

82nd SKOCH Summit
20th April - 14th May 2022

Conferences

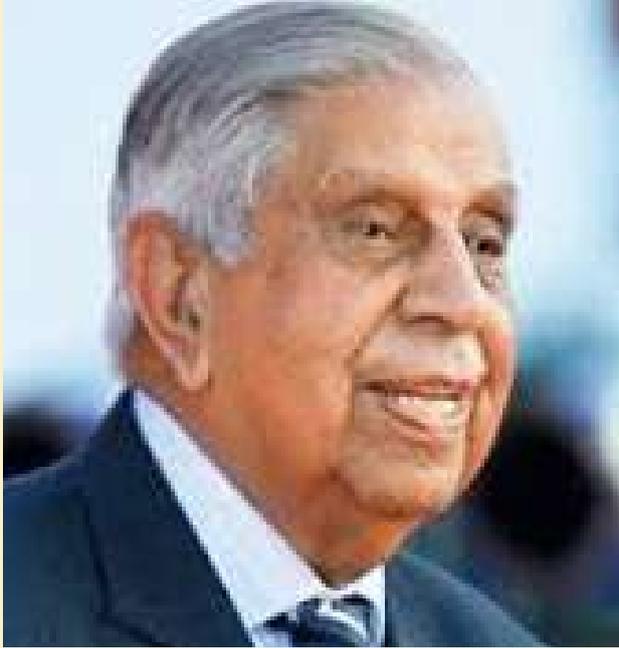
ARBITRATION & GATISHAKTI 25 April 1800-1930 ILFEDB1	ARBITRATION & ENFORCEMENT 27 April 1800-1930 ILFEDB2	ARBITRATION & FDI 30 April 1800-1930 ILFEDB3	INSOLVENCY, BANKRUPTCY & RESTRUCTURING 5 May 1800-1930 ILFEDB4
CRYPTO REGULATION 29 April 1800-1930 ILFDEL2	FUTURE OF ENERGY & ARBITRATION 6 May 1800-1930 ILFCCL1	LEGAL FRAMEWORK FOR HYDROGEN ECONOMY 7 May 1800-1930 ILFCCL2	PLENARY 14 May 1100-1500

LITFest

TAXPAYER RIGHTS Deciphering the Indian Charter 20 April 1800-1930 ILFLIT1	India Bharat Coloniality, Civilisation, Constitution J SAI DEEPAK 21 April 1800-1900 ILFLIT2	KAPIL SIBAL my world within 9 May 1800-1845 ILFLIT1	JUSTICE M N VENKATACHALIAH THE MAN & THE JUDGE a Venkatchaliah Reader V SUDHISH PAJ 9 May 1630-1730 ILFLIT4	TRIALS OF TRUTH India's Landmark Criminal Cases PINKY ANAND AND GAURI GOBURDHUN 11 May 1800-1900 ILFLIT5	FROM THE TRENCHES ABHISHEK SINGHVI 12 May 1800-1900 ILFLIT6
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INDIA LAW FORUM & LITFest

HONOURS



Justice M N Venkatachaliah
Former Chief Justice of India



SKOCH
CHALLENGER AWARD

LIFETIME
ACHIEVEMENT

Justice M N Venkatachaliah is adjudged the most erudite and urbane judge, who has adorned the Supreme Court of India. A judge with a deep knowledge of the philosophy of law and the ways of men, he provided moral and intellectual leadership. While being not wedded to any 'ism', he is devoted to constitutionalism and pragmatism, which makes for judicial statesmanship which has truly been his hallmark. During his term of seven years at the Supreme Court, he authored 90 judgments and was a part of 482 benches. His commitment to reducing the pendency of cases and making the judiciary more and more accountable was unwavering. During his tenure, the pendency fell to below 19,000. He served as the Chief Justice of India between 1993-1994.

He authored the Constitutional Bench judgment in the Bhopal Gas Leak tragedy case. Another landmark judgment was in Joginder Kumar vs State of UP, also known as the "guidelines for arrest" case, for the first time set standard grounds for arresting any individual. Justice Venkatachaliah did splendid work as the Chairman of the National Human Rights Commission. He continues to work on anti-corruption and human rights issues. He is a Man and a Judge for all seasons—a personification of 'sweetness and light', verily a living legend.



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ABOUT

SKOCH India Law Forum (ILF) is an independent platform for change-makers, committed to bringing about a transformative change to the nation through law and legal reform. For 2022, ILF seeks to bring together India's leading legal luminaries, the government, the judiciary, practitioners of law and the legal fraternity, at the intersection of law and life. ILF 22 will focus on the impact of law and legislation on businesses and individuals. This is an attempt to understand the impact of law on real life and the aim is to improve the outcomes through dialogue, debate and deliberations.

The forum will look to make recommendations that can increase access to justice and improve the rule of law through proper enforcement. We will look to instigate a positive transformation in India through legal reform by having enriching discussions and debates with actionable outcomes. If India is to become a developed country by 2047, what kind of a judicial system will take us there? What kind of changes will be needed in the current legal and legislative systems to ensure proper enforcement that will actually benefit the citizens.

The forum is being organized by SKOCH Group,

which has been organizing India's leading dialogues across areas of governance, public administration, financial, digital & social inclusion, bringing together India's leading public intellectuals, domain experts, captains of industry and doyens of their respective fields, to ideate and deliberate on transformative change for India's economic and social growth and development since 1997. The SKOCH motto of "Growth, Livelihoods and Equity" has been the guiding light in all areas of deliberation and research, with deep focus on creating lasting impact, upward mobility and empowerment for those at the last mile, and the last in the queue.

India Law Forum 2022 is being organized with the understanding that law is fundamental to shaping the India of tomorrow and improving access to justice for everyone. ILF will be the bridge between law (government, lawyers & courts) and life (corporate and individuals) that will be needed to achieve uniform growth across different regions, sectors and industries.

India Law Forum 2022 will include LITFest and topically relevant tracks, pertaining to major legal developments in the country that warrant a high quality & exhaustive discussion.



TRACKS

Law & Ease of Doing Business: India has been constantly improving its record on the measuring yardstick of ease of doing business. That being said there is a lot that still remains to be done. For example, India incurs a large cost every year because of delays in major infrastructure projects and the legal complexities associated with such delays. The presence of an effective arbitration and mediation mechanism can reduce the legal pressures that businesses in India face leading to monetary loss and contractual delays. The Union Government has taken steps to make India a hub for arbitration matters. Questions that need to be addressed include what measures can be taken to ensure that that India's domestic arbitration environment becomes robust and how can institutional arbitration and mediation mechanisms in India be strengthened to enhance the ease of doing business.

Digital Economy & Law: The Government of India has set a target to achieve a \$5 trillion digital economy by 2025. The growth in constituent sectors of the digital economy such as online payments, fintech, social media, cryptocurrencies and gaming has been exponential in recent times. The rise of these sectors also presents new and complex legal challenges. Some fundamental questions need to be answered to engineer consensus on how can law tackle the complexities presented by these new-age businesses and commercial activities. There is a need to discuss what can be the limits of The Union Government while legislating on businesses that operate primarily in the realm of technology? Are the IT act and Data protection bill sufficiently equipped to deal with the challenges presented by the omnipresence of technology?

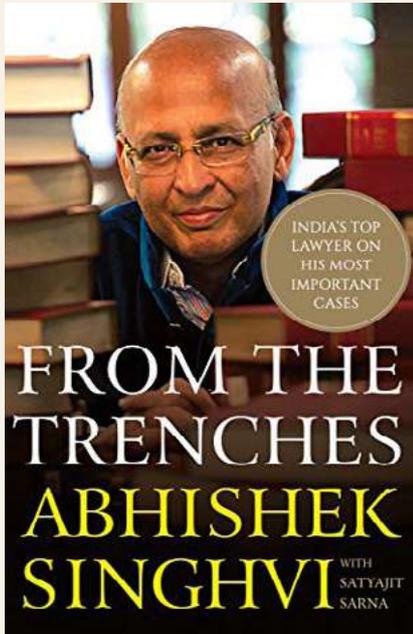
Climate Change and Law: India potentially faces severe impact of climate change in terms of rising

sea levels and extreme weather events such as floods and droughts. The poor and the marginalised will bear the harshest brunt of climate change events leading to financial and livelihood loss. India does not have dedicated climate change legislation currently. Taking cognisance of this threat, Govt. of India and industry alike have made strong commitments to clean energy. The recently announced Green Carbon policy is a significant step towards India's vision of becoming carbon neutral by 2070. Complimenting the governments vision are significant investments in green carbon announced by India's leading business conglomerates. These significant developments raise some key questions that need to be discussed: Are the existing laws dealing with different aspects of climate change comprehensive enough to deal with the emerging realities. If not, what does the future of climate change legislation in India look like?

LITFest: The India Law Forum LitFest is being organised along with the India Law Forum. It has been our earnest effort at SKOCH Group to showcase, discuss and debate the biggest ideas featured in the best publications by the nation's brightest minds at the SKOCH LitFest.

Some of the books being featured at the intersection of law and life include:

1. From the Trenches by Abhishek Manu Singhvi
2. My World Within by Kapil Sibal
3. Trials of Truth by Pinky Anand
4. The Man & The Judge - A Venkatachaliah Reader by Sudhish Pai
5. India that is Bharat: Coloniality, Civilisation, Constitution by J Sai Deepak
6. Taxpayer Rights Deciphering the Indian Charter by Mukesh Bhutani & Kinshuk Jha



Abhishek Singhvi is one of India's top lawyers, a man who has fought some of the country's most important - and dramatic - legal battles. In this fascinating book, he talks about the most important cases he fought - and the bigger questions of law and justice they pose. From the Sabarimala temple case (he argued against the right of women to worship there) to Cyrus Mistry against Tata Sons, the cases in this book touch on issues of free speech, custodial torture, the right to fly the Indian flag, animal rights and state elections. Simply written for the general reader and full of insights, *From the Trenches* is a book by a legendary lawyer that will both entertain and teach you about law and the judiciary.

Abhishek Singhvi is an eminent jurist, writer and parliamentarian. One of the seniormost national spokespersons of the Congress party, he is also the youngest designated Senior Advocate (at age thirty-four), the youngest Additional Solicitor General of India (at thirty-seven) and the youngest elected vice president of the Supreme Court Bar Association (at thirty-nine). He was chairman of the Parliamentary Committee on Law and the AICC Law and Human Rights Department.

He was bestowed the Global Leader of Tomorrow Award by the World Economic Forum, Davos in 1999. He has written popular fortnightly columns for the *Hindustan Times* ("Candid Corner") and the *Times of India* ("SubVerse").

Educated at St Columba's School (all-India topper) and St Stephen's College in Delhi, and Trinity College, Cambridge, he also did a short summer programme at Harvard.

Two recent publications, *Legal Eagles* and *Courting Politics*, list Dr Singhvi among the top few lawyers in India. He has endowed many charities in India and abroad.



FROM THE TRENCHES

1800-1900 | 12 MAY 2022 | CODE: ILF22LIT6

Introduction



Sameer Kochhar
Chairman, SKOCH Group

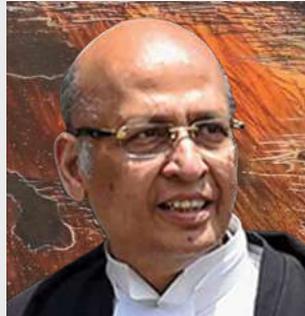


Rohan Kochhar
SKOCH Foundation

Moderator



Satvik Varma
Senior Advocate
Delhi High Court



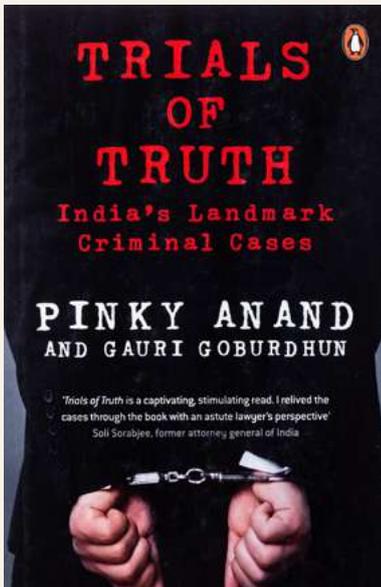
Abhishek Singhvi
Senior Advocate &
Member of Parliament
Rajya Sabha



Mahua Moitra
Member of Parliament
Lok Sabha



Chander Uday Singh
Senior Advocate
Supreme Court of India



A close look at criminal cases that shocked the country.

Drawing on her vast experience as a senior advocate and Additional Solicitor General at the Supreme Court, Pinky Anand examines criminal cases that have captured public interest. Breaking down each aspect of cases such as the Nirbhaya rape, the Nanavati murder, the Nithari killings and others, she gives us an inside look and lawyer's perspective into the manner of legal proceedings, strategies employed by legal counsel on both sides and the rigour with which courts come to verdicts.

Even years after they have been tried in court, these instances are cemented in people's memories on account of either their brutality, the trials or the landmark judgments they resulted in. Anand's insights not only delve into the finer details but also provide context to the cases that have had a lasting impact on society as well as legal institutions.

Pinky Anand, a trustee of The Arts and Cultural Heritage Trust is a designated senior advocate at the Supreme Court of India and the incumbent Additional Solicitor General of India. A doctorate of law, graduate of Harvard Law School, an Inlaks scholar, honorary professor at Amity Law School, she is the second woman in India to have been awarded this high constitutional law office.

Her laurels include being an alternate country councillor (India) of LAWASIA and the vice president of the Bar Association of India. She has been the recipient of the National Order of Merit awarded by the President of France, and has several awards to her credit, including those for excellence in law awarded by FICCI, Lions Club, Amity University, Bharat Nirman, PHD Chamber for Progress, Harmony and Development. She has also been a spokesperson for the Bharatiya Janata Party and was even leading its all-India legal team at one point.

As a founding member of the BRICS Legal Forum, she has represented India in various Brazil, China and India meets.



TRIALS OF TRUTH: INDIA'S LANDMARK CRIMINAL CASES

1800-1900 | 11 MAY 2022 | CODE: ILF22LIT5

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Rohan Kochhar
SKOCH Foundation

Moderator



Gul Panag
Cinema Personality



Satya Pal Singh Baghel
Minister of State for
Law and Justice
Government of India



Rekha Sharma
Chairperson
National Commission
for Women



Mahesh Jethmalani
Lawyer and Member of
Parliament, Rajya Sabha



Pinky Anand
Former Additional Solicitor
General & Senior Advocate,
Supreme Court of India

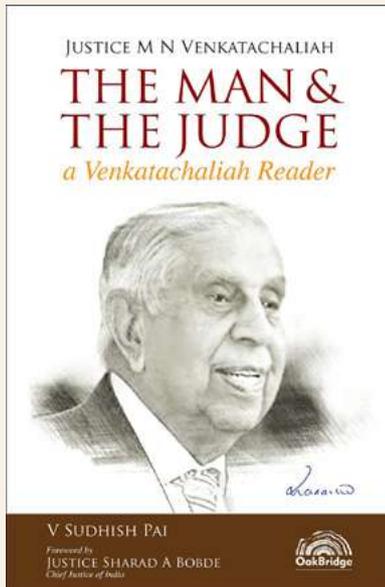


Milee Ashwarya
Publisher, Ebury Publishing
& Vintage Publishing,
Penguin Random House
India



Gauri Goburdhun
Associate
P&A Law Offices





It is given to very few by Destiny that their virtues are equal to their genius and their character is distinguished not by a few admirable prominences, but is uniformly elevated. Justice Venkatachaliah belongs to that exceptional class. A man of law of a select band, an erudite scholar and a saintly person, he is one of our most illustrious and revered judges. He is among the few who have occupied the highest positions without being touched by the pomp and paraphernalia of office and without compromising the highest standards of integrity and independence.

Justice M N Venkatachaliah – The Man & The Judge, presents the journey and evolution of the man who became a revered judge, whose legacy will continue to inspire generations to come. The book contains a fairly comprehensive biographical sketch of Justice Venkatachaliah and editorial notes on almost all his reported judgments in the Supreme Court and the High Court, besides some of his speeches and writings. His judgments are masterpieces of judicial expos

V Sudhish Pai is a distinguished lawyer and jurist, and an acclaimed author. His contribution to academics, particularly in the area of critical constitutional analysis, has been substantial and significant. He was a Visiting Chair Professor, Asutosh Mookerjee Chair in WBNUJS, Kolkata and is a resource person at the National Judicial Academy, Bhopal for continuing legal education for judges.



THE MAN & THE JUDGE

A VENKATACHALIAH READER

1630-1730 | 09 MAY 2022 | CODE: ILF22LIT4

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Brinda Banerjee
SKOCH Foundation

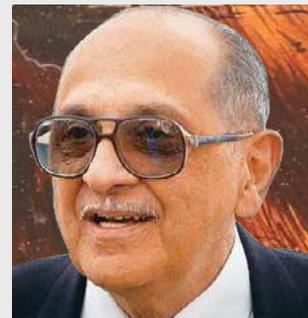
Moderator



Arvind P Datar
Senior Advocate
Madras High Court



K K Venugopal
Attorney General of India &
Senior Advocate
Supreme Court of India



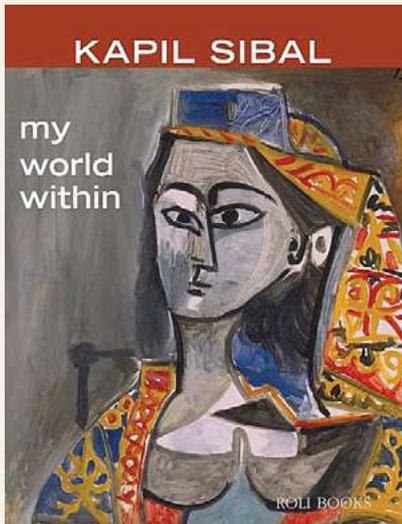
Fali Sam Nariman
Eminent Jurist &
Senior Advocate
Supreme Court of India



R Venkataramani
Senior Advocate
Supreme Court of India



V Sudhish Pai
Senior Advocate
Author & Jurist



'How do poems grow? They grow out of your life.'

-Robert Penn Warren

Replete with wit, satire, humour, and a passionate awareness of the ever-changing world, Kapil Sibal's collection of poetry is a testimony to Warren's belief. With varied themes ranging from love, desire, friendship, world economy, terrorism, and international affairs, the poems take us on a path to discover a universe that is so perfect in its imperfection.

The emotions and thoughts central to Kapil Sibal's life weave a rhythmic story of his 'world within'.

Kapil Sibal

A graduate of Harvard Law School, lawyer turned politician Kapil Sibal is not only known for his versatility but also for his ability to multi-task. He is the only lawyer in India to have had the privilege of addressing Parliament in 1993, in the historic impeachment proceedings of a sitting Judge of the Supreme Court.

He is a born reformer, seeking to guide the destiny of millions of children in India. He holds dual charge of the Ministries of Human Resource Development and Communications & IT. For his passion and relentless efforts in 2010, he was conferred the prestigious Stephen P. Duggan Award for Mutual Understanding, in New York, USA and the ET Business Reformer of the Year, in New Delhi.

The 'Akash' tablet, a low-cost access device, which he launched recently, is ushering in less than a technological revolution. He has paved the way, in laying the communication, infrastructure the country to allow digital content to flow seamlessly reaching millions.

In his previous stint as Minister for Science & Technology he visited the Indian Station 'Maitri' in Antarctica in February 2004, thus becoming the first ever Member of Parliament to do so. He is also responsible for setting up the first Indian Research Station in the Arctic.

A Member of Parliament since 1998, he was elected from the Lok Sabha Parliamentary Constituency of Chandni Chowk for two consecutive terms, in 2004 and 2009, representing the Indian National Congress. My World Within is his second book of poetry.



MY WORLD WITHIN

1800-1845 | 9 MAY 2022 | CODE: ILF22LIT3

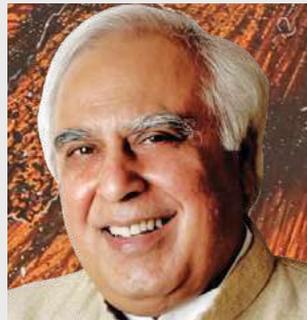
Introduction



Sameer Kochhar
Chairman, SKOCH Group



Brinda Banerjee
SKOCH Foundation



Kapil Sibal
Senior Advocate & Member
of Parliament
Rajya Sabha



Rohan Kochhar
Director
SKOCH Development
Foundation



Climate Scientists have proclaimed that global warming must be restricted to 1.5 degrees. In order to achieve the same, the global economy, as a whole has to become net zero and at the earliest. Though a number of countries have set the goal of becoming net zero by 2050, the real challenge lies in crafting feasible pathways for getting to net zero.

A rising star of the new energies is hydrogen, it is an environmentally friendly resource which produces only pure water and heat when combusted. There appears to be a paradigm shift in the energy sector in India. Hydrogen has fascinated generations of people for centuries including visionary minds like Jules Vernes. A “Hydrogen Economy” is projected as the ultimate solution for energy and environment.

This panel discussion seeks to highlight the importance of hydrogen, challenges, and the regulatory framework that lies in its path of the becoming the fuel of the future globally and more particularly India. This panel also seeks to analyse the existing legal and regulatory framework pertaining to hydrogen in India.

- The panel discussion will focus on the potential of hydrogen and the early mover advantage in this sphere.
- The panel shall critically analyze the issues and areas pertinent for devising a comprehensive legal framework for regulating hydrogen.
- The panel shall also identify the potential nature of disputes in the hydrogen sector.



LEGAL FRAMEWORK FOR HYDROGEN ECONOMY

1800-1930 | 7 MAY 2022 | CODE: ILFCCL2

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Rohan Kochhar
SKOCH Foundation

Moderator



Jatinder (Jay) Cheema
Energy & Climate Change
lawyer and Public Policy
Expert



Anand Kumar
Chairman, Real Estate
Regulatory Authority for
Delhi & Chandigarh



Vibha Dhawan
Director General, TERI -
The Energy and Resources
Institute



K R Jyothilal
Principal Secretary
Transport Department
Govt of Kerala



Reji Mathai
Director, Automotive
Research Association of
India (ARAI)



R Venugopal
Joint Chief Controller of
Explosives, Petroleum
& Explosives Safety
Organization (PESO)



Post COP26, the focus on energy transition and the path to net-zero has intensified. The panellists are invited to discuss their views in the context of global energy transition from fossil-based fuels to renewable/new energy sources and its implications on the future of international and domestic arbitration.

The disputes arising out of energy law contracts are in stark contrast to the regular contractual disputes. The intricate sophistication and the design of the contracts in the energy law domain remains unparalleled. Legal and regulatory risk in the energy sector is already a complex matrix, complicated by the fact that the sector involves global players and is further complicated by the fact that there is no single, universal, legal system. There is a plethora of different and often conflicting systems across the globe, and as disputes arise, multiple courts/tribunals shall grapple with and laws will evolve (or be legislated) to address challenges created by fast-emerging new business realities.

Energy projects are usually long, complex, and require a substantial level of capital investment. The energy projects are generally, high in value, and small errors can lead to loss to the business entities, running into a few million and sometimes, billions of dollars. Additionally, the sector has significant exposure to geological events, political changes, and environmental regulations. For these reasons, disputes are common in the energy sector, and arbitration is fast becoming the preferred method of resolving these disputes, particularly at the international level. Since arbitration is a creature of contract, it permits the parties to design a level playing field, also catering to the complex nature of disputes.

In this context, the panel would explore the following questions:

- What makes arbitration the most favoured dispute resolution method in the energy sector?
- Nature of the disputes and scope for arbitration in the energy sector
- Customizing arbitration procedure for effective adjudication of energy disputes.



FUTURE OF ENERGY & ARBITRATION

1800-1930 | 6 MAY 2022 | CODE: ILFCCL1

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Rohan Kochhar
SKOCH Foundation

Moderator



Jatinder (Jay) Cheema
Energy & Climate Change
lawyer, and Public Policy
Expert



Justice R V Raveendran
Former Judge
Supreme Court of India



Jatin Jalundhwala
Joint President (Legal)
Adani Enterprises



Francis Xavier
Partner, International
Arbitration, Rajah & Tann
Singapore LLP



Meenakshi Arora
Senior Advocate
Supreme Court of India



Nakul Dewan
Senior Advocate, Supreme
Court of India



Tariq Khan
Registrar General,
International Arbitration
and Mediation Centre



It is felt that the IBC has been a game changer in the realm of economic legislations. Five years into its introduction, the IBC is a well-oiled apparatus, with a thriving ecosystem comprising of about 3500 Insolvency Professionals, three Insolvency Professional Agencies, about 80 Insolvency Professional Entities, one Information Utility, 16 Registered Valuer Organisations, more than 3900 Registered Valuers, several benches of the Adjudicating Authority with pan India presence and a massive volume of jurisprudence that has facilitated the cause of the Code time and again .

However, five years after the introduction of IBC, there are a few important questions that arise on the functioning and delivery of the law and whether it has been able to achieve the stated objectives. As per available data, the average time taken for initiation / admission of IBC cases has gone up to more than 180 days.

There are several important legal questions that have arisen on the rights of various stakeholders such as rights of secured creditors, ability of bidders to take control over a company pending approval of the resolution plan by the NCLT, and on creation of liquidity in the distressed phase.

In light of this, the esteemed panel will deliberate on the following issues:

- In light of pronouncement of orders by insolvency courts – both for admission of IBC cases and for approval of resolution plans. What steps can be evaluated for enabling early disposal of cases?
- Should pre-packaged insolvency resolution be enabled for non-MSME borrowers also? Do prepacks need to be less regulated?
- What are some of the key process related roadblocks to effective insolvency resolution from the perspective of a bidder?
- Should all distress situations be resolved under IBC? What are the roadblocks in achieving successful resolution under the June 7 circular (or any other RBI / companies act scheme)?
- The assurance of liquidation value to secured creditors in case of dissent from resolution plan is still unclear due to conflicting judgements. Do you think more clarity is required and what steps would you recommend?
- Will recent / proposed changes in regulations lead to more liquidity and trading of distressed loans? What are the further reforms required?
- Is there a need for statutory regulation of group insolvency procedures?
- Is there a need for diluting certain provisions of Section 29A to enable better price discovery and value maximization?



INSOLVENCY, BANKRUPTCY AND RESTRUCTURING

1800-1930 | 5 MAY 2022 | CODE: ILFEDB4

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Brinda Banerjee
SKOCH Foundation

Moderator



Suharsh Sinha
Partner
AZB & Partners



Venkataraman R
Managing Director
Alvarez & Marsal



S K Honnesh
Group General Counsel
Piramal Group



Nilang T Desai
Senior Partner
AZB & Partners



Mrinal Chandran
General Counsel,
India Resurgence Fund
(IndiaRF)



Deepak Chauhan
Director & Head - Legal
Welspun Group



Dinkar Venkatasubramanian
India Partner and National Leader
- Turnaround and Restructuring
Services, EY





Dr Lalit Bhasin started his law practice in 1962 and has developed Bhasin & Co as one of the largest law Firms in North India. His areas of specialisation include Employment & Labour Laws, Corporate Law (Formation of Joint Venture Companies, Foreign Collaborations, Amalgamations, Mergers, Acquisitions, Disinvestment); Laws relating to Information Technology; Contract and Conveyancing; Constitutional Law; Banking and Finance; Consumer Protection Laws; Disputes relating to Foreign Investment e.g. Shareholders Agreements, Collaboration Agreements, Agency and Distribution Agreements, Technology Transfer Agreements and Dispute Resolution Practice.

He was awarded Honorary Membership of the IBA in Melbourne in 1994 for outstanding service to the legal profession. He was awarded the Plaque of Honour by the Prime Minister of India in 2002 for outstanding contribution to the Rule of Law. In 2007, the President of India presented the National Law Day Award to Lalit Bhasin for "Outstanding Contribution to the Development of the Legal Profession in India and for his deep involvement and engagement in the maintenance of the highest standards at the Bar".

Recently he has been conferred the Degree of Doctor of Laws (LL.D) Honoris Causa by University of Rajasthan.

Positions held:

- Immediate Past President, The Bar Association of India
- President, Society of Indian Law Firms
- Chairman, Chartered Institute of Arbitrators - India
- Honorary Life Member, International Bar Association
- Chairman, Confederation of Indian Industry (CII) Task Force on Legal Services
- Member, Management Committee, PHD Chamber of Commerce and Industry
- National Vice President, Indo American Chambers of Commerce
- Former Chairman, Delhi Bar Council
- Former Chairman, Film Certification Appellate Tribunal
- Member, International Court of Arbitration Paris
- Past President, Inter Pacific Bar Association



KEYNOTE ARBITRATION & INDIA

1800-1830 | 2 MAY 2022

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Brinda Banerjee
SKOCH Foundation

Keynote



Lalit Bhasin
Managing Partner, Bhasin & Co
and Former President
Bar Association of India



LAW & EASE OF DOING BUSINESS

India has been constantly improving its record on the measuring yardstick of ease of doing business. That being said there is a lot that still remains to be done. For example, India incurs a large cost every year because of delays in major infrastructure projects and the legal complexities associated with such delays. The presence of an effective arbitration and mediation mechanism can reduce the legal pressures that businesses in India face leading to monetary loss and contractual delays. The Union Government has taken steps to make India a hub for arbitration matters. Questions that need to be addressed include what measures can be taken to ensure that India's domestic arbitration environment becomes robust and how can institutional arbitration and mediation mechanisms in India be strengthened to enhance the ease of doing business.

The panel will address the following three questions:

- Do BITs offer no promise of greater investment? This is especially because the needs of other smaller economies may not be compared with those of India and Brazil.
- What are the benefits (if at all) of ratifying international conventions that facilitate the use of arbitration from the perspective of increased FDI inflows?
- If the access to arbitration is viewed as a service, to what extent can the choice or presence of a good arbitral institution play a role in contributing to the economy?



ARBITRATION & FDI

1800-1930 | 30 APRIL 2022 | CODE: ILFEDB3

Introduction



Sameer Kochhar
Chairman, SKOCH Group



Brinda Banerjee
SKOCH Foundation

Moderator



Anirudh Lekhi
International Dispute
Resolution Attorney



Naomi Briercliffe
Counsel
Allen & Overy, UK



Manish Sansi
Chief Legal Officer
Vodafone-Idea Ltd India



Manoj Kumar Singh
Founding Partner
Singh & Associates Advocates
and Solicitors



Vyapak Desai
Head - International Dispute
Resolution, Nishith Desai
Associates



Bimal N Patel
Member Designate
International Law Commission
& Vice-Chancellor, Rashtriya
Raksha University



Makane Moïse Mbengue
Professor, International Law
Faculty of Law
University of Geneva



DIGITAL ECONOMY & LAW

Whatever direction cryptocurrency takes in the future, it simply isn't going away on its own and needs to be addressed. Regulation seems like a suitable choice but how will it be regulated & what legal implications will it have? Time is running out for India to make a decision on wanting to take global leadership in one of the the fastest growing industry segments, which already has a market-cap of over \$2 trillion globally. The Government of India has set a target of achieving a \$1 trillion digital economy by 2025 and the growth in constituent sectors of the digital economy such as online payments, fintech, social media, cryptocurrencies and gaming has certainly helped in our march towards this impressive goal. However, the regulatory dithering is costing India its position in the race for market leadership in cryptocurrency and it could also result in a loss of opportunity to welcome crypto wealth-creators who are rushing to Singapore, Dubai and London in search for stable policy ecosystems.

The panel will discuss three major issues:

- Should Crypto be banned or accepted?
- How should cryptocurrency be classified and thus regulated?
- Should CBDC and private cryptocurrency co-exist?



CRYPTO REGULATION

1800-1930 | 29 APRIL 2022 | CODE: ILFDEL2

Introduction



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Moderator



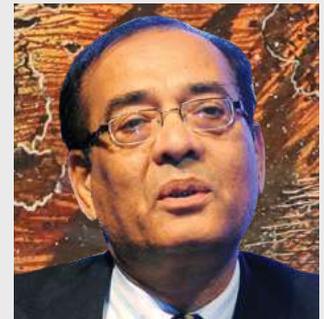
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Member, House of Lords
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Amar Patnaik
Member of Parliament
Rajya Sabha



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LAW & EASE OF DOING BUSINESS

In 2014, India was ranked 142 out of 190 countries in the World Bank's Ease of Doing Business Rankings. Since then, India has catapulted 79 positions to 63 in the 2020 rankings. The World Bank credited this mercurial rise to India's major policy reforms including the creation of the Insolvency and Bankruptcy Code 2016 and the removal of red-tapeism in starting obtaining permits.

Despite this improvement, India continues to struggle with the parameter of "enforcing contracts", where its rank remained stagnant at 163 out of 190. To tackle this limitation, India enacted the Commercial Courts Act 2015, which incorporates efficiency mechanics from other jurisdictions such as having a case management hearing as well as the requirement for pre-institution mediation. More recently, the Department of Justice launched the "Enforcing Contracts Portal", which intends to be a comprehensive source of information pertaining to the legislative policy reforms being undertaken on the "enforcing contracts" parameters.

These progressive developments come in parallel with regulatory challenges to enforcement of arbitral awards in India. For instance, conditional contractual arrangements have been challenged as being in violation of the Foreign Exchange Management Act 1999 and the Securities Contracts (Regulation) Act 1956. More recently, the Competition Commission of India suspended its approval of the 2019 Amazon-Future deal, which also led to a stay of arbitration proceedings before the Singapore International Arbitration Centre. In this context, the panel would explore the following questions:

- What are the current issues in relation to enforcement of contracts in India?
- Does international arbitration resolve enforcement-related issues present in the civil justice system?
- How can the Indian policy be developed further to tackle regulatory challenge to arbitration awards?



ARBITRATION & ENFORCEMENT

1800-1930 | 27 APRIL 2022 | CODE: ILFEDB2

Introduction



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LAW & EASE OF DOING BUSINESS

India is looking majorly at infrastructure building to meet its growth targets. The recent Union budget spells this out clearly and there is a very high degree of focus at the Center with the announcement of PM Gatishakti. What has been seen thus far is that there are huge time and cost overruns in existing projects. The average cost overrun for time delayed projects is upwards of forty percent.

Several reasons have been identified and they fall in the administrative, legal and technology domains. Moving forward, we wish to examine all these and return recommendations on what could possibly be done. The forthcoming “India Law Forum,” specifically looks at the following issues regarding “Arbitration and Gati Shakti.”

- How to minimise litigation and use arbitration in Gati Shakti and other infrastructure projects?
- Can technology interventions such as BIM, which has proven useful internationally, help alleviate time and cost overruns and provide a data based framework for arbitrators?
- How to ensure that arbitration awards are enforced speedily?
- What kind of changes does the RFP and contractual framework need to undergo?



ARBITRATION & GATISHAKTI

1800-1930 | 25 APRIL 2022 | CODE: ILFEDB1

Introduction



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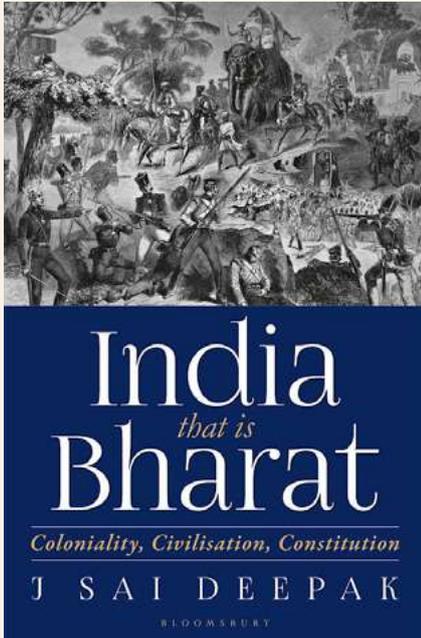
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India, That Is Bharat, the first book of a comprehensive trilogy, explores the influence of European ‘colonial consciousness’ (or ‘coloniality’), in particular its religious and racial roots, on Bharat as the successor state to the Indic civilisation and the origins of the Indian Constitution. It lays the foundation for its sequels by covering the period between the Age of Discovery, marked by Christopher Columbus’ expedition in 1492, and the reshaping of Bharat through a British-made constitution-the Government of India Act of 1919. This includes international developments leading to the founding of the League of Nations by Western powers that tangibly impacted this journey.

Further, this work also traces the origins of seemingly universal constructs such as ‘toleration’, ‘secularism’ and ‘humanism’ to Christian political theology. Their subsequent role in subverting the indigenous Indic consciousness through a secularised and universalised Reformation, that is, constitutionalism, is examined. It also puts forth the concept of Middle Eastern coloniality, which preceded its European variant and allies with it in the context of Bharat to advance their shared antipathy towards the Indic worldview. In order to liberate Bharat’s distinctive indigeneity, ‘decoloniality’ is presented as a civilisational imperative in the spheres of nature, religion, culture, history, education, language and, crucially, in the realm of constitutionalism.

J Sai Deepak is an engineer-turned-lawyer, practising as an arguing counsel primarily before the Supreme Court of India and the High Court of Delhi. A mechanical engineer from Anna University, he graduated with a bachelor’s degree in law from IIT Kharagpur’s law school in 2009, and has carved a niche for himself as a litigator in civil commercial and constitutional matters. Over the years, he has been a part of several landmark matters, such as the ones relating to the Sabarimala Ayyappa Temple, the Sri Padmanabhaswamy Temple and Basmati Geographical Indications. In 2019, he was awarded the Young Alumni Achiever’s Award by his alma mater IIT Kharagpur. Apart from delivering lectures on law, he is a prolific writer on constitutional issues for leading newspapers and magazines.

INDIA THAT IS BHARAT: COLONIALITY, CIVILISATION, CONSTITUTION



1800-1900 | 21 APRIL 2022 | CODE: ILF22LIT2

Introduction



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J Sai Deepak
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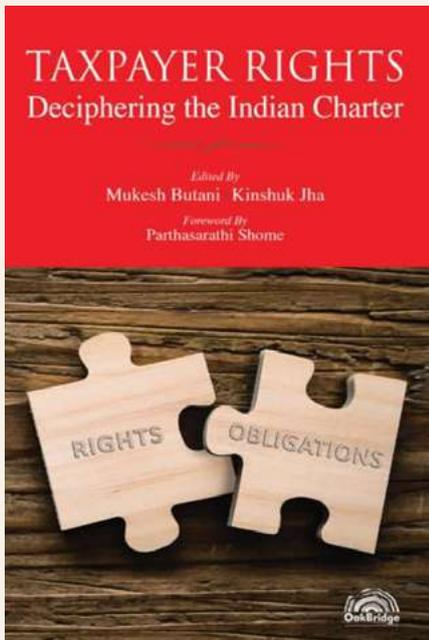
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Taxpayer Rights: Deciphering the Indian Charter critically analyses the presents the practitioners' and academics' perspective on the contemporary subject of Taxpayer Rights & Obligations. The book aims to further the discourse on the state of taxpayer rights in India, in light of the Indian Charter of 2020 and the global developments.

The book covers the following key aspects:

- (a) An overview of Indian tax administration mechanism in India;
- (b) Genesis of taxpayer rights in India;
- (c) The framework of the taxpayers' charter;
- (d) Global perspectives on taxpayers' rights;
- (e) Digitization of the administration of taxpayers' rights;
- (f) Bridging the gap between taxpayers and tax administration;
- (g) Policy recommendations.

Mukesh Butani is Founder & Managing Partner of BMR Legal Advocates. With specialisation in domestic corporate international tax and transfer pricing, he has over three decades of experience in advising multinationals and Indian conglomerates on a wide range of matters relating to FDI policy, business re-organisations, cross-border tax structuring, tax controversy and regulatory policy. He is an acknowledged expert in the area of International Tax policy, controversy & advocacy, and has to his credit several landmark judicial pronouncements.

Kinshuk Jha is an Associate Professor and Executive Director, Centre for Comparative and International Taxation (CCIT), Jindal Global Law School (JGLS). He has been teaching domestic and international taxation and his been involved in several academic projects, ranging from innovations at the level of higher secondary education in India, where he co-authored the Legal Studies textbook for CBSE, to being part of an expert panel at the recent USTR investigations of India's Digital Services Tax. His work focuses on taxpayer rights, anti-abuse provisions and digital taxation.



TAXPAYER RIGHTS: DECIPHERING THE INDIAN CHARTER

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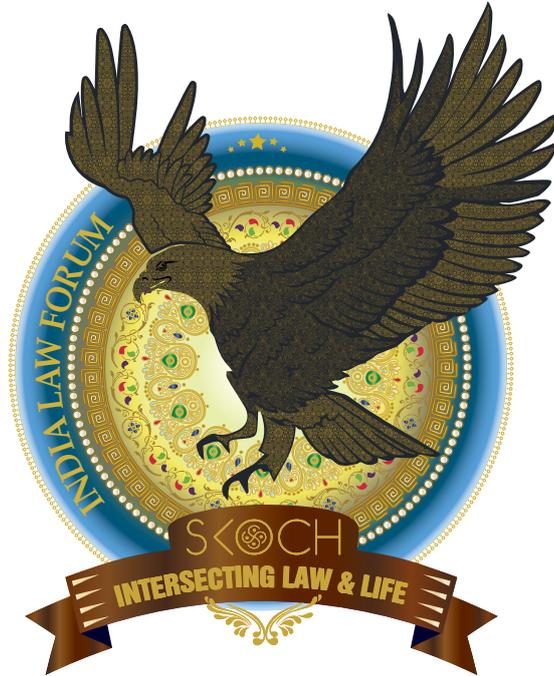


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Former Finance Secretary
Government of India



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Associate Professor
Jindal Global Law School

INDIA LAW FORUM & LITFest



82nd SKOCH Summit

20th April - 14th May 2022

ABOUT SKOCH GROUP



SKOCH GROUP
GROWTH | LIVELIHOODS | EQUITY

SKOCH Group is India's leading think tank dealing with socio-economic issues with a focus on inclusive growth since 1997. The Group companies include a consulting wing, a media wing and a charitable foundation. SKOCH Group is able to bring an Indian felt-needs context to strategies and engages with Fortune-500 companies, State Owned Enterprises, Government to SMEs and Community-Based Organisations with equal ease. The repertoire of services includes field interventions, consultancy, research reports, impact assessments, policy briefs, books, journals, workshops and conferences. SKOCH Group has instituted India's highest independent civilian honours in the field of governance, finance, technology, economics and social sector.

SKOCH

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