

We appreciate your queries and are committed to providing clear and timely assistance.

For any further clarification, please write to us at info@jureforum.com.

Frequently Asked Questions

Q1 I am receiving SMSes, WhatsApp messages and emails from the JURE FORUM. What should I do?

If you are receiving notifications from the JURE FORUM, then an arbitration dispute has been lodged against you. Please do not ignore the messages. If a JURE FORUM's Case Officer has been mentioned in the communication, please immediately reach out to them. If a Case Officer is not listed, please write to info@jureforum.com.

Q2 What is JURE FORUM and why JURE FORUM?

JURE FORUM is an arbitration dispute resolution service provider. The Institution specializes in providing services relating to peer to peer and small/low value disputes using simplified procedures, it is a technology platform (www.jureforum.com) and arbitrators trained and certified ("the JURE FORUM Certified Arbitrator") in using the simplified procedures as well as the technology platform. The JURE FORUM assists in resolving disputes in a reliable, simplified, timely and low cost manner. The JURE FORUM Rules for resolving disputes are within the framework of the Arbitration and Conciliation Act, 1996 as amended from time to time.

Q3 What is ADR and why ADR?

Alternate Dispute Resolution (ADR) gives the disputing parties an opportunity to resolve disputed issues with a neutral third party. It is less expensive and much faster than going to court. The different modes of ADR practiced in India are arbitration, mediation, conciliation, negotiation, and Lok Adalat. The JURE FORUM specializes in using arbitration as its prime method for resolving small value, sole arbitrator disputes. Other than being a time and cost effective process, ADR also provides privacy, confidentiality, flexibility and creative ways to resolve disputes.

Q4 What is the difference between court litigation and arbitration?

Litigation is a process where disputing parties go to court to resolve their disputes. The proceedings are conducted according to set procedural laws and are dependent on

hearing dates as per the court workload. Almost all the time parties engage lawyers in order to under the laws and manage the hearing dates. Sometimes disputes may take several hearings across months/years to get resolved. Judges may also change due to various reasons. The process of litigation comes to closure when a judge has passed a final order. Arbitration is a process in which a neutral third party appointed as per an agreement of the disputing parties resolves disputes outside the formal court system and in a manner agreed by the parties. An "award" given by the arbitrator is binding and recognizable by court. As the proceedings are custom made and in accordance with the agreement of the parties, the proceedings are fast, flexible, and cost effective. Parties need not engage lawyers during the arbitration process.

Q5 What is arbitration and why arbitration ?

Arbitration is an effective form of ADR, to resolve disputes without recourse to courts. As part of this process, neutral third party person (s), referred to as Arbitrator(s), are appointed as arbitrators to a dispute. The arbitrators hear the pleadings and review evidence from both parties prior to rendering an "Arbitration Award". An arbitration award is the final decision/order passed by an arbitrator which is legally binding on both the parties and enforceable in the courts. Arbitration is a preferred choice of resolving disputes outside court due to the following reasons: The parties and the arbitrator work at their times and schedules instead of being driven by court schedules which makes it possible to close the disputes at the earliest. Privacy and confidentiality of the dispute and the arbitration proceedings are maintained. Significantly lower costs of resolving a dispute compared to going to courts. Flexibility within the framework of the rules and law. The JURE FORUM in addition to the above also provides a robust online platform to conduct the arbitration proceedings so all the concerned parties can participate in the proceedings from anywhere. Additionally, the real time online tracking of the proceedings ensures transparency and record keeping.

Q6 How do I know the arbitration is applicable for my dispute?

If your agreement has an arbitration clause, the dispute can be submitted for arbitration. Arbitration is often used for the resolution of commercial disputes. Certain categories of disputes are excluded from arbitration and are decided exclusively by courts:

1. Disputes relating to criminal offences

2. Matrimonial disputes relating to divorce, judicial separation, rights of children etc
3. Insolvency and winding-up matters
4. Matters related to grant of probate, letters of administration and succession certificate
5. Matters related to eviction of tenants where tenant enjoys statutory protection against eviction by special statutes
6. Patent, trade-marks and copyright
7. Anti-trust/competition laws and fraud

JURE FORUM specializes in small value, sole arbitrator arbitration.

Q7 What is an arbitration agreement/arbitration clause ?

An arbitration agreement is a written agreement between parties where they agree to settle their disputes by not going to a court and by an arbitrator appointed as per a pre-agreed process. An arbitration clause is a section of a contract that contains the arbitration agreement. Depending on the language of the contract, an arbitration agreement/clause will be applicable even if the contract is terminated or held to be inapplicable.

Q8 Who is an arbitrator?

An arbitrator is a neutral third party, appointed by the parties to a dispute in accordance with a pre-agreed process and who decides the dispute by evaluating the evidence produced by the respective parties. In deciding such disputes an arbitrator exercises several powers in accordance with the Arbitration and Conciliation act 1996 and its amendments. An award passed by an arbitrator will be binding on both the parties. In simple language an arbitrator basically acts as a judge between disputing parties.

Q9 How is an arbitrator appointed?

An arbitrator is appointed in accordance with the agreement of the parties as stated in the arbitration agreement. Under the JURE FORUM Rules a JURE FORUM Case Officer appoints an arbitrator from a panel of JURE FORUM Certified arbitrators within a period of 5 working days of receiving a request for arbitration and payment of

fees from a party. While making such appointments the JURE FORUM Case officer ensures compliance with the requirements of the Arbitration and Conciliation Act, 1996 and its amendments.

Q10 How am I assured of the neutrality of an arbitrator assigned by JURE FORUM?

JURE FORUM is built on the premise of providing high quality arbitration services to all parties. JURE FORUM assesses any conflict of interest scenarios before assigning an arbitrator to the dispute. All arbitrators empanelled on JURE FORUM are independent professionals and are not on the rolls of JURE FORUM. Additionally, a dispute type to arbitration experience and skills fitment is considered prior to assignment.

Q11 Can an arbitrator be changed or terminated?

An arbitrator may be changed only when (a) a party challenges the appointment and the challenge is proved to be correct, or (b) the arbitrator does not want to go ahead, or (c) the arbitrator has any kind of disability.

Q12 A party may challenge the arbitrator only for reasons which he/she becomes aware after the appointment has been made?

In the case of the JURE FORUM rules, a challenge must be sent to the JURE FORUM Case Officer within 48 hours from the receipt of notice of appointment or confirmation of the arbitrator, or within 48 hours from the date that the party making the challenge was in receipt of information of the facts and circumstances on which the challenge is based. The Case Officer will look into the challenge and decide the further course of action.

Q13 What are the qualifications of a JURE FORUM Qualified arbitrator?

JURE FORUM shortlists its Arbitrators on the following basis:

1. 10 yrs + PQE
2. Attended the JURE FORUM Training for arbitrators on law and the JURE FORUM rules of arbitration
3. Cleared the JURE FORUM Certification Exam with the requisite criteria

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Q14 Who is a Claimant and who is a Respondent?

In a JURE FORUM arbitration, a party making a demand or a claim against the other is called a Claimant. The party against whom the demand or claim is raised and should respond to the demand or claim is called a Respondent.

Q15 How does the JURE FORUM manage an arbitration?

As a general rule, a JURE FORUM manages the arbitration proceedings as below:

A party or parties refer a dispute to JURE FORUM by logging on to www.jureforum.com and submitting the case details, uploading documents as required and paying the requisite fees. After reviewing the details and submissions, a JURE FORUM Case officer appoints an arbitrator within 5 working days from a panel of JURE FORUM Certified arbitrators. Once a JURE FORUM Certified Arbitrator has been appointed, the arbitrator issues instructions on how to proceed. Parties use the technology enabled JURE FORUM platform to submit their claims or counter-claims or evidence or other documents and submissions. At each stage of the proceedings and at each submission, the technology enabled JURE FORUM platform ensures that all parties and the arbitrator receive appropriate notifications thereby ensuring transparency. The JURE FORUM Case Officer also ensures that communications and updates are sent from time to time. The JURE FORUM Case Officer ensures that the arbitral process is completed within reasonable time from the time an arbitration is invited.

Q16 Who is a JURE FORUM Case Officer and what does the Case Officer do?

The JURE FORUM Case Officer is a representative of the JURE FORUM and manages the procedures relating to an arbitration case under the JURE FORUM Rules. Among other things, the JURE FORUM Case Officer checks the details of the parties; approves

the registration of a case; assigns a case number; assigns the case to an arbitrator; if required changes an arbitrator etc. The JURE FORUM Case Officer keeps the parties to a dispute apprised of progress and if required, can also issue clarifications on the JURE FORUM Rules.

Q17 What documents need to be submitted in an arbitral claim?

Parties are required to upload the following documents onto the JURE FORUM tech platform.

1. Copy of a written and signed Arbitration Agreement
2. Copy of the underlying contract/agreement which is the basis of the dispute
3. Copy of a signed statement of claim (for Claimant) or counter-claim or statement of defence (for respondents)
4. Self attested and signed copies of any documents in support (both claimant and respondent)

The JURE FORUM Rules do not require submission of original documents unless mandated by an arbitrator. However, every uploaded document must be accompanied by a signed declaration confirming its authenticity and truth. The form of the declaration is attached here.

Q18 How does JURE FORUM ensure no party is falsifying documents or making false claims?

A claim must be supported by truthful evidence. The JURE FORUM requires all parties to submit a declaration that: All and any statements or affirmations or denials or documents or data (in physical or digital form) that have been filed are true, correct and authentic. The party has not, directly or indirectly concealed or falsified or hidden any information or fact or document. The party understands that they shall be liable to the same disadvantages, penalties and punishments as are applicable to persons who conceal, falsify or hide documents or facts before a Court of law. The party understands that the arbitrator and/or the other party may approach a Court to initiate such proceedings.

Q19 How do I communicate with the arbitrator or the other party or upload documents?

Once an arbitral proceeding has commenced, Claimants and Respondents can communicate through (i) replying to emails or WhatsApp messages or sms sent by JURE FORUM, or (ii) directly visiting the technology platform and posting responses or queries or documents. Multiple emails and messages can be sent to the arbitrator and the disputing parties. Any documents to be submitted can be attached to the emails. Communications between the arbitrator and disputing parties can be transparently reviewed at all times on the technology enabled platform. Parties can download and/or upload as they choose. The JURE FORUM platform accepts all forms of documents (pdf, jpeg, png, word, csv etc.). If you face any difficulty, please reach out to your case officer named in the JURE FORUM communications.

Q20 Do I need a lawyer/legal expert in the JURE FORUM arbitration proceedings?

Conceptually, arbitration is a process where parties resolve their disputes through a semi-formal process without the requirement of applying formal legal rules. Arbitration is meant to reduce delays, remove application of formalistic processes and encourage resolution of a dispute based on facts, fairness and legal rules. In keeping with the true spirit of arbitration, the JURE FORUM encourages parties to participate in arbitration without intervention/assistance of legal experts. JURE FORUM Certified Arbitrators have the requisite skills to decide a dispute based on facts and fairness. In addition, they have access to a pool of legal experts who can assist with questions of legal interpretations and laws. If a party chooses to use a lawyer or a legal expert, they can do so.

Q21 Do I or my witnesses need to be personally present before the arbitrator?

The JURE FORUM uses a tech enabled platform to connect arbitrators and the disputing parties. Unless decided by the arbitrator under exceptional circumstances, physical presence of the parties is not required. Documents, statements and case details are submitted online by either logging onto the platform or replying to the emails.

Q22 Do I need to file an affidavit?

The JURE FORUM Rules requires parties to self-certify that they are being truthful and that there is no concealment. While no affidavit is required each party is required to

self-signed declaration that: All and any statements or affirmations or denials or documents or data (in physical or digital form) that have been filed are true, correct and authentic. The party has not, directly or indirectly concealed or falsified or hidden any information or fact or document. The party understands that they shall be liable to the same disadvantages, penalties and punishments as are applicable to persons who conceal, falsify or hide documents or facts before a Court of law. The party understands that the arbitrator and/or the other party may approach a Court to initiate such proceedings.

Q23 Who can I reach out in the JURE FORUM in case of issues?

For already logged claims, the JURE FORUM Case Officer is the first point of contact for any queries. The contact details of the relevant Case Officer can be found in the email notifications from JURE FORUM.

Q24 What is an arbitration award?

An arbitral award or arbitration award refers to a decision made by the arbitrator in an arbitration proceeding. An arbitral award is analogous to a judgment in a court of law. It is binding on both the parties and has the same effect as the judgement passed in a court of law.

Q25 What is the time limit within which the case will be resolved?

The Institution Rules prescribe that an arbitrator will take up a case within 5 working days from the date of appointment. The final award of the arbitrator will be rendered by the arbitrator within a reasonable period from the date of start of proceedings, excluding time required for any challenge to the authority of an arbitrator.

Q26 Are witnesses allowed ? How are they presented?

If required and at the sole discretion of the Arbitrator, witnesses may be examined. For such examination the arbitrator shall ask witnesses of both parties to upload their statements onto the technology platform. Such statements shall be accompanied by a self-certificate or attestation or undertaking in the form prescribed by the JURE FORUM Rules. The party not producing the witness, shall be entitled to ask counter questions to a witness by way of a counter – interrogatories. The witness shall file its reply to the counter interrogatories by way of an additional statement. Each such

statement shall be accompanied by a self-certificate confirming the authenticity and truthfulness of the statements made by the witness.

Q27 What is the assurance regarding the qualifications and neutrality of the arbitrator?

JURE FORUM Certified Arbitrators are independent professionals trained on the JURE FORUM Arbitration rules and in general laws of arbitration. Before an arbitrator is assigned to a dispute, the JURE FORUM Case Officer ensures that the requisite declarations under the Arbitration and Conciliation Act, 1996 (as amended) are obtained, reviewed, stored and shared with the disputing parties.

Q28 What is the language used in the proceeding?

Arbitration proceedings under the JURE FORUM Rules shall normally be in English unless otherwise determined by a JURE FORUM Certified arbitrator.

Q29 What is ODR and why ODR?

Online Dispute Resolution (ODR) takes advantage of the development and availability of internet technology. It allows for the resolution of disputes via online mechanisms that allow for virtual communications without requiring the parties to be in a room together. This makes the proceedings flexible and geographically independent of location of the parties and hence increases the efficiency of the process. ODR also allows the parties to have transparent and always accessible record keeping. The JURE FORUM employs a robust, internet enabled, device agnostic platform, that is accessible from anywhere, anytime.

Q30 What is the process for emergency arbitration?

JURE FORUM does not entertain emergency arbitrations.

Q31 How do I lodge an arbitration dispute with the JURE FORUM?

A party can lodge a dispute with the JURE FORUM by logging on to www.jureforum.com, signing up and registering, submitting case details including the arbitration agreement and uploading the documents as required.

Q32 What are the charges?

The fees, costs and expenses relating to an arbitration proceedings include the following: JURE FORUM Registration fee, Case Administration fee, and Arbitrator s fee All fees are fixed by the Institution and shall be paid in advance. The Claimant shall pay the full fees of the arbitrator before initiation of the proceedings. Once the defendant(s) joins the arbitration, the arbitrator shall direct the defendant(s) to reimburse to the Claimant their portion of the fees. In the event the defendant(s) do not join the proceedings or do not deposit the fees, the arbitrator shall be entitled to include the recovery of arbitrator and JURE FORUM fees as a part of the arbitral award. For the latest fees and charges please

Q33 When will the arbitrator be appointed?

A JURE FORUM Case Officer will appoint an arbitrator from the panel of JURE FORUM Certified Arbitrators within 5 working days from date of registration and payment of requisite fees.

Q34 How much time does it take to give an award?

As per the JURE FORUM Rules, the final arbitral award must be rendered by the Arbitrator(s) within a reasonable period from the date of start of proceedings, excluding time required for any challenge of arbitrators. The arbitrator may in exceptional circumstances and for reasons to be recorded in writing, extend the period.

Q35 Who do I reach out to at JURE FORUM in case of any issue?

For all questions or issues in relation to a dispute, please reach out to your designated JURE FORUM Case Officer.

Q36 I do not have a respondent contact number can I still log in?

As per the JURE FORUM Rules, Claimant(s) are principally responsible for ensuring the truthfulness of email address(es); phone number(s) and physical address(es) of the Respondent(s). The Claimant must submit adequate proof that the email address(es); phone number(s) and physical addresses(es) submitted to the Institution were used by the Claimant(s) and Respondent(s) to correspond with each other. The Institution may use reasonably practical means to confirm the identity of the Claimant and

Respondent(s) and their addresses, however, the primary responsibility rests with the Claimant. If the Claimant is unable to provide any reliable contact details, the JURE FORUM Case Officer may not register a dispute.

Q37 Who pays the registration charges and fees?

The registration fees and charges are fixed by the Institution and shall be paid in advance. In the first instance, the Claimant shall pay the full registration charges and fees of the arbitrator in advance. Once the respondent(s) joins the arbitration, the arbitrator shall direct the respondent(s) to reimburse to the Claimant their portion of the fees. In the event the defendant(s) do not join the proceedings or do not deposit the fees, the arbitrator shall be entitled to include the recovery of arbitrator and JURE FORUM fees as a part of the arbitral award.

Q38 What if I decide to withdraw a dispute?

In case a Claimant does not want to continue with a dispute, after registration but before an arbitrator takes up the dispute, the JURE FORUM Case Officer shall return the dispute and any fees or deposits after deducting registration charges and case fees. In case a Claimant intends to withdraw a dispute, after an arbitrator has taken up the dispute, the withdrawal will be processed by the arbitrator. The Claimant shall be entitled to a refund of only half of the arbitrator's fees and no other refund shall be made.

Q39 I just received an email/WhatsApp/SMS from JURE FORUM. What is it about?

If you received an email/WhatsApp/SMS from The JURE FORUM with subject "New Arbitral Claim logged –

Q40 How do I respond to a dispute/claim filed against me? What do I need to do?

If a dispute has been lodged against you, please do not ignore it. If a JURE FORUM Case Officer has been named in the message, immediately get in touch with them to understand next steps. As a general principle, a Respondent can (i) either dispute or accept or partly accept the claim along with evidence in support, or (ii) file a counter-claim along with evidence, or (iii) amicably settle the matter by negotiation with the Claimant and getting it recorded in an arbitral award. You can communicate with the

Arbitrator or the Case Officer or the Claimant by replying to an any email or WhatsApp or sms (as applicable) that you have received.

Q41 What all documents can I upload and how?

A Respondent must respond to the Claim by responding to emails. A Respondent can either dispute, accept or partially accept a claim or even raise a counter claim. All evidence in support of the response must be attached on the email received from The JURE FORUM by doing a "Reply All". All responses and submissions must be accompanied by a declaration of authenticity and truthfulness in a form as prescribed by the JURE FORUM.

Q42 How do I know the profile of an arbitrator? How do I know that an arbitrator is unbiased?

On the assignment of an arbitrator, the detailed profile of the arbitrator will be shared with both Claimant and Respondent. Further, before assigning an arbitrator to a dispute, the JURE FORUM Case Officer ensures that the requisite declarations under the Arbitration and Conciliation Act, 1996 (as amended) are obtained, reviewed, stored and shared with the disputing parties.

Q43 What if I am not satisfied with the arbitrator assigned to my case?

A party may challenge the appointment of an Arbitrator only for reasons which he/she becomes aware of after the appointment has been made. A challenge must be sent via the technology platform and/or via email to the JURE FORUM Case officer within 48 hours from receipt of the notice of appointment or from the date that the party making the challenge received information of the facts on which the challenge is based. The JURE FORUM Case officer will make a decision on the appointment of an arbitrator within 2 days of the challenge having been received. If the JURE FORUM Case Officer finds the objections correct a new arbitrator shall be appointed. An arbitrator may also be replaced by the JURE FORUM Case Officer upon death, or resignation or for any other reason whatsoever. Decisions of the JURE FORUM Case Officer as to the appointment, confirmation, challenge or replacement of an arbitrator are final.

Q44 Do I incur any charge if so how much?

The fees to be paid to the arbitrator shall be fixed by the Institution and shall be paid in advance. The Claimant pays the full fees of the arbitrator before initiation of the proceedings. Once defendant(s) joins the arbitration, the arbitrator directs the defendant(s) to reimburse to the Claimant their portion of the fees. In the event defendant(s) does not join the proceedings or does not deposit the fees, the arbitrator shall be entitled to include the recovery of arbitrator and JURE FORUM fees as a part of the arbitral award.

Q45 What are my rights in the process?

1. Can ask for the details of the Claimant
2. Can challenge the admissibility of arbitrator only for reason which he/she becomes aware after the appointment has been made.
3. Can ask the arbitrator to review the award passed by him.
4. Can contact JURE FORUM in case of delay made on their part in solving the dispute.

Q46 When will the arbitral award be passed?

The JURE FORUM Case Officer ensures that the arbitrator takes up a case within 5 working days from the date of appointment. The final arbitrator award must be rendered by the arbitrator within a reasonable period from the date of start of proceedings.

Q47 What if I am not satisfied with the award?

A party, if not satisfied with the award can opt for appeal within 90 days of receipt of a copy of the award. An appeal means that the party can approach the courts on one of the six grounds mentioned under section 34 of the Arbitration and Conciliation Act, 1996.

Q48 What happens if a Respondent does not acknowledge/respond to the emails, texts, sms or participate in the arbitration?

If you are receiving the emails, smses and texts from JURE FORUM, please do not ignore them. The JURE FORUM tech platform tracks such messages. If you are knowingly not responding or acknowledging, you will not be able to present your side

of the dispute to the arbitrator. This lapse on your part cannot be rectified later. A party not participating is declared "ex-parte" and the dispute will be decided in their absence.

Q49 What is a counterclaim?

A counterclaim is a claim by a Respondent in response to the claim raised by the Claimant. It is different from the defence and refers to the claims that a Respondent has against the Claimant. If a Respondent files a counterclaim, the same is tagged along with the Claimants, but be treated as a separate case. Defendant shall pay the fees of JURE FORUM and arbitrator as applicable.

Q50 What if I fail to object or state my defence within the time period assigned by the arbitrator?

If a party fails to state its objections or defence within the time limit provided the arbitrator will continue with the arbitration without the defence. Please do not ignore any messages from the JURE FORUM.

Q51 When and how will the case be allotted to me?

The JURE FORUM case officer, post review of the case, ascertains the best fit arbitrator. The JURE FORUM case officer will communicate one on one with the arbitrator with regards to availability and no conflict of interest. Once there is an OK from the arbitrator, the formal assignment is done via the JURE FORUM technology Platform for dispute resolution. The arbitrator will then log on to the system and take up the case for hearing and closure via the online platform

Q52 How do I get details of the claimant (plaintiff) and defendant?

The details regarding the case including the claimant and defendant information will be shared with the arbitrator prior to allocation to rule out any conflict of interest. Once the arbitrator signs off on the same, the assignment is done within 5 days of logging a dispute.

Q53 What are the timelines to review the case and publish the award?

The arbitrator needs to render an award within 15 working days of the case getting assigned to them excluding time required for any challenge of arbitrators. The arbitration proceedings will involve the following steps:

1. Arbitrator to review all the documents submitted by claimant and defendant
2. Arbitrator will request for any other documents/evidences as necessary
3. Arbitrator will seek clarifications as necessary
4. Once the arbitrator is satisfied with the receipt of all information she/he will render the award

Q54 How to get any additional documents from claimant(plaintiff) and defendant if required?

All communication between the arbitrators and parties are done only via the online platform. Statements and evidence need to be uploaded on the platform only. Any clarifications raised by the arbitrator are via the platform and responded to on the platform.

Q55 How JURE FORUM serves as a point of contact between the plaintiff and the defendant?

JURE FORUM is the facilitator for the entire arbitration process. It achieves this in 2 ways:

1. JURE FORUM Case Officer - Case Officer is the single point of contact between all parties to ensure that the due process is followed and rules adhered to. In case of any questions or clarifications, the parties and the arbitrators should get in touch with their respective case officer.
2. JURE FORUM Online Platform - The online platform that is employed by JURE FORUM to log claims and conduct the arbitration proceedings is the medium by which any communication occurs during the proceedings between the parties and the arbitrator. The platform is solely owned by The JURE FORUM.

Q56 What is the prescribed qualification to be an arbitrator?

As per Arbitration and Conciliation Act 2019 a person shall not be qualified to be an arbitrator unless he-

- i. is an advocate within the meaning of the Advocates Act, 1961 having ten years of practice experience as an advocate; or
- ii. is a chartered accountant within the meaning of the Chartered Accountants Act, 1949 having ten years of practice experience as a chartered accountant; or(iii)

- is a cost accountant within the meaning of the Cost and Works Accountants Act, 1959 having ten years of practice experience as a cost accountant; or
- iii. is a company secretary within the meaning of the Company Secretaries Act, 1980 having ten years of practice experience as a company secretary; or
 - iv. has been an officer of the Indian Legal Service; or
 - v. has been an officer with law degree having ten years of experience in the legal matters in the Government, Autonomous Body, Public Sector Undertaking or at a senior level managerial position in private sector; or
 - vi. has been an officer with engineering degree having ten years of experience as an engineer in the Government, Autonomous Body, Public Sector Undertaking or at a senior level managerial position in private sector or self-employed; or
 - vii. has been an officer having senior level experience of administration in the Central Government or State Government or having experience of senior level company of repute;
 - viii. is a person, in any other case, having educational qualification at degree level with ten years of experience in scientific or technical stream in the fields of telecom, information technology, Intellectual Property Rights or other specialised areas in the Government, Autonomous Body, Public Sector Undertaking or a senior level managerial position in a private sector, as the case may be.

Q57 What are the rules that shall be followed while passing of an arbitral award?

As per The JURE FORUM rules, the following rules should be followed while passing of an award by arbitrator:-

1. The award shall be passed within 15 working days from the date of the start of proceeding.
2. The final award shall contain following heads such as:- - Name of the parties. - Nature of dispute. - Case Information. - Case Summary. - Relief Requested. - Other issues considered and decided. - Award (Final decision of Arbitrator.) – Fees
3. The arbitral award shall be in writing.
4. The award should be signed by both the parties.

Q58 How to contact the plaintiff?

The arbitrator may contact the claimant via technology platform through mail. (same way through defendant.)

Q59 When will the payment be made?

The payment to the arbitrators is made after the arbitral award is passed.

Q60 What to do when one side of the party is not responding?

In cases where one party to a proceeding alone participates in the arbitral proceedings and the other party in spite of due service of notice remains ex-parte, an award shall be passed after hearing such party who is present.

Q61 What to do if any physical meeting is demanded by the case?

Unless directed by an arbitrator under exceptional circumstances, physical presence of the parties is not required for arbitration proceedings.

Q62 How do we deal with contempt of arbitral order?

The arbitrator is empowered to represent to any appropriate court of law and seek penalty and punishment of any party who is in contempt of any order of the arbitrator or any proceedings before it. The arbitrator is further empowered to represent to any court of law and seek penalty and punishment, in respect of persons failing to attend in accordance with such process, or making any other default or refusing to give their evidence or are guilty of any contempt to the arbitrator in respect of the conduct of the arbitral proceedings and for such purpose, may engage legal assistance on terms to be decided by the arbitrator.

Q63 What are the powers of the arbitrator?

There are certain powers that can be exercised by arbitrator at any time during the life of the proceeding:-

1. An arbitrator has certain general powers such as:-
 - Make interim order; - Decide the procedure for arbitration and any steps to be taken in arbitration proceedings.
 - The arbitrator has a power to determine the admissibility, relevance, materiality, and weight of any evidence

2. In matters of procedure the arbitrator shall be guided by the powers as are vested in a Civil Court under Code of Civil Procedure 1908.
3. The arbitrator also has a power to dismiss the application or claim where, without sufficient cause, if the claimant does not file the papers within the time granted or does not prosecute with that arbitration proceeding.
4. Arbitrator has a power to decide any matter not provided expressly in these rules as it may deem fit to an arbitrator.

Q64 What are the Duties of arbitrator?

The duties of an arbitrator are :

1. Be neutral and impartial
2. Heard both the parties equally before passing any award
3. Complete the arbitral proceedings in timely manner
4. Ensure all evidences and statements are reviewed in detail.

Q65 Can any additional arbitral be passed?

Additional award can be passed by the arbitrator in the cases where an important clause has been missed out.

Q66 Can any changes be made in the award?

Award once passed cannot be changed by a party; a party with notice to other side may request the arbitrator to correct any prima facie error such as:

- i. Computation error
- ii. Clerical error
- iii. Typographical error
- iv. Any other error of similar nature.
