

**Himachal Pradesh
Public Works Department**

No. PW/CTR/32-20/Genl. Inst/2015-12476-575 Dated:- 4/11/2015
From

Engineer-in Chief,

To

All the Chief Engineers,
in HPPWD,
All the Superintending Engineers,
in HPPWD.

Subject: - Instructions relating to appointment of Arbitrator.

Your attention is invited towards the Additional Chief Secretary (PW) to the Govt., of H.P. letter No. PBW(B)B(2)/1/2013 dated 28/10/2015 addressed to this office as well as to you with a copy to others on the subject cited above vide which the instructions relating to appointment of Arbitrator in the Department have been issued for strict compliance.

Accordingly, you are requested to look into the matter personally and direct all the concerned field officers working under your control to adhere to these instructions in the letter & spirit and ensure that before appointment of arbitrator, prior approval may be obtained from the competent authority. Any departure of these instructions will be viewed seriously.

Engineer-in Chief,
HPPWD, Shimla-2.

Copy forwarded for information and necessary action to :-

1. The Additional Chief Secretary (PW) to the Government of HP w.r t his office letter referred to above for information please.
2. The Engineer-in Chief, QC&D, HPPWD, Shimla-1.
3. All the Executive Engineers in HPPWD. (Through e-mail).
- ✓ 4. The Executive Engineer (IT) for uploading the same on the Departmental website.

Engineer-in Chief,
HPPWD, Shimla-2.

PERSONAL ATTENTION

No. PBW (B)B (2)1/2013
Government of Himachal Pradesh
Department of Public Works

From:

The Addl. Chief Secretary(PW) to the
Govt. of Himachal Pradesh

To

1. The Engineer-in-Chief,
HPPWD, Nigam Vihar, Shimla-2.
2. All Chief Engineer's (SZ/KZ/MZ/HZ/NH/PMGSY)
HPPWD

Dated Shimla-2 the

-10-2015

Subject:- Instructions relating to appointment of Arbitrator.

Sir,

I am directed to refer to the subject noted above and to say that it has been noticed that the Chief Engineer's are invariably appointing the same individuals as Arbitrators, where called upon to do so, as per various contractual provision under PMGSY, World Bank Scheme etc.

While analysing such award, several arbitrations have been challenged by State Government and it has been noticed that seldom the arguments of state have been appreciated by such appointed arbitrators.

The following arbitrators may not be considered for appointment till such time that several of their awards are not decided in RFA:-

- (1) Sh. J.S Katoch, Retd. ENC
- (2) Sh.K.R. Singh, CE Retired.
- (3) Sh. D.P. Sharma, CE Retired .

The above officers (Retd.) should not be appointed as arbitrators where such appointment have been made, the same be withdrawn immediately.

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29/10/15
FR
C.T.R.
J.C. "F&A"
Supdt. Gr-I
2471
31/10/15

With a view to streamlining such appointment, it has been decided that any such type of appointment be first approved through the office of Engineer-in-Chief, HPPWD, and the same will be examined in consultation with Joint Director(Legal), in the O/o ENC. Non compliance of above procedure, would be viewed seriously. A list of panel of arbitrators be sent to ENC for empanelment with a copy to undersigned.

This may please be treated as Most Urgent.

Yours faithfully,

(K.R.Saizal)

Deputy Secretary(PW) to the
Govt. of Himachal Pradesh

Endst. As above dated Shimla

28-10-2015

Copy is forwarded to following for information and necessary action:-

1. The Engineer-in-Chief(QC&D), US Club, Shimla-2
1. All Superintending Engineer's HPPWD.

(K.R.Saizal)

Deputy Secretary(PW) to the
Govt. of Himachal Pradesh