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ARBITRATION POWER PLAY: INDIA'S RACE TO BECOME A GLOBAL DISPUTE HUB

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ABSTRACT

This paper examines India's journey towards establishing itself as a leading arbitration hub, in comparison with established centres like Singapore, London, and Hong Kong. Against the backdrop of India's rapid economic growth and internationalization, efficient dispute resolution mechanisms have become critical. The study surveys legislative reforms (notably the Arbitration and Conciliation Act amendments of 2015, 2019, and 2021 and proposed 2024 Bill), institutional developments, and judicial pronouncements that shape India's arbitration regime. It also reviews Singapore's modern arbitration framework, London's (the new Arbitration Act 2025 modernizing the UK framework), and Hong Kong's (Arbitration Ordinance 2011 based on the UNCITRAL Model Law). We compare commercial arbitration rules and investor state arbitration positions. India's withdrawal from older BITs and non-ICSID status are contrasted with Singapore's extensive treaty network and Hong Kong's unique passive BIT strategy. By analysing secondary sources, case law, and expert commentary², the paper identifies opportunities and challenges (e.g. enforcement delays, awareness, need for autonomy and digitalization) on India's path. It concludes with recommendations for aligning India's legal framework and institutions with global best practices to achieve hub status.

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² "Withers, "Singapore: A Leading Hub for International Arbitration (International Arbitration Laws and Regulations)" (9 July 2025) <https://www.withersworldwide.com/en-gb/insight/read/singapore-a-leading-hub-for-international-arbitration-%28international-arbitration-laws-and-regulation%29>"

INTRODUCTION

Arbitration has emerged as a cornerstone of cross-border commercial dispute resolution. Its appeal lies in efficiency, neutrality, and enforceability under the New York Convention. Globally, Singapore, London (England & Wales), and Hong Kong have long been arbitration hubs, combining modern legal frameworks, supportive judiciaries, and world-class arbitral institutions³. India, the world's fifth-largest economy and a common law jurisdiction, is actively positioning itself to rival these established centres⁴. India's Arbitration and Conciliation Act, 1996 (reflecting the UNCITRAL Model Law) governs domestic and international arbitrations recent amendments (2015, 2019, 2021) have sought to reduce court intervention, introduce time-limits, and promote institutional arbitration⁵. The government has launched new arbitration institutions (e.g. India International Arbitration Centre in Delhi, and proposed centres in Mumbai and Hyderabad) and backed pro-arbitration policies (Make in India, Digital India) to support this goal⁶. This paper investigates these reforms and initiatives, and compares India's regime with Singapore (model of efficiency and updates⁷), London (renowned common law system and ongoing reforms⁸), and Hong Kong (UNCITRAL-based law and strategic proximity to China⁹).

INDIA'S ARBITRATION FRAMEWORK

Legislative Reforms

India's arbitration law has undergone multiple amendments to enhance efficiency. The 2015 Amendment Act introduced critical changes. It established a default 12-month timeline (extendable) for domestic arbitrations, and removed the automatic stay on award enforcement

³"Asia Law Portal, "India's Road to Becoming an Arbitration Hub: A Comparative Analysis with Singapore and London" (19 December 2024) <https://asialawportal.com/indias-road-to-becoming-an-arbitration-hub-a-comparative-analysis-with-singapore-and-london/>"

⁴ Ibid

⁵"Nishith Desai Associates, "The Indian Arbitration and Conciliation (Amendment) Act 2019 — Key Changes & Implications" (9 September 2019) https://www.nishithdesai.com/Content/document/pdf/Articles/190909_A_The_Indian_arbitration_and_Conciliation_Act_2019.pdf"

⁶"Arun Chawla, "India's Journey Towards Becoming a Global Arbitration Hub" (11 January 2025) *Hindustan Times* <https://www.hindustantimes.com/ht-insight/governance/indias-journey-towards-becoming-a-global-arbitration-hub-101736587259640.html>"

⁷"Withers, "Singapore: A Leading Hub for International Arbitration (International Arbitration Laws and Regulations)" (9 July 2025) <https://www.withersworldwide.com/en-gb/insight/read/singapore-a-leading-hub-for-international-arbitration-%28international-arbitration-laws-and-regulations%29>"

⁸"London Court of International Arbitration, "The English Arbitration Act 2025" (2025) <https://www.lcia.org/the-english-arbitration-act-2025.aspx>"

⁹"Justin D'Agostino, "New Hong Kong Arbitration Ordinance Comes Into Effect" (1 June 2011) *Kluwer Arbitration Blog* <https://legalblogs.wolterskluwer.com/arbitration-blog/new-hong-kong-arbitration-ordinance-comes-into-effect/#:~:text=2.Model%20Law>"

under Section 36 (unless a specific court-ordered stay)¹⁰. It also clarified challenge jurisdiction and limited court intervention. Section 26 set a cutoff date for applying the 2015 rules. In *BCCI v. Kochi Cricket Pvt. Ltd.*¹¹, the Supreme Court held that awards in proceedings initiated before 23 Oct 2015 still followed the old regime. The 2019 Amendment Act envisioned further reforms it aimed to establish the Arbitration Council of India (ACI) (a regulator/think tank), and empowered High Courts to designate arbitral institutions for appointing arbitrators. It introduced confidentiality and immunities, extended the arbitration timeline start date to the close of pleadings, and importantly removed Section 26 of the 2015 Amendment via new Section 87 (attempting to reinstate the old stay)¹². However, in *Hindustan Construction Co. v. Union of India*¹³, the Supreme Court struck down Section 87, upholding the 2015 amendment and ending the automatic stay rule¹⁴. Thus post-2019, awards become enforceable once the challenge period lapses unless a stay is granted.

The 2020-21 amendments (via ordinance in Nov 2020) made more changes. Notably, a new Section 36(3) allows Indian courts to unconditionally stay enforcement of an award if there is a prima facie case of fraud or corruption in the underlying contract, arbitration agreement, or award. This change reintroduced another ground for delays, raising concern that respondents may routinely allege fraud to stall enforcement¹⁵. The ordinance also deleted the controversial “Eighth Schedule” (inserted in 2019 but not yet notified), which had prescribed qualifications for arbitrators. The Eighth Schedule had been criticized for curtailing party autonomy (e.g. effectively barring foreign lawyers from arbitrating), and its deletion is seen as welcome to restore freedom of choice¹⁶. The ordinance reforms took effect retroactively from 23 Oct 2015. In sum, India’s current Arbitration Act (as amended) offers time limits for domestic cases, codifies pro-arbitration principles, yet still allows certain judicial interventions (e.g. fraud stays) which practitioners view with caution.

¹⁰“Padmaja Kaul, Yugank Goel & Aman Chaudhary, “The Supreme Court Strikes Down Section 87 of the Arbitration and Conciliation Act, 1996 – Reinstates BCCI v. Kochi Cricket” (11 December 2019) *Mondaq*<https://www.mondaq.com/india/trials-amp-appeals-amp-compensation/873536/the-supreme-court-strikes-down-section-87-of-the-arbitration-and-conciliation-act-1996-reinstates-bcci-v-kochi-cricket>”

¹¹*BCCI v. Kochi Cricket Pvt. Ltd.*, (2018) 6 SCC 287.

¹² *Ibid*

¹³*Hindustan Construction Co. Ltd. v. Union of India*, (2020) 17 SCC 324

¹⁴ *Ibid*

¹⁵“Petit Sherina & Kher Nimoy, “Amendments to the Indian Arbitration and Conciliation Act, 1996” (November 2020) *Norton Rose Fulbright International Arbitration Report*<https://www.nortonrosefulbright.com/es-419/knowledge/publications/7b98909d/amendments-to-the-indian-arbitration--and-conciliation-act>”

¹⁶ *Ibid*

Looking ahead, the proposed Arbitration and Conciliation (Amendment) Bill, 2024 aims to further streamline arbitration. Drawing on a 2024 expert committee report, it seeks to promote institutional arbitration. For instance, it would redefine “arbitral institution” broadly (no longer requiring court designation) and enhance institutions’ powers e.g. to extend arbitrator mandates or replace arbitrators without court intervention. It would replace the ACI’s grading function with simpler recognition and guideline-setting powers¹⁷. To improve efficiency, the draft bill imposes strict time-limits: 60 days for courts to decide Section 8 (stay of legal proceedings) applications, 30 days for tribunals to rule on jurisdictional objections (or record reasons for deferral), and 60 days for appeals under Section 37¹⁸. These proposals, if enacted, would further reduce delays and court backlog, aligning India with best practices. Overall, India’s legislative trajectory reflects a deliberate drive to strengthen arbitration, especially through institutionalization and timelines¹⁹.

Institutional Developments

India has bolstered its arbitral infrastructure. The government and industry have launched standalone arbitration centres notably, the India International Arbitration Centre in New Delhi (formerly MCIA) commenced operations in 2020, and similar centres were established in Mumbai and Hyderabad²⁰. These facilities offer modern hearing rooms and administrative support, promoting institutional arbitrations. The Arbitration Council of India (ACI) was envisaged by the 2019 Act as a statutory body to grade institutions, set standards, and maintain an arbitrator registry; though its full powers await final legislation, an interim ACI secretariat has been formed. Other institutions include the Indian Council of Arbitration (ICA, founded in 1965), and various chamber-run centres (e.g. NMAMC Hyderabad, ILC Mumbai) which now follow rules recognizing arbitration in their framework. There is also increasing digital infrastructure; many courts and institutions now allow e-filing of arbitration-related applications and virtual hearings (accelerated by COVID-19). Capacity-building efforts (seminars, training academies) are underway to increase the cadre of qualified arbitrators and practitioners. However, India still lags Singapore and Hong Kong in scale of institutional arbitration. Singapore’s SIAC, for example, handled 529 cases in 2021, whereas Indian

¹⁷“Dipen Sabharwal KC et al, “Keeping Up with the Times: The Government of India Proposes New Arbitration Law Reforms” (18 November 2024) *White & Case LLP* <https://www.whitecase.com/insight-alert/keeping-times-government-india-proposes-new-arbitration-law-reforms>”

¹⁸ Ibid

¹⁹ Ibid

²⁰“Arun Chawla, “India’s Journey Towards Becoming a Global Arbitration Hub” (11 January 2025) *Hindustan Times* <https://www.hindustantimes.com/ht-insight/governance/indias-journey-towards-becoming-a-global-arbitration-hub-101736587259640.html>”

centres are just emerging. Thus, while physical and organizational foundations are growing, strengthening and popularizing these institutions is key to India's hub ambitions.

Judicial Attitude and Case Law

Indian courts have gradually adopted a pro-arbitration stance. The Supreme Court has emphasized party autonomy and minimal intervention. For example, in *N. Radhakrishnan v. Maestro Engineers* and later cases, the Court clarified that an injunction does not ipso facto oust arbitration unless the clause explicitly so provides. Landmark judgments have limited judicial curial control in *SMC Pneumatics (India) Ltd. v. OIL & Natural Gas Corporation Ltd.*²¹, the Court held that disputes involving state entities are arbitrable despite public interest pleas. The Court has also ruled that foreign laws, choices of seat, and other international factors will be respected where parties have so agreed²². The Supreme Court has upheld very limited grounds of challenge and a broad definition of 'international commercial arbitration. However, courts can still set aside awards for public policy, serious irregularity, or lack of jurisdiction under Sections 34-36. Recent rulings have started to recognize limited rights to appeal on a question of law under specified conditions. Overall, the judiciary in India is more supportive of arbitration than before, but occasional decisions raising concerns (e.g. strictness on writing requirements in appointment) remind that consistency is needed to build trust.

Investor–State Arbitration

India's position on investor–state arbitration is distinct. India is not a signatory to the ICSID Convention (having applied for membership in 2015 but not ratified it), and it terminated most of its bilateral investment treaties (BITs) between 2016–2022 to adopt a new model emphasizing state sovereignty. As a result, foreign investors face uncertainty. Notably, Delhi HC has held that Indian Arbitration Act did not apply to investment treaty awards (citing India's reservations to the New York Convention), whereas Calcutta HC reached the opposite view²³. This split implies potential enforcement hurdles without reliance on the 1996 Act, treaty awards would only be enforceable as per domestic law, and India not being ICSID

²¹*SMC Pneumatics (India) Ltd. v. Oil & Natural Gas Corporation Ltd.*, (2014) 11 SCC 288

²²"Asia Law Portal, "India's Road to Becoming an Arbitration Hub: A Comparative Analysis with Singapore and London" (19 December 2024) <https://asialawportal.com/indias-road-to-becoming-an-arbitration-hub-a-comparative-analysis-with-singapore-and-london/>"

²³"Ritika Bansal & Matthew Brown, "India ADR Week 2023 Spotlight: Investor-State Disputes" (8 February 2024) *Kluwer Arbitration Blog* <https://legalblogs.wolterskluwer.com/arbitration-blog/india-adr-week-2023-spotlight-investor-state-disputes/>"

member means ICSID awards have no automatic domestic effect. Kluwer commentators warn that foreign investors now must navigate India's idiosyncratic rules to confirm awards²⁴. In contrast, Singapore acceded to ICSID in 1968 and maintains over 40 BITs (with India, ASEAN, etc), actively hosting investor-state cases (e.g. as tribunal seat) with full enforcement via Singapore's ICSID Act. Hong Kong is not a sovereign party to treaties under China's coverage but has a few autonomous IIAs. Its BITs historically provided only UNCITRAL arbitration and had few disputes (only 3 known claims by HK investors)²⁵. The UK (London) is an ICSID signatory (from 1966) and has a broad network of BITs London often serves as ICSID hearing venue. Overall, India's investor-state framework is seen as less mature and more challenging compared to others, and improving clarity (possibly via new treaties or ICSID membership) is often cited as necessary for investor confidence²⁶.

Singapore's Arbitration Regime

Singapore is a benchmark arbitration hub. Its two-tier arbitration law comprises the International Arbitration Act (IAA) 1994 (implementing the UNCITRAL Model Law with modifications) for international cases, and the Arbitration Act 2001 for domestic cases. The IAA has been regularly updated: significant amendments came into force in 2021, introducing a default procedure for multi-party arbitrations (three arbitrators: claimants jointly appoint one, respondents another, and those two appoint the third SIAC's president steps in on deadlock)²⁷, and empowering tribunals to enforce confidentiality. The Supreme Court has also aligned with pro-arbitration norms: the law places no limits on arbitrability, limits appeals (parties cannot appeal an international award on law without leave), and recognizes interim relief. Singapore courts actively assist arbitration (e.g. Section 9 interim measures, enforcement of non-domestic orders, recognition of emergency arbitrator orders).

Institutionally, Singapore boasts the Singapore International Arbitration Centre (SIAC) and SIAC Rules (2020), widely used globally. It hosts numerous other institutions (e.g. ICC Asia, Singapore Chamber of Maritime Arbitration, SIAC's counterpart SIAC International Group). The government has committed to making Singapore an international ADR hub, reflected in

²⁴ Ibid

²⁵“Julien Chaisse & Kehinde Olaoye, “Hong Kong, SAR China's New Approach to Investment Treaty Arbitration” (10 July 2021) *Kluwer Arbitration Blog*<https://legalblogs.wolterskluwer.com/arbitration-blog/hong-kong-sar-chinas-new-approach-to-investment-treaty-arbitration/>”

²⁶ Ibid

²⁷“Rob Palmer & Megumi Yamamoto, “InDepth Feature 2023 Commercial Arbitration Singapore chapter” (8 March 2023) *Ashurst*<https://www.ashurst.com/en/insights/indepth-feature-2023-commercial-arbitration-singapore-chapter/>”

policies and partnerships with other countries' institutions. In 2023, Singapore's Queen Mary survey ranked it among the top seats, alongside London²⁸. Its legal community is well versed in English law and international practice²⁹.

Key features of Singapore's system include wide party autonomy and minimal court interference. For example, Singapore courts will give pro-enforcement rulings, rarely set aside awards (grounds are narrow, lack of jurisdiction, excess of jurisdiction, breach of natural justice, contravention of Singapore's public policy), and uphold confidentiality impliedly. Third-party funding was liberalized in 2017 (amendment) and solicitors' conditional fee agreements were permitted in 2022, enhancing access to arbitration. In 2024, Singapore updated its Model Law regime by an Act of Parliament, codifying the default approach that the law of the seat governs the arbitration agreement (similar to the UK's new rule) and reaffirming duties of disclosure. Singapore remains a strong venue for both commercial and investment disputes. It has signed over 40 BITs and FTAs with investment chapters and is an ICSID member. The broad perspective from practitioners is that Singapore's "modern legal framework and strong institutional support" have secured its status as a leading hub.

UNITED KINGDOM (LONDON) ARBITRATION

London has been a leading arbitration seat for over a century. English law applies the Arbitration Act 1996, which (until 2023) was notably supportive of arbitration (minimal supervision, competence-competence, protection of awards). The recent enactment of the Arbitration Act 2025 (AA 2025) modernizes the framework. The 2025 Act received Royal Assent in mid-2024, following Law Commission recommendations. Substantive amendments (effective August 2025) codify best practices and aim to keep London competitive³⁰. For example, the Act introduces a default rule that the law of the seat governs the arbitration agreement unless parties choose otherwise³¹ codified duties of arbitrator disclosure (following *Halliburton v. Chubb*) provisions for emergency arbitration (giving statutory recognition); and a new "summary determination" power for tribunals on unmeritorious

²⁸[https://www.withersworldwide.com/en-gb/insight/read/singapore-a-leading-hub-for-international-arbitration-\(international-arbitration-laws-and-regulation#:~:text=Singapore%20has%20firmly%20established%20itself,most%20preferred%20arbitration%20seats%20globally](https://www.withersworldwide.com/en-gb/insight/read/singapore-a-leading-hub-for-international-arbitration-(international-arbitration-laws-and-regulation#:~:text=Singapore%20has%20firmly%20established%20itself,most%20preferred%20arbitration%20seats%20globally)

²⁹ Ibid

³⁰ Kate Corby, Sophie Halverson & George Bullock, "The Arbitration Act 2025 Enters into Force in the UK" (4 August 2025) *Global Arbitration News* <https://www.globalarbitrationnews.com/2025/08/04/the-arbitration-act-2025-enters-into-force-in-the-uk/>

³¹ Ibid

claims³². The 2025 Act also tightens post-award remedies it clarifies that if a tribunal has ruled on jurisdiction, a disappointed party can only challenge under Section 67 (substantive jurisdiction) and cannot re-open new evidence as of right³³. The net effect of these reforms is to provide certainty and codify common practice in English arbitration, thereby reinforcing “London’s status as a leading centre for international arbitration”³⁴.

England & Wales enjoys a favourable judicial climate: courts are generally pro-enforcement (rarely set aside foreign-seated awards on public policy, for instance) and supportive of arbitral processes (granting stays of litigation, enforcing emergency awards, etc.). London hosts top arbitral institutions: LCIA, ICC (London sub-branch), SIAC’s London branch, among others. London is also frequently chosen as the seat for ICC and UNCITRAL arbitrations. The UK is a party to the New York Convention and ICSID Convention (since 1967), and its Arbitration Act 1966 incorporated ICSID, making ICSID awards directly enforceable as domestic judgments. Thus, London remains attractive for both contractual and investorstate disputes (e.g. many ICSID hearings of developing-country cases are held there). Overall, despite intense global competition, recent law reform demonstrates the UK’s commitment to maintain London’s arbitration edge.

HONG KONG ARBITRATION

Hong Kong positions itself as an Asia arbitration hub, leveraging its rule of law, English common law system, and proximity to Mainland China. Its Arbitration Ordinance (Cap. 609) came into force in 2013, replacing earlier laws. The Ordinance is based on the UNCITRAL Model Law (with modifications)³⁵. A key reform in the 2013 Ordinance was abolishing the distinction between domestic and international arbitration a unified regime now applies to all arbitrations, increasing consistency and party autonomy³⁶. Parties may still opt into a more interventionist regime (for example, allowing appeals on a question of law) under Schedule 2, but only by agreement in advance³⁷. Hong Kong’s courts take a generally pro-arbitration

³²“London Court of International Arbitration, “The English Arbitration Act 2025” (2025) <https://www.lcia.org/the-english-arbitration-act-2025.aspx>”

³³“Kate Corby, Sophie Halverson & George Bullock, “The Arbitration Act 2025 Enters into Force in the UK” (4 August 2025) *Global Arbitration News* <https://www.globalarbitrationnews.com/2025/08/04/the-arbitration-act-2025-enters-into-force-in-the-uk/>”

³⁴ Ibid

³⁵“Justin D’Agostino, “New Hong Kong Arbitration Ordinance Comes Into Effect” (1 June 2011) *Kluwer Arbitration Blog* <https://legalblogs.wolterskluwer.com/arbitration-blog/new-hong-kong-arbitration-ordinance-comes-into-effect/>”

³⁶ Ibid

³⁷ Ibid

stance. They recognize international arbitration agreements, allow arbitral tribunals wide powers (including emergency relief), and enforce awards (including Chinese Mainland awards) under Chapter 615.

The new Ordinance also codified confidentiality: Section 54 prohibits parties, arbitrators, and institutions from disclosing tribunal communications or documents (subject to narrow exceptions)³⁸. This express duty bolsters the sense of privacy in HK arbitration. HK law preserves typical model-law rights: tribunals have kompetenz-kompetenz and broad interim relief powers (including injunctive relief)³⁹. Notably, parties can still ask HK courts to grant interim measures even if arbitration is seated abroad (unless excluded). On the enforcement front, Hong Kong is signatory to the New York Convention via China, and its court system enforces New York awards (except between China-mainland and HK under separate regime).

Institutionally, Hong Kong International Arbitration Centre (HKIAC) is a leading forum in Asia, providing modern rules and admin services, it handled 447 new cases in 2022 (with parties from 44 jurisdictions). HKIAC's rules permit emergency arbitrators, expedited procedure, and have been kept up to date. Other venues include the CIETAC (HK), SCIA (HK), and AIAC (HK). Hong Kong promotes arbitration through initiatives like the Belt and Road arbitrations and UNCITRAL working groups based in HK.

On investor–state, Hong Kong's track record is modest. Unlike most countries, HK's BITs generally do not refer disputes to ICSID because HK is not itself an ICSID signatory (China's accession covers HK under territorial clause). HK has only 25 investment treaties (including with China via CEPA). Its new BITs with UAE, Mexico, Australia (2019–20) include defined limitation periods and additional arbitration venues (ICC, SCC). Historically only three treaty claims have been filed by HK investors, and each was dismissed (two for lack of jurisdiction, one pre-1997). In sum, HK focuses primarily on commercial arbitration and promotes itself as a neutral, skilled hub⁴⁰, with investor-state arbitrations playing a lesser role.

³⁸Justin D'Agostino, "New Hong Kong Arbitration Ordinance Comes Into Effect" (1 June 2011) *Kluwer Arbitration Blog*<https://legalblogs.wolterskluwer.com/arbitration-blog/new-hong-kong-arbitration-ordinance-comes-into-effect/#:~:text=The%20new%20Hong%20Kong%20Ordinance,prohibits%20parties%20from%20disclosing%20any>

³⁹ Ibid

⁴⁰Julien Chaisse & Kehinde Olaoye, "Hong Kong, SAR China's New Approach to Investment Treaty Arbitration" (10 July 2021) *Kluwer Arbitration Blog*<https://legalblogs.wolterskluwer.com/arbitration-blog/hong-kong-sar-chinas-new-approach-to-investment-treaty-arbitration/>

COMPARATIVE ANALYSIS: OPPORTUNITIES AND CHALLENGES

Legislative alignment with international standards: All four jurisdictions recognize party autonomy and limit court interference. India's laws now resemble global norms (e.g. model-law rules, confidentiality, tribunal emergency powers⁴¹), but key differences remain. Singapore and Hong Kong treat confidentiality as implied and have codified it (HK explicitly, SG by practice), whereas India's statute lacks express confidentiality (though it is often presumed). Singapore and UK update their statutes proactively (Singapore's 2021 IAA amendments, UK's 2025 Act) to codify best practices. India's latest updates (2021 ordinance, 2024 draft) are steps in that direction, but remain reactive. For example, the UK's statutory default law-of-seat rule⁴² contrasts with India's current law-of-contract approach in the absence of a choice (Indian courts generally apply the law designated by parties or the *lex contractus*). To attract international parties, India may consider similar clarifications to avoid forum-shopping or conflicts.

Institutional strength: Singapore and Hong Kong have long-established, full-service arbitral institutions (SIAC, HKIAC) with global reputations. London also hosts multiple institutions (LCIA, ICC London) and expert case management teams. India's institutions are nascent, the IAC (Delhi), ICA, Nani Palkhivala (IAMC Hyderabad), and CMBs are building credibility. Opportunities lie in expanding these bodies' visibility and linking them internationally. The proposed ACI and institutional arbitration emphasis (e.g. directing parties to institutional mechanisms) aim to replicate the success of Singapore, where SIAC is widely trusted. India could also leverage technological innovations (online case management, virtual hearings) more aggressively, following leaders.

Judicial enforcement: All jurisdictions are New York Convention parties, but practical enforcement varies. Singapore and Hong Kong rarely set aside foreign awards and efficiently enforce Singapore-seated awards (courts have fast-track recognition procedures). London similarly enforces awards robustly. India has improved the 2015 amendment eliminated

⁴¹"Nishith Desai Associates, "The Indian Arbitration and Conciliation (Amendment) Act 2019: Key Changes & Implications" (9 September 2019) https://www.nishithdesai.com/Content/document/pdf/Articles/190909_A_The_Indian_arbitration_and_Conciliation_Act_2019.pdf"

⁴²"Kate Corby, Sophie Halverson & George Bullock, "The Arbitration Act 2025 Enters into Force in the UK" (4 August 2025) *Global Arbitration News* <https://www.globalarbitrationnews.com/2025/08/04/the-arbitration-act-2025-enters-into-force-in-the-uk/>"

automatic enforcement stays⁴³, and courts now generally enforce awards quickly (subject to challenges). However, inconsistencies (e.g. split Delhi vs. Calcutta rulings on investment awards⁴⁴) and the introduction of fraud-based stays raise uncertainty. Ensuring courts uniformly apply pro-arbitration principles is essential.

Investor–State context: Singapore’s rich treaty network and ICSID membership make it favourable for treaty claims, and it has developed jurisprudence on issues like umbrella clauses. India’s retreat from BITs and non-ICSID status mean treaty arbitrations against India can be rare or hard to enforce⁴⁵. Likewise, Hong Kong’s unique status gives it limited investor-arbitration appeal. To position India as an attractive seat for investor disputes (or as respondent), it may need new BITs conforming to modern standards (India-UAE 2024 BIT is a step) and consider ICSID accession (as commentators suggest). London and Singapore continue to host high-profile investor arbitrations, reinforcing their hub status.

Commercial arbitration practice: Singapore and London boast fast proceedings (SIAC median 12 months, LCIA 16 months). India’s arbitrations still run longer on average, though the 2015 Act’s timelines and tribunal case management push speed. Continued emphasis on efficient case flow (through training, streamlined rules, e.g. notices for default), and adoption of techniques like bifurcation or summary judgment (as UK’s 2025 Act allows) could help. Parties in India have embraced institutional and expedited proceedings increasingly, but broad adoption is ongoing.

Challenges in awareness and education: A crucial gap is knowledge. Many Indian businesses still favour traditional litigation or have little experience with commercial arbitration. Global firms may be unaware of India’s reforms or wary of its legal system. Government can address this through awareness campaigns and investor outreach. Singapore and London benefit from decades of branding themselves as neutral venues; India is beginning its branding (India ADR Week 2023, MOUs with global centres). Ensuring consistency in legal practice (e.g. writing award elements, articulating reasoning) will build trust.

⁴³“Padmaja Kaul, Yugank Goel & Aman Chaudhary, “The Supreme Court Strikes Down Section 87 of the Arbitration and Conciliation Act, 1996 – Reinstates BCCI v. Kochi Cricket” (11 December 2019) *Mondaq*<https://www.mondaq.com/india/trials-amp-appeals-amp-compensation/873536/the-supreme-court-strikes-down-section-87-of-the-arbitration-and-conciliation-act-1996-reinstates-bcci-v-kochi-cricket>”

⁴⁴“Ritika Bansal & Matthew Brown, “India ADR Week 2023 Spotlight: Investor-State Disputes” (8 February 2024) *Kluwer Arbitration Blog*<https://legalblogs.wolterskluwer.com/arbitration-blog/india-adr-week-2023-spotlight-investor-state-disputes/>”

⁴⁵ Ibid

Inclusivity and modernization: As noted, diversity (gender, economic background) is being promoted in India's arbitration community⁴⁶. Technological adaptation (online filings, blockchain for evidence, AI for translations) will further attract global parties. Singapore and Hong Kong have been early adopters of "virtual hearings" and e-submissions. India's push for e-Courts and e-Arbitration is ongoing, but ensuring robust cyber-secure platforms will be key, especially post-pandemic.

CONCLUSION

India's evolution into an arbitration-friendly jurisdiction is well underway through legislative reforms, new institutions, and supportive judicial interpretations. Comparing India with Singapore, London, and Hong Kong reveals both promising developments and remaining hurdles. Singapore and London maintain an edge with decades of institutional excellence and fine-tuned laws, while Hong Kong leverages its legal certainty and position in Asia. India's challenges such as enforcement delays, need for greater autonomy, and investor-side uncertainties are counterbalanced by its large economy, strong legal community, and ongoing reforms aimed at efficiency and international standards. Moving forward, India can accelerate its hub aspirations by fully implementing institutional frameworks (ACI, time norms), resolving remaining legal ambiguities (e.g. in award enforcement), and engaging with the global arbitration community. Robust secondary resources, such as recent amendments, high court and Supreme Court judgments, and expert analyses, underpin the findings of this paper. With continuous improvement and adherence to best practices, India stands poised to join the ranks of the world's leading arbitration centres by 2047, contributing significantly to dispute resolution innovation.

⁴⁶Arjun Chawla, "India's Journey Towards Becoming a Global Arbitration Hub" (11 January 2025) *Hindustan Times*<https://www.hindustantimes.com/ht-insight/governance/indias-journey-towards-becoming-a-global-arbitration-hub-101736587259640.html>