

**GOVERNMENT OF INDIA
FINANCE
LOK SABHA**

UNSTARRED QUESTION NO:2352
ANSWERED ON:23.08.2013
ARBITRATION UNDER BIPA
Mani Shri Jose K.

Will the Minister of FINANCE be pleased to state:

- (a) whether the Government has received notice of arbitration from any foreign investor under any of the Bilateral Investment Promotion and Protection Agreements (BIPA);
- (b) if so, the details of such notices received from 1 January, 2001 to 31 July, 2013, entity-wise; and
- (c) the steps taken or proposed to be taken in the matter?

Answer

Minister of State in the Ministry of Finance (SHRI NAMO NARAIN MEENA)

- (a): Government of India has received Notices of Arbitration from M/s White Industries Australia Ltd.(White Industries); CC/Devas (Mauritius) Ltd., Devas Employee Mauritius Pvt. Ltd. and Telecom Devas (Mauritius) Ltd. (Collectively M/s Devas); and Mr. Maxim Naumchenko, Mr. Andrey Polouektov and Tenoch Holdings Limited, Cyprus (Collectively M/s Tenoch) during 1.1.2001 to 31.07.2013.
- (b): M/s White Industries had claimed damages against M/s Coal India Limited and M/s Tenoch has claimed damages against cancellation of Foreign Collaboration agreement by Department of Economic Affairs. In case of M/s Devas, the claims have been made against Antrix/Indian Space Research Organization.
- (c): While M/s White Industries case was concluded through an arbitration award against Government of India, the Notices of arbitration served by M/s Tenoch and M/s Devas are being handled through the mechanism of Inter-Ministerial Group set up under the Chairmanship of Secretary of the administrative Department concerned.