

DELHI DEVELOPMENT AUTHORITY
E.M.'S OFFICE

NO.: EM 1(10)2008/cir/DOA/1824

Dt.: 1-5-08

CIRCULAR NO..625

**SUB.: Publication of Arbitration Award on Plain Paper where the
Award was 'NIL'-Legal Position**

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In one of the cases, 'Nil' award was published by the Ld. Arbitrator on plain paper as none of parties submitted the non-judicial Stamp paper required for writing the award. The case was examined by the Legal Deptt. for opinion regarding implication of the award written on plain paper instead of non-judicial stamp paper. The legal position is reproduced as under for guidance of all concerned:-

The Stamp duty on award has been discussed in Sec.-31 of the Arbitration and Conciliation Act, 1996. The provision for stamp duty has been made to secure revenue for the state. In the absence of payment of Stamp duty, the award can not be admitted in evidence but it does not make the award as in-valid. The defect of non-payment of stamp duty may be removed subsequently if the award is to be acted upon. The unstamped award does not affect its original validity. In such circumstances, as such, nothing is required on the part of the Deptt./DDA in connection with stamping of the impugned award.

It is, therefore, enjoined upon all concerned that in future such cases may not be referred to the Legal Deptt. for their opinion and may take administrative action as per facts and circumstances of the particular case.

This may be brought to the notice of all concerned.

This issues with the approval of Engineer Member, DDA.


(D.D. Sharma)
Chief Engineer(HQ),DDA

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E.O.-III to E.M.