

ILSCA -ILS ADR Cell

Report - ADR Cell (Arbitration Segment)

2012-2022

1. JUDEMENT ROUND UP:

In this activity, the cell has attempted to summarize all important judgements on arbitration that have been passed by the Supreme Court and State High Courts in the year 2021.

The Judgement Round Up activity was conducted to enable students to have access and stay updated with all the important judgements passed in the field of arbitration law in India. The cell collected and summarized various judgements, categorizing the most important ones from January to December 2021 for better access. The judgements were simplified for the purpose of ease of understanding.

This exercise helped the students be in touch with the latest developments in arbitration law and gain knowledge. Over the course of this activity, the cell collated and summarized around 32 judgments. They largely dealt with the new and upcoming advances and changes in the stances of law of arbitration like, jurisdiction of civil courts to grant anti-arbitration injunctions in foreign seated arbitrations, principle of amiable compositeur, retrospective application of the 2015 amendment, and so on.

This activity was carried out by all the cell members namely, Priyanka Pareek, Swati Shekhar, Veronica Miranda, Bhoomi Sandesara, Advait Khare, Vismaya Hari, Kasturi Pande, Pooja Arora and Sanaya Khadiwala.

Link to the round up- https://docs.google.com/document/d/17rMfAK_mZOKD1o-jDw4AEL56SrgNccv74qw1Vo0s18Q/edit?usp=sharing

2. NEWSLETTERS:

The Arbitration Cell has released newsletters – informative content of summarised arbitration matters written by the Cell members to create ease of understanding among the students about arbitration.

The purpose of these newsletters was to engage with the students on recent and upcoming topics of arbitration. Requests for newsletters were taken from the students of ILS Law College. Through these newsletters, the Cell was able to generate awareness to all interested students on campus about the various facets of arbitration.

The members of the Cell would write a newsletter on a relevant topic relating to arbitration to be circulated to the students directly through their email. They have also been released on the Instagram and Facebook pages of the cell. Some topics include Arbitration and Defi Smart Contracts and Interplay Between Arbitration And Insolvency & Bankruptcy Code.

A total of 16 newsletters have been published.

In 2021, the activity has been carried out by the following cell members, namely Priyanka Pareek, Swati Shekhar, Advait Khare, Vismaya Hari, Kasturi Pande, Pooja Arora and Sanaya Khadiwala.

Currently, there are 195 subscribers to the newsletters sent out from the Arbitration Cell.

3. **WEBINARS:**

As most of the academic year was online, the following webinars were organised by the cell members for the students.

a) **Webinar on Emergency Arbitration**

The cell conducted a webinar on November 8, 2020 on Emergency Arbitration. The speaker was Roopamdeep Sahni, Managing Partner, Roopamdeep Sahni Associates who discussed applicability of emergency arbitration in the form of an interim relief and proceedings thereunder along with the international institutional rules.

b) **Webinar on Arbitrability of Disputes**

On April 24, 2021, a webinar was conducted on Arbitrability of Disputes with Radhika Dubey, Partner, Cyril Amarchand Mangaldas being the speaker. The discussion revolved around the meaning of arbitrability of disputes, the judiciary's extra-cautiousness of the Indian judiciary when embracing the settled concepts of arbitration - party autonomy and competence of an arbitral tribunal.

c) **Webinar on Section 36 of the Arbitration and Conciliation Act, 1996**

In the webinar conducted on June 26, 2021 on Section 36 of the Arbitration and Conciliation Act, 1996, Mihika Jalan, Senior Associate, Economic Laws Practice discussed the applicability of the amended Arbitration Act to Section 36 proceedings which provides that a domestic arbitral award shall be enforced in the same manner as if it were a decree passed by the court, once the time prescribed for making an application to set aside the award under Section 34 of the Arbitration Act had expired or an application made for this purpose had been refused.

d) **Webinar on Fundamentals of Legal Writing**

Saranya Misra, Associate, Khaitan and Co., was the speaker of the webinar titled Fundamentals of Legal Writing conducted on June 27, 2021. The speaker taught students the basics of how to write a paper in a legal format. A step by step instruction on how to write a paper was provided.

e) **Webinar on Drafting in Arbitration**

A webinar titled Drafting in Arbitration was conducted by the cell on February 12, 2022 inviting Priyanka Singh, Partner, A&P Partners, as the main speaker. The webinar witnessed a discussion on the essentials of a valid arbitration agreement, how to draft an effective arbitration clause and its nuances.

f) Sessions by Cell Members

The Cell has conducted bi-monthly sessions for the students on the basics of Arbitration and how the subject differs from other forms of Dispute Resolution.