Badrinath Srinivasan, LL.M., F.I.I., M.C.I.Arb.

C2/601, BPCL Housing Colony, Sector 56, Noida- 201 301, UP

Email: <u>lawbadri@gmail.com</u> Phone: +91-120-2469261 Mobile: +91-9442511274

WORK EXPERIENCE

Directorate General of Hydrocarbons, Government of India (July 2019- till date)

(on deputation from Bharat Petroleum Corporation Limited)

Current Position: Senior Manager (Legal)

Industry: Upstream Petroleum Regulator/ Advisor

Practice Areas: International Commercial Litigation and Arbitration, Drafting/ Vetting

International and Domestic Contracts, Sexual Harassment Laws and Legal Advice.

Bharat Petroleum Corporation Limited, Noida (March 2019-till date)

Current Position: Manager (Legal) Industry: Downstream Petroleum

Practice Areas: Commercial Litigation and Arbitration, Drafting/Vetting Contracts, Legal

Advice, and Legal Compliances.

Bharat Heavy Electricals Limited, Ranipet (November 2010- February 2019)

Last Position: Senior Executive (Law)

Industry: Manufacturing, Power & Renewables

Practice Areas: Commercial & Construction Litigation and Arbitration, Labour and Service

Litigation, Drafting/ Vetting Contracts, Legal Advice, and Legal Compliances.

Gujarat State Petroleum Corporation Group, Gujarat (June 2008 – November 2010)

Last Position: Senior Officer (Secretarial & Legal Department.)

Industry: Upstream Petroleum

Practice Areas: International Commercial and Domestic Arbitration, Commercial Litigation, Drafting/ Vetting International / Domestic Contracts, and Legal Compliances.

INSTITUTIONAL MEMBERSHIP/ EDUCATIONAL QUALIFICATIONS

- Member, Association of Association of International Energy Negotiators (formerly Association of International Petroleum Negotiators)
- Member, Chartered Institute of Arbitrators, U.K.
- > Fellow, Insurance Institute of India, Mumbai
- ➤ Conciliator, SAMA
- Empanelled Arbitrator (Centro de Arbitragem, Conciliação e Mediação, Moçambique; Maldives International Arbitration Centre; the Arbitration Court at the Economic Chamber of the Czech Republic; the Agrarian Chamber of the Czech Republic; and Indian arbitral institutions)
- LL.M., WB National University of Juridical Sciences, India, 2008 (Gold Medal)
- ➤ B.A. (Law), LL.B., S.D.M. Law College, Mangalore, 2006, India (Gold Medal)

PUBLICATIONS (ILLUSTRATIVE- SEE ANNEXURE)

- Mediating Government Disputes (lead author) in, Gracious Timothy Dunna, Mediation and Conciliation in India, Kluwer Law International (2021)(ISBN 9789403520155)
- ➤ Default, Mandatory & Altering Rules in Law: An Indian Perspective (lead author), Company Law Journal, July 2021, ISSN: 0010-4019
- Law on Time as Essence in Construction Contracts: A Critique, RGNUL Financial and Mercantile Law Review, Volume 8, Issue 1 (2021).
- ➤ Take of Pay Clauses in Fuel Supply Agreements in India: An Overview, Dr. Ram Manohar Lohiya National Law University Journal, Volume 12 (2020)

- Arbitrability of Intellectual Property Disputes in India: A Critique, NLS Business Law Review, Volume 6, p. 29-60 (2020)
- ➤ Start-ups & International Dispute Resolution: Challenges & Possible Solutions, in, Franco Giovanni Mattedi Maziero, International Arbitration in the Age of the Technological Revolution (2020), ISBN: 978-65-5510-130-0
- ➤ Hardship & Substituted Performance Defences against Specific Performance: Critique of the Recent Developments, 31 National Law School of India Review 53-71 (2019)
- ➤ Enforceability of S. 17 of the Arbitration and Conciliation Act, 1996: A Reply, (2016) 5 Supreme Court Cases J-16 (cited by the Hon'ble Madras High Court)
- ➤ UNCITRAL Arbitration Rules, Comment on Certain Revisions, Indian Journal of Arbitration Law, Vol. 2, Issue 2 (2013). (listed in the Consolidated Bibliography of the United Nations Commission on International Trade Laws- UNCITRAL)
- Appeal against the Order of the Chief Justice under Section 11 of the Arbitration and Conciliation Act, 1996: An Empirical Analysis, Indian Journal of Arbitration Law, Vol. 1, Issue 1, p. 21-40 (2012).
- Arbitration and the Supreme Court: A Tale of Discordance between the Text and Judicial Determination, National University of Juridical Science Law Review, Vol. 4, p. 639, 2011.

CONFERENCE PAPERS PRESENTED (ILLUSTRATIVE- SEE ANNEXURE)

- ➤ "Substituted Performance in Contract Law: An Analysis" 4th International Conference on International & Domestic Arbitration: Current Scenario & Way Ahead, Chennai, 26-27 October 2018.
- ➤ "Costs Allocation Under the Amended Indian Arbitration Law: A Critique", National Conference on Dispute Management in Infrastructure Projects: New Challenges, May 19-20, 2017, Vigyan Bhawan, New Delhi
- ➤ "Developing India as a Hub of International Arbitration: A Misplaced Dream?", International Conference on Challenges in Domestic and International Arbitration, Chennai, 23-24 September 2016.

GUEST/ VISITING FACULTY (ILLUSTRATIVE)

- ➤ Tamil Nadu National Law School, Trichy, India (20-22 October 2019) Law & Practice of Public Procurement: An Overview (One Credit Course)
- **EBC Learning** (2018): Course: Contract Drafting Essentials
- ➤ Tamil Nadu National Law School, Trichy, India (21-23 July & 2-3 September 2017) Introduction to Contract Drafting (One Credit Course)
- > School of Law, Pondicherry University, Puducherry, India (February 2015- 2016) International Commercial Arbitration, Comparative Contract Law, Trademark Law
- ➤ Institute of Cost Accountants of India- Vellore Chapter, India (July 2014- June 2016) Contract Law, Industrial Law and Ethics

PERSONAL INFORMATION

- Agre & Date of Birth: 37 years & 05.06.1984
- ➤ Languages Known: English & Tamil (Read, write & speak), Hindi (Read & write), Spanish (Read).

Annexure List of Publications (as on 04.03.2022)

S. No.	Particulars		No.
1.	Book Chapter		02
2.	Journal/ Law Review		23
3.	Conference Papers Presented/ Published		05
	T	otal	30

- 1. Default, Mandatory & Altering Rules in Law: An Indian Perspective (lead author), Company Law Journal, July 2021, ISSN: 0010-4019
- 2. Mediating Government Disputes (lead author) in, Gracious Timothy Dunna, Mediation and Conciliation in India, Kluwer Law International (2021)(ISBN 9789403520155)
- 3. Law on Time as Essence in Construction Contracts: A Critique, RGNUL Financial and Mercantile Law Review, Volume 8, Issue 1 (2021)(p. 1-36)
- 4. Take or Pay Clauses in Fuel Supply Agreements in India: An Overview, Dr. Ram Manohar Lohiya National Law University Journal, Volume 12, ISSN: 0975 9549
- 5. Arbitrability of Intellectual Property Disputes in India: A Critique, 6 NLS Business Law Review 29-60 (2020), ISSN: 2456-1010
- 6. Start-ups & International Dispute Resolution: Challenges & Possible Solutions, in, Franco Giovanni Mattedi Maziero, International Arbitration in the Age of the Technological Revolution (2020), (ISBN 978-65-5510-130-0)
- 7. Hardship & Substituted Performance as Defences Against Specific Performance: Critique of the Recent Developments 31 National Law School of India Review 53-71, 2019: ISSN No. 0972-6543
- 8. Substituted Performance in Contract Law: An Analysis, Proceedings of the 4th International Conference on International & Domestic Arbitration: Current Scenario & Way Ahead (2018)
- 9. Costs Allocation Under the Amended Indian Arbitration Law: A Critique, Proceedings of the Conference on Dispute Management in Infrastructure Projects: New Challenges, May 19-20, 2017, Vigyan Bhawan, New Delhi
- 10. Is Stamp Duty Payable for Work Orders?, Current Tamil Nadu Cases, 2016 (6) CTC 111-113 (Journal Section)
- 11. Failures in Law Making: The Case of Arbitration Law in India, National Seminar on Law & Practice of Arbitration in India as per the Amended Law, Indian Institute of Technical Arbitrators, Kolkata Chapter, 9th December 2016
- 12. Developing India as a Hub of International Arbitration: A Misplaced Dream?, International Conference on Challenges in Domestic and international Arbitration (Chennai, 23-24 September 2016)
- 13. LL.M. in India: A Critical Review, Proceedings of the National Conference on Contemporary Legal Education in the Globalized World, The Central Law College, Salem (17 & 18 September 2017)(ISBN 978-93-5265-308-9)

- 14. Enforceability of Orders Under Section 17 of the Arbitration and Conciliation Act, 1996: A Reply, (2016) 5 Supreme Court Cases J-16
- 15. Defective Arbitration Clauses: An Overview, Indian Institute of Quantity Surveyors Annual Insight 2015, p. 52-53
- 16. Case Comment: South Delhi Municipal Corporation v. Radhey Shyam, Journal of Law & Public Policy, Volume II, Issue 1, pp. 255-264 (co-author), ISSN 2394-2657
- 17. Supreme Court Upholds Arbitration Clause Referring to Non-Existent Arbitration Rules, SEBI and Corporate Laws, [2015] 130 SCL 11 (Mag.)
- 18. Is the Arbitrator Obligated to Frame Issues?, Current Tamil Nadu Cases, Volume 20, Issue 36, Journal Section, pp. 162-167
- 19. Anugraha Engineers & Contractors V. Union of India, 2014 (3) CTC 116: A Critique, Current Tamil Nadu Cases, Journal Section, Issue 3, 2014, pp. 133-138
- 20. Appointment of Arbitrators by the Designate Under the Arbitration and Conciliation Act: A Critique, Economic and Political Weekly, Vol. XLIX, No. 18, May 2014, ISSN No. 0012-9976
- 21. Setting Aside Foreign Seated Arbitral Awards: Indian Supreme Court Introspects, Kathmandu School of Law Review, Volume 2, Issue 1, pp. 191-206, 2013, ISSN No. 2091-2110
- 22. UNCITRAL Arbitration Rules, 2010: Comment on Certain Revisions, Indian Journal of Arbitration Law, Volume 2, Issue 2 (2013), ISSN No. 2320-2823
- 23. Liberal Approach in Construing Arbitration Clauses: Comment on the Louis Dreyfus Case, ICA Arbitration Quarterly, Vol. 178 (July-September, 2013)
- 24. Registration of Factory of a Public Sector Undertaking Under the Contract Labour (Regulation & Abolition) Act, 1970, Labour Law Notes, Vol. 42, Issue No. 5, pp. 49-52, May 2013
- 25. UNCITRAL Arbitration Rules: A Review, Christ University Law Journal, Volume 2, Issue 1, pp. 117-152 (2013), ISSN No. 2278-4322
- 26. Case Comment: Undue Delay in Passing Arbitral Award as a Ground for Challenge?, International Journal of Law and Policy Review, Volume 2, Issue 1, pp. 185-195, January 2013, ISSN No. 2278-3156
- 27. Appeal Against the Order of the Chief Justice Under Section 11 of the Arbitration and Conciliation Act, 1996: An Empirical Analysis, Indian Journal of Arbitration Law, Volume 1, Issue 1, pp. 21-40, ISSN No. 2320-2823
- 28. Formation of Contract Through Emails in India: A Case Comment on Trimex v. Vedanta, Corporate Professionals Today, March 2011
- 29. Scope of Power to Grant Interim Measures Against Third Parties Under the Arbitration and Conciliation Act, 1996, (2011) Practical Lawyer November S-15

30. Arbitration and the Supreme Court: A Tale of Discordance between the Text and Judicial Determination, National University of Juridical Science Law Review, Vol. 4, p. 639, 2011