



CONFERENCE REPORT

**13TH ANNUAL INTERNATIONAL CONFERENCE
ON LAW AND POLICY ISSUES**

&

10TH ANNUAL INBA AWARDS

26TH November 2024

INAUGURAL SESSION



The Indian National Bar Association (INBA) successfully hosted the 13th Annual International Conference on Law and Policy Issues, coinciding with the 75th Constitution Day of India. The event, held on November 26, 2024, at Constitution Club of India, brought together distinguished guests, faculty members, professors

from various law universities, and law students.

The conference commenced with the lighting of the lamp by Hon'ble Justice K.G. Balakrishnan, Former Chief Justice of India; Shri P.K. Malhotra, Former Law Secretary, Ministry of Law and Justice; and Ms. Vinakshi Kadan Singh, Senior Advisor, Indian National Bar Association & Advocate Supreme Court of India.

This ceremonial gesture marked the beginning of the conference, which aimed to provide a platform for the legal community to discuss and deliberate on several important issues.



Hon'ble Justice K.G. Balakrishnan delivered a keynote address at the 13th Annual International Conference, emphasizing the significance of the Indian Constitution. He began by acknowledging the importance of celebrating Constitution Day, which marks the adoption of the Indian Constitution on November 26, 1949.

Justice Balakrishnan expressed his happiness in seeing young lawyers, particularly those practicing in Delhi courts, gather to celebrate this momentous occasion. He noted that Delhi is an excellent place for a legal profession, offering numerous opportunities for growth and development.

The Hon'ble Justice drew comparisons with neighboring countries, observing that they lack a robust constitution. In contrast, India boasts a perfect electoral system, with the judiciary, public service commission, and other constitutional authorities functioning well. This, he emphasized, is a testament to the strength and resilience of the Indian Constitution.

Justice Balakrishnan praised the Indian Constitution as a "wonderful document" that controls and protects the rights and duties of citizens. He highlighted its dynamic nature, with provisions interpreted by courts to give life and energy to the document. This, he noted, ensures that the Constitution remains relevant and effective in addressing the changing needs of Indian society.

The Hon'ble Justice also recalled the historic speech delivered by Dr. B.R. Ambedkar while presenting the Constitution to the Constituent Assembly. Dr. Ambedkar had emphasized the importance of achieving social equality, which, Justice Balakrishnan noted, remains an ongoing challenge for Indian society.

In his concluding remarks, Justice Balakrishnan congratulated the organization for hosting the conference and wished young lawyers a bright future in India's esteemed legal system. He expressed confidence that the younger generation of lawyers would uphold the integrity and dignity of the legal profession, while contributing to the growth and development of the Indian justice system.



PK Malhotra Ji's speech at the conference commemorating 75 years of the Indian Constitution emphasized the significance of this milestone. He noted that while 75 years may seem like a long period in an individual's life, it is relatively short in the life of a country or its constitution.

He highlighted India's reputation as the "mother of democracy," thanks to its ancient tradition of democratic governance. He stressed that the Indian Constitution, as a living document, has incorporated essential elements for governing the country. The Constitution grants authority to the three organs of government – the legislative, judiciary, and executive – and ensures a system of checks and balances.

He also pointed out that the Constitution has undergone 106 amendments in the past 75 years, with most significant changes aimed at implementing the Directive Principles of State Policy. These amendments have enabled the protection of social and economic rights, such as reducing the voting age from 21 to 18, implementing Panchayati Raj, and reserving seats for women in local governance.

In his address, He urged citizens to focus on their fundamental duties, as outlined in Chapter 4A of the Constitution, in addition to exercising their fundamental rights. He emphasized the need for balance

between rights and duties, citing the example of the right to strike and the importance of exercising this right responsibly.

He concluded by emphasizing the importance of empowering marginalized sections of society and ensuring that citizens are aware of their rights and duties. He expressed his hope for a developed and prosperous India by 2047, when the country completes 100 years of independence.

The conference featured distinguished speakers, including Mr. James Nedumpara, Head & Professor, Centre for Trade and Investment Law; Ms. Veena Ralli, Mediator, Delhi High Court Mediation & Conciliation Centre; and Mr. Sanjay Tandon, CEO, Singers Rights Association; Mr. Srinith Misra, Executive Director & General Counsel India, Regional Senior Counsel Asia at Ball Corporation. The event also saw virtual participation from London including the Barristers, Attorney at law. The speakers shared their expertise on various topics, including e-commerce laws, consumer protection, data privacy, and cybersecurity.

13TH ANNUAL INTERNATIONAL CONFERENCE ON LAW & POLICY

Panel 1: Mediation in International Commercial Disputes: A Path to Amicable Resolution



Mrs. Veena Ralli, Mediator, Delhi High Court Mediation & Conciliation Centre moderate the session, and the other panelists were Mr. Suman Doval, Head at Suman Doval & Associates, Ms. Saumya Singh, Associate Vice President Legal at Cube Highways & Transportation Assets Advisor Pvt. Ltd., Mr. Per Oberg, CEO at Inindi. Mrs. Veena Ralli emphasized the

importance of mediation in reducing the burden on the judicial system. She highlighted how mediation focuses on the present and future of parties, unlike the traditional legal system. She encouraged the adoption of mediation as an appropriate dispute resolution mechanism, citing its growing popularity and effectiveness.

Panel 2: Data Privacy & Cybersecurity in Litigation, E-discovery, and Arbitration



The panel discussion was moderated by Dr. Sumitra Singh, Associate Professor at Amity University, delved into the critical topic of Data Privacy & Cybersecurity in Litigation, E-discovery, and Arbitration. Dr. Singh initiated the discussion by highlighting the significance of data protection laws in India, particularly the Personal Data Protection Bill, 2019. She emphasized, "As we

navigate the complexities of data protection, it's essential to consider the implications on litigation, e-discovery, and arbitration."

Mr. Arnav Guha Roy, Partner at TT&A, elaborated on the rising cybersecurity threats in the digital era. He stressed, "The need for robust security measures to protect sensitive data in litigation and arbitration proceedings cannot be overstated. We must prioritize data security to prevent breaches and maintain confidentiality." Mr. Alaqshendra Singh from TMT Law Practice added, "The challenges associated

with e-discovery in India are multifaceted. We need standardized protocols for data preservation, collection, and production to ensure efficiency and accuracy."

Mr. Shantanu Sahay, Partner at Anand & Anand, explored the intersection of arbitration and data privacy. He noted, "Maintaining confidentiality and protecting sensitive information during arbitration proceedings is crucial. We must adopt best practices to ensure data privacy and security in arbitration."

Dr. Singh concluded the discussion by emphasizing the need for collaboration and awareness among legal professionals, organizations, and individuals to ensure data privacy and cybersecurity in litigation, e-discovery, and arbitration.

Panel 3: Intellectual Property Protection and Enforcement



The third panel discussion, moderated by Mr. Sanjay Tandon, CEO of Indian Singers Rights Association, focused on Intellectual Property Protection and Enforcement. The panel comprised experts Dr. Sajid Sheikh, Assistant Professor at Maharashtra National Law University; Mr. Aditya Narendra Shah, Deputy Manager-Legal at Endurance Technologies Limited; and Mr. Ajay S. Rao,

Managing Partner at Rao & Rao Attorneys at Law.

The discussion highlighted the importance of strengthening enforcement and adjudicatory mechanisms for combating Intellectual Property Rights (IPR) infringements. Dr. Sheikh emphasized the need to build respect for IPR among the general public and to sensitize inventors and creators of IP on measures for protection and enforcement of their rights. Aditya Shah added that effective IPR protection is crucial for promoting innovation and economic growth.

The panel also explored the challenges associated with IPR enforcement in India, including inadequate infrastructure and lack of awareness about IPR laws. Ajay Rao stressed the need for increased cooperation between stakeholders, including government agencies, industry associations, and individual creators, to combat IPR infringements effectively.

Sanjay Tandon concluded the discussion by emphasizing the importance of balancing IPR protection with public interest considerations. He noted that IPR laws should be designed to promote innovation and creativity while also ensuring access to knowledge and products for the broader public.

Panel 4: Digital Personal Data Protection Act, 2023, A Comparative Study

The fourth panel discussion, moderated by Mr. Luv Tanwani, Senior General Manager- Legal, Cummins India Limited & Vice Chairman (Honorary), Indo American Chambers of Commerce, delved into the



topic "Digital Personal Data Protection Act, 2023, a Comparative Study". The panel comprised experts Ms. Nazneen Ichhaporia, Partner & Head Corporate Commercial Practice, Anb Legal; Mr. Srinith Misra, Executive Director & General Counsel India; Regional Senior Counsel Asia, Ball Corporation; Mr. Prashanth S Shivadass, Founder, Shivadass & Shivadass Law Chambers; and Ms. Renuka Chaudhri, Senior Director, Automation Anywhere Inc.

The discussion began with Tanwani highlighting the significance of the Digital Personal Data Protection Act, 2023, in safeguarding individual privacy in the digital era. Nazneen Ichhaporia emphasized the need for a robust data protection framework, drawing comparisons with international data protection laws, such as the European Union's General Data Protection Regulation (GDPR). Srinith Misra stressed the importance of ensuring data protection by design and by default, while Prashanth Shivadass discussed the challenges associated with implementing data protection laws in India. Renuka Chaudhri shared her insights on the impact of data protection laws on businesses, highlighting the need for organizations to adopt a data-centric approach. The panel concluded by emphasizing the significance of the Digital Personal Data Protection Act, 2023, in protecting individual privacy and promoting trust in the digital economy.

Panel 5: International Trade and Compliance

The fifth panel discussion, moderated by Mr. James N Nedumpara, Head of the Centre for Trade and Investment Law (CTIL), explored the topic of International Trade and Compliance. The panel comprised experts Mr. Pranav Narang from CTIL, Mr. Pratik Rajopadhye and Mr. Ameya Ranade, Partners at Tavish Law Offices LLP, and Dr. Sumitra Singh, Associate Professor at Amity University.



Mr. Nedumpara initiated the discussion by highlighting the complexities of international trade and the need for compliance with various regulations. He emphasized, "As businesses expand globally, it's essential to navigate the intricate web of international trade laws and regulations to avoid legal and reputational risks." Mr. Pranav Narang added, "The

World Trade Organization (WTO) plays a crucial role in promoting free trade and compliance with international trade norms. However, the rise of protectionism and trade wars poses significant challenges to the global trading system."

Mr. Pratik Rajopadhye discussed the implications of international trade agreements, such as the Regional Comprehensive Economic Partnership (RCEP), on Indian businesses. He noted, "While these agreements offer opportunities for market expansion, they also pose challenges related to compliance with stringent regulatory requirements." Mr. Ameya Ranade emphasized the importance of understanding the nuances of international trade laws, including the WTO's Agreement on Sanitary and Phytosanitary Measures (SPS Agreement) and the Agreement on Technical Barriers to Trade (TBT Agreement).

Dr. Sumitra Singh highlighted the significance of compliance with international trade regulations, particularly in the context of India's growing trade relationships with other countries. She emphasized, "As India seeks to expand its global trade footprint, it's essential to ensure compliance with international trade norms to avoid legal and reputational risks."

The panel concluded by emphasizing the need for businesses to stay informed about international trade developments and to ensure compliance with relevant regulations to succeed in the global market.

Panel 6: Managing Multi-Jurisdictional Class Actions and Collective Redress



The panel discussion on "Managing Multi-Jurisdictional Class Actions and Collective Redress" was moderated by Ms. Pritika Kumar, Founder & Sentinel Counsel at Cornellia Chambers. The panel comprised experts Advocate N P Hira, Principal Counsel at N.P.S Hira & Associates; Prof. (Dr.) Shweta Thakur, Professor (Law) and IQAC-Coordinator at Galgotia University;

and Azim Khan Pathan, Dean & Professor of Law at Kalinga University.

Ms. Pritika initiated the discussion by highlighting the complexities of managing multi-jurisdictional class actions and collective redress. She also brought up a recent example, stating, "As we speak, there's a significant development in the US, where an arrest warrant has been issued against Gautam Adani, highlighting the extraterritorial reach of US laws and the potential for multi-jurisdictional class actions." Advocate Hira emphasized the need for a harmonized approach to class actions across jurisdictions, noting that "the lack of uniformity in class action regimes can lead to forum shopping and inconsistent outcomes." Prof. Thakur discussed the Indian perspective on class actions, highlighting the provisions of the Consumer Protection Act, 2019, and the challenges associated with managing multi-jurisdictional class actions in India. Mr. Pathan shared his insights on the role of arbitration in resolving multi-

jurisdictional disputes, emphasizing the need for careful consideration of the arbitration agreement and the applicable law.

The panel discussed the challenges of managing multi-jurisdictional class actions, including issues related to jurisdiction, applicable law, and enforcement of judgments. They also explored the role of technology in facilitating the management of multi-jurisdictional class actions, including the use of data analytics and artificial intelligence. The panel concluded by emphasizing the need for a coordinated approach to managing multi-jurisdictional class actions and collective redress, involving stakeholders from across the globe.

Panel 7: Impact of technological advancements on e-discovery & digital forensics

The seventh panel discussion, moderated by Dr. Prof. Tabrez Ahmad, Dean at Maulana Azad National Urdu University, explored the topic "Impact of Technological Advancements on E-Discovery & Digital Forensics". The virtual panel comprised experts Vasileios Triantafyllou, Attorney at Law at Zerolet Services Ltd, London; Mrs. Gersa Bejdo, Barrister at Zerolet Services Ltd, London; and Dr. V P Tiwari, Professor and HOD at NLU Nagpur, who all joined virtually.



Dr. Ahmad initiated the discussion by highlighting the rapid pace of technological advancements and their significant impact on e-discovery and digital forensics. Vasileios Triantafyllou emphasized the importance of leveraging technology to streamline e-discovery processes, stating, "Technological advancements have enabled us to process and analyze vast amounts of data more efficiently and effectively." Mrs. Gersa Bejdo discussed the challenges associated with the increased use of technology in e-discovery and digital forensics, including issues related to data security, privacy, and admissibility of digital evidence. Dr. Tiwari explored the implications of technological advancements on the role of digital forensics in investigations and litigation.

The panel discussed the benefits of technological advancements in e-discovery and digital forensics, including increased efficiency, accuracy, and cost-effectiveness. They also examined the potential risks and challenges associated with the use of technology in these fields, including the need for specialized training and expertise. The panel concluded by emphasizing the importance of embracing technological advancements in e-discovery and digital forensics while also addressing the associated challenges and risks.

Panel 8: Witness/ Determination of Damages in Arbitration

The eighth panel discussion, moderated by Mr. Luv Tanwani, Senior General Manager- Legal at Cummins India Limited and Vice Chairman (Honorary) at Indo American Chambers of Commerce, explored the topic "Witness/Determination of Damages in Arbitration". The panel comprised experts Mr. Avneesh Mishra, Assistant General Manager Legal at Kirloskar Oil Engines Ltd; Mr. Gauhar Mirza, Partner at Cyril Amarchand Mangaldas; and Mr. Namit Suri, Associate Partner at Lex Indis Law Offices and Advocate-on-Record at the Supreme Court of India.



Mr. Tanwani initiated the discussion by highlighting the complexities of determining damages in arbitration proceedings. Avneesh Mishra emphasized the importance of witness testimony in arbitration, stating, "Witness testimony can be crucial in establishing the facts of a case and determining damages." Mr. Gauhar Mirza discussed the challenges associated

with determining damages in arbitration, including issues related to causation, remoteness, and mitigation. Mr. Suri explored the role of experts in determining damages in arbitration, highlighting the importance of appointing independent and impartial experts.

The panel discussed the best practices for determining damages in arbitration, including the use of economic models, financial analysis, and industry benchmarks. They also examined the potential pitfalls and challenges associated with determining damages in arbitration, including issues related to bias, conflicts of interest, and lack of transparency. The panel concluded by emphasizing the importance of a thorough and impartial approach to determining damages in arbitration.

10TH ANNUAL INBA AWARDS



In addition to the conference, INBA also hosted the 10th Annual INBA Awards, which recognized the outstanding contributions of lawyers and legal professionals across various categories. The awards ceremony was a testament to INBA's commitment to promoting excellence in the legal profession.

The awards were presented in the presence of Hon'ble Justice Rekha Palli, Judge, Delhi High Court, and Hon'ble Justice Sangita Dhingra Sehgal, President, Delhi State Consumer Disputes Redressal Commission. The awards ceremony honored various in-house counsels from corporate sectors, general counsels, and distinguished lawyers from different fields. The awardees included Mr. Gauhar Mirza, Lawyer of the Year, 2024, Partner at Cyril Amarchand Mangaldas, and Saumya Singh, Emerging In-house Counsel of the Year, 2024, Associate Vice President at Cube Highways & Transportation Assets Advisor Pvt. Ltd.



Overall, the 13th Annual International Conference on Law and Policy Issues and the 10th Annual INBA Awards were a resounding success, providing a platform for the legal community to come together, share knowledge, and celebrate excellence.

SOME GLIMPSES OF THE EVENT

