

ABSTRACT

A CRITICAL ANALYSIS OF MARITIME DISPUTES IN UNCLOS AND INDIA: THE LAW AND POWER EXERCISED BY COURTS AND ARBITRATION

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This study sought to identify the effectiveness of maritime disputes in India. More specifically, it seeks to determine the study of court proceedings versus arbitration to resolve maritime boundary disputes. The present paper attempts to exercise the power exercised by the court and arbitration as the means of resolving the maritime/admiralty boundary dispute. In addition, many of the concepts mentioned in this paper may be used to understand the powers exercised by admiralty courts to resolve maritime disputes in India. This paper will attempt to explain why states and companies prefer to resolve maritime disputes through arbitration rather than judicial settlement, as well as to analyse the Indian legal framework, which includes various enactments and laws governing maritime territories, ship arrests, claims, and settlements, maritime cargo carriage, and the peaceful settlement of maritime boundary disputes.

KEYWORDS

Boundary, settlement, arbitration, nautical miles, convention

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