

**Conference for High Court Justices on Arbitration including International Arbitration, [P-1145]**

Date 14<sup>th</sup> - 16<sup>th</sup> December, 2018

*Programme Coordinator: Prasadh Raj Singh, Faculty NJA*

<p><b>Day 1</b></p> <p>14<sup>th</sup> Dec. 2018</p> <p><b>Friday</b></p>	<p align="center"><b><u>SESSION 1</u></b></p> <p align="center">10:00 AM – 11:30 AM</p> <p><b>The Arbitration and Conciliation Act: Changing Trends in Legislative Scheme</b></p> <ul style="list-style-type: none"> <li>• Reference to Arbitration (Section 8)</li> <li>• Appointments and Challenges to Arbitrators ( Section 12 &amp; 11)</li> <li>• Two-Tier Arbitration Clause</li> <li>• The Arbitration &amp; Conciliation (Amendment) Bill, 2018</li> </ul> <p>Resource Persons:</p> <ul style="list-style-type: none"> <li>• Dr. Birendra Saraf</li> <li>• Dr. Nidhi Gupta</li> </ul>	<p align="center">T E A  B R E A K</p>	<p align="center"><b><u>SESSION 2</u></b></p> <p align="center">12:00 NOON – 01:30 PM</p> <p><b>Balancing Conflicting Interests: “Public Policy” vis-à-vis Domestic Arbitration</b></p> <ul style="list-style-type: none"> <li>• Construction and Interpretation of Applicability Clause</li> <li>• Interpreting “Fundamental Policy” Inserted by 2015 Amendment</li> </ul> <p>Resource Persons:</p> <ul style="list-style-type: none"> <li>• Dr. Birendra Saraf</li> <li>• Dr. Nidhi Gupta</li> </ul>	<p align="center">L U N C H  B R E A K</p>	<p align="center"><b><u>SESSION 3</u></b></p> <p align="center">2:30 PM – 4:00 PM</p> <p><b>International Commercial Arbitration: Role of Courts in post BALCO Regime</b></p> <ul style="list-style-type: none"> <li>• Paradigm Shift and Change in Jurisprudence</li> <li>• Territoriality Principle under UNCITRAL Model</li> <li>• Exclusion or Inclusion of Part I of the Arbitration Act</li> </ul> <p>Resource Persons:</p> <ul style="list-style-type: none"> <li>• Dr. Birendra Saraf</li> <li>• Dr. Nidhi Gupta</li> </ul>
	<p><b>Day 2</b></p> <p>15<sup>th</sup> Dec. 2018</p> <p><b>Saturday</b></p>		<p align="center"><b><u>SESSION 4</u></b></p> <p align="center">10:00 AM – 11:30 AM</p> <p><b>Enforcement of Foreign Arbitral Award: Issues and Challenges</b></p> <ul style="list-style-type: none"> <li>• Convention on the Recognition and Enforcement of Foreign Arbitral Award (New York, 1958)</li> <li>• Foreign Judgments from Non-Reciprocating Countries</li> <li>• Enforcement of Foreign Award by Third Party</li> </ul> <p>Resource Persons:</p> <ul style="list-style-type: none"> <li>• Justice Kurian Joseph</li> <li>• Mr. Jayanth Balakrishna</li> </ul>		<p align="center"><b><u>SESSION 5</u></b></p> <p align="center">12:00 NOON – 01:30 PM</p> <p><b>Jurisdictional Issues: Court Intervention vis-à-vis Competence of Arbitral Tribunal</b></p> <ul style="list-style-type: none"> <li>• Principles of Kompetenz-Kompetenz</li> <li>• Doctrine of Separability</li> </ul> <p>Resource Persons:</p> <ul style="list-style-type: none"> <li>• Justice Kurian Joseph</li> <li>• Mr. D.J. Khambata</li> <li>• Mr. Jayanth Balakrishna</li> </ul>

<p><b>Day 3</b></p> <p>16<sup>th</sup> Dec. 2018</p> <p><b>Sunday</b></p>	<p align="center"><b><u>SESSION 7</u></b></p> <p align="center">10:00 AM – 11:30 AM</p> <p><b>Emergence of Third Party funding in International Commercial Arbitration: A New Scheme</b></p> <ul style="list-style-type: none"> <li>• Scope and Ambit of Third Party Funding</li> <li>• Liability of Funders</li> <li>• Third Party Funding in Foreign Jurisdiction</li> </ul> <p>Resource Person:</p> <ul style="list-style-type: none"> <li>• Prof. Lawrence Boo</li> </ul>	<p align="center"><b><u>SESSION 8</u></b></p> <p align="center">12:00 NOON – 01:30 PM</p> <p><b>Current and Evolving Issues</b></p> <ul style="list-style-type: none"> <li>• Time Limit under Section 29A</li> <li>• Counter-Claim</li> <li>• Schedule of Fees</li> <li>• Power to Review Arbitral Award</li> </ul> <p align="center"><i><b>Panel Discussion</b></i></p> <p>Resource Person:</p> <ul style="list-style-type: none"> <li>• Prof. Lawrence Boo</li> </ul>	<p align="center">1:30 PM – 2:00 PM</p> <p align="center"><b>Participants Audit/ Feedback</b></p>
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