

**P-1275: NATIONAL WORKSHOP FOR HIGH COURT JUSTICES ON ARBITRATION
INCLUDING INTERNATIONAL ARBITRATION**

18-19 December 2021 (Saturday & Sunday – Online Mode)

All Dates and Timings are in Indian Standard Time

TENTATIVE PROGRAMME SCHEDULE

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

Programme Coordinators

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DAY 2 December 19, 2021 (Sunday)	
Session 3 10:00 AM- 11:30 AM <u>(11:15 AM – 11:30 AM)</u> <i>Q & A, Open Discussion</i>	Recognition & Enforcement of Arbitral Awards <u>Scope of Discussion</u> <ul style="list-style-type: none">• Convention on the Recognition and Enforcement of Foreign Arbitral Award (New York, 1958)• Foreign judgments from non-reciprocating countries• Public policy and enforcement of international arbitration awards• Conditions & limitation period for enforcement of arbitral awards• Challenges in executing foreign arbitral awards in India• Miscellaneous and procedural aspects <u>Speakers</u> Justice M. Sundar Justice Senthilkumar Ramamoorthy Chair: Justice A. K. Sikri
11:30 AM- 12:00 Noon	BREAK
Session 4 12:00 Noon - 1:30 PM <u>(01:15 PM – 1:30 PM)</u> <i>Q & A, Open Discussion</i>	Current and Emerging trends in Domestic and International Arbitration <u>Scope of Discussion</u> <ul style="list-style-type: none">• Emergency arbitration and enforceability• “Specific clause” expressly barring payment of interest• Orders on extension of limitation• Scope and ambit of third party funding• Time limit under Sec. 29A• Counter claim• Schedule of fees• Two-tier arbitration clause• Expert witnesses <u>Speakers</u> Justice Prathiba M. Singh Prof. Lawrence Boo

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