

2. K.CE(M)/K.CE(P)  
(3)  
GOVERNMENT OF NCT OF DELHI  
PWD SECRETARIAT: 5<sup>TH</sup> LEVEL, "B" WING  
DELHI SECRETARIAT: NEW DELHI

F.No.9(34)/2017/Plg./PWD-III/ 16425-16427  
CD No.057405449

Dated 05/12/2016

CIRCULAR

Sub.: Arbitration Cases in PWD.

It has been noted that Arbitration cases are sometimes not properly dealt/defended to protect the interest of Govt. The record keeping is also poor. Upon receipt of award, the case needs to be examined as per rules on whether to challenge the award. It has to be examined with reference to stand taken before the arbitrator and evidence/records in favour of department. The case should be processed in the file in which defence before arbitrator was processed/govt. counsel appointed.

प्रमुख अभियन्ता  
आवृत्ति सं 80827  
दिनांक 23/12/2016  
प्रमुख अभियन्ता  
निदेश (आवृत्ति सं 80827)  
प्रमुख अभियन्ता  
उ. अधिकारी  
सचिव (आवृत्ति सं 80827)  
While submitting arbitration cases for consideration/advice of Law Department, the Chief Engineer/Pr. Chief Engineer/E-in-C are advised to ensure that the case is being submitted in a self-contained note containing the following details:

1. Brief Background of the case
2. Circumstances that lead to arbitration
3. Stand/Decisions at the time of arbitration
4. Brief details of the order passed by the arbitrator
5. If the arbitration award was passed against the Govt., details of action taken by the department as per provisions contained under Section 35.11(2) & 35.15(6) of CPWD Works Manual.
6. Recommendation of the SE, CE, Pr. CE & E-in-C, as to whether the award passed by the arbitrator, should be challenged in a court of law or not, with justifications.
7. Recommendation of the Govt. counsel.
8. Comments, observations and Recommendation of the Finance Officer attached with the Chief Engineer.

Chief Engineers should ensure that their proposals for consideration of arbitration award by the Secretary, PWD should reach the Secretariat at the earliest possible but not later than 30 days after passing of the award.

This issues with the approval of Secretary, PWD

ARB 3457  
26/12/16

(K.K. SATIJA)

ASSTT. DIRECTOR(PLG/PWD)

Copy for information to:

1. E-in-C, PWD, Delhi
2. All Chief Engineers, PWD, Delhi
3. All CPMs/SE/FO through CE, PWD concerned

Sh. S.D. Sankhyan  
for upload of  
DD(M)  
20/12/16  
Copy to all CEs/CPMs  
on Intranet also.  
6/12