

**GOVERNMENT OF INDIA
FINANCE
LOK SABHA**

UNSTARRED QUESTION NO:2391
ANSWERED ON:25.07.2014
REVIEW OF BIPA
Panda Shri Baijayant "Jay"

Will the Minister of FINANCE be pleased to state:

- (a) the terms of reference and composition of the working group constituted to review the Bilateral Investment Promotion and Protection Agreements (BIPA);
- (b) the main clauses that the Government wishes to renegotiate;
- (c) whether several companies have served notices to the Government for international arbitration with reference to provisions under respective BIPAs;
- (d) if so, detailed list of such notices; and
- (e) the options India can pursue to safeguard its interests under the current agreements?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE (SMT. NIRMALA SITHARAMAN)

(a & b): A Working Group has been constituted under the chairmanship of Secretary, Department of Economic Affairs including, inter-alia, representatives from Ministry/ Department of Commerce, Coal, Telecommunication, Revenue, Law & Justice, and Industrial Policy & Promotion to prepare draft Revised Model Text of Bilateral Investment Promotion and Protection Agreements (BIPAs). The Working Group is examining the Model Text in its entirety.

(c, d & e): The Government has received notices under the mechanism provided for dispute resolution from foreign companies which include M/s CC/Devas (Mauritius) Limited, M/s Deutsche Telekom, Germany, Vodafone International Holding BV, Khaitan Holdings, Mauritius & Tenoch Holdings Limited, Cyprus. The dispute notices are at different stages of resolution. The Government has decided to handle these disputes through Inter-Ministerial Groups (IMGs) chaired by the Secretary of the Administrative Ministry/Department of concerned within the framework of applicable BIPA.