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India as an arbitration seat: how it compares with Singapore, London and Dubai

Why parties choose Singapore, London or Dubai for arbitration, how India compares as a seat, and when choosing India makes sense.

When Indian and foreign companies sign a contract, one clause is negotiated with special care: where disputes will be arbitrated. For years the common answers have been Singapore, London and, increasingly, Dubai. India would like to be on that list.

What a "seat" means

The seat is the legal home of the arbitration. Its law governs the procedure, and its courts supervise the process and hear any challenge to the award. Hearings can physically take place elsewhere.

Why parties choose the established seats

- **Singapore.** Close to India, with a well-regarded arbitral institution, supportive courts and long familiarity with Indian parties.
- **London.** Centuries of commercial law, a deep pool of arbitrators and counsel, and a leading institution.
- **Dubai.** A growing centre with international financial free zones that have their own English-language courts, and strong business links with India.

What they share is neutrality, predictability, courts that act quickly, and easy enforcement abroad under the New York Convention.

Where India stands

Strengths

- A modern arbitration statute based on the international model law.
- Courts that have largely supported arbitration in recent years.
- Lower costs than the established centres.
- A large pool of capable lawyers and retired judges.
- Arbitral institutions in several cities.
- Convenience when the assets, witnesses and evidence are in India.

Weaknesses

- Delay in court proceedings that support or follow arbitration.
- A habit of ad hoc arbitration.
- Occasional uncertainty from changes in judicial approach.

- A perception among foreign parties that an Indian seat favours the Indian side.

When India is the right seat

- Both parties and the assets are in India.
- The dispute is likely to be of moderate value.
- Speed and cost matter more than neutrality.
- The contract provides for a reputable Indian institution and rules.

When a foreign seat may be preferred

- The counterparty insists on a neutral forum.
- Enforcement is likely in several countries.
- The transaction is financed by international lenders with settled preferences.

Drafting the clause

State the seat, the institution and rules, the number of arbitrators, the language and the governing law. Vague clauses cause disputes of their own.

Closing the gap

India needs speed in arbitration-related court matters, wider use of institutions and a stable body of law. Each well-run arbitration seated in India adds to its reputation.

Why it matters

The seat decides where the legal work is done. Bringing India-related arbitration home would add meaningfully to the country's legal services economy.

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