

DELHI DEVELOPMENT AUTHORITY
(EM'S OFFICE)

NO: EM.1 (10)96/ 2614

Dated: 20.2.96

CIRCULAR NO. 483

SUB: RE-APPOINTMENT OF ARBITRATORS..

During detailed examination of one of the arbitration awards, CTE had observed that the appointing authority had re-appointed the same person as the second arbitrator after he had resigned from his first appointment.

CTE has observed that the second time appointment of the same person as the Arbitrator is a violation of the provisions of clause-25 of the standard contract formats which stipulates that :-

"The arbitrator unto whom the matter originally referred being transferred or vacating his office or being unable to act for any reason, such EM/CE, DDA as aforesaid at the time of such transfer, vacation of office or inability to act shall appoint another person to act as arbitrator in accordance with the terms of this contract".

The matter has also been examined by the Legal Cell who too have opined that in the light of the above provisions of clause-25, the same person should not be re-appointed as the arbitrator after vacation of the office and in his place another person only should be appointed as the arbitrator.

It is, therefore, enioned upon all the Competent Authorities that the above observations of the CTE and the legal opinion should be kept in mind at the time of re-appointment of arbitrators so that there are no legal complications at a later stage.

R. L. Hans
(R.L. HANS)
ENGINEER MEMBER

1. All Chief Engineers i/c CE(Elect.) & CE(QC).
2. Director (MM).
3. Director (Hort.) North & South.
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