

# 2-DAY TRAINING PROGRAM

FEBRUARY 2020

## ESSENTIALS OF ARBITRATION IN INDIA and INTERNATIONAL COMMERCIAL ARBITRATION

DESIGNED FOR ARBITRATORS AND LEADING DISPUTE PRACTITIONERS, INCLUDING SENIOR AND MID-LEVEL PROFESSIONALS, FINANCE AND LEGAL DEPARTMENTS, PSUs, IN-HOUSE COUNSELS AND LAW FIRMS

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## PRESENTER BIOGRAPHIES



**HONOURABLE SRI JUSTICE CHALLA KODANDA RAM** - Sitting Judge, Telangana High Court. Obtained his Law Degree from University Law College Andhra University and was appointed as Judge of the High Court of Judicature at Hyderabad in 2013. Proficient in Writ Petitions to Appeals to Criminal regarding Tax Matters. Has written opinions Electricity Regulatory Commissions, A.P.T.E.L., and C.E.S.T.A.T. He has argued in High Courts of Chhattisgarh, Delhi, Gujarat, Maharashtra, Karnataka, Kerala and Tamil Nadu besides the Supreme Court of India. Website: <http://hc.ts.nic.in/judprofile.action?judcode=120>

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**HONOURABLE (RETD.) SRI JUSTICE NOOTY RAMAMOHANA RAO**, Enrolled as Advocate in 1978 and practised extensively before the A.P.High Court and other Tribunals around. Formerly served as standing counsel for Banks, Institutions of Higher Learning, etc. He was appointed as an Additional Judge, High court of Andhra Pradesh in 2006. In 2008 he was appointed as Permanent Judge, High Court of Andhra Pradesh. He transferred as Judge of Madras High Court and assumed charge of office in 2016. Website: <http://hc.tap.nic.in/aphc/nrj.html>

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**HONOURABLE (RETD.) DR. JUSTICE GURUGUBELLI YETHIRAJULU**, Enrolled as an Advocate from A.P. Bar Council and a Junior of Sri P.L.N. Sarma, a leading Civil Advocate at Srikakulam. He practiced independently until he was appointed as a District and Sessions Judge by direct recruitment from the Bar and his first appointment was as Inld Adtl. District & Sessions Judge, Cuddapah. In 2001, he was elevated to the Bench of A.P.High Court as an Additional. Later, he was sworn in as Judge of High Court of Andhra Pradesh. Appointed as the Chairman, Andhra Pradesh Administrative Tribunal, Hyderabad and assumed charges in 2009. Website: <http://hc.tap.nic.in/aphc/gyrj.html>

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**MARK BRAVIN**, Partner – Mitchell Silberberg & Knupp LLP [Washington DC]. Mark heads MSK's International Dispute Resolution practice and specializes in disputes between private parties and sovereign governments. He successfully represented the Government of India in defeating enforcement of an arbitral award that ordered specific performance of an oil and gas Production Sharing Contract and imposed a coercive monetary award. Web: [www.msk.com/attorneys-Mark\\_Bravin#ViewAll](http://www.msk.com/attorneys-Mark_Bravin#ViewAll) Email: [mnb@msk.com](mailto:mnb@msk.com)

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**DR. A. V. NARSIMHA RAO**, Director of ICFAI Law School. , Co-Chair, Indian National Association of Legal Professionals. Professor Rao has nearly 20 years of teaching and research and 20 years of industry experience. He has conceptualized various areas of law for the ICFAI University Press and edited for various journals, such as the ICFAI Journal of Intellectual Property, the ICFAI Journal of Insurance Law, the ICFAI Journal of Alternative Dispute Resolution, and, presently, the IUP Law Review. Prof Rao has published over 45 articles in national and international journals. Website: <https://www.indianlegalassociation.org/academics-division.html>

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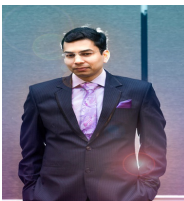
**DR. AVINASH DADHICH**, Professor & Dean Institute of Legal Studies and Research GLA University. Prior to taking current position, he has worked as Professor & Dean/Principal at IFIM Law School, Bangalore and Professor of Law & Assistant Dean of Alliance Law School, Alliance University, Bangalore & Professor & HOD at Seedling School of Law & Governance, Jaipur National University, Jaipur, Advocate, Supreme Court of India, Manager ,Deloitte India LLP, Senior Consultant, Ernst & Young (EY) LLP, Competition Commission of India , Ministry of Corporate Affairs, Govt. of India, Gide Loyrette Nouel LLP, Paris, France & White & Case LLP, Brussels, Belgium. Website: <https://www.gla.ac.in/faculty-details.aspx?mpgid=133&pgidtrail=133&faculty=641>

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**GEORGE POTHAN POOTHICOTE**, graduated from Christ College, Bangalore with a B.Com degree before going on to complete his LL.B from JSS Law College, Mysore by 2010. While in law school he interned at several places including Ernst & Young and High Court of Kerala. He pursued an LL.M from King's College, London and finished his masters by 2012. Immediately after completing his LL.M he came back to India and was appointed as Legal Consultant to Legal and Treaties Division, Ministry of External Affairs, Govt. of India, New Delhi and he is currently working there.

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**VIKAS KUMAR**, Advocate-on-Record, Supreme Court of India. Mr. Kumar serves on Legal Aid in Supreme Court of India panel and conducts pro-bono matters for the same. He has comprehensive exposure of conducting litigation matters pertaining to different area of law i.e Civil, Criminal, Commercial & contractual disputes, Arbitration, Bankruptcy, Consumer, etc. Mr. Kumar serves as an Associate Member of CIArb, London and as an empanelled counsel for government authorities and private companies in India. Mr. Kumar is the founding partner of "Corporate Legal Partners", a full service law Firm.

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**R.S. SRAVAN KUMAR**, Co-Chair, Indian National Association of Legal Professionals. Mr. Kumar joined in the chambers of Sh. Mahamood Ali as junior advocate where he practiced in wide areas such as Contract law, Land laws, Prevention of corruption Act, Consumer Protection Act, Writ Petitions, Alternate Dispute resolution. He is life member of Indian Concrete Institute and Hyderabad City Civil court bar association. He visited the USA Supreme Court on behalf of the Indian National Bar Association to promote closer legal ties between India and USA and teaches at Osmania University. Website: <https://www.indianlegalassociation.org/litigation-division.html>

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**SAMAN AHSAN**, Khaitan & Co Commercial Litigation and Arbitration. Prior to joining Khaitan & Co, Saman worked in the litigation and international commercial arbitration team of a reputed law firm, in London. Saman has rich experience of eight years in the field of dispute resolution and has advised clients on a wide variety of claims under Indian arbitration laws, SIAC, LCIA, ICC and HKIAC. Saman also regularly advises clients on litigation before the Supreme Court of India and various High Courts of the country. Website: <https://www.khaitanco.com/people/saman-ahsan>

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**AJAY THOMAS**, Independent Arbitrator New Delhi, Delhi. Mr. Thomas is on the panel of arbitrators of SCOP (the apex body of Indian public sector enterprises) and is a national correspondent for India to UNCITRAL's CLOUT system. He is a member of the ICC Commission on Arbitration and is the former Vice Chairman of the Paris-based ICC International Court of Arbitration's India Arbitration Group. He has worked with three of the world's leading arbitration institutions (LCIA, SIAC and SCMA) and has over 17 years of experience as arbitration administrator. He is on the International Editorial Board of the Brazilian Journal of Alternative Dispute Resolution (RBADR). Website: <http://www.icindiaonline.org/arbitration/iag.html>

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**PRIYA IYENGAR**, Corporate Lawyer and Arbitrator - Compass Law Associates. Ms. Iyengar is a team member of legislation drafting committee of NALSAR University which is a knowledge partner for Telangana and Andhra Pradesh State Governments. With varied experience of twenty years from her diverse background as a Corporate, Aerospace & Defense Lawyer and Arbitrator, Priya Iyengar focuses on Civil Aviation Sector in leveraging her expertise on the effective and efficient resolution of complex disputes. Website: <https://www.stattimes.com/mrosa2018/Priya-Iyengar.php>

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**AMAR SUNDRAM**, Head of Legal, Corporate Governance & Regulatory Affairs at Royal Bank of Scotland – India, member of India ExCo. With over 22 years of direct experience, Mr. Sundram has handled very high stake international & domestic arbitration, critical litigation in different high courts, Supreme Court of India and US courts.. Declared amongst top 100 General Counsels thrice by Legal500 & ICCA. His legal team was amongst top 5 in-house legal team in Asia in 2019. Amar has also been honoured as “Shining Star of Indian Legal Fraternity” in 2019 by CCAI. Amar's Legal team was declared the best in-house legal team for India – 2019 by Legal 500.

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**SONAL KUMAR SINGH**, AKS Partners - spearheads dispute resolution and advises Indian and multinational clients on issues pertaining to International Arbitration and Commercial disputes. He has been appointed on the Regional Committee of Young Arbitrator's Forum, the International Chambers of Commerce (Asia), and as counsel for Government of NCT, Delhi High Court. Sonal has written on the subject of International Arbitration, as is cited in the book, “Damages on International Arbitration” published by the British Institute of International and Comparative Law.

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**RATAN SINGH**, Mr. Ratan K. Singh is advocate and arbitrator and heads “Chambers of Ratan K. Singh”. He is the founder Chairman of India branch of Society of Construction Law, UK as well as Director of India Branch of Chartered Institute of Arbitrators (CIArb) UK. He is Fellow of Chartered Institute of Arbitrators (FCIArb), UK. Mr. Singh is also Fellow of Malaysian Institute of Arbitrators apart from being Fellow of Asian Institute of Alternate Dispute Resolution.

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**SAURAV AGRAWAL**, Mr. Saurav Agrawal is an advocate practicing in New Delhi before the Honourable Supreme Court of India and on a range of other tribunals. He has been an early advocate of efficacy in institutional arbitration in India reaching grass root levels. Mr. Agrawal has argued several landmark cases on arbitration law before the Hon'ble Supreme Court and the Delhi High Court and has been an expert witness on several matters of Indian law in international arbitrations. He was recently appointed as Member of ICC Task Force on ADR and Arbitration.

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**S. RAVI SHANKAR**, Managing Partner of Law Senate Law Firm. Mr. Shankar is one of the leading arbitration lawyers and a dispute resolution expert lawyer of India. He is a qualified Advocate on Record in the Supreme Court of India with more than 21 years of experience. He handles International Arbitration cases outside and inside India. His portfolio includes matters under SIAC Rules, HKIAC Rules, ICC Rules, LCIA, KLCA, Japan Commercial Arbitration Association, and Swiss Chambers Arbitration Association etc.

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## PROGRAM TOPICS

- **Recent Indian legislative reforms affecting international commercial arbitration in India [Changes in the Arbitration Act with specific reference to 2015 and 2019]**
- **Arbitration for government contracts**
- **The New Delhi International Arbitration Centre (NDIAC) Act, 2019 and its importance**
- **Third Party funding**
- **Ethical issues in International Arbitration: Counsel Obligations**
- **Decision-Making considerations**
- **Controlling ever spiraling costs in arbitration**
- **Effectiveness of party appointed experts**
- **Enforcement of arbitral award**
  - **Essentials of an enforceable award**
  - **Pro-enforcement bias**
- **Investment Treaty Arbitration as a type of International Commercial Arbitration**
- **Insights drawn from the U.S. court decision in Hardy Exploration & Production (India), Inc v. Government of India, Ministry of Petroleum And Natural Gas (with special context to the use of Public Policy Defense to the recognition and enforcement of International Arbitral Awards)**

### CONFERENCE ITINERARY:

### HYDERABAD

FEBRUARY 16, 2020

#### SPEAKER:

10:00 AM – 11:00 AM	<b>INAUGURAL CEREMONY</b>		Honourable Sri Justice Challa Kodanda Ram Mukesh Vashisht [Advocate/Director of Indian National Association of Legal Professionals]
11:00 AM – 11:15 AM	<b>BREAK:</b> Tea/Coffee		
11:15 AM – 01:00 PM	<b>SESSION 1:</b> <i>Recent Indian Legislative Reform Affecting International Commercial Arbitration in India</i>		
	<b>a.</b> <i>Changes in the Arbitration Act with Specific Reference to 2015 and 2019: Section 43 J and Eighth Schedule of Arbitration Act – Is it Boon or Bane?:</i>	R.S. Sravan Kumar	
	<b>b.</b> <i>The New Delhi International Arbitration Centre [NDIAC] Act 2019</i>	Dr. A.V. Narsimha, Director ICGAI Law School	
01:00 PM – 02:00 PM	<b>LUNCH</b>		
02:00 AM – 03:30 PM	<b>SESSION 2:</b> <i>International Commercial Arbitration: Global Scenario</i>		
	<b>a.</b> <i>Investment Treaty Arbitration as a type of International Commercial Arbitration</i>	Mark Bravin	
	<b>b.</b> <i>Ethical Issues in Arbitration: Counsel Obligations</i>	Honourable Sri Justice Nooty Rama Mohan Rao	
03:30 PM – 03:45 PM	<b>BREAK:</b> Tea/Coffee		
03:45 PM – 05:00 PM	<b>SESSION 3:</b> <i>International Commercial Arbitration: Third Party Funding</i>	Mark Bravin	

### CONFERENCE ITINERARY:

### HYDERABAD

FEBRUARY 17, 2020

10:00 AM – 11:30 AM	<b>SESSION 4:</b> <i>Arbitrations: Administrative Dimensions</i>		
	<b>a.</b> <i>Arbitration for Government Contracts</i>	Priya Iyengar	
	<b>b.</b> <i>Decision making Considerations</i>	Mark Bravin	
11:30 AM – 11:45 AM	<b>BREAK:</b> Tea/Coffee		
11:45 AM – 01:15 PM	<b>SESSION 5:</b> <i>Arbitral Awards and Experts</i>		
	<b>a.</b> <i>Enforcement of Arbitral Awards: Essentials of an Enforceable Award and Pro-Enforcement Bias</i>	S. Ravi Shankar	
	<b>b.</b> <i>Effectiveness of Party Appointed Experts</i>	Honourable Justice G Yethirajulu [Former Judge, AP High Court and AP Administrative Tribunal - Hyderabad]	
01:15 PM – 02:15 PM	<b>LUNCH</b>		
02:15 PM – 04:00 PM	<b>SESSION 6:</b> <i>International Commercial Arbitrations: Insights from the Hardy Case and Controlling the Ever Spiraling Costs of Arbitration</i>	Mark Bravin	
04:00 PM – 05:00 PM	<b>SESSION 7:</b> <i>Conclusion and Interactions with Mark Bravin</i>	Mark Bravin	

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## PROGRAM IMPORTANCE FOR PRACTITIONERS

International Commercial Arbitration as an alternative tool for dispute resolution is fast gaining popularity not only in India but globally since it offers the advantage of not going to the regular courts and thus saving time and costs. For foreign companies entering into contracts with Indian business partners, India's legislative reforms in recent years have positioned India to become a widely accepted seat for International Commercial Arbitration to resolve business disputes. It is important for India to have a strong in-country mechanism to ensure that the country emerges as one of the most preferred destinations for Arbitration. To realize that potential, there is an urgent need to suitably strengthen the process within the country and to provide ongoing opportunities for Indian dispute-resolution lawyers and professional arbitrators to hone their skills and deepen their understanding of the legal regime and the procedural issues that arise before, during, and after an international commercial arbitration. To contribute to this important need, the Indian National Association of Legal Professionals (INALP) in partnership with the International Law Institute (ILI), Washington D.C. is organizing a 2-day training program on "Essentials of Arbitration In India and International Commercial Arbitration" in New Delhi & Hyderabad in February 2020.

This training program will serve as a platform for enhancing the knowledge of Indian professionals in the field; discussion of critical issues; experience-sharing with international experts on best practices, and charting a roadmap to strengthen arbitration the enforcement of international arbitral agreements and arbitral awards in the country. This ultimately will feed into policy making for the promotion of international commercial arbitration in India.

### CONFERENCE ITINERARY:

### NEW DELHI

FEBRUARY 21, 2020

10:00 AM – 10:15 AM	<b>OPENING CEREMONY</b>
10:15 AM – 11:15 AM	<b>SESSION 1: Controlling Ever Spiraling Costs in Arbitration</b>
11:15 AM – 11:30 AM	<b>BREAK: Tea/Coffee</b>
11:30 AM – 12:30 PM	<b>SESSION 2 Third Party Funding</b>
12:30 PM – 01:30 PM	<b>SESSION 3 Ethical Issues in International Arbitration: Counsel Obligations</b>
01:30 PM – 02:10 PM	<b>LUNCH</b>
02:10 PM – 03:10 PM	<b>SESSION 4: Effectiveness of Party Appointed Experts</b>
03:10 PM – 04:10 PM	<b>SESSION 5: SESSION 3: Enforcement of Arbitral Awards [Essentials of an Enforceable Award &amp; Pro-Enforcement Bias]</b>
04:10 PM – 05:00 PM:	<b>BREAK: Tea/Coffee/Networking</b>

#### SPEAKER:

Manuj Bhardwaj (International Lawyer and Executive Secretary, Indian National Association of Legal Professionals)  
Ratan Singh  
Mark Bravin  
Saurav Agrawal (Arbitrator & Advocate, Supreme Court of India)  
S. Ravi Sankar  
Mark Barvin  
Avinash Dadhich (Dean, Institute of Legal Studies & Research – GLA University)

### CONFERENCE ITINERARY:

### NEW DELHI

FEBRUARY 22, 2020

10:00 AM – 10:45 AM	<b>SESSION 6: Recent Indian Legislative Reforms Affecting International Commercial Arbitration in India [Changes in Arbitration Act: 2015 and 2019]</b>
10:45 AM – 11:00 PM:	<b>BREAK: Tea/Coffee</b>
11:00 AM – 12:05 PM	<b>SESSION 7: Decision Making Considerations</b>
12:15 PM – 01:15 PM	<b>SESSION 8: New Delhi International Arbitration Centre [NDIAC] Act 2019 and its importance</b>
01:15 PM – 01:40 PM	<b>LUNCH</b>
01:40 PM – 02:40 PM	<b>SESSION 9: Arbitration for Government Contracts</b>
02:40 PM – 03:40 PM	<b>SESSION 10: Controlling Ever Spiraling Costs in Arbitration</b>
03:40 PM – 04:00 PM	<b>BREAK: Tea/Coffee</b>
04:00 PM – 05:00 PM	<b>SESSION 11: Investment Treaty Arbitration as a type of International Commercial Arbitration and Insights drawn from the U.S. court decision in Hardy Exploration &amp; Production (India), Inc v. Government of India, Ministry of Petroleum And Natural Gas (with special context to the use of Public Policy Defense to the recognition and enforcement of International Arbitral Awards)</b>

Sonal Singh [Head, Dispute Resolution Team at A.K. Singh & Co.]  
Mark Bravin  
Saman Ahsan [Partner, Corporate and Commercial Practice Group at & Co.]  
Ajay Thomas [Independent Arbitrator and Director, Fac. of Law, Manav Rachna Univ.]  
Vikas Kumar [Advocate-on-Record, Supreme Court of India and Managing Partner- Corporate Legal Partners]  
Amar Sundram [Head of Legal, Corporate Governance & Regulatory Affairs at Royal Bank of Scotland – India]  
Mark Bravin  
George Pothan Poothicote

## CERTIFICATE PROGRAM

## SPONSORING ORGANIZATIONS

**INDIAN NATIONAL ASSOCIATION OF LEGAL PROFESSIONALS [INALP]** is an association that aims to represent legal professionals of India on a global platform while promoting the rule of law and serving the society. INALP aims to bring together the Indian legal fraternity with the global peers to ensure that every legal professional gets ample opportunities to evolve on par within the international legal ecosystem. INALP focuses on important issues like trade law, investment law, ADR, climate change law, and human rights law and to provide solid policy recommendations to the government on various critical issues.

With the cumulative efforts of all the members of INALP, the association aspires to foster the feeling of collegiality and uphold the honor and integrity of the legal profession. INALP strives to transform the global legal community with the affluence of diverse membership and partnerships; Develop academic resources through research; Cultivate the Indian legal profession & education system in line with global best practices; Offer policy recommendations to governmental & inter-governmental bodies on important issues; Uphold the interest of every legal professional in India; Advance and advocate the rule of law in India; Ensure that legal help is within reach for every Indian, despite their background; Capacity building of young lawyers and law students; Promoting the liberalization of the Indian legal market while protecting the interests of Indian lawyers.

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**INTERNATIONAL LAW INSTITUTE [ILI]** is a leading provider of training and technical assistance in international law, economics, and other aspects of international relations. Established in 1955 and formerly part of Georgetown University, since 1983 ILI is now an independent, non-political, non-profit 501 c 3 educational institute serving a global constituency. More than 38,000 participants, from over 186 countries, have been trained by ILI and its global affiliates. ILI also provides technical expertise to developing nations in the drafting of laws and the designing of their economic and government policies, in efforts to further support and promote good and efficient governance through the rule of law. [www.ili.org](http://www.ili.org)

ILI presents approximately 50 core-training programs each year in our facility in Washington, DC and 15-20 specialized programs are conducted in the U.S and abroad, at the request of foreign governments, the World Bank, or other multilateral sponsoring agencies.

ILI has drafted over 40 laws (ratified) for developing countries; aided in government reforms; and contributed to the development of constitutions. ILI trains at the US Dept. of State teaching at the Foreign Service Institute; as well as is an official training partner of the IFC [International Finance Corporation – World Bank] on private sector investments in large public works; founding member of the Belts and Road International Lawyers Association; holds observer status at the UN – UNCITRAL, UNIDROIT, and The Hague Conference on Private International Law.

ILI is headquartered in Washington, DC, with independent regional centers in Kampala, Uganda; Abuja, Nigeria; Cairo, Egypt; Santiago, Chile; Istanbul, Turkey; a representative's office in Beijing, China; and is partnered with institutions and universities in India, Austria, Germany, Serbia, Mexico, Singapore and Italy.

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**BSM LEGAL ADVISORS & STRATEGY CONSULTANTS** is an international legal & policy advisory, strategy consultancy and investment solutions firm, with its headquarters in New Delhi, India. Since 2017 BSM has advocated for well-developed Indian legal sector, for which it holds dialogues with stakeholders within and outside India in order to increase cooperation in this area. The team comprises of lawyers and trade & investment professionals focusing on the promotion of inward and outward investments of India, working with investment companies from India, UK, US, Netherlands and Poland. Building the capacity of Indian lawyers on different international issues, especially with respect to ADR, trade and investments is one of the key areas of work. Capacity building of lawyers and various Indian institutes is undertaken through cooperation with inter-governmental organizations like UNCTAD and Commonwealth Secretariats.

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**ICFAI LAW SCHOOL** is a constituent unit of the ICFAI Foundation for Higher Education (A Deemed-to-be University) under Section 3 of UGC Act in 1956. The ICFAI Law School, provides an excellent and continuous teaching and learning process, student centric and industry friendly dynamic curriculum and real life exposure. The law school endeavours with diversified teaching methodologies, internships, industrial interface and networking with professionals, excellent placements and career oriented trainings. By blending knowledge of theory and practice, law, management, humanities and technology in 360 degrees learning model we equip students for 21st century challenges. All the UG programs offered by the ICFAI Law School are approved Bar Council of India and other programs are in accordance with the UGC norms.

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**INSTITUTE OF LEGAL STUDIES & RESEARCH [ILSR], GLA UNIVERSITY** is approved by the Bar Council of India (BCI) & University Grant Commission (UGC). The ILSR is situated in Mathura, a world famous city known as the birthplace of Lord Krishna Mathura, 75 miles from south of Delhi. The ILSR aims to train and motivate bright young minds to discover their strengths to become an impact focused legal professional leader in their chosen field. Our goal is to identify specialized career options in the legal profession in public and private sector and provide appropriate guidance and training to our students to prepare them for their upcoming professional life after law school. A special focus is devoted towards developing entrepreneurship skills and attitude among students and they will be encouraged to take unique initiatives to solve social and legal problems in India through legal and business solutions.



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## 2-DAY TRAINING PROGRAM

FEBRUARY 2020

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LOCATION: ICFAI LAW SCHOOL - IFHE CAMPUS  
DONTANAPALLY, SHANKARAPALLI RD., HYDERABAD 501203

### NEW DELHI

DATE: FEB 21 - 22, 2020  
LOCATION: INDIA INTERNATIONAL CENTRE  
[CONFERENCE ROOM 1]  
40 MAX MUELLER MARG, NEW DELHI 110003

### CONTACT AND INQUIRIES

ANJALI NAGPAL, ADMINISTRATOR  
INDIAN NATIONAL ASSOCIATION OF LEGAL PROFESSIONALS (INALP)  
B-8, 3RD FLOOR, MODEL TOWN 2, NEW DELHI - 110009  
EMAIL: [ADMINISTRATOR@INDIANLEGALASSOCIATION.ORG](mailto:ADMINISTRATOR@INDIANLEGALASSOCIATION.ORG);  
[EVENTS@INDIANLEGALASSOCIATION.ORG](mailto:EVENTS@INDIANLEGALASSOCIATION.ORG)  
PHONE NO.: +91-9115557474  
WEB: [WWW.INDIANLEGALASSOCIATION.ORG](http://WWW.INDIANLEGALASSOCIATION.ORG)