

First international arbitration centre comes up in Mumbai

Written by **Shubhangi Khapre** | Mumbai | Published: October 9, 2016 2:25 am



Chief Minister Devendra Fadnavis with MP Poonam Mahajan, Mumbai Centre for International Arbitration CEO Madhukeshwar Desai (extreme left), Justice Surinder Singh Nijjar and Chief Secretary Swadheen Kshatriya (extreme right) at the inauguration of the centre on Saturday. (Express Photo by Prashant Nadkar)

The country's first International Arbitration Centre was inaugurated in Mumbai on Saturday. The setting up of the

Mumbai Centre for International Arbitration (MCIA) — which can resolve disputes between different companies or individuals — can be a step towards establishing the city as an international financial centre. At present, most of the global business disputes involving Indians land in the Singapore or the London arbitration centres. The total outflow of funds to resolve such cases, complete with logistics and other related expenditure, works out to around \$ 5 billion, sources said. A centre in India can significantly bring down this cost.

Chief Minister Devendra Fadnavis, who visited the MCIA Saturday, said, “Mumbai will soon emerge as the most preferred destination for resolving international business disputes. MCIA is one of the most equipped arbitration centres not only in Asia, but across the globe. Another advantage is the pool of legal talent in country. This world-class facility will bring greater transparency, accountability and credibility to the process of resolving overseas arbitration.”

Apart from the infrastructure, the MCIA is backed by robust policies both at the Centre and the state, the chief minister said. Maharashtra is the first state in India to have a comprehensive arbitration policy. While dwelling on the significance of a quick disputes-redressal mechanism, Fadnavis said, “A crucial factor to establish ease of doing business and attract foreign direct investments is a healthy arbitration resolving eco-system. In this, time and space are key. A centre in Mumbai will take care of both these factors.” So far, the closest arbitration centre for India was in Singapore.

According to a study conducted by the Singapore International Arbitration Centre, almost 30 per cent of the disputes it hears annually relate to matters involving Indian businesses. Also, the number of disputes it settled between 2001 and 2013-14 shows a ten-fold increase. The MCIA is located on the 20th floor of Express Towers, Nariman Point, and is headed by CEO Madhukeshwar Desai. The 7,000-square feet facility is equipped with hi-tech, secure hearing rooms with simultaneous transcription services. It is co-chaired by Nish Shetty, Head Asia Pacific, Clifford Chance, and Vyapak Desai, partner, Nishith Desai and Associates.

It has on board leading international and domestic arbitration practitioners such as Sir Bernard Rix, Former Lord Justice, English Court of Appeal; David W Rivkin, President, International Bar Association; James Spigelman, former Chief Justice of New South Wales; Michael Pryles, former President of the SIAC Court of Arbitration; John Beechey former President of the ICC International Court of Arbitration; Christopher Lau, Supreme Court Chartered Arbitrator; Nicolas Peacock, partner, Herbert Smith; Justice Surinder Singh Nijjar, former judge of Supreme Court of India; Justice Ferdino Rebello, former chief justice of the Allahabad HC; Cyril Shroff, Managing Partner, Cyril Amarchand Mangaldas; Pallavi Shroff, managing partner, Shardul Amarchand Mangaldas; Vikram Nankani, senior advocate Bombay HC; Promod Nair, Head of Chambers, Arista Chambers; Shreyas Jayasimha, Managing Partner Aarna Law; and Nakul Dewan, advocate, Supreme Court of India. on Saturday.