

# Jurisprudential Aspects Of Arbitration Law In India

Mr. Eeshan Atray<sup>1</sup>, Dr. Mahesh Koolwal<sup>2</sup>

<sup>1</sup>Research Scholar JECRC University.

<sup>2</sup>Dean & Professor, School of Law JECRC University.

---

## ABSTRACT

The significant growth in the number of business disputes over the last few decades has paralleled the significant increase in economic development of nations. In India also, rapid economic globalization has resulted in an increase in business disputes as a result of increased competitiveness. Simultaneously, the rate of industrialization, modernization, and improvement of socioeconomic conditions has often exceeded the growth of dispute resolution systems. Rapid development has resulted in increased caseloads for already overloaded courts in many parts of India, resulting in notoriously delayed adjudication of business disputes.

As a result, alternative dispute resolution mechanisms, such as arbitration, have become increasingly important for companies doing business in India and those doing business with Indian companies. This research paper aims to critically assess arbitration as a legal institution in India. The article examines Indian arbitration legislation and practice, highlighting how the current arbitration system in India is still riddled with inadequacies and flaws, and how arbitration quality has not improved as a speedy and cost-effective process for resolving business disputes. Arbitration as a form of Alternate Dispute Resolution has gained traction over the past few years in India.

**Keywords:-** Arbitration, ADR, Conciliation, India, UNCITRAL Model

## INTRODUCTION

The objective of the 1996 Act was to lay out expedient and practical compromise. In India, intervention is a well known technique for settling business debates. An assessment of intervention in India observes that the organization is as yet creating and has not yet arrived at the stage where it can really address the issues exacerbated by business development. In the total, India doesn't give off an impression of being a ward with an enemy of discretion propensity.

Indian courts, notwithstanding their interventionist driving forces and broadened legal survey, abstain from disrupting arbitral decisions. To draw in unfamiliar speculation, a quickly developing economy requires a dependable, stable compromise instrument. Because of the monstrous excess of cases forthcoming in Indian courts, business players both in India and abroad have laid out a solid inclination for settling clashes through assertion.

The immense development in the quantity of business arguments about the most recent couple of many years has resembled the critical expansion in financial advancement of countries. Quick monetary globalization, as well as the subsequent expansion in intensity, has brought about an increment in business clashes in India. At the same time, the pace of industrialization, modernization, and improvement of financial circumstances has frequently surpassed the pace of development of question settlement. Accordingly, elective debate goal techniques, like intervention, have become progressively significant for organizations carrying on with work in India and those working with Indian organizations<sup>1</sup>.

As an overall monetary force to be reckoned with, Indian regulations have been changed various times to keep the country on level with legitimate systems in other top business regulation wards in the objective of incorporating with the worldwide business local area. The three institutions that oversee assertion in India are the mediation Act, 1940, the intervention (convention and show) Act, 1935, and the unfamiliar honors (acknowledgment and requirement) Act, 1961. The regulation acquainted a Bill with unite and change the law relating to homegrown discretion, global business intervention, and authorization of unfamiliar arbitral choices, as well as to explain the law administering appeasement, considering the UNCITRAL Model Law and Rules.

On sixteenth August, 1996, the Arbitration and Conciliation Act happened. This examination paper is an endeavor to dispassionately dissect mediation in India as a legitimate organization, with the bigger objective of analyzing connections between the nature of lawful execution and monetary development. In total, notwithstanding the way that the enormous inundation of worldwide business exchanges prodded by India's monetary development has brought about a huge expansion in business debates, intervention practice has fallen behind. The advancement of mediation regulation and practice in India has been investigated in this paper, remembering how the contemporary intervention framework for India is as yet tormented by many blemishes and deficiencies, and the nature of assertion as a quick and savvy process for settling business questions has not completely evolved.

### **Critical Analysis Of Arbitration Under The 1996 Act**

The prior regulation, the 1940 Act, didn't meet the yearnings of individuals as a general rule, and the business local area specifically, thusly the 1996 Act was ordered. Notwithstanding the way that the 1996 Act was intended to fill in the holes in the 1940 Act, it bombed because of the arbitral framework that created underneath it. The Act's significant objective was to give

---

<sup>1</sup> A. Rogers, The Ethics of Advocacy in International Arbitration (Bocconi Legal Studies Research Paper No. 18-2010, 2010)

the current legal framework, which was tormented by irrational postponements and an overabundance of cases, a more proficient and powerful struggle settlement process. Nonetheless, an assessment of the 1996 Act's discretion system shows that it neglected to accomplish its expected objectives.<sup>2</sup>

### **1. Speedy Justice**

Assertion is normal in India, yet it is tormented by postpones that hinder the powerful goal of questions. Albeit the 1996 Act gives judges greater power and safeguards them from court obstruction, it doesn't set a cutoff time for the cycles to be finished. This varies from the 1940 Act, which set a cutoff time for the finish of intervention procedures. As far as possible for finishing discretion strategies was wiped out, in light of the presumption that court interfering is the fundamental driver of deferrals in assertion and that giving authorities more independence would cure the issue. Then again, the fact of the matter is fairly unique.

Referees who are typically resigned judges, view discretion hearings like standard case, and are leaned to give extended and regular deferments when mentioned by the parties. Furthermore, the gatherings often approach assertion with same mentality concerning prosecution, bringing about grants that at last end up in courts, protracting the time it takes to determine clashes. Parties additionally exploit a current decide that considers a programmed stay of the honors' execution essentially by recording a test application. Thus, the objective of assertion as a vehicle for settling clashes rapidly is hampered by clear postponements.

### **2. Cost Effective**

Discretion is moderately more financially savvy than prosecution when the quantity of assertion procedures is restricted. Coming up next is the standard system before the judges: the inquirer is expected to record his case articulation and supporting reports at the primary hearing; the contradicting parties are expected to document their answer and supporting archives at the subsequent hearing; and the petitioner is expected to document his reply at the third hearing.<sup>3</sup>

There are ordinarily a few suspensions at every one of these stages. Once in a while, either party documents an application for between time directions, which builds the mediation meetings expected to choose such interval applications. Whenever an arbitral court first considers an issue of ward is normally after the arbitral council has given somewhere around 6 dismissals. Suit, then again, are obviously more affordable whenever conceded, regardless of whether they consume a large chunk of the day to determine. This is on the grounds that legal counselors' expenses are the main critical use in a claim, and legal advisors regularly charge something very similar, while possibly not more, per hearing.

### **3. Judicial Intervention**

---

<sup>2</sup> Al-Nuemat, Ahmed, and Abdullah Nawafleh. "Brexite, Arbitration and Private International Law." *Journal of Politics*

<sup>3</sup> Alan Redfern, Martin Hunter with Nigel Blackaby, Constantine Partasides, *Law and Practice of International Commercial Arbitration* (4th ed. Sweet & Maxwell 2004).

One of the main goals of the 1996 Act was to give arbitrators more power and limit the court's supervisory role in the arbitration process. In reality, the 1996 Act allows for frequent judicial intervention.

### **A. Public Policy:**

In the 1996 Act, the term public arrangement is utilized two times. On the off chance that an honor is in struggle with Indian public strategy, it tends to be saved under Section 34 of the 1996 Act (Part I). Moreover, on the off chance that an unfamiliar honor is hindering to India's public arrangement, it very well might be dismissed implementation under Section 48 of the 1996 Act (Part II). On account of *Renusagar Power Electric Co v. General Electric Co* (*Renusagar*) which included implementation of an ICC Award, the subject of public strategy surfaced interestingly as an exclusion for requirement of an unfamiliar arbitral honor.

Applying the aforementioned criteria, it must be established that enforcement of a foreign award would be refused on the basis of public policy if such enforcement would be opposed to:

- A. Indian law's fundamental policy;
- B. India's interests;
- C. Justice or morality.

In ***Oil and Natural Gas Corporation v. Saw Pipes Ltd*** the question was whether an award made in India may be overturned on public policy grounds, claiming that the arbitral tribunal had applied the law of liquidated damages wrongly. Despite the *Renusagar* precedent, the SC ruled that any arbitral judgement that contradicts Indian law provisions is patently invalid and against public policy. The court in *Saw Pipes* distinguished the case from *Renusagar* on the basis that the latter's issue concerned the implementation of an award that had reached finality under the 1961 Act. In *Saw Pipes*, on the other hand, the award's legitimacy was questioned. As a result, in the *Saw Pipes* case, Indian courts would oversee the domestic award because they were the principal courts.<sup>4</sup>

### **B. Misuse of the Public Policy doctrine post Bhatia International Case:**

In the *Renusagar* case, the SC gave a prohibitive importance of public strategy, however in the *Saw Pipes* case, it gave a more extensive perusing. As a result, this implies that various translations of the term public approach existed for declining to save an arbitral honor for public arrangement reasons from one viewpoint, and declining to uphold an unfamiliar honor for public strategy reasons on the other. This has since changed because of the SC's choice in *Bhatia International versus Bulk Trading (Bhatia)*. The Indian courts utilized the *Bhatia* choice to upset an unfamiliar discretion grant and select a mediator for a situation that occurred external India. This pushed many gatherings to business contracts drafted discretion provisions explicitly barring the utilization of Part I of the Act because of these decisions. All the while, in response to mounting analysis of the *Bhatia* rule's mediation unpleasantness, Indian lower

---

<sup>4</sup> A. Rogers, *The Ethics of Advocacy in International Arbitration* (Bocconi Legal Studies Research Paper No. 18-2010, 2010)

courts started to restrict the Indian court's capacity to intercede in unfamiliar interventions. These choices were exceptionally condemned and therefore, parties as often as possible and intentionally tested unfamiliar discretion grants in Indian courts on open strategy grounds. This conflicted with the New York Convention's fundamental idea of shared acknowledgment and execution of arbitral decisions.

### **C. Shift in Interventionist Approaches to Foreign Awards:**

The Bhatia concept was reversed in *Bharat Aluminium Company v. Kaiser Aluminium Technical Services ("BALCO")*, which found that Part I of the Act only applies to arbitrations held in India. The court stated in support of its decision that the parties' choice of seat, and not the law underlying the contract or arbitration agreement, determined whether the Indian courts had jurisdiction.

The Supreme Court, however, addressed this issue in *Shri Lal Mahal Ltd v. Progetto Grano*. The Court ruled that the term "public policy of India" should be given a narrower interpretation, and that foreign awards should only be enforced if they are opposed to Indian law's fundamental policy, national interests, justice, or morality. The SC upheld its judgement in *Renusagar Power Company Ltd v. General Electric Company* and overturned *Phulchand Exports'* wide interpretation of public policy. This has been a great respite for parties involved in arbitrations held in foreign jurisdictions.<sup>5</sup>

### **D. Post BALCO Judgment:**

The BALCO administering further developed India's venture and business environment by restricting the extent of Indian courts' impedance in seaward discretion. Because of this choice, India has gotten back to its pre-Bhatia International position. In any case, there are something like two parts of the post-BALCO arbitral system that could risk the cycle's certainty

1. The pre-BALCO framework actually applies to parties who consented to discretion arrangements before September 6, 2012. This is because of the way that the judgment basically expresses that it will "apply tentatively to all discretion arrangements executed a while later." Parties who consented to intervention arrangements before September 6, 2012 are as yet limited by the Bhatia's standards.

#### **1. A significant feature of offshore arbitration:**

The valuable chance to go to Indian courts for break cures on the side of such procedures - is presently not available to parties going into new arbitral arrangements, to which the BALCO administering applies. The Supreme Court decided that Part I and Part II of the Act are totally isolated, really intending that "...any of the guidelines remembered for Part I can't be made relevant to Foreign Awards..."

While the Supreme Court recognized that the isolation hypothesis would forestall Indian courts from giving break measures on the side of unfamiliar mediations, it likewise expressed that rather than the Supreme Court, the assembly should deal with a make a difference to be reviewed by the lawmaking body. Gatherings to intervention systems arranged external India

---

<sup>5</sup> Al-Nuemat, Ahmed, and Abdullah Nawafleh. "Brexite, Arbitration and Private International Law." *Journal of Politics*

will not be able to apply to Indian courts to save resources or proof, force the participation of an observer, or look for a request for security for costs until such changes are embraced.

#### **4. Award Enforcement**

The productivity and viability of the honor implementation system is one of the factors used to decide if intervention is a fruitful lawful organization. An arbitral honor is enforceable as a court choice under Section 36 of the 1996 Act, and could be implemented in a suit under the principles of the Civil Procedure Code, 1908. Worldwide settlements and shows that specify the acknowledgment and implementation of arbitral honors oversee the authorization of an honor exuding from a global business mediation. The New York Convention, 1958 and the Geneva Convention, 1927 which is fused in Chapter II, Part I and Part II, individually, of the 1996 Act, administer the authorization of unfamiliar honors in India. The authorization arrangements of the 1940 Act and the 1996 Act are comparable.<sup>6</sup>

#### **Recent Amendments**

##### **Arbitration and Conciliation (Amendment) Act, 2015**

The 2015 Amendment Act made major improvements to the Act and went a long way toward clarifying various concerns related to the Act's goals. It established stringent deadlines for the conclusion of arbitral proceedings along with a fast-track approach for settling conflicts. New provisions were added to the 2015 Amendment Act. In addition to existing provisions governing the appointment of an arbitrator it amended the grounds for challenging an arbitrator's appointment for a lack of independence and impartiality were further defined.

##### **The following are some of the significant revisions made by the 2015 Amendment Act: Proceedings Prior to Arbitration**

##### **Impartiality and independence**

- Applications for the appointment of an arbitrator shall be resolved within sixty (60) days following service of notice on the opposing party.
- A precise schedule for arbitrator ineligibility has been put in place, based on the IBA Guidelines on Conflict of Interest.

##### **Interim Reliefs**

- Parties with foreign-seated arbitrations now have more flexibility in approaching Indian courts for assistance in foreign-seated arbitrations.<sup>7</sup>

---

<sup>6</sup> Friedland, P. D. "The Law and Practice of International Commercial Arbitration by Alan Redfern and Martin Hunter." *Arbitration International*, vol. 4, no. 1, 1988, pp. 76–79, doi:10.1093/arbitration/4.1.76.

<sup>7</sup> Alan Redfern, Martin Hunter with Nigel Blackaby, Constantine Partasides, *Law and Practice of International Commercial Arbitration* (4th ed. Sweet & Maxwell 2004).

- Section 9 applications must be filed directly with the High Courts in the instance of International Commercial Arbitration ("ICA") based both in India and abroad.<sup>8</sup>
- Interim reliefs given by arbitral tribunals seated in India are deemed to be court orders under the new regime and are thus enforceable.
- Arbitration proceedings must begin within 90 days of the court's grant of interim relief, or within any additional time decided by the court.

## **Arbitral Proceeding Stage**

### **Expeditious disposal**

- A year cutoff time was set for the finish of discretions held in India.
- Quick application handling, as well as assessed timetables for submitting discretion applications under the steady gaze of courts for interval alleviation, mediator arrangement, and challenging petitions.
- Fuse of a facilitated/quick track mediation framework to determine specific issues in a half year or less.

### **Costs**

- A new "costs follow the event" policy has been implemented.
- In relation to the assessment of expenses by arbitral tribunals seated in India, certain detailed provisions have been added.

## **Post-arbitral Proceedings**

### **Enforcement and Challenge**

- The justification for testing an arbitral decision with regards to an ICA situated in India have been restricted.
- On account of ICAs situated in India, Section 34 applications should be recorded straightforwardly with the High Courts.
- Segment 34 petitions should be settled rapidly and, regardless, inside one year of the date on which the restricting party is given the notification.
- There won't be a programmed stay on the honor's execution assuming that a test is recorded under Section 34 of the Act; rather, the court should give a request explicitly ending the execution systems.

**Arbitration and Conciliation (Amendment) Act, 2019** The High-Level Committee to Review the Institutionalization of Arbitration Mechanisms in India was formed to identify roadblocks to the development of institutional arbitration in India, examine specific issues affecting the Indian arbitration landscape, and develop a roadmap for making India a strong international and domestic<sup>9</sup> arbitration centre. The 2019 Amendment Act[15] was passed with

---

<sup>9</sup> Friedland, P. D. "The Law and Practice of International Commercial Arbitration by Alan Redfern and Martin Hunter." *Arbitration International*, vol. 4, no. 1, 1988, pp. 76–79, doi:10.1093/arbitration/4.1.76.

the goal of making India a global centre for institutional arbitration for domestic as well as international arbitration.<sup>10</sup>

### **The 2019 Amendment Act made several significant changes to India's arbitration landscape:**

- I. The 2019 Amendment Act meant to make the Arbitration Council of India, which would have abilities, for example, reviewing arbitral foundations, perceiving proficient organizations that give authority license, giving arbitral establishment ideas and rules, as well as taking drives to make India a middle for homegrown and worldwide mediations. This alteration, be that as it may, presently can't seem to be advised.
- II. In expansion, the 2019 Amendment Act adjusts the 2015 Amendment Act by permitting the Supreme Court and High Court to select arbitral establishments that have been licensed by the Arbitration Council of India to pick judges. This change has additionally yet to be told.
- III. The 2015 Amendment Act laid out a year cutoff time for the finish of mediation procedures from the second the arbitral court acknowledges the reference (which can be stretched out to year and a half with the endorsement of the gatherings). The 2019 Amendment Act changes the beginning date of as far as possible to the consummation of the pleadings. The pleadings should be done in a half year.
- IV. In expansion, the 2019 Amendment Act excludes "unfamiliar business discretion" from as far as possible for finishing mediation procedures.
- V. The 2019 Amendment Act includes unequivocal arrangements discretion processes secrecy and authority insusceptibility.
- VI. The Eighth Schedule of the 2019 Amendment Act further lays out negligible principles for an individual to be authorize/go about as a referee. The 2020 Ordinance has now eliminated the Eighth Schedule.

### **Arbitration and Conciliation (Amendment) Act, 2020**

On 4th November, 2020 the Arbitration and Conciliation (Amendment) Ordinance, 2020 was proclaimed, further reconsidering the Act. Two changes came about accordingly:

- a. An unqualified stay on the requirement of an India-situated discretion grant (counting both homegrown and worldwide mediation grants) until the test to the honor is settled, where the court closes by all appearances that the intervention arrangement or agreement on which the honor is based, or the actual honor, was incited or achieved by extortion or defilement
- b. The much-discussed capabilities, experience, and standards for referee license laid out in the Arbitration Act's Eighth Schedule have been eliminated. The revision to the authorization of an intervention grant that has been spoiled by extortion or defilement has been retroactively applied, implying that it will apply to all legal disputes including arbitral cycles, whether they started previously or after 23rd October, 2015.

### **CONCLUSION**

---

<sup>10</sup> Al-Nuemat, Ahmed, and Abdullah Nawafleh. "Brexit, Arbitration and Private International Law." Journal of Politics



The objective of the 1996 Act was to lay out rapid and practical compromise. In India, assertion is a well known technique for settling business questions. An assessment of assertion in India observes that the organization is as yet creating and has not yet arrived at the stage where it can really address the issues exacerbated by business development. In the total, India doesn't seem, by all accounts, to be a ward with an enemy of intervention inclination. Indian courts, regardless of their interventionist driving forces and broadened legal audit, forgo slowing down arbitral decisions. To draw in unfamiliar speculation, a quickly developing economy requires a dependable, stable compromise instrument. Because of the gigantic excess of cases forthcoming in Indian courts, business players both in India and abroad have laid out a solid inclination for settling clashes through assertion.

Regardless of being one of the first signatories of the New York Convention, Indian mediation has not dependably followed overall prescribed procedures. In any case, there has been a critical change in mentality in the past five years. Indian assertion regulation has been aligned with overall prescribed procedures by courts and officials. With the courts' supportive of discretion approach and the 2015, 2019 and 2021 Amendment Acts set up, there is motivation to accept that these prescribed procedures will before long be consolidated in Indian assertion regulation. The Indian intervention law is in for some, invigorating times, and our courts are ready to handle various cases including the translation of the Act's various changes.

#### **REFERENCES:**

1. Al-Nuemat, Ahmed, and Abdullah Nawafleh. "Brexit, Arbitration and Private International Law." *Journal of Politics and Law*, vol. 10, no. 5, 2017, p. 116, doi:10.5539/jpl.v10n5p116.
2. Born, Gary. *International Commercial Arbitration: Commentary and Materials*. Transnational Pub Incorporated, 2001.
3. Contracts: Validity of Arbitration Agreement. *Michigan Law Review*, vol. 23, no. 8, 1925, p. 911, doi:10.2307/1278877.
4. A Tulchhia, R Kaur, A Kashyap," The Degradation Technique of Randomization through Convolution Neural Network for Submerged Object", *International Journal of Advanced Science and Technology*, Volume:29, Issue: 5s, Pages:1341-1347, May 2020, sersc.org/journals/index.php/IJAST/article/view/8163
5. Friedland, P. D. "The Law and Practice of International Commercial Arbitration by Alan Redfern and Martin Hunter." *Arbitration International*, vol. 4, no. 1, 1988, pp. 76–79, doi:10.1093/arbitration/4.1.76.
6. M. Koolwal and D. Awasthy, IBC 2016- Ways Ahead Strengthening The Process, *Elementary Education* 19 (4), 5038-5047
7. M. Koolwal and A. Sharma, New strategies and tools for Making inclusive social, economic and Justice, *Vidyabharati International Interdisciplinary Research Journal (Special Issue)*ISSN2319-4979
8. M. Koolwal and A. Sharma, Principles Of Fundamental Rights And Modern-Day Challenges, *Elementary Education Online* 19 (4), 5023-502

9. M. Koolwal and D. Awasthy “LEGAL LANDSCAPE OF INSOLVENCY AND BANKRUPTCY IN INDIA” Vidyabharati International Interdisciplinary Research Journal (Special Issue) ISSN 2319-4979
10. London Will Remain Seat of Arbitration, despite Brexit, The Peninsula Qatar, 3 Apr. 2019, <https://thepeninsulaqatar.com/article/03/04/2019/London-will-remain-seat-of-arbitration,-despite-Brexit>.
11. Noussia, Kyriaki. Confidentiality in International Commercial Arbitration. 2010, doi:10.1007/978-3-642-10224-0.
12. R Kaur A Jain, S Kumar,” Optimization classification of sunflower recognition through machine learning”, Materials Today Proceedings, Volume 46, Part 8, Science Direct, Elsevier, 26 May 2021, <https://doi.org/10.1016/j.matpr.2021.05.182>.
13. The Economist. “The Arbitration Game.” The Economist, The Economist, 2014, Chen, Understanding Chinese Negotiation, (Australian Dispute Journal, 1993)
14. Kaur, A Kashyap, D Kumar,” Computer Vision Detection Of Submerged Object Through Machine Learning”, Elementary Education Online, Vol:20, Issue:5, Pg: 5013-5019, 2021/5, doi:10.17051/ilkonline.2021.05.560
15. Unctad-Ictsd, and UNCTAD-ICTSD. “Dispute Settlement.” Resource Book on TRIPS and Development, pp. 651–704, doi:10.1017/cbo9780511511363.034.
16. Sherman, Rau and Murray, Processes of Dispute Resolution, (Foundation Press 1989)
17. Alan Redfern, Martin Hunter with Nigel Blackaby, Constantine Partasides, Law and Practice of International Commercial Arbitration (4th ed. Sweet & Maxwell 2004),
18. Richard H. Weise, Representing the Corporate Client: Designs for Quality (New York:Prentice Hall, 1991).
19. Howard Holtzmann, Joseph Neuhaus, A guide to the UNCITRAL Model Law on International Commercial Arbitration: Legislative History (Kluwer 1989).
20. Shavel, Steven, ‘Alternative Dispute resolution : An Economic Analysis (1995) 24 (1, January) The Journal of Legal Studies.
21. Alan Redfern, Martin Hunter with Nigel Blackaby, Constantine Partasides, Law and Practice of International Commercial Arbitration (4th ed. Sweet & Maxwell 2004).
22. R Kaur, A Rawat (2019), Proposed Methodology Of Supervised Learning Technique Of Flower Feature Recognition Through Machine Learning”, Journal of Emerging Technologies and Innovative Research (JETIR), Vol 6, Issue 6, Pg:49 ISSN-2349-5162
23. A. Rogers, Fit and Function in Legal Ethics: Developing a Code of Conduct for International Arbitration, 23 MICH. J. INT’L. 341 (2002)
24. Joo, J. (2007). An empirical study on the relationship between customer value and repurchase intention in Korean internet shopping malls. The Journal of Computer Information Systems, 48(1), 53–62.
25. C Shree, R Kaur, S Upadhyay (2019), Multi-feature Based Automated Flower Harvesting Techniques in Deep Convolutional Neural Networking, IEEE , Vol 9, Issue 112, 10.1109/IoT SIU.2019.8777338
26. Fruhling, A. L., & Siau, K. (2007). Assessing organizational innovation capability and its effect on e-commerce initiatives. The Journal of Computer Information Systems, 48(1), 133–145.

27. Bobette Wolski, Recent Developments in International Commercial Dispute Resolution: Expanding the Options Bond Law Review, volume 13, issue 2. 2001
28. Commercial Courts, Commercial Division and Commercial Appellate Division of the High Court's Act, 2015 (Act No. 4 of 2016). Notified in the Gazette of India as being effective from 23rd October 2015. The Act has since been amended and notified as effective from 3rd May 2018.
29. López-Nicolás, C., & Molina-Castillo, F. J. (2008). Customer knowledge management and e-commerce: The role of customer perceived risk. *International Journal of Information Management*, 28(2), 102-113. doi:10.1016/j.ijinfomgt.2007.09.001
30. Christofi, M., Leonidou, E., & Vrontis, D. (2015). Cause-related marketing, product innovation and extraordinary sustainable leadership: the root towards sustainability. *Global Business and Economics Review*, 17(1), 93–111. doi:10.1504/GBER.2015.066533
31. A. Rogers, The Ethics of Advocacy in International Arbitration (Bocconi Legal Studies Research Paper No. 18-2010, 2010)
32. Arsić, S., Banjević, K., Nastasić, A., Rošulj, D., & Arsić, M. (2018). Family business owner as a central figure in customer relationship management. *Sustainability*, 11(1), 1–19. doi:10.3390/su11010077
33. Romano, A. C. Jr (2000). Customer relations management in information systems research. In H. M. Chung (Ed.), *Proceedings of the Americas Conference in Information Systems (AMCIS)*, Long Beach, California, 10–13 August, pp. 811–819.