

CRITERIA & CONDITIONS FOR EMPANELMENT OF ARBITRATORS ON BHEL PANEL OF ARBITRATORS, PROFORMA FOR APPLICATION AND DECLARATION TO BE SUBMITTED BY DESIROUS PERSONS FOR EMPANELMENT AS AN ARBITRATOR ON BHEL PANEL OF ARBITRATORS

“Bharat Heavy Electricals Limited (BHEL) invites applications from interested persons for empanelment as Arbitrators on the BHEL Panel of Arbitrators for conducting arbitration proceedings. The criteria and conditions for empanelment as Arbitrator on the BHEL Panel of Arbitrators are as follows:

1. *A panel of arbitrators (other than BHEL serving/retired employees) will be drawn up at Corporate Office with the approval of Director (HR) for selection as Sole Arbitrator/BHEL’s nominee arbitrator, from amongst the following categories of persons:*
 - a) *Retired Senior Officers of Central/State Governments (Not less than Joint Secretary to Government of India);*
 - b) *Former Functional or Independent Directors or other retired Senior Officials of other Public Sector Undertakings (pay scale wise equivalent to or more than E-8 level of BHEL). For this purpose, from time to time list of suitable retired persons and/or empanelled arbitrators, if any, can be obtained from other CPSEs/SPSEs and/or from BHEL's Units/Divisions/Regions/Business Groups for consideration for empanelment.*
 - c) *A Designated Senior Advocate;*
 - d) *A retired Judge of either the Hon'ble Supreme Court; or, a Judge of one of the Hon'ble High Courts; or, a Judge of the District Courts who has held a position not less than an Additional District Judge during his service;*
 - e) *Other suitable persons having experience of not less than 25 years in relevant field viz. commercial/ technical/ engineering/ financial/ legal etc.; provided that (i) He or she possesses relevant educational qualification in the related field; and (ii) He or she has experience as an arbitrator in at least 2 cases.*
 - f) *From the panel of arbitrators maintained by Arbitration Institutions such as Delhi International Arbitration Centre, New Delhi, Arbitration Centre, Karnataka, International Centre for Alternative Dispute Resolution (ICADR), New Delhi, Indian Council of Arbitration (ICA),*

SCOPE Forum of Conciliation and Arbitration (SFCA), other Institutions run by various High Courts.

- 2. The Panel shall be for the entire Company. The List/Panel shall be updated from time to time based on request for empanelment received from eligible persons in writing as per **Format 1** hereto.*
- 3. Mere fulfilment of the criteria for empanelment as aforesaid and submission of request for empanelment/renewal of empanelment shall not entitle any person to any right to be empanelled. Empanelment/renewal of empanelment by itself will not entitle any person to claim either any fees, or privilege or benefit of any kind whatsoever or for being selected as an Arbitrator in a case.*
- 4. The empanelment of Arbitrators on BHEL's panel of Arbitrators shall be done with approval of Director (HR) for a period of 3 years initially. Subject to the person continuing to be eligible/suitable, empanelment of an empanelled person on the BHEL's panel of Arbitrators may be renewed for further period(s) of not more than 3 years at a time, on the basis of written request received from such person, with the approval of Director (HR). Expiry/non-renewal of the empanelment of a person on the BHEL panel of Arbitrators will not however affect any ongoing case(s) assigned to the concerned Arbitrator and the relevant case(s) can continue to be handled by such person till their completion on same terms and conditions as to fees etc. as applicable.*
- 5. Director (HR) may also add to or delete the name of any Arbitrators from the Panel from time to time.*
- 6. The panel shall be drawn giving details of the age, qualifications, professional and technical experiences in different fields etc. of the Arbitrators.*
- 7. BHEL reserves its rights to make suitable modifications to the criteria and conditions for empanelment of Arbitrators at any time at its sole discretion for any reason whatsoever as deemed fit or in order to give effect to any amended provisions of the Arbitration and Conciliation Act, 1996, as and when passed by the Parliament and such change will become applicable to the Arbitrators on the BHEL Panel of Arbitrators as per the approval of the Competent Authority. Any change/modification shall be notified on official website of the Company”*

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FORMAT 1**PROFORMA FOR APPLICATION AND DECLARATION FOR EMPANELMENT AS AN ARBITRATOR ON BHEL PANEL OF ARBITRATORS**

1. Name: _____
2. Father's name: _____
3. Date of birth: _____
4. PAN no. (compulsory): _____ (enclose copy)
5. Contact details: Address: _____ Phone. _____ Mobile: _____ Email: _____
(Note: This information will be used to contact you. Any change in these details shall be informed by you to BHEL immediately)
6. Educational /Professional /Other qualification: (Enclose self-attested copy of certificates / Degrees / Diplomas etc.) (Additional sheets may be used, if required)

Sl No.	Name of degree (commencing from graduation)	Name of College /University/Institute etc.	From	To	Subjects

7. Experience and employment details: (Enclose self-attested copy of the employment/experience certificates issued by Employers, Certificate of Practice issued by Bar Councils etc.) (Additional sheets may be used, if required)

Sl No.	Employer/ professional Details	From	To	Designation	Scale of Pay	Nature of Duties/Work (Also include particulars of specialisation, if any)	Membership details of professional bodies (like Arbitration Councils, Boards), if any

8. Remarks (if any): _____

(Name and Signature of the Applicant)

DECLARATION

I, -----, son/wife/daughter of ----- resident of -----
----- presently working as -----in ----- having my office at
----- do hereby solemnly declare, undertake and agree as follows:

I have carefully perused the Criteria and Conditions for Empanelment as Arbitrator on the BHEL's Panel of Arbitrators as available on BHEL's official website i.e., www.bhel.com and confirm that that I accept the same and agree to be bound by the same. I understand and agree that BHEL will be free to make suitable modifications to the criteria and conditions for empanelment of Arbitrators at any time at its sole discretion for any reason whatsoever as deemed fit or in order to give effect to any amended provisions of the Arbitration and Conciliation Act, 1996, as and when passed by the Parliament and such change will become applicable to me as per the approval of the Competent Authority of BHEL and thereupon, I shall be bound by such modified Criteria and Conditions for Empanelment as Arbitrator on the BHEL's Panel of Arbitrators.

I also confirm that I have never been employed in BHEL or its administrative Ministry till date.

I, hereby declare and affirm that during my service period no penalty had been imposed on me in any disciplinary proceedings against me or no criminal proceedings involving moral turpitude are either pending or decided against me.

Further, I undertake to intimate to BHEL forthwith regarding initiation of any such case and/or imposition of penalty against me during the period of continuance of my empanelment as Arbitrator on BHEL Panel of Arbitrators.

I confirm that the above information is true and correct to the best of my knowledge. I undertake that if there is any change in the information provided in this application, then, I shall forthwith inform BHEL regarding the same.

I also agree that if at any stage the said information is found or discovered to be untrue or incorrect or inaccurate in any respect, then, BHEL will be free to take appropriate action including, but without limitation to, deletion of my name from the BHEL Panel of Arbitrators without any notice.

(Name and Signature of the Applicant)

Date:

Place: