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Judicial Riddle in India's Investment Climate

Judicial challenges and policy shifts have hindered India's investment climate. Following adverse international arbitration cases, the government suspended bilateral investment treaties and mandated exhausting local remedies before international arbitration. This, combined with India's lengthy legal processes, has deterred foreign investors, contributing to a 43 percent drop in FDI in 2023, as noted in the UN World Investment Report 2024.

Reforms like the Commercial Courts Act aimed to expedite dispute resolution, but poor implementation and persistent delays undermined their potential. Indian courts average 1,445 days to resolve commercial disputes, increasing costs and eroding investor confidence. Injunctive orders and systemic inefficiencies exacerbate these issues.

Alternative dispute resolution (ADR) methods, particularly arbitration, are gaining traction but remain marred by high costs, lack of trust, and bias in domestic systems. The planned world-class arbitration centre at GIFT City offers promise, aiming to position India as a global ADR hub.

To attract investments, India must streamline judicial processes, allocate resources to commercial courts, train judges in commercial law, and promote institutional arbitration. Creating a robust, efficient dispute resolution framework is essential to fostering investor confidence and leveraging India's economic growth potential.

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Editor

*Abridged from an article appeared in the Financial Express on November 11, 2024.
The same can be accessed at: <https://www.financialexpress.com/opinion/judicial-riddle-in-indias-investment-climate/3661442/>*

Message for our Readers

The seventh edition of the National Affairs Monthly Brief contains selected published news or comments on trade, regulatory, and governance issues.

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India's Path to a Greener Future

India, as one of the fastest-growing economies in the world, has been at the forefront of the global debate on climate change and sustainability. With its rising energy demands and increasing greenhouse gas (GHG) emissions, the need for an innovative solution to balance industrial growth and environmental sustainability has become apparent. One such solution is the Carbon Credit Trading Scheme.



India, Bangladesh Mull 24/7 Land Port Operations



India and Bangladesh discussed operationalising specific land ports 24 hours a day, seven days a week. The two countries discussed facilitating the movement of Bangladesh's trucks carrying exports to Nepal and Bhutan through the Burimari and Banglabandha ports along the border in North Bengal.

- [Jaishankar: IMECC Corridor a Game Changer](#) | Business Standard, November 25, 2024
 - [India Among Top 3 Fast-Growth Markets](#) | Peerzada Abrar, Business Standard, November 18, 2024
 - [India Inc Must Redefine Sustainability: Kant](#) | Aditi Ray Chowdhury, Outlook Business, November 13, 2024
 - [India's Exports to Surpass US\\$800bn](#) | The Economic Times, November 08, 2024
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WhatsApp Ruling: Landmark for Data Privacy

The Competition Commission of India (CCI) ruled against WhatsApp's 2021 privacy policy, finding it abused its dominance by mandating data sharing with Meta. A penalty of ₹213.14 crore was imposed. More critically, the CCI directed WhatsApp to stop ad data sharing for five years and offer users an opt-out option for other purposes, marking a significant step for data privacy and competition in the digital economy.



DoT Sets 6-Hour Deadline for Cybersecurity Incidents



The Department of Telecommunications (DoT) now requires telecom companies to report cybersecurity incidents within six hours of awareness and share impact details within 24 hours under the Telecom Cyber Security Rules, 2024. Aligned with CERT-IN's 2022 guidelines, which mandate reporting within six hours of identification or notification, these rules aim to strengthen cyber incident response under the Telecom Act.

- [Compliance Key to Counter Fraud: DFS Secy](#) | Harsh Kumar, Business Standard, November 26, 2024
- [India Eyes Insurance Law Overhaul for Unified Licence](#) | Reuters, November 26, 2024
- [CCI Denies Apple's Plea to Halt Antitrust Report](#) | The Economic Times, November 25, 2024
- [Reviving India's Manufacturing Sector](#) | The Economic Times, November 15, 2024



Nari Shakti Adhiniyam: A New Era for Women

President Droupadi Murmu lauded the Women's Reservation Bill passed by Parliament last year, saying it marks a new beginning for women's empowerment. She praised the Prime Minister Narendra Modi-led government for introducing the 'Nari Shakti Vandan Adhiniyam'.



FSSAI Aims to Train 2.5M Food Handlers by 2026



The Food Safety and Standards Authority of India (FSSAI) plans to train around 2.5 million food handlers nationwide with a targeted deadline of March 2026. As part of the training, the FSSAI will train people in university, college and hostel canteens to ensure the availability of hygienically handled, safe food to people.

- [First 1000 Days Key to Preventing Diabetes in Kids](#) | Anuja Jaiswal, Times of India, November 27, 2024
- [Value Addition Crucial for India's Agri Growth](#) | Bizz Buzz, November 25, 2024
- [Cyber Fraud in Banking Soars in FY 2024](#) | Md Zakaria Siddiqui and Sabir Ahamed, The Hindu, November 13, 2024
- [Overspeeding Causes 90% of Road Accidents](#) | Meenakshi Verma Ambwani, The Hindu Business Line, November 12, 2024

Event

- [CUTS 40th Anniversary Lecture on 'Green Trade and A Just Transition'](#) | London, UK, October 31, 2024

In Media

- [Amar Deep Singh of CUTS Appointed as Expert in MOHUA's Urban Governance Reforms Working Group](#)
Jaipur, November 07, 2024

Publication

- Strengthening Agricultural Resilience in Mahakali: A Need-Based Approach to Promoting Sustainable Farming Practices
<https://cuts-geneva.org/pdf/report-strengthening-agricultural-resilience-in-mahakali.pdf>