



Organisers:

**Indian
Infrastructure**

POWERLINE

RenewableWatch

5th Edition

LEGAL ISSUES IN INFRASTRUCTURE

A VIRTUAL CONFERENCE

Current Scenario, New Reforms/Initiatives, Challenges and the Way Forward

October 28-29, 2021

Legal Partner:

K KOCHHAR & Co.
ADVOCATES & LEGAL CONSULTANTS

25 per cent discount ends on October 6, 2021

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Mission

- Infrastructure projects are subject to various challenges such as regulatory issues, land acquisition issues, delays in environmental clearances, disputes and litigation. There are many reasons for these. Capital investments are high and gestation periods are long. Risk allocation in contracts is not balanced. Financial appraisals are not stringent. Contract enforcement is weak. There are multiple parties involved and contracts lack standardisation.
- In the past couple of years, the government has taken some proactive steps to make the legal process more effective. A number of laws have been revisited and some of them redefined for faster execution of infrastructure projects. More recently, the Covid-19 pandemic has been recognised as a force majeure event in India, and an extension of three to six months has been granted to all EPC projects. Progress is being made in the area of mergers and acquisitions. There is also considerable focus on faster resolution of stressed assets. Other issues relating to land acquisition, environmental clearances and time extensions are also being addressed by the government.
- The role of "independent" regulators has expanded, which has made the system fairer and more transparent. Meanwhile, the role of arbitrators has also increased, which has ensured efficient resolution of various legal disputes. However, infrastructure project disputes are still largely resolved through litigation, which is quite time consuming and costly.
- Despite the introduction of a number of initiatives and measures to simplify the legal process, infrastructure projects continue to face unprecedented delays and disruptions. Going forward, judicial and institutional capabilities must be enhanced to support the infrastructure sector. India should work on the development of a construction law or act, and follow a standardised contract format. Besides, a fair and balanced allocation of risk, reliable and quick dispute settlement mechanisms, and key clearances and approvals need to be in place before projects are awarded for the sanctity of infrastructure projects.
- **The mission of this virtual conference is to highlight and understand the unresolved legal issues in the infrastructure sectors, identify the regulatory challenges that have come to the forefront since the Covid-19 outbreak, highlight the recent initiatives, and discuss the way forward. The conference will also offer a platform to different stakeholders to share their experience and exchange views and opinions.**

Previous Participants

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

DRAFT AGENDA

MITIGATING LEGAL RISKS IN COVID TIMES

- ❖ What are the recent trends with regard to the management of legal risks across the infrastructure sectors?
- ❖ What are the key issues? What are the new initiatives being taken to mitigate the legal risks posed by the Covid-19 outbreak?
- ❖ What are the mitigation strategies?

CONSTRUCTION CONTRACTS: TIME EXTENSIONS, FORCE MAJEURE AND UNADDRESSED ISSUES

- ❖ What has been the experience of project developers/EPC contractors in managing legal risks (damages, liabilities, delays, suspensions/terminations, indemnities, etc.)?
- ❖ What has been the experience with the concessioning authorities?
- ❖ What are the challenges associated with the invocation of force majeure? What are the steps needed to improve contract re-negotiation?
- ❖ What are the expectations from the government?

REGULATORY CHALLENGES

- ❖ What are the specific regulatory issues in infrastructure projects?
- ❖ What is the role played by agencies such as CERC, TRAI, PNGRB and AERA?
- ❖ What can we learn from the experience of these agencies?

ASSET MONETISATION: LEGAL ASPECTS AND PROVISIONS

- ❖ What are the legal aspects of monetising operational assets?
- ❖ What are the key issues and challenges?
- ❖ What are the stakeholders' expectations from the regulators and the government?

NEED FOR ARBITRATION

- ❖ What has been the experience with regard to arbitration?
- ❖ What are the alternative dispute resolution mechanisms in India?
- ❖ What is the role of arbitration institutions in India (ICA, ICADR, etc.)?
- ❖ What are the key issues and challenges?

LEGAL ASPECTS OF DISTRESSED/NON-PERFORMING ASSETS

- ❖ What are the legal aspects of handling non-performing assets? What are the key issues and challenges?
- ❖ What are the stakeholders' expectations from the regulators and the government?
- ❖ What are the new amendments to the Insolvency and Bankruptcy Code (Amendment Bill), 2021? What will be the impact on the infrastructure sectors and players?

LAND ACQUISITION ISSUES IN INFRASTRUCTURE DEVELOPMENT

- ❖ What are the recent developments in the land acquisition process?
- ❖ What have been the key issues and challenges? What are the strategies being adopted to overcome these?
- ❖ What are the expectations from the government?

FOCUS ON ENVIRONMENTAL CLEARANCES

- ❖ What are the recent developments in the environmental clearance process?
- ❖ What have been the key issues and challenges? What are the strategies being adopted to overcome these?
- ❖ What are the expectations from the government?

BALANCING RISKS IN PPP CONCESSIONS

- ❖ What are the various types of risks associated with PPP concessions?
- ❖ How are risks allocated to different parties under a PPP concession?
- ❖ What are some of the risks that the public sector is better placed to manage?

LEGAL ASPECTS IN PROJECT FINANCE/FINANCIAL AGREEMENTS

- ❖ What are the major legal issues faced in project finance transactions in India?
- ❖ What has been the impact of Covid-19 on financial agreements?
- ❖ What have been some of the recent developments in the legal framework of project finance?
- ❖ What are the key mitigation strategies?

Target Audience

The conference is targeted at:

- Infrastructure developers (*roads, railways, ports, airports, power, oil and gas, coal, mining, water and waste management, and urban transportation*)
- Policymakers and regulators
- Commercial banks and financial institutions
- Legal firms
- Industry analysts
- Financial/Sectoral advisory firms
- Tax and other sector consultants
- Infrastructure-related government agencies
- Bilateral and multilateral agencies
- EPC firms
- Asset reconstruction companies
- Infrastructure fund managers
- Etc.

What differentiates our conferences?

- The **agenda** is developed by our researchers, who track the sector round the year. It is thus **relevant** and **topical**. It is not driven by a particular organisation and does not have a particular slant.
- The **speakers** are **professionals** and **experts** involved in the sector, not a mix of ambassadors, ministers, celebrities and business owners.
- The conferences do not just comprise panels and speeches; they provide a good mix of **expert presentations** and **case histories**, and of course **panel discussions**.
- We have **representation** from **across the country**, as is the case at our physical conferences too.
- Each **stakeholder group** – **policymakers, developers, financiers, consultants** and **relevant NGOs** – is represented at our conferences.
- The moderators merely ask the questions. The **stars** are the **speakers** themselves.
- The **sessions begin and end on time**.
- There is adequate time for a **Q&A session** with **each speaker**. These are not “hit and run” speeches.
- The **delegates** are **professionals** who are vested in the sector, and are not just assembled through social media.
- A **recap** of the conference is also made available to reinforce the key takeaways.

Delegate benefits (Virtual Conference)

- Direct interaction with senior speakers (Q&A facility)
- Easy connectivity to geographically dispersed delegates (click of a mouse)
- Cost effective (lower ticket price as compared to a physical conference)
- Offers flexibility and convenience
- Access to conference recording
- Recap of conference sessions
- Contributes to sustainability and lower carbon footprint

Benefits of sponsorship (Virtual Conference)

- E-Meet influencers and decision-makers
- Reach out to and engage with new or active prospects
- Generate high quality sales leads
- Increase brand recognition
- Target a captive and engaged audience
- Drive website traffic through social media promotions
- Position your company as the thought-leader in your industry

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Registration Fee

	INR	GST@18%	Total INR	Total USD
1 Login	9,000	1,620	10,620	150
2 - 3 Logins	15,000	2,700	17,700	250
4 - 5 Logins	21,000	3,780	24,780	350
6 - 9 Logins	27,000	4,860	31,860	450
10 - 20 Logins	33,000	5,940	38,940	550

- There is a 25 per cent discount before October 6, 2021
- GST @18 per cent is applicable on the registration fee.
- Registration will be confirmed on receipt of the payment.

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Payment Policy:

- Full payment must be received prior to the conference.
- Payments for "early bird" registrations should come in before the last date of discount. Discount offers cannot be combined with any other offer.
- Conference fees cannot be substituted for any other product or service being extended by India Infrastructure Publishing Pvt. Ltd.

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.

We recently concluded conferences on **Acquisitions in Infrastructure**, **Infrastructure Finance in India**, **Foreign Investments in Indian Infrastructure**, **Road Development in India**, **Gas in India**, **Airports in India** and **Ports in India**.

Contact: Priyanka Magoo, Conference Cell, India Infrastructure Publishing Pvt. Ltd.
B-17, Qutab Institutional Area, New Delhi 110016.
Tel: +91-9560433667 | Email: priyanka.magoo@indiainfrastructure.com