

TECHNOLOGY DEVELOPMENT BOARD

[A Statutory Body of Department of Science & Technology]
Government of India

Wing A, Ground Floor, Vishwakarma Bhavan, Shaheed Jeet Singh Marg, New Delhi-110016

Notice Inviting Expression of Interest for Empanelment of Arbitrators in TDB

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Disclaimer: This Notice Inviting Expression of Interest for Empanelment of Arbitrators (NIE) is neither an agreement nor an offer by the Board to the prospective Applicants or any other person. The purpose of this NIE is to provide interested parties with information that may be useful to them in the formulation of their Applications pursuant to this NIE. This NIE includes statements, which reflect various assumptions and assessments arrived at in relation to the Consultancy that may not be accurate. The Board may, in its absolute discretion but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this NIE.

CHAPTER I- INSTRUCTION TO APPLICANTS

A. Invitation Related Information

Technology Development Board (TDB) invites application in the prescribed format from the retired Govt officers / expert in various fields (Financial, Technical, Administration and Judiciary) for empanelment with TDB as an Arbitrator.

For empanelment, the person should have adequate knowledge and experience of at least 20 years in their respective fields and 10 years' experience as an Arbitrator (having dealt with at least 20 Arbitration cases).

The Notice Inviting Expression of Interest for Empanelment of Arbitrators (NIE) is available on TDB website i.e. www.tdb.gov.in. Eligible applicants may send their application to the Under Secretary, Wing-A, Ground Floor, Vishwakarma Bhawan, Shaheed Jeeb Singh Marg, New Delhi-110016. The last date of receipt of application is **10th Nov, 17 by 1700 hrs**. Application received after closing date will not be considered.

B. Scope of Empanelment (SoE)

The list of empanelled Arbitrators will be applicable for nomination as Member/Presiding Officer of Arbitral Tribunal/Sole Arbitrator, Dispute Review Board/Expert, Adjudicator and Conciliators. The empanelled Arbitrator on due appointment in terms of the governing Agreement should conduct the arbitral proceedings and pass an award within the prescribed time limit. The appointee/ nominee will disclose if there are any interest direct or remote in the subject-matter of the controversy or in the parties before each such reference.

CHAPTER 2- SCHEDULE OF ESSENTIAL REQUIREMENTS

A. A person with the qualification as mentioned below can apply;

- a. Has held of Chairman, Chief Executive Officer, Member of the Board, Joint Secretary or above, Head of the Legal Department, Head of the Finance Department in the Govt of India/ Central or State Public Sector Undertaking.
- b. A retired judicial Officer not lower than a District Judge.
- c. Should not have under disability by virtue of statutory provision or by reason of public policy or dismissal or removal from service as a result of any disciplinary proceeding or offences involving moral turpitude.
- d. Should NOT be more than 75 years of age as on the closing date.
- e. Should have experience in conducting ad-hoc or institutional Arbitration.
- f. Should have the required infrastructure in Delhi to undertake the Arbitration process (office, support staff, equipments, etc).

B. Selection Process

The Applicants shall be shortlisted based on fulfilment of the essential eligibility requirements as stated hereinbefore. Such shortlisted applicants shall be considered for empanelment on the payment terms as prescribed under the CHAPTER-5 by the governing board of the TDB. The Board shall approve creation of panel having upto 10 Arbitrators. The final selection shall rest with the governing board and shall be within its discretion. No further queries shall be entertained in this regard.

Letters of invitation shall be issued to successful applicants. The empanelment shall become effective after the acceptance of the terms of engagement including the fee structure by the Applicant.

CHAPTER-3 CONDITIONS OF ENGAGEMENT

- a. Period of Empanelment- The initial empanelment will be for 02 (two) years with effect from date of acceptance by the Applicant. The period of empanelment is extendable further for a period of 01 (one) year thereafter on the terms and conditions of the Board.
- b. An arbitrator must not delegate his duties to a third person, or to a co-arbitrator.
- c. The Arbitrator is free to private practice, which should not, however, interfere with or in conflict with the efficient discharge of its responsibilities as an empanelled Arbitrator of the Board.
- d. The award shall be made within a period of twelve months from the date the arbitral tribunal enters upon the reference.
- e. The ARBITRATION AND CONCILIATION (AMENDMENT) ACT, 2015 shall be the governing Law except the Fee structure as prescribed in the Chapter-5 of this NIE.
- f. The disclosure of Conflict of Interest (potential or actual) is mandatory before acceptance of every reference.
- g. Principles of strict confidentiality shall be applicable except for the disclosure as required under Law.
- h. The Board will be kept informed of any development that may affect any prospective or present references of Arbitration.
- i. All Payments will be online through RTGS or as per the Board Policy.
- j. The Order of every Arbitration hearing shall be issued within 24 hrs thereafter.

CHAPTER-4 SPECIFICATIONS AND ALLIED TECHNICAL DETAILS
TO BE SUBMITTED

Appl No (for official use)

APPLICATION FORM FOR EMPANELMENT AS AN ARBITRATOR WITH
TECHNOLOGY DEVELOPMENT BOARD

1. Full Name:.....
2. Permanent Address
.....
..... Pin.....
3. Correspondence Address
.....
..... Pin.....
4. Father's/Husband's name.....
5. Phone/s: (office).....(Resi).....
6. Email:.....
7. Date of Birth; Age.....
8. Nationality.....
(Please attached supporting documents for the purpose of office records)
9. Details of Educational / Professional Qualifications (Graduation Onwards):

Name of College/University	Year of Passing	Percentage/Division
.....

(Please attach supporting documents for the purposes of office records)
10. Work Experience:

Employer's Name	Address	Position	Period
			From To
.....			
11. Member of the following:

Organisation	Position	Period
		From To
.....		

12. Categories of Panel of Arbitrators:

Please tick () the one of the following categories you wish to join:

Judges ()
Chartered Accountants/Financial Experts ()
Executives/Administrative ()
Other Area ()

13. Fields of Specialization:

14. Experience as an Arbitrator:

Name of cases as a Sole/Co-Arbitrator:.....

Number of cases as a counsel /expert witness:.....

15. Fields of Arbitration

Experience:.....

16. In case you have attended training in arbitration, please state the details in following format:-

Name of ADR Courses/Seminars/Conferences participated:

Addressed

Participated

Title of paper presented (Enclose a set of paper).....

17. Details of infrastructure available in Delhi to enable smooth undertaking of the process (office, support staff, equipments, etc).

18. Any other relevant information.....

I hereby declare and undertakethat:

- a) I have not been convicted or charged of any offence or any criminal investigation or vigilance enquiry pending against me.
- b) I declare that I have no legal incapacity and not been removed as arbitrator in circumstances where moral probity or incompetence were an issue.
- c) I declare that above particulars are true & correct.

Date:

Signature of the Applicant

CHAPTER-5 TASK ALLOCATION AND FEE SCHEDULE

- A.** Appointments will be made for Member/Presiding Officer of Arbitral Tribunal/Sole Arbitrator based on the terms of the governing Agreement between the Board and the Borrower.
- B.** The empanelled professionals will also be considered for nomination as Dispute Review Committee Member/Expert, Adjudicator and Conciliator based on the Specific Domain expertise as projected/updated by the Applicant.
- C.** Fee Structure;

The applicable fee shall be in the manner prescribed hereunder and is subject to a maximum of twelve months duration and is exclusive of any applicable taxes.

First 06 months after case allotment		
S.No	Particulars	Fee in INR
1.	Per hearing	20,000/ 2,000/ administrative charges
06 months to 12 months thereafter		
1.	Per hearing	15,000/ 1500/ Administrative charges