIMA

- Two-Year Post Graduate Programme in Management (MBA)
- Two-Year Post Graduate Programme in Food and Agri-business Management (MBA-Food and Agri-business Management)
- Fellow Programme in Management (Ph.D.)
- One-Year Full- Time Post Graduate Programme in Management for Executives-PGPX (MBA)
- Executive Education offers short duration programmes through open enrollment, customisation and online for various levels of experienced professionals across industry
- Faculty Development Programme for teachers in universities and colleges
- Two-Year e-Mode (online + campus) Post Graduate Programme in Management (ePGP)

The Institute has 103 faculty members working in the following management areas and centres:

Disciplinary Areas and Groups

- Business Policy
- Communications
- Economics
- Finance and Accounting
- Human Resource Management
- Information Systems
- Marketing
- Organizational Behaviour
- Production and Quantitative Methods
- Public Systems Group

Interdisciplinary Centres

- Centre for Innovation, Incubation and Entrepreneurship
- Centre for Management in Agriculture
- Centre for Management of Health Services
- Gender Centre
- IIMA-Idea Telecom Centre of Excellence
- India Gold Policy Centre
- Ravi J. Matthai Centre for Educational Innovation

Kasturbhai Lalbhai Management Development Centre (KLMDC) located on the IIMA main campus and the **International Management Development Centre (IMDC)** located on the new campus, provide an academic and learning environment for participants of the Executive Education Programmes. All rooms at KLMDC and IMDC are air-conditioned and have internet connectivity. They have separate dining halls, a reading lounge, classrooms and auditorium (with audio-visual and computer projection facilities), syndicate rooms and computer lab. The campus is Wi-Fi enabled. Recreation facilities exist for indoor and outdoor games (badminton, basketball, billiards, carrom, chess, cricket, football, squash, TT and volleyball). Participants can also take advantage of the Institute's library.



कार्यकारी शिक्षा
भारतीय प्रबंध संस्थान अहमदाबाद

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