MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

NOTIFICATION

New Delhi, the 9th July, 2022

G.S.R. 528(E). —In exercise of the powers conferred by sub-section (1) of section 84 read with sub-section (2) of section 43M of the Arbitration and Conciliation Act, 1996 (26 of 1996), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement. –** (1) These rules may be called the Arbitration Council of India (Qualifications, Appointment and other Terms and Conditions of the Service of Chief Executive Officer) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.-** (1) In these rules unless the context otherwise requires,-

(a) "Act" means the Arbitration and Conciliation Act, 1996 (26 of 1996); and

(b) "Chief Executive Officer" means the Chief Executive Officer appointed under section 43M of the Act.

(2) All other words and expressions used herein but not defined shall have the same meaning respectively assigned to them in the Act.

3. **Appointing authority. -** The Chairperson shall be the appointing authority of the Chief Executive Officer.

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4. **Salary and allowances.**- The Chief Executive Officer shall be paid a salary in level 15 (Rs.182200-224100/-) in the pay matrix and other allowances and benefits, as are admissible to the Central Government officer holding the post carrying the same pay.

5. **Method of recruitment .**– The appointment of the Chief Executive Officer shall be made on deputation (including short-term contract) in accordance with the orders and instructions of the Central Government issued from time to time for appointment of Chief Executive Officers in autonomous bodies.

6. **Eligibility criteria.**- Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies or recognised Universities, who are not less than 45 years of age and,-

(a) (i) holding analogous post on regular basis; or

(ii) holding a post of Joint Secretary or equivalent for a minimum period of two years and having experience of working in areas of administration or legal work; or

(iii) holding a post of Judicial officer with at-least five years of experience as Additional District Judge; and

(b) possessing Master's degree in Management or Economics or Public Administration or a Bachelor's degree in Law from a recognised University or Institution,

shall be eligible for appointment to the post of the Chief Executive Officer on deputation.

7. **Term of appointment.** - (1) The term of appointment of the Chief Executive Officer shall ordinarily not exceed three years.

(2) The term of the Chief Executive Officer may be extended with the approval of the Central Government in accordance with the orders and instructions of the Central Government issued from time to time in this behalf.

(3) The maximum age limit for appointment on deputation shall be not exceeding fifty-six years as on the closing date of the receipt of applications.

8. Absorption. - Notwithstanding anything in these rules, the persons appointed as Chief Executive Officer, shall not be eligible to be considered for absorption.

9. **Disciplinary proceedings.** - The disciplinary proceedings against the Chief Executive Officer shall be as per rules and regulations applicable to officers and employees belonging to Group A of the corresponding scales of pay of the Central Government.

10. **Accommodation.** - The Chief Executive Officer shall be entitled to a house rent allowance at the same rate, as are admissible to officers of Group A of the Central Government holding the post in corresponding scale of pay, stationed at those places.

11. **Conditions of service.** – The conditions of service of the Chief Executive Officer in the matters of pay, allowances, leave, provident fund, age of superannuation, pension and retirement benefits, medical facilities and other conditions of service, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees belonging to Group A in corresponding scales of pay in the Central Government.

12. **Disqualification.** - No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to any of the said post:

Provided that the Central Government may, if satisfied that such marriage is permissible under personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

13. **Power to relax.** -Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

14. **Saving.** - Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for persons belonging to the Scheduled Castes, the Scheduled Tribes, the Other Backward

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Classes, the ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

15. **Residuary provisions.** - Matters with respect to which no express provision has been made under these rules shall be referred by the Council to the Central Government for its decision.

[F. No. A-60011/152/2019-Admn.III (LA)]

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Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.