

BOOK REVIEW

Everything You Need To Know About Arbitration In India, Authored by Tariq Khan; Foreword by Fali S. Nariman; Introduction by Justice Hima Kohli (Published by Thomson Reuters, 2022, ISBN- 978-93-93702-39-5), pp 444; Price INR 960

Dr. Christopher To *

Most legal textbooks on arbitration in India focus on the hard-core aspects of the law, making it difficult to comprehend for those unfamiliar with the Indian legal landscape. This book is a turning point, where Tariq Khan a leading expert in international arbitration focuses on providing the reader with a straightforward position of how arbitration is conducted in India from start to finish. The book is split into four main headings with the first heading on the “*Introduction to Arbitration in India*”. Under this heading there are two chapters which provide the reader with the insights as to the essential features of arbitration and the history and development of arbitration in India. Under the features of arbitration, the author provides the reader with a bird’s eye view of the basic concepts associated with arbitration such as confidentiality, party autonomy, neutrality, ad hoc versus institutional arbitration and the difference between domestic and international arbitration with the ultimate aim of setting the scene for the reader, as these are crucial concepts within the context of arbitration. Thereafter a focus on the history of arbitration in India provides those who are unfamiliar with the developments of arbitration in India with a clear and concise outline, which is easy to grasp and comprehend.

The second heading anchors on the “*Primer on Arbitration and Conciliation Act 1996*”. Under this heading there are twelve chapters, providing the reader with the principles and procedures for conducting an arbitration in India from start to finish. The author begins with an elaborate continuation of the fundamental concepts of arbitration such as the principle of separability, principle of kompetenz-kompetenz, the concept of arbitrability, determining the proper law of the arbitration agreement, arbitration agreements, duties and responsibilities of the arbitral tribunal, conduct of the proceedings, making of the award to the enforcement and setting aside

* Dr. Christopher TO is a barrister at Gilt Chamber. He is also an accredited mediator, chartered arbitrator, chartered engineer, chartered information technology professor and an adjunct professor.

an arbitration award. Each chapter pivots on the important aspects of conducting an arbitration from a user's perspective. Information is pragmatic and easy to understand.

The third heading concerns "*Drafting, Practice and Procedure*". Under this heading, there are four chapters. One chapter touches on the drafting of various documents, from the notice of arbitration to arbitral awards. This chapter greatly assists in understanding the finite elements of compiling various documents with ease and in conformity with the necessary procedural and legal requirements of conducting an arbitration in India. Other chapters focus on assisting practitioners in preparing their cases, dealing with dilatory tactics to the current trend of third party funding. The third heading is, without doubt, the most rewarding aspect of the book as it provides the reader with the necessary information to assist in drafting various documentation needed in an arbitration. Something practitioners will appreciate as it helps to streamline the preparation, while at the same time ensuring compliance.

The fourth heading examines the "*Modern-Day Concepts*" of arbitration to specific sector types of arbitration. Under this heading, there are twelve chapters ranging from blockchain technology, smart contracts and online dispute resolution to handling disputes within various sectors ranging from investment arbitration to consumer arbitration. Providing the reader with insights into current industry practices while introducing new innovative ideas and principles that will have an impact on resolving disputes of a futuristic nature. A fascinating combination of emerging old and new concepts to make arbitration cost-effective.

This book will be invaluable to local and international practitioners and parties. It will also be a vital teaching tool to assist those in understanding the intricacies of operating under the fast-paced arbitration environment that is emerging in India. Tariq Khan has given so generously his time, commitment and knowledge, of which I would like to congratulate him for his efforts in compiling a piece of work that blends theory into actual practice to provide the reader with the complete ins and outs of arbitrating in India. With the growth and focus of arbitration in India, practitioners will have the necessary awareness and the tools to effectively manage arbitrations from the vantage point of knowing that this book will be a valuable tool in shaping how one conducts arbitration in India efficiently and effectively.

The book will no doubt provide readers with indispensable guidance and support when conducting arbitration in India.