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INTRODUCTION

The arbitration landscape in India is rapidly evolving, driven by a modern business environment that values efficiency, economy and clarity in dispute resolution, along with a judiciary that has increasingly reinforced arbitration as a reliable alternative for achieving the same. Over the past decade, Indian parties have consistently ranked among the top users of international arbitral institutions, including SIAC,¹ reflecting both the scale of India's commercial activity and the growing confidence in the structured and time-bound resolution that institutional arbitration offers. The statistics mentioned in the SIAC Annual Report 2025 also confirm this observation: SIAC registered 886 new cases in 2025, its second highest caseload ever, with India featuring as the third largest foreign user - a position it has held consistently. *Ad hoc* arbitration, however, remains the prevalent model of arbitration in India, with parties valuing flexibility in ad hoc arbitrations, despite significant costs and delays that often accompany these proceedings².

Recognizing the commercial need for procedures that are both time and cost efficient, several international and Indian arbitral institutions, including SIAC, HKIAC, MCIA and IAMC, have introduced fast track or expedited procedures involving limited evidence and oral hearings, with issuance of final awards typically within 6 months from constitution of the Tribunal. Last year, SIAC introduced an 'upgraded' version of its 'Expedited Procedure' for disputes between SGD 1,000,000 and SGD 10,000,000 (approximately INR 7.5 crores and INR 75 crores respectively, as of May 2026).

For resolving low-value disputes³ below SGD 1,000,000 (INR 7.22 crores approx.), the 7th edition of the SIAC Rules, 2025, which entered into force on 1 January 2025 ("**SIAC Rules**"), introduced the 'Streamlined Procedure', as a set of 21 rules under Schedule 2 of SIAC Rules. The Streamlined Procedure has seen a significant uptake in its first year of operation, with 60 cases filed in 2025 itself. The Streamlined Procedure applies automatically to any dispute where the amount in dispute does not exceed SGD 1,000,000, unless the parties have expressly agreed to exclude it or the SIAC President determines

1 SIAC Annual Report 2025.

2 Current Trends in Domestic Arbitration in India, Arbitration Survey Report March 2024, KCO, Pgs. 17 and 19.

3 SIAC, Highlights of SIAC Rules 2025

it is inapplicable. It does away with several procedures common in a trial format – including discovery, fact and expert evidence, cross-examination, and oral advocacy – allowing for an award to be issued within record time, i.e., 3 months from constitution of the Tribunal, along with a significant cost benefit in terms of the Arbitrator's and SIAC's administrative fees. The Sole Arbitrator can reinstate such procedural motions, upon parties' request, if the complexity of the dispute so requires.

APPLICABILITY OF SIAC STREAMLINED PROCEDURE

Under Rule 13 of the SIAC Rules, Parties may at any time prior to the constitution of the Tribunal, agree that their arbitration will be carried out through the Streamlined Procedure as set out in Schedule 2⁴. Alternatively, the Streamlined Procedure would become applicable where the amount in arbitration does not exceed SGD 1 Million (i.e., around 7.22 Crores approx.)⁵. An exception to this rule is when Parties have expressly excluded the applicability of the Streamlined Procedure in their agreement⁶ or the SIAC President decides upon an application by any party that procedure shall not be made applicable in that case⁷.

Salient Features of the Streamlined Procedure

- ▶ **Resolved through sole arbitrator:** The Sole Arbitrator may either be mutually agreed upon by the Parties within 3 days of SIAC Secretariat's notification that the Streamlined Procedure shall apply, or the by the SIAC President as soon as practicable⁸.
- ▶ **Decided based only on written submissions and documentary evidence:** Instead of lengthy pleadings common in an *ad hoc* arbitration, including, statement of claim, defence, replies and rejoinders, witness statements, final submissions, etc., the arbitration shall be decided solely on the basis of written submissions and documentary evidence annexed thereto⁹.
- ▶ **Interlocutory Applications:** While Interlocutory applications, for interim reliefs or otherwise, are permitted, the Tribunal may set a time limit after which parties may not be able to file interlocutory applications except without the leave of the Tribunal¹⁰.
- ▶ **Restricted Evidence:** No Party is entitled to requests for discovery i.e., document production or file any fact or expert witness statements or evidence¹¹.
- ▶ **No Hearings:** No oral hearings will be conducted or arguments heard¹².
- ▶ **Summary Award within 3 months:** The final award will be issued within 3 months from the date of constitution of the Tribunal, unless extended by the Registrar¹³. Further, the final award will state reasons only in summary form, unless Parties

4 SIAC Rules, Rule 13.1(a).

5 SIAC Rules, Rule 13.1(b).

6 SIAC Rules, Rule 13.3.

7 SIAC Rules, Rule 13.1(b).

8 SIAC Rules, Schedule 2, Paras 1-3.

9 SIAC Rules, Schedule 2, Para 11(a).

10 SIAC Rules, Schedule 2, Paras 8, 10.

11 SIAC Rules, Schedule 2, Para 11(b-c).

12 SIAC Rules, Schedule 2, Para 12.

13 SIAC Rules, Schedule 2, Para 15.

have agreed that no reasons are to be given¹⁴.

- ▶ **50% Cost of a full scale SIAC Arbitration:** The Tribunal's and SIAC's fees in an arbitration through Streamlined Procedure is capped at 50% of maximum limits based on amount in dispute under the Schedule of Fees¹⁵.
- ▶ **Priority over inconsistent terms in arbitration agreement:** Through application of SIAC Rules, Parties are deemed to have agreed that the prescribed Streamlined Procedure shall take precedence over any inconsistent or contrary terms in the arbitration agreement¹⁶.
- ▶ **Tribunal's discretion:** The Tribunal may, upon consideration of parties' requests/ views, permit document production, evidence statements, or hearings¹⁷. The Tribunal may decide the manner of application of Schedule 2 as appropriate, and its decision as to such matters is final, and not subject to appeal, review or recourse¹⁸.

VIABILITY OF THE STREAMLINED PROCEDURE IN THE INDIAN LANDSCAPE

In practical terms, the Streamlined Procedure means that a dispute valued no more than SGD 1 million (INR 7.5 crores, as of May 2026, per the current Schedule of Fees under the SIAC Rules) can be resolved within three months, with the average cost of the arbitration being about INR 7.48 lakhs (SGD 7,500) (i.e., 7.5% of dispute value) and the maximum cost being about INR 28 lakhs (SGD 37,500) (i.e., 3.75% of dispute value).

By contrast, ad hoc arbitrations typically take anywhere between 12-36 months till the final award is issued¹⁹. They also carry an inherent uncertainty around costs which are often dependent on the Tribunal (generally comprising former judges of Indian courts). While, arguably, the costs of arbitration following the Fourth Schedule of the Arbitration & Conciliation Act, 1996 ("**Arbitration Act**") might be relatively lower for a dispute valued at INR 7 Crore, the uncertainty around timelines in an *ad hoc* arbitration still persists.

The introduction of the Streamlined Procedure has, therefore, directly positioned SIAC as a compelling institutional option even for low-value domestic arbitrations in India.

That be so, the Streamlined Procedure may not be suitable for disputes of complex nature involving contested facts and nuanced legal questions, or disputes which require discovery of documents and extensive evidence, necessitating use of procedural tools such as document discovery, witness statements, cross examination of witnesses, and oral hearings. In such cases, it might be prudent for parties to exclude the applicability of the Streamlined Procedure.

CHALLENGES

While the SIAC's Streamlined Procedure promises speed, cost-effectiveness and efficiency, it also carries certain vulnerabilities. As noted above, awards are issued solely on the basis of written submissions and the accompanying documentary evidence filed in one go.

¹⁴ SIAC Rules, Schedule 2, Para 13.

¹⁵ SIAC Rules, Schedule 2, Para 16.

¹⁶ SIAC Rules, Schedule 2, Para 17.

¹⁷ SIAC Rules, Schedule 2, Paras 11, 12.

¹⁸ SIAC Rules, Schedule 2, Paras 21.

¹⁹ Current Trends in Domestic Arbitration in India, Arbitration Survey Report March 2024, KCO, Pg. 17.

Consequently, parties may have limited opportunity, if any, to amend pleadings, adduce additional documents, or meaningfully respond to unexpected contentions raised by the opposing side. Although the Sole Arbitrator is empowered under the SIAC Rules to relax aspects of the Streamlined Procedure and permit amendments, reply submissions or oral hearings, its decision is final in this regard, and is not subject to appeal, review, or recourse.

In such circumstances, a party may attempt to challenge an award rendered under the Streamlined Procedure on the ground that it was denied a hearing and/or a reasonable opportunity to present its case.

Under Sections 34 and 48 of the Arbitration Act, courts are empowered to set aside a domestic award or refuse enforcement of a foreign award if a party was “*unable to present its case*”. However, this ground would not be available to parties, where they have, under Section 19 of the Arbitration Act, freely agreed on the procedure to be followed by the arbitral tribunal in conducting its proceedings. In this regard, the Supreme Court’s decision in *Vijay Karia v. Prysmian Cavi E Sistemi SRL & Ors.*²⁰ (“**Vijay Karia**”) may be noted, where the Hon’ble Supreme Court held that this ground ought to be construed narrowly, and would be available to a party only where “*factors outside the party’s control have combined and resulted in denial of a fair hearing to the party*”.

Additionally, summary reasons accompanying an award may also prompt allegations that material issues or arguments were not adequately considered. Under Section 34 and 48 Arbitration Act, an unreasoned award, which fails to address key claims or is perverse may be susceptible to challenge, being construed as an award tainted by “*patent illegality*” and/or “*in conflict with the public policy of india*”²¹.

However, reference here may be made to the Supreme Court’s decision in *OPG Power Generation (P) Ltd. v. Enxio Power Cooling Solutions & Anr.*²², where it was held that mere inadequacy or insufficiency of reasons would not be a ground for setting aside of the award, unless they are unintelligible so as to result into perversity.

Accordingly, the Streamlined Procedure does not contain any provision that directly constitutes a ground for challenge. However, arbitrators administering arbitrations under the Streamlined Procedure would be required to balance the parties’ desire for an accelerated process against procedural fairness, so as to ensure that parties are granted a fair opportunity to present their case and rebut the case made against them. This was recently highlighted by the Court of Appeal of the Republic of Singapore in *Wan Sern Metal Industries Pte Ltd. v. Hua Tian Engineering Pte Ltd.*²³ (“**Wan Sern**”), where an award rendered under expedited procedure i.e., a “*documents-only*” arbitration was partly set aside because the arbitrator allowed an unpleaded claim. Further, the Court underscored the importance for arbitrators to assess what natural justice demands must be afforded to a party, especially in a documents driven arbitration, so as to prevent a subsequent challenge for violation of natural justice principles.

CONCLUSION

The SIAC Streamlined Procedure promotes efficient resolution of lower-value disputes, particularly for parties seeking clarity and predictability in cost and timelines involved

²⁰ (2020) 11 SCC 1, Para 81.

²¹ *ONGC v. Saw Pipes* (2003) 5 SCC 705; *Associate Builders v. DDA* 2015 (3) SCC 49.

²² (2025) 2 SCC 417, Para 168.

²³ [2025] SGCA 5.

in resolution of their disputes.

For Indian parties, the ability to obtain a reasoned award within three months at a fraction of the usual cost makes the procedure an attractive alternative to *ad hoc* proceedings, which continue to face criticism for delay and unpredictability. Further, the Streamlined Procedure also signals a necessary shift from oral advocacy to written advocacy for both practitioners and parties.

It is, however, important for sole arbitrators conducting arbitration proceedings through the Streamlined Procedure to ensure that expediency does not come at the cost of procedural fairness to the parties. In examining whether awards rendered under this Procedure comply with natural justice, courts may have to appreciate that it was the parties' choice to conduct the arbitration in an expedited manner. This choice is statutorily reinforced by Section 19 of the Arbitration Act that preserves party autonomy in determining the applicable procedure and confirms that arbitral tribunals are not bound by the rules of civil procedure or evidence.

While SIAC awards have historically performed well in India²⁴, indicating strong judicial support, it remains to be seen how awards rendered through Streamlined Procedure will fare before Indian courts.

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²⁴ See SIAC's empirical study referenced in a Kluwer Arbitration Blog, "*Stamping Out The Uncertainty – The Supreme Court's Way Forward For A Modern And Efficient Arbitration Regime For India*" by Pranav Budihal (Providence Law LLC) for SIAC. No SIAC award was set aside or refused enforcement in India between 2011 and 2022.