

Dispute Resolution Hotline

November 09, 2020

EVER CHANGING ARBITRATION LANDSCAPE IN INDIA, YET ANOTHER ATTEMPT: HIT OR A MISS!

This article was originally published in the 05th November 2020 edition of

Bar and Bench

An ordinance was promulgated on November 04, 2020 amending the Indian Arbitration and Conciliation Act, 1996. In our piece titled “*Ever-changing arbitration landscape in India, yet another attempt: Hit or a Miss!*”, published in **Bar & Bench**, members of Nishith Desai Associates, argue that there was no need for specifically carving out instances when a stay on the operation of an India seated arbitration award can be granted. The existing regime was well equipped to cover instances of the underlying contract or the making of the award being induced or affected by fraud and corruption. The deletion of Eight Schedule from the Arbitration Act (which stipulated qualifications for nomination as an arbitrator) is surely a praiseworthy move and was much awaited.

The misses of the 2019 amendments, such as extending the timeline of arbitration stipulated under Section 29 A to ad-hoc international arbitration and clarifying the exceptions to the confidentiality obligations could have been addressed in the ordinance. The complete article analyzing the amendments in detail can be accessed [here](#).

— Alipak Banerjee, Payel Chatterjee & Vyapak Desai
You can direct your queries or comments to the authors

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