

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
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Anusandhan Bhawan, 2, Rafi Marg, New Delhi - 110 001



No. 36-02/80-Law / 355

06.05.2019

No. _____

Dated _____

From

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

To

The Directors/Heads of all National Labs/Instts./Units of CSIR

Sub: Change in the Arbitration Clause of the all domestic Agreements (New and Old) as per the Judgment dated 23.05.2018 passed by the Hon'ble High Court of Delhi in case of Naveen Kumar VS CSIR-IGIB.

Sir/Madam,

It is to inform you that as per the order dated **23.05.2018** passed by Hon'ble Delhi High Court in case of **Naveen Kumar Vs. CSIR-IGIB** in which the Hon'ble High Court by referring the judgment of Hon'ble Supreme Court (**TRF Ltd. V. Energo Engineering Projects Ltd: AIR 2017 SC 3889**) dated 03.07.2017, held that "In view of Section 12(5) of the Act introduced by the Arbitration and Conciliation (Amendment) Act, 2015, DGCSIR is no longer eligible to act as an arbitrator and also cannot nominate a person on his behalf to act as an arbitrator."

Therefore, in view of above, DG, CSIR has approved that in future all domestic agreements shall have a clause that any difference/dispute arising out of the agreement shall be referred to Delhi International Arbitration Centre (DIAC), Delhi High Court, New Delhi.

The Arbitration Clause may be modified accordingly.

Yours faithfully,

[Bijendra Kumar]
Deputy Secretary (Legal)

CC. :

1. The Sr.DS/DS/US of CSIR Hqr/CSIR Complex.
2. The Sr. COA/COA/AO of all the Labs/Institutes of CSIR.
3. Office of DG, CSIR.
4. PS to Joint Secretary
5. Head, Mission Directorate
6. Head, IPU.
7. Head, IT Division with a request to make it available on CSIR website.
8. Office Copy.