

BUREAU OF INDIAN STANDARDS
(Legal Department)

Our Ref: LAW/1/566/2024

Date: 29 May 2024

Subject: Reference of the contractual disputes for resolution through arbitration to the India International Arbitration Centre (IIAC)

CIRCULAR

This has reference to the letter No. J-1/2/2022-CPU Section-Part(1) [E-30817] dated 25 April 2024 of the Under Secretary, Department of Consumer Affairs, whereby D.O. No. A-60011/50/2023-ADR dated 05 April 2024 and 31 October 2024 of Department of Legal Affairs, have been referred to for perusal and consideration on the captioned subject. A copy of the same is attached for ready reference.

2. Vide the above communications, the Government Departments and other entities under their control have been requested to peruse the India International Arbitration Centre (Conduct of Arbitration) Regulations, 2023 and consider incorporating appropriate clauses in the contracts for reference of the contractual disputes for resolution through arbitration to the India International Arbitration Centre (IIAC).

3. Circulated for information, please.

Encls: As above (03)


(M.K. Paramanik)
Scientist-E & Director (Legal)

Circulated to all ROs/BOs/Labs/NITS/ Departments at HQs

भारतीय मानक ब्यूरो
(विधि विभाग)

हमारा संदर्भ: विधि/1/566/2024

दिनांक: 29 मई 2024

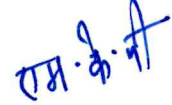
विषय: भारत अंतर्राष्ट्रीय मध्यस्थता केंद्र (आईआईएसी) के लिए मध्यस्थता के माध्यम से समाधान के लिए संविदात्मक विवादों का संदर्भ

अवर सचिव, उपभोक्ता मामले विभाग के अवर सचिव, ने अपने पत्र संख्या जे-1/2/2022-सीपीयू अनुभाग-भाग(1) [ई-30817] दिनांक 25 अप्रैल 2024 के द्वारा विधि कार्य विभाग (Department of Legal Affairs) के पत्रांक ए-60011/50/2023-एडीआर दिनांक 05 अप्रैल 2024 एवं 31 अक्टूबर 2024 का अवलोकन एवं विचार हेतु संदर्भित किया गया है। तत्काल संदर्भ के लिए इनकी प्रति संलग्न है।

2. उपरोक्त पत्रों के माध्यम से, सरकारी विभागों और उनके नियंत्रण में अन्य संस्थाओं से भारत अंतर्राष्ट्रीय मध्यस्थता केंद्र (मध्यस्थता का संचालन) विनियम, 2023 का अवलोकन करने और अनुबंधों में उचित प्रावधानों (Clauses) को शामिल करने एवं संविदात्मक विवादों को भारतीय अंतर्राष्ट्रीय मध्यस्थता केंद्र (IIAC) के माध्यम से मध्यस्थता द्वारा समाधान करने के लिए अनुरोध किया गया है।

3. सूचनार्थ परिचालित किया जाता है।

Encls: (03) उपरिलिखित



(एम.के. परमानिक)

वैज्ञानिक-ई और निदेशक (कानूनी)

मुख्यालयों में सभी आरओ/बीओ/प्रयोगशालाओं/एनआईटीएस/विभागों को परिचालित किया गया

No. J-1/2/2022-CPU Section-Part(1) [E-30817]
Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

Krishi Bhawan, New Delhi-110001
The 25th April, 2024

To,

1. The Registrar,
National Consumer Disputes Redressal Commission,
Upbhokta Nyay Bhawan,
'F' Block, GPO Complex, INA,
New Delhi-110023
2. The Director General,
National Test House,
Block - CP, Sector - V, Salt Lake City,
Kolkata - 700091
3. The Director General,
Bureau of Indian Standards,
9 Bahadur Shah Zafar Marg,
New Delhi-110002

Pranod
MS

DG
DDGA
DRL
03/05/24

Subject: Reference of the contractual disputes for resolution through arbitration to the India International Arbitration Centre - reg.

Sir,

I am directed to forward herewith a D.O letter No. A-60011/50/2023-ADR dated 05.04.2024 on the captioned subject for kind perusal and consideration.

Yours faithfully

Signed by Tamoghna
Chaudhuri
Date: 25-04-2024 14:21:52

Encl: as above

(T. Chaudhuri)
Under Secretary to the Government of India
uscpcu-ca@nic.in

658
03.05.2024

DG Dy. No. 1262
Dated: 3-05-2024

328
03/05/2024

डा. राजीव मणि, भा.वि.से

Dr. Rajiv Mani, I.L.S.

अपर सचिव एवं मुख्य सतर्कता अधिकारी
Additional Secretary & CVO



सत्यमेव जयते



भारत सरकार
विधि और न्याय मंत्रालय
विधि कार्य विभाग
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

DO No. A-60011/50/2023-ADR

31st October, 2023

Dear Sir,

The Department of Legal Affairs has taken various measures for reforming the arbitration eco-system with a view to promote India as a jurisdiction facilitating efficacious resolution of disputes by recourse to Alternative Dispute Resolution mechanism including promotion of institutional arbitration and mediation. As further step in this direction, under the India International Arbitration Centre Act, 2019, the India International Arbitration Centre, an institution of national importance, has been established. The Centre is located at self-owned premises at Plot No. 6, Vasant Kunj Institutional Area, New Delhi.

2. The India International Arbitration Centre (IIAC), provide facilities, administrative assistance and enables conduct of arbitration proceedings through eminent arbitrators. Justice Hemant Gupta, former judge of the Supreme Court of India has been appointed as the Chairperson of the Centre. The Centre is being developed as a flagship institution for creating an independent and autonomous regime for institutional arbitration, in the country.

3. The IIAC has also published the India International Arbitration Centre (Conduct of Arbitration) Regulations, 2023, providing the detailed institutional modalities for conduct of arbitration under its aegis. A copy of the said Regulations are enclosed for ready reference

4. I shall be grateful, if your Department and other entities including Central Public Sector Enterprises under the administrative control of your Department may peruse the India International Arbitration Centre (Conduct of Arbitration) Regulations, 2023 and consider incorporating appropriate clauses in their contracts for reference of their contractual disputes for resolution through arbitration, to the India International Arbitration Centre.

Warm regards

Yours sincerely,

RMani

(Dr. Rajiv Mani)

Encl: As above.

To

All Secretaries of Departments/Ministries



AJAY KUMAR ARORA
JS (Arbitration and Conciliation)

भारत सरकार
GOVERNMENT OF INDIA
विधि और न्याय मंत्रालय
MINISTRY OF LAW & JUSTICE
विधि कार्य विभाग
DEPARTMENT OF LEGAL AFFAIRS

D.O. No. A-60011/50/2023-ADR

Dated the 5th April, 2024

Sir,

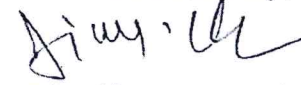
I invite your kind attention to this Department's D.O. letter of even no. dated 31st October, 2023 (copy enclosed) *inter-alia* requesting your Department and other entities including Central Public Sector Enterprises under the administrative control of your Department to consider incorporating appropriate clauses in their contracts for reference of their contractual disputes for resolution through arbitration, to the India International Arbitration Centre.

2. In this regard, I would like to further inform you that the India International Arbitration Centre, an institution of national importance has been established in terms of the provisions of the India International Arbitration Centre Act, 2019. As provided for by the law, the IIAC has taken over the undertakings of the International Centre for Alternative Dispute Resolution (ICADR) and is operating from Vasant Kunj, New Delhi. The IIAC is providing requisite administrative support including a panel of reputed arbitrators for conducting arbitration under its aegis in a cost effective and time bound manner for both domestic and international arbitrations.

3. I therefore once again request your Department and other entities including Central Public Sector Enterprises under the administrative control of your Department to prefer resorting to institutional arbitration and consider incorporating appropriate clauses in their ongoing and future contracts for reference of their contractual disputes for resolution through arbitration, to India International Arbitration Centre

With regards,

Yours sincerely,


(Ajay Kumar Arora)

Encl: As above.

To
All Secretaries of Departments/Ministries