

**GOVERNMENT OF INDIA
RAILWAYS
LOK SABHA**

UNSTARRED QUESTION NO:5089
ANSWERED ON:28.04.2005
EXAMINATION OF ARBITRATION SYSTEM
Rao Shri Sambasiva Rayapati;Saradgi Shri Iqbal Ahmed

Will the Minister of RAILWAYS be pleased to state:

- (a) whether the Railways has set up a one Member Committee to examine the arbitration system; and
- (b) if so, the details alongwith terms and conditions thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI R. VELU)

(a) & (b) : A Statement is attached

STATEMENT REFERRED TO IN REPLY TO PARTS (a) & (b) OF UNSTARRED QUESTION No. 5089 BY SHRI IQBAL AHMED SARADGI AND SHRI RAYAPATI SAMBASIVA RAO TO BE ANSWERED IN LOK SABHA ON 28-04-2005 REGARDING EXAMINATION OF ARBITRATION SYSTEM.

(a) Yes, Sir.

(b) Ministry of Railways(Railway Board) have constituted a `One-man High Level Committee to examine `the Arbitration System on the Indian Railways` under the Chairmanship of Hon`ble Justice Bhuvanewar Prasad, Judge(Retd.), High Court, Patna with effect from 16.11.2004. The tenure of the High Level Committee is for a period of one year. The Committee shall examine the following: -

- (i) study the reasons for growing number of arbitration cases relating to Railways in various fora including Departmental Arbitration Tribunal, subordinate Courts, High Courts and the Supreme Court;
- (ii) suggest ways and means to reduce the number of arbitration cases, including changes necessary in the extant contractual provisions;
- (iii) with a view to minimize delay in settling arbitration cases, to suggest most appropriate alternative dispute resolution mechanism;
- (iv) suggest ways and means to attract the best legal Counsels to work for the Railways to deal with the arbitration cases effectively;
- (v) suggest in-house arbitration settlement mechanism;
- (vi) advise possibilities of use of International Center for Alternative Disputes Resolution (ICADR) in cases where Railway is a party; and
- (vii) Any other appropriate means or measures, which the Committee feels, may result in more effective handling of arbitration cases.