



3rd Annual Conference on

LEGAL ISSUES IN INFRASTRUCTURE

September 17-18, 2018, Le Meridien, New Delhi

Organisers:



Legal Partner:



Halder & Associates
Advocates



LEGAL ISSUES IN INFRASTRUCTURE

Mission

- The implementation of large-scale, capital-intensive infrastructure projects with a long gestation period is a big challenge in India.
- Often, there is lack of proper project planning, risk allocation is not balanced, financial appraisals are not stringent, and institutional capacity to carry out infrastructure projects especially public-private partnerships (PPPs) is inadequate.
- As a result, projects have been stuck in legal disputes between the government and the concessioning authority, the operator and the regulator, the lender and the developer, etc.
- The resolution process is criticised for being very costly and time consuming. As per the World Bank's Ease of Doing Study, 2018, India takes around four years and 31 per cent of the claim value to resolve disputes.
- However, there seems to be some learning from past experience. Today, there is greater recognition of the fact that most of these issues can be minimised with proper project planning, monitoring and risk assessment, and an effective dispute resolution mechanism.
- The government has also become proactive and announced a number of initiatives to make the legal process effective. New laws have been enacted related to arbitration, insolvency and bankruptcy for the time-bound redressal of disputes, which could have a significant impact on the infrastructure sector. The goods and services tax (GST) could mean a significant reduction in the total tax costs, thus reducing tax disputes and litigation.
- Model concession agreements are being revisited and modified. Policies, governance and institutional capacity are being strengthened. Apart from courts, there are now regulatory agencies and appellate tribunals handling dispute resolution.
- **The mission of this conference is to analyse the recent trends and developments in infrastructure law, discuss their impact, highlight the key unresolved issues and examine the way forward. The conference will also offer a platform for different stakeholders to share their experience and exchange views and opinion.**

Target Audience

The conference is targeted at officials and managers from:

- Infrastructure developers (*roads, railways, ports, airports, power, renewable, oil & gas, coal, mining, water & waste management and urban transportation*)
- Legal firms
- Sectoral advisory firms
- Policymakers and regulators
- Commercial banks
- Financial institutions
- Industry analysts
- Consultants

Previous participants

The organisations that have participated in our previous "Legal Issues in Infrastructure" conferences include: AECOM, Adani Ports, Aditya Birla Finance, Advaita Legal, Alstom, Axis Bank, AZB & Partners, Bank of America, Bharat Petroleum Corporation Limited, BMR & Associates LLP, BPCL, Chhattisgarh Road Development Corporation, Chennai Metro Rail Corporation, CIDCO, CLP India, DBS Bank, Dedicated Freight Corridor Corporation, DSK Legal, Economic Laws Practice, Engie, Essel Infraprojects, GMR, Government of Chattisgarh, Hindustan Construction Company, Hotcrete Infrastructure, IDFC Alternatives, IIFCL, IJM (India) Infrastructure Limited, IL&FS, IL&FS Township & Urban Assets Limited, IL&FS Trust Company Limited, India Infradebt Limited, IndusLaw, Infrastructure Development Corp. (Karnataka), International Cargo Terminals And Rail Infrastructure, Jammu and Kashmir State Power Development Corporation, J. Sagar Associates, Japan Bank for International Cooperation, JM Baxi Group, JSW Infrastructure Limited, Khaitan & Co, Knight Frank (India) Pvt. Ltd, L&T Infrastructure Development Projects, L&T Infrastructure Finance Co., Law Senate, Link Legal India Law Services, Luthra & Luthra, Mahaguj Collieries, Maharashtra State Power Generation Company, Manraj Projects, Mazagon Dock Shipbuilders, Mumbai International Airport, National Steel & Agro Inds, National Academy for Indian Railway, NTPC, O.P. Khaitan, Orange Renewable, Orbit Law Services, Phoenix ARC, PTC India Financial Services, Rail Vikas Nigam, ReNew Power Ventures, Safire Capital, SBI Capital Markets, Shardul Amarchand Mangaldas, Simplex Infrastructure, SREI, Statkraft Markets, Talwar Thakore, Tata Capital, Tata Capital Financial Services Limited, Tata Cleantech Capital Limited, Tata Power Delhi Distribution Company, TRIL Roads, Trilegal, Trust Investment Advisors Pvt. Ltd, TT&A, Uniquist Infra Ventures, Visakha Container Terminal, Welspun Energy Private Limited, etc.

AGENDA/STRUCTURE

KEY TRENDS AND ISSUES

- ❖ What are the key recent trends and developments in infrastructure law?
- ❖ What are the biggest challenges?
- ❖ What are the key unresolved issues?

KEY LEGAL RISKS IN INFRASTRUCTURE

- ❖ What are the biggest legal risks in infrastructure projects?
- ❖ What are the strategies and solutions to address these?

GOVERNMENT PERSPECTIVE: FOCUS ON SPEEDIER DISPUTE RESOLUTION

- ❖ What is the government's perspective on dispute resolution in infrastructure?
- ❖ What steps are being taken to fast-track the process of dispute resolution in India?
- ❖ What policy and regulatory changes can be expected in the future?

DEVELOPER/OPERATOR PERSPECTIVE

- ❖ What has been the experience of infrastructure developers/operators across sectors with regard to legal challenges in India?
- ❖ What are their major issues and concerns?
- ❖ What are their expectations from the government and other stakeholders?

CONSTRUCTION CONTRACTORS' PERSPECTIVE

- ❖ What has been the experience of construction contractors with regard to legal challenges in India?
- ❖ What are their major issues and concerns?
- ❖ What are their expectations from the government and other stakeholders?

SPOTLIGHT ON GST

- ❖ What has been the impact of GST on infrastructure companies and projects?
- ❖ What are the key concerns and challenges?
- ❖ Are there still any unresolved issues?

REGULATORY EXPERIENCE

- ❖ What has been the regulatory experience with infrastructure projects?
- ❖ What is the role played by key agencies (PNGRB, TRAI, CERC, AERA, etc.)? What are the key challenges?
- ❖ What are the key lessons learnt?

CONTRACTING PRACTICES AND FRAMEWORK

- ❖ What are the contractual and legal challenges for infrastructure projects (liabilities, delays, damages, termination, etc.)?
- ❖ What are the key issues and challenges? How can these be addressed?
- ❖ What has been the experience with PPP concessionaires?
- ❖ What has been the experience with the government and other stakeholders?

REVISITING MODEL CONCESSION AGREEMENTS

- ❖ How have infrastructure concession agreements evolved in India?
- ❖ Are these concession agreements balanced and the risk allocation appropriate?
- ❖ What are the changes needed in these agreements?

FOCUS ON CONTRACT RENEGOTIATION

- ❖ What are the key challenges faced in renegotiating contracts?
- ❖ What are the strategies being adopted for better contract management?
- ❖ What are the safeguards needed to deal with the uncertainties of long-term contracts?

MANAGING RISKS UNDER INSOLVENCY AND BANKRUPTCY CODE (IBC), 2016

- ❖ What are the key aspects of the IBC 2016? What are the recent amendments?
- ❖ What are the legal risks and challenges?
- ❖ How can these be addressed?

ARBITRATION EXPERIENCE AND NEW AMENDMENT

- ❖ What has been the arbitration experience with infrastructure projects?
- ❖ What are the key features of the draft Indian Arbitration Council Act, 2017 and the new Arbitration and Conciliation Amendment?
- ❖ What will be the impact of these legislations?

M&As IN INFRASTRUCTURE

- ❖ What are the key regulations regarding mergers and acquisitions in the infrastructure sector (PPP projects in particular)?
- ❖ What are the key issues and challenges?
- ❖ How are these challenges being addressed?

COST, TIME AND CLAIMS MANAGEMENT

- ❖ What are the challenges in managing the cost and time overruns in legal cases?
- ❖ What are the challenges in computing claims? What are the strategies being adopted to overcome these?
- ❖ What are the global best practices? Which of these are the most relevant in India?

ISSUES IN ENVIRONMENT LAWS

- ❖ What are the legal and regulatory aspects with respect to environment laws for infrastructure projects?
- ❖ How have the environment laws evolved over the years?
- ❖ What are the key issues and challenges? How are these being addressed?

UPDATE ON LAND ACQUISITION

- ❖ What are the unresolved issues with respect to land acquisition?
- ❖ What has been the impact of the Land Acquisition Bill?
- ❖ What is the update on the land acquisition bills being pursued by some states?

Organisers

The conference is being organised by **India Infrastructure Publishing**, the leading provider of information on the infrastructure sectors. The company publishes **Indian Infrastructure** (a magazine on infrastructure policy and finance), **Power Line** (India's premier power magazine), **tele.net** (a magazine targeted primarily at telecom service providers and large enterprise customers) and **Renewable Watch** (covers the entire spectrum of renewable energy). It also publishes a series of research reports and weekly newsletters in the areas of **power, oil and gas, ports and shipping, roads and bridges, airports, urban infrastructure, telecom and railways**.

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Registration Form

I would like to register for the conference. I am enclosing Rs _____ vide cheque/demand draft no. _____ drawn on _____ dated _____ in favour of **India Infrastructure Publishing Pvt. Ltd.** payable at New Delhi.

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Registration Fee

Delegates	Fee			
	INR	GST @ 18%	Total INR	Total USD
One delegate	35,000	6,300	41,300	688
Two delegates	55,000	9,900	64,900	1,082
Three delegates	75,000	13,500	88,500	1,475
Four delegates	95,000	17,100	112,100	1,868

- Registration will be confirmed on receipt of the payment.
- To register online, please log on to <http://indiainfrastructure.com/conf.html>

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