



Chamber of Commerce and Industry

**IMC ARBITRATION COMMITTEE'S  
KNOWLEDGE SERIES WEBINAR**

on

**DRAFTING OF ARBITRATION CLAUSE - RETHINKING THE DISPUTE RESOLUTION  
CLAUSE IN COMMERCIAL CONTRACTS - FINDING A PERFECT FIT**

**Saturday, 9<sup>th</sup> December, 2023**

**From 11:00 a.m. to 12:30 p.m.**

**Dear Sir/Madam,**

To create awareness, disseminate information and share knowledge amongst the public and stakeholders in arbitration (parties, lawyers and arbitrators) on various topics on the law and practice of arbitration, IMC's Arbitration Committee has taken the initiative to organize its **Knowledge Series Webinars**, from time to time.

This webinar on **Drafting of Arbitration Clause – Rethinking the Dispute Resolution Clause in Commercial Contracts - Finding a Perfect Fit** is part of our ongoing Knowledge Series of Webinars on ever evolving field of Alternate Dispute Resolution.

**The Webinar is being organized as per the following details:**

**Topic:** Drafting of Arbitration Clause – Rethinking the Dispute Resolution Clause in Commercial Contracts - Finding a Perfect Fit

**Day & Date:** Saturday, 9<sup>th</sup> December 2023.

**Time:** 11:00 a.m. to 12:30 p.m. (1 & ½ hours)

**Platform:** Online through Video Conferencing (on ZOOM platform)

**Fees:** No Participation Fees, but advance Online Registration is mandatory.

**Link for the registration - <https://www.imcnet.org/events-2183>**

*(In case the link is not opening, kindly copy-paste the same in your browser)*

**After the talk by the Speaker, and time permitting, there will be a short 'Q & A' (Question & Answer) session / interaction for participants with the speaker.**

**Introduction of the Topic / Objective of the Webinar:**

Arbitration Clauses are often treated as “one-size-fits-all” precedents which are included in commercial contracts without much thought. This approach can be counterproductive and can result in increased time, cost and complexity to resolve disputes. A well-drafted arbitration agreement, may serve to mitigate those risks.

A well-drafted arbitration clause will not only facilitate a more efficient arbitration, but by providing an effective dispute resolution mechanism, it may deter breaches of the agreement and thus reduce the likelihood of litigation. Indeed, a good arbitration clause is often the most important provision in a contract when it comes to avoiding costly and time-consuming disputes. A clause need not be complex to be effective, but it is prudent to spend time thinking strategically about the parties' likely posture in any dispute and how that posture should translate into an arbitration clause that maximizes the prospect of successful, efficient dispute resolution.

It follows that no single arbitration clause is suitable for all contracts. The drafting of an arbitration clause for commercial contracts should be informed by careful consideration of the nature of the contract, the parties to the contract, the types of disputes that might be expected to arise under the contract, and the jurisdictions likely to be involved in any dispute. Drafting an appropriate clause also requires an understanding of the circumstances that may call for special provisions, such as provisions addressing interim relief, confidentiality, and other important issues.

Ultimately, every arbitration agreement is bespoke. Parties should ensure that their arbitration agreement is effective and fit for the purpose. However, this webinar will guide and help the participants to ensure that their arbitration agreement will not create more disputes than it resolves.

#### **About the Speaker:**



Mr. Raj Panchmatia is a member of IMC's Arbitration Committee from past several years and a Partner in the Dispute Resolution practice group in the Khaitan & Co's, Mumbai office. With rich experience in the field of dispute resolution and commercial litigation and enforcement matter, Raj handles matters both in domestic and international fora.

He has advised clients on a wide variety of claims under the Indian arbitration laws, SIAC, LCIA, ICC, UNCITRAL and HKIAC, and has extensive experience in dealing with disputes under all forms of contracts and agreements. Raj also regularly advises and acts for clients in domestic and cross border enforcement matters including global enforcement matters emanating out of Arbitration Awards and Court Decrees from various jurisdictions. Raj has recently advised on a high value global enforcement of an ICC award and is also advising on Enforcement Awards and Judgments relating to Russian parties in view of Sanctions.

Raj is appointed on the SIAC Panel of Arbitrators, HKIAC List of Arbitrators, IAC and AIAC Panel of Arbitrators. He is also on the Panel of Singapore International Mediation Centre (SIMC) as an India Specialist Mediator and a Singapore International Mediation Institute (SIMI) Accredited Mediator.

Raj is one of the select members of the SIAC India Users Counsel and the ICC India Arbitration Group. He was instrumental in drafting of the Mumbai Centre of International

Arbitration (MCIA) Rules and is a co-convenor of Indian Arbitration Forum Western Region. Raj has been recently appointed as a Co-Chair of Young International Arbitration and Mediation Centre (YIAMC).

Raj has been consistently recommended by many of the world's leading law chambers and accreditation bodies. He has been recognised by Who's Who Legal in their Global Guide for Arbitration as Future leader in 2021 and 2022, as WWL Thought Leader in Arbitration for the year 2023 and by Chambers and Partners in the field of Arbitration in their 2021, 2022 and 2023 Ranking. He is also recently listed by Legal 500 in the field of Dispute Resolution in their 2022 and 2023 Ranking. Raj has been also recognized as "A" List Lawyer in the field of Arbitration and Dispute Resolution by IBLJ in 2023.

**Interested participants can register themselves by following the Link provided above.**

Access / Login details to join the Webinar on ZOOM platform will be sent to the registered participants a day prior to the webinar only on their email ids as provided by them while registering online.

**Strictly no recording of the webinar in part or full and in any manner is permitted.**

***Please note that considering the capacity of the online platform and, to maintain standards and quality, limited number of participants will be registered for the webinar.***

***Participants are also requested to kindly note that they should not register if they are not going to be able to attend the webinar, and if already registered, to inform IMC Secretariat on email ID: [sia.wagle@imcnet.org](mailto:sia.wagle@imcnet.org) or mobile no. +918108822282 of their inability to attend, so that others can register, attend and participate in the webinar.***

We also request you to kindly circulate and spread the word about this webinar amongst your contacts and professional circle for wider circulation and participation.

For other details and help in registration, kindly contact Ms. Sia Wagle or Mr. Prajakt Palladwar on 8108822282 or 9820848868 respectively or by email at [legal@imcnet.org](mailto:legal@imcnet.org)

**Ajit Mangrulkar**  
**Director General**