

# **Appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court, Chandigarh Scheme, 1996**

PUNJAB

India

## **Appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court, Chandigarh Scheme, 1996**

### **Rule**

### **APPOINTMENT-OF-ARBITRATORS-BY-THE-CHIEF-JUSTICE-OF-PUNJAB AND HARYANA HIGH COURT, CHANDIGARH SCHEME, 1996**

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Appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court, Chandigarh Scheme, 1996Published vide Punjab Government Notification No. G.S.R. 6/C.A.26/96/Section 11/97, dated 19th December, 1996High Court of Punjab and Haryana at ChandigarhG.S.R. 6/C.A./26/96/Section 11/97. - In exercise of the powers conferred on the Chief Justice of the High Court of Punjab and Haryana, Chandigarh, under sub- section (10) of Section 11 of the Arbitration and Conciliation Act, 1996, I hereby make the following scheme :-

#### **1. Short title.**

- This Scheme may be called the Appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court, Chandigarh Scheme, 1996.

#### **2. Submission of request.**

- The request to the designate person/institution under sub-section (4) or Section (5) or sub-section (6) of Section 11 shall be made in writing in the format prescribed in appendix I and shall be accompanied by -(a)The original arbitration agreement or a duly attested/photocopy thereof;(b)an affidavit supported by the relevant document or photo/true copies thereof to the effect that the condition to be satisfied under sub- section (4) or sub-section (5) or sub-section (6) of Section 11, as the case may be, before making the request to the person designated by the Chief Justice, has been

satisfied;(c)it shall also be accompanied by as many copies of the request together with the other relevant documents, as the number of parties to the arbitration agreement or as may be directed by the person designated by the Chief Justice.

### **3. Authority to deal with the request.**

- For the purpose of dealing with the request made under para 2, the Chief Justice may designate Civil Judge (Senior Division) of the concerned District or Tehsil or Sub-Division as the case may be.

### **4. Seeking further information.**

- The person designated herein may seek such further information or clarification or documents, from the party making the request under the scheme, as he may deem fit.

### **5. Rejection of request.**

- Where the request made by the party is not in accordance with the provisions of this scheme, the person designated may reject the same.

### **6. Notice to affected person(s).**

- Subject to the provisions of paragraph 5, the person designated shall direct that notice of the application be given to all the parties to the arbitration agreement and to such other person or persons as may seem to him likely to be affected by such proceedings to show cause within the time specified in the notice as to why the appointment of the arbitrator(s) or the measures proposed to be taken should not be made or taken and such notice shall be accompanied by copies of all documents referred to in para 2 or as the case may be, the information or clarification or copies of documents, if any, sought under paragraph 4.

### **7. Withdrawal of authority.**

- If the Chief Justice, on receipt of a complaint from either party to the arbitration agreement or otherwise is of opinion that the person designated by him under paragraph 3 has neglected or refused to act or is incapable of acting, he may withdraw the authority given by him to such person and either deal with the request himself or designate another person for that purpose.

### **8. Intimation of action taken on request.**

- The appointment made or measure taken by the person designated in para 3 or para 7 in pursuance of the request under paragraph 2 shall be communicated in writing to -(a)the parties to the arbitration agreement;(b)the arbitrators, if any, already appointed by the parties to the arbitration agreement;(c)the person or institution, if any, to whom or to which any function has been entrusted by the parties to the arbitration agreement under the appointment procedure agreed

upon by them;(d)the arbitrator appointed in pursuance of the request.

## **9. Requests and communications to be sent to Authorised Officer.**

- All requests under the scheme and communications relating thereto shall be presented to the officer authorised by the person designated in para 3 or para 7 and the said officer shall maintain a separate register of such requests and communications. Whenever requests under para 2 are received, the authorised officer shall, as soon as may be, place the same before the person designated in para 3.

## **10. Delivery and receipt of written communications.**

- The provisions of sub- section (1) and (2) of Section 3 of the Arbitration and Conciliation Act, 1996 shall, so far as may be, apply to all written communications received or sent under this scheme.

## **11. Costs for processing requests.**

- The party making a request under this Scheme shall along with the request for arbitration pay an amount of Rs. 500 towards the costs involved in processing the request.

## **12. Interpretation.**

- If any question arises with reference to the interpretation of any of the provisions of this Scheme, the question shall be referred to the Chief Justice whose decision shall be final.

## **13. Power to amend the Scheme.**

- The Chief Justice may, from time to time, amend by way of addition or variation any provision of this Scheme. Appendix I

Before

Arbitration  
Application No.

of 1996

1. Provision under which the application is filed
2. Name(s) of the applicant(s) with complete address(es)
3. Name(s) of the other parties to the arbitration agreement with complete addresses
4. Names and addresses of the arbitrators, if any, already appointed by parties  
Name and address of the person or institution, if any, to whom any function has
5. been entrusted by the parties to the arbitration agreement under the  
appointment procedure agreed upon by them
6. Qualification required, if any, of the arbitrator by the agreement of the parties

7. A brief written statement describing the general nature of the disputes and the points at issue
8. Valuation of the subject-matter
9. Relief or the remedy sought

Date : Signature of the applicant