

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:6248
ANSWERED ON:06.05.2013
BILATERAL INVESTMENT TREATIES
Raghavan Shri M. K.

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether India has entered into Bilateral Investment Treaties (BIT) with other countries and if so, the details thereof along with the names of the countries in this regard;
- (b) whether the provisions of these BITs encroach upon the domestic decision making process in the country;
- (c) if so, the details thereof along with the remedial measures being taken by the Government to amend its laws without any international constraints;
- (d) whether India has lost any investment treaty arbitration to any industrial house abroad in the last three years and if so, the details thereof along with the penalty imposed on India in this regard; and
- (e) whether despite the threat of new arbitration claims India is negotiating new BITs with other countries including the United States of America, Canada and host of other countries and if so, the details thereof and the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. D. PURANDESWARI)

- (a) Government of India has, so far, signed Bilateral Investment Promotion and Protection Agreements (BIPAs) with 82 countries, of which 72 BIPAs have come into force. A list of countries with whom BIPAs have been signed or enforced is at Annexe-I.
- (b) No, Madam.
- (c) Does not arise, in view of reply to part (b) above.
- (d) In relation to an arbitration award relating to M/s White Industries Australia Limited (WIAL), Australia, Coal India Ltd paid Australian dollar 98,12,077 to the investor.
- (e) In view of the above, it has been decided to review the model BIPA text.