

Empanelment of Arbitrators & Conciliators in DFCCIL.

Dedicated Freight Corridor Corporation of India (A PSU under Ministry of Railways) invites applications from retired Railway Officers/Central Government Officers/CPSUs/Retired Judges for empanelment of Arbitrators & Conciliators in DFCCIL. Retired Railway Officers/Central Government Officers CPSUs/retired Judges meeting the qualification and experience mentioned here under may submit their application to GGM/Civil/A&C. Applications complete in all respects may be submitted to this office. The empanelment shall be done quarterly in a year depending upon the available requests during January, April, July & October.

A) QUALIFICATION AND EXPERIENCE REQUIREMENTS:

1. The person applying for empanelment should be physically and mentally fit (Medical certificate form registered medical practitioner should be submitted).
2. The person should have a minimum age of 50 years and a maximum age of 70 years (Age Proof must be submitted).
3. The person should have experience in dealing with contract matters/disputes for a minimum period of 5 years (Supporting documents should be submitted).
4. The person should be with impeccable reputation and should have cleared from vigilance angle.
5. Persons having experience of multilateral funding agencies, Design Build lump sum contracts & FIDIC (Yellow Book) based GCC shall be preferred while empanelment.
6. (a) **For Railway Officers:**

- (i) The person should be retired from Indian Railway service of Engineers, Electrical Engineers, Signal Engineers, Indian Railway Account Services. (Relevant supporting documents should be submitted).

The person should have handled projects of New Line/Doubling/Gauge conversion/Railway Electrification/Major signaling and Telecommunication works in railways for a minimum period of 5 years at Senior Administrative Grade or above (Self attested CV containing required details must be submitted).

- (ii) The person should be retired from Indian Railway service of Mechanical Engineers and Indian Railway Store Services (Relevant supporting documents should be submitted).

The person should have handled dealt tendering and procurement for a minimum period of 5 years at Senior Administrative Grade or above (Self Attested CV containing required details must be submitted).

(b) For other Central Government Officers:

- (i) The person should be retired from Central Engineering Services such a CPWD, NHAI etc. (Relevant supporting documents should be submitted).
- (ii) The person should have handled projects of large infrastructure for a minimum period of 5 years at Senior Administrative Grade or above (Self attested CV containing required details must be submitted).

(c) For CPSUs (such as RVNL/RITES/IRCON/etc.) officers:

- (i) The persons should have retired from Central Public Sector undertaking.
- (ii) Should have worked as GM/Director/MD/CMD of a Schedule 'A' or 'B' CPSU.
- (iii) Should have handled infra projects for at least 5 years in E-8 Scale or equivalent or above in the CPSUs.

(d) For Retired Judges:

The person should have retired from Judiciary not lower than High Court Judge and familiar in dealing with arbitration cases of infrastructure projects.

7. Address for submission of application:

Group General Manager/Civil/Arbitration & Claims,
Room No.324, 3rd Floor, Supreme Court Metro Station Complex,
New Delhi - 110001

- 8. Applicant will be solely responsible for accuracy of the information furnished by him, for his empanelment as Arbitrators/Conciliator. If at any stage it is found that information furnished applicant is false; DFCCIL will be at liberty to remove his name from the panel of Arbitrators/Conciliator.
- 9. Remuneration fee payable to Arbitrators & Reconciliators shall be as per GGM/Civil Letter No. 2014/GGM (Civil)/ 44 AOC /Pt. II, Dated 21.08.2018 and 31.08.2018 or as amended in future.

Sub. : Empanelment of Arbitrators/Conciliators in DFCCIL.

VIGILANCE CLEARANCE CERTIFICATE / SELF DECLARATION

I certify that;

- i. I have not undergone any punishment arising out of vigilance/ CBI cases during the last 5 years of my Government service and after retirement.
- ii. I have not been borne on Secret/ Agreed List during last 5 years of my Government service.
- iii. No DAR proceeding is in progress against me.
- iv. There is no regular case (RC) against me by CBI.
- v. No vigilance case or disciplinary proceeding or criminal proceeding is either pending or contemplated against me.

In case of my appointment as Arbitrator, if I am subsequently detected to be involved in a Vigilance/CBI case or above information is found to be false, action may be taken as per extant guidelines.

(Name along with last post held)

Date :

Place

No. 2014/GGM(Civil)/44/AOC/Pt-II

Dated: 21.08.2018

All CPMs/GGMs/GMs
DFCCIL.

Subject: Fee payable to "Arbitrators" in DFCCIL.

Ref: DFCCIL letter No. 2014/GGM (Civil)/44/AOC/Pt.II, dated 20.08.2018

In supersession of letter under reference, the fee for Arbitrators has been revised as under.

S.N.	Particular of Fee and other charges	Revised Fee Structure
1.	Arbitrator Fee	Rs. 20,000/- per sitting (to be equally shared by both the parties) subject to a maximum of Rs. 4.00 lakh per case Or Rs. 6.00 lakhs (lump-sum) subject to publishing the award within 6 months. Or Rs. 5.00 lakhs (lump-sum) subject to publishing the award after 6 months but before 12 months. <u>Note:</u> i. The amount of fees already paid for the days of hearing @ Rs.20,000/- would be adjusted in the lump-sum payment. ii. The above fee is for hearing and includes a maximum of 3 internal meetings held at DFCCIL office by the Arbitral Tribunal for finalization of award the presence of the parties involved. iii. Each day of hearing will be counted as one sitting. The fee shall be conveyed to Arbitrator(s) at the time of issuing the appointment letter.
2.	Reading charges/Studying of documents	Rs. 20,000/- per arbitrator per case including counter claim
3.	Secretarial assistance and incidental charges (telephone, fax, postage etc.) for Presiding Arbitrator only	Rs. 20,000/- per case.

4.	Charges for publishing/declaration of the Award/settlement agreement	Rs. 25,000/- per case.
5.	Other expenses (As per actual against bills subject to maximum of the prescribed ceiling given below)	
	i) Travelling Expenses	Economy Class (by air), First Class AC (by train) and AC Car (by road)
	ii) Lodging and Boarding	a) Rs. 15,000/- Per day (in metro cities) (Delhi, Mumbai, Chennai, Kolkata, Bangalore and Hyderabad) b) Rs. 7500/- Per day (in other cities) c) Rs. 3000/- Per day if any Arbitrator makes their own arrangements
6.	Local Travel Charges	Rs. 2000/- Per day of sitting/meeting
7.	Providing facilities of hearing rooms, for arbitration hearing & secretarial assistance etc.	Meeting room shall be provided by DFCCIL otherwise Rs. 5000/- per day of sitting.

Note:-

1. The said fee will be made applicable to new cases being referred to Arbitrators in the panel and will not be applicable to running cases, which will not be reopened and arbitration process shall continue with the fee fixed earlier. For any deviation from above, specific approval of MD will be taken through concerned Director.
2. The above fee is not applicable to the officers of DFCCIL on panel.
3. This will take effect from the date of issue.
4. Loading, boarding and travelling expenses shall be allowed only for those members who are residing 100 kms away from place of meeting.
5. Delhi, Mumbai, Chennai, Kolkata, Bangalore and Hyderabad shall be considered as metro cities.

This has the approval of MD.


21/01/2019
GGM/Civil

Copy to:-

Secretary to MD for information of MD.
Director/PP, Director/Infra, Director/OP&BD & Director/Fin.
ED/EDFC, ED/WDFC

No. 2014/GGM(Civil)/44AOC/Pt.II

Dated: 31.08.2018

All CPMs/GGMs/GMs
DFCCIL

Subject: Fee payable to "Conciliators" in DFCCIL.

Ref: DFCCIL letter no. 2014/GG(Civil)/44/AOC/Pt.II, Dated 20.08.2018


In supersession of letter under reference, the fee structure for Conciliators has been revised as under:-

SN	Particular of Fee and other Charges	Fee Structure
1	2	3
1	Conciliator Fee	Rs. 15,000/- per day Or Rs 2.5 lakhs (lump sum) subject to publishing the award within 2 months Or Rs. 1.5 lakhs (lump-sum) subject to publishing the award after 2 months but before 3 months. Note (i) The amount of fees already paid for the days of hearing @ Rs. 15000/- would be adjusted in the lump-sum payment. (ii) If the award is delayed beyond 3 months, the total fee will be capped at Rs. 1 Lakh.
2	Administrative Charges for the Conciliator(s) panel like DAB (Payable without any documentary evidence)	Rs. 70,000/-
3	Other expenses (As per actual against bills subject to maximum of the prescribed ceiling given below) *Travelling Expenses *Lodging and Boarding	Economy class (by air), First Class AC (by train) and AC Car (By road). (a) Rs. 10,000/- per day (in metro cities) (Delhi, Mumbai, Chennai, Kolkata, Bangalore and Hyderabad) (b) Rs. 7,000/- per day (in other cities) (c) Rs. 3000/- per day, if any Conciliator do not stay in the hotel as mentioned in (a) and (b) above.
4	Local Travel (payable without any documentary evidence)	Rs. 1500/- per day
*Note Travelling expenses, lodging and boarding expenses shall be paid to the Conciliator(s) residing 100 kms away from the place of posting.		

Note:-

- i) Administrative charges for the Conciliator(s) panel is for various miscellaneous expenses like
 - a) Reading charges/studying of documents.
 - b) Secretarial Assistance and incidental charges (telephone, Internet, fax, postage etc)
 - c) Publication/declaration of the award/settlement agreement.
 - d) Space for conducting Conciliation (if the Conciliation is conducted in any of the DFCCIL owned premises, then Rs. 2,000 for a day or part thereof will be deducted from the administrative charges as mentioned in Col-2 of the table above.
- ii) The above revisions will be effective from the date of notification.

This has the approval of MD.


(Ashok Kumar)
GGM/Civil

Copy to:-

1. Secretary to MD for Information of MD
2. Director/PP, Director/Infra, Director/OP&BD, Director/Fin.
3. ED/EDFC, ED/WDFC