

OFFICE OF THE LAW OFFICER (DJB)
VARUNALAYA PHASE – II, JHANDEWALAN
KAROL BAGH, NEW DELHI - 110005

No. DJB/LO/ARBITRATION/2020/39286

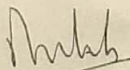
DATED: 25/08/2020

CIRCULAR

Subject: Guidelines for Streamlining the procedure in cases of Delhi Jal Board pertaining to Arbitration / Dispute Adjudication Board (DAB)

To streamline the procedure and proper follow up of the Arbitration/ DAB cases of DJB, whether sub judice or forthcoming in Arbitral Tribunal/ DAB/ Appellate Court of Law, the following guidelines are hereby circulated for strict compliance and adherence by all the concerned officers and officials:

1. In every divisional office, to which the Arbitration/ DAB case pertains, a Committee headed by the concerned Superintending Engineer with Executive Engineer, A.E. / Z.E, J.E. and AAO concerned is to be constituted, which will meticulously prepare, thoroughly examine and scrutinize all Comments/ Response/ Reply/ Misc. Application/ Counter- Claim/ Appeal etc. to be submitted before the Arbitral Tribunal / DAB / Appellate Court of Law.
2. Before filing any submission or filing any reply etc. before DAB/ Arbitral Tribunal / Appellate Court of Law, Committee shall submit the same to C.E. concerned to accord formal approval for filing in AT/ DAB/ Appellate Court of Law.
3. A chronological sequence of all events from beginning of the proceedings before Arbitral Tribunal/ DAB/ Court till finalization of the case shall be maintained in a proper manner by the Executive Engineer concerned and by the Dealing Official of the Law office. This chronological sequence shall be affixed on front inside/ cover of the file pertaining to the proceedings.
4. In light of the observations made in various judgments passed by the Hon'ble Supreme Court and the High Court for appointment of an impartial sole arbitrator, the concerned engineering office shall forward the file to law office for filing request before Hon'ble High Court of Delhi to appoint sole arbitrator either from the panel of arbitrators maintained by Delhi International Arbitration Centre (DIAC) or at its own discretion.


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5. The limitation period of time for filing appeal against Arbitral Award/ DAB Decision is a key factor in arbitration matters, for which requisite action needs to be taken in a time bound manner. Hence, it is hereby directed that it shall be the responsibility of Chief Engineer concerned to ensure that after the Arbitral Award/ DAB decision, the file is processed promptly, on top priority basis, for taking necessary action as already prescribed in Order dated 22.05.2014 issued from the office of Member (F) (Copy enclosed).
6. The Executive Engineer concerned shall co-ordinate with the Departmental counsel to take follow up action in arbitration cases well in advance before the scheduled date of hearing to avoid any complications in Tribunal / Appellate Court at the time of hearing.
7. Member (WS)/ Member (Dr) shall review all the sub judice Arbitration/ DAB matters every month and a record of monthly review shall be maintained by their respective office. Whenever required, the matter may be appraised to the C.E.O.
8. These guidelines must be strictly followed by all the concerned officers and any negligence would invite strict departmental action against the erring officer / official.

This issues with the approval of the Competent Authority.

Encl.: As above

(AJAY KUMAR BISHT)
Addl. C.E.O.
Delhi Jal Board

Copy for compliance:

1. All C.Es / S.Es / E.Es / LO(W); to take necessary action and to inform all concerned
2. Consultant (Law)

Copy for information to:

1. PS to CEO
2. Member (A) / (F) / (WS) / (Dr) / CVO
3. EE (EDP); to upload on DJB website



AE (EDP) *[Signature]*
Prog - I 26-08-2020

[Signature]
Addl. C.E.O. 25/8/20

GOVERNMENT OF DELHI
OFFICE OF THE MEMBER (FINANCE)
VARUNALYA PHASE II KAROL BAGH NEW DELHI

No. DMB/MF/2014/

Dated: 22.05.14

ORDER

It has been observed that cases involving legal /financial matters like award of compensation by Arbitrator /Courts are being handled in a very casual and routine manner. It has been decided to constitute a Committee before whom a detailed presentation will be made by the concerned EE covering all the Legal/Financial/Engineering aspects of the case to reach at a conscious decision. The concerned division shall put up the case with all the relevant facts and documents for obtaining the opinion of the Standing Counsel providing him/her adequate time for giving opinion in the matter. After obtaining opinion of the Standing Counsel, the case is to be put up before the Committee. The members of the Committee constituted for the purpose are as under :

1. Member (Dr)/Member (WS) concerned : Chairman
2. Director (F&A)
3. Director (A&P)
4. Chief Engineer concerned
5. Jt. Director (F&A)-I
6. SE concerned : Convener
7. Law Officer
8. Standing Counsel

Only after the case has been put up before the Committee and approved by it, the file will be processed for financial concurrence and financial/administrative approval by the concerned Division. First meeting of the Committee in the case of Delhi Jal Board v/s A.P. Constructions (OMP No. 136/2004) will be held on 27.05.14 at 11:00 a.m. in the chamber of Member (WS).

RECORDED

SE / PS / P3 / H.C.

S.N.A. NAJMI
(S.N.A. NAJMI)
Member (Finance)

All concerned, as above

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96.15.11

File EE's & Jt.

30.5.14

30.5.14