

**P-1275: NATIONAL WORKSHOP FOR HIGH COURT JUSTICES ON ARBITRATION  
INCLUDING INTERNATIONAL ARBITRATION  
18-19 December 2021 (Saturday & Sunday – Online Mode)**

**TENTATIVE PROGRAMME SCHEDULE**

<b>DAY 1</b>	
<b>December 18, 2021 (Saturday)</b>	
<p align="center"><b>Session 1</b></p> <p><b>10:00 AM- 11:30 AM</b></p> <p><b><u>(11:15 AM – 11:30 AM)</u></b></p> <p><i>Q &amp; A, Open Discussion</i></p>	<p align="center"><b>The Scheme of the Arbitration &amp; Conciliation Act: Towards A Model Dispute Resolution Regime</b></p> <p align="center"><b><u>Scope of Discussion</u></b></p> <p>The Arbitration and Conciliation (Amendment) Act, 2021</p> <ul style="list-style-type: none"> <li>• Sec. 36 of the Act has been extended to include-               <ol style="list-style-type: none"> <li>1. <i>The arbitration agreement or contract which is the basis of the award;</i></li> <li><i>or</i></li> <li>2. <i>The making of the award, was induced or effected by fraud or corruption</i></li> </ol> </li> <li>• Qualifications, experience and norms for accreditation of arbitrators.</li> <li>• Arbitration Council of India &amp; its composition</li> <li>• Relaxation of time limits &amp; completion of written submissions</li> <li>• Confidentiality of proceedings</li> </ul>
<p><b>11:30 AM- 12:00 Noon</b></p>	<p><b>BREAK</b></p>
<p align="center"><b>Session 2</b></p> <p><b>12:00 PM - 1:30 PM</b></p> <p><b><u>(01:15 PM – 1:30 PM)</u></b></p> <p><i>Q &amp; A, Open Discussion</i></p>	<p align="center"><b>Jurisdictional Challenges: Balancing the role of the Court and Arbitral Tribunal</b></p> <p align="center"><b><u>Scope of Discussion</u></b></p> <ul style="list-style-type: none"> <li>• Arbitrators’ jurisdiction to rule on their own jurisdiction (Arbitration-Tribunals vis-à-vis Jurisdiction as Preliminary Issue)</li> <li>• Interplay of powers between the court and arbitral tribunal</li> <li>• Independence of the arbitration agreement</li> <li>• Interplay between Sec.(s) 16 &amp; 34 of the Arbitration Act</li> <li>• <i>Competence-competence</i> principle of arbitrability</li> <li>• Doctrine of Separability</li> </ul>

**Programme Coordinators**

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<b>DAY 2</b>	
<b>December 19, 2021 (Sunday)</b>	
<p align="center"><b>Session 3</b></p> <p><b>10:00 AM- 11:30 AM</b></p> <p><b><u>(11:15 AM – 11:30 AM)</u></b></p> <p><i>Q &amp; A, Open Discussion</i></p>	<p align="center"><b>Recognition &amp; Enforcement of Arbitral Awards</b></p> <p align="center"><b><u>Scope of Discussion</u></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>• Public policy and enforcement of international arbitration awards</li> <li>• Conditions &amp; limitation period for enforcement of arbitral awards</li> <li>• Challenges in executing foreign arbitral awards in India</li> <li>• Miscellaneous and procedural aspects</li> </ul>
<p><b>11:30 AM- 12:00 Noon</b></p>	<p align="center"><b>BREAK</b></p>
<p align="center"><b>Session 4</b></p> <p><b>12:00 Noon - 1:30 PM</b></p> <p><b><u>(01:15 PM – 1:30 PM)</u></b></p> <p><i>Q &amp; A, Open Discussion</i></p>	<p align="center"><b>Current and Emerging trends in Domestic and International Arbitration</b></p> <p align="center"><b><u>Scope of Discussion</u></b></p> <ul style="list-style-type: none"> <li>• Emergency arbitration and enforceability</li> <li>• “Specific clause” expressly barring payment of interest</li> <li>• Orders on extension of limitation</li> <li>• Scope and ambit of third party funding</li> <li>• Time limit under Sec. 29A</li> <li>• Counter claim</li> <li>• Schedule of fees</li> <li>• Two-tier arbitration clause</li> <li>• Expert witnesses</li> </ul>

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