

CE R & D SECUNDERABAD





DISPUTE RESOLUTION



- **TRADITIONAL LITIGATION**
 - ❖ **SUPREME COURT**
 - ❖ **HIGH COURTS**
 - ❖ **DISTRICT COURTS**
- **ADR (ALTERNATE DISPUTE RESOLUTION)**
 - **ARBITRATION**
 - **MEDIATION**
 - **CONCILIATION**
 - **NEGOTIATION**
 - **LOK ADALAT**



ARBITRATION LAWS



➤ **ARBITRATION ACT 1940**

➤ **UNCITRAL MODEL LAW (UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW)**

➤ **THE ARBITRATION AND CONCILIATION ACT 1996**

➤ **AMENDMENT ACTS 2015, 2019, 2021**



STAGES IN ARBITRATION CASE



- **COMMENCEMENT OF ARBITRATION PROCEEDINGS**
- **APPOINTMENT OF ARBITRATOR**
- **ENTERING INTO REFERENCE BY ARBITRATOR**
- **SUBMISSION OF DOCUMENTS (SOC & SOD)**
- **HEARINGS**
- **PUBLICATION OF AWARD**
- **CORRECTION OF AWARD**



STAGES IN ARBITRATION CASE



- **CHALLENGE OR IMPLEMENTATION OF AWARD**
- **LIMITATION PERIOD FOR CHALLENGING THE AWARD**



MEASURES TO REDUCE ARBITRATION CASES



- **INCORRECT GROUND DATA**
- **CONTRACTS CONTAINING FAULTY AND AMBIGUOUS PROVISIONS**
- **FAULTY ADMINISTRATION OF CONTRACTS**
- **DEVIATION**
- **SUSPENSION OF WORKS**
- **CHANGES IN SITING**
- **HINDRANCE DUE TO OTHER CONTRACTORS WORKING ON THE SITE**
- **USERS NOT HANDING OVER BUILDINGS ON DATES AGREED**
- **CONTRACTOR POSSESSING INADEQUATE RESOURCES**
- **DEFAULT BY CONTRACTOR**



MEASURES TO REDUCE ARBITRATION CASES



- **UNREASONABLE ATTITUDE ADOPTED BY CONTRACTOR**
- **OVER PAYMENTS**
- **LEVY OF COMPENSATION FOR DELAY**
- **DELAYS IN PAYMENT OF RAR/ FINAL BILLS**
- **OBSERVATIONS ARISING OUT OF TECHNICAL EXAMINATION OF WORKS**



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