

By email/Reg-Post

**HIMACHAL PRADESH  
PUBLIC WORKS DEPARTMENT**

No.PW-SE-ARB-EA-I/Misc./2024/- 120

Dated: -02/05/2024

To

The Engineer-in-Chief  
HP.PWD Nirman Bhawan  
Nigam Vihar Shimla -2

Subject: -Request to update website with respect to the Arbitration Circle, HPPWD, Solan.

Respected Sir,

I want to update the information given on the website of HPPWD pertaining to this circle, which has functioned at this location since 1980. This is also required as per the voluntary disclosure under RTI Act, 2005. The updated information to be uploaded on the website is as under:

- I) Brief of the Circle and the work it is doing-Annex-I.
- II) Awards given by the tribunal -Annex-II (soft copy).

Kindly allow the updation of the website. It is further requested to allow upload of soft copy of the award on the website at this location on regular basis.

Encls: Annex-I, II.

With regards,

de 1 SE, Arbitration Circle,  
HPPWD, Solan

## Annex-I

Roll of Superintending Engineers heading the circle over the period (link-5).

Sanctioned posts:

Description of Post	Number
Superintending Engineer	1
Superintendent (Grade-II)	1
Circle Head Draftsman	1
Sr. Scale Stenographer	1
Clerk	1
Daftri	1
Peons	2
Chowkidar	1
Sweeper	1

This circle has started functioning from Shimla in June 1978 and was shifted to Solan w.e.f. 21-01-1980. The mandate of this circle is to resolve the disputes between the parties as Arbitrator appointed under contract clause providing arbitration (*The Arbitration & Conciliation Act, 1996*). In some of the contracts, SE Arbitration Circle Solanis also appointed as Dispute Review Expert. The circle has now been allowed to function as inquiry officer in departmental inquiries on case to case basis (link-1).

The tribunal has catered to almost 11 different departments of the state namely HP-IPH, HP-SEBL, HP Bus Stand Authority, HIMUDA, Agriculture department, Rural Development Department, MC Shimla, Himachal Pradesh University-Shimla, KrishiVisvavidalaya University-Palampur, Horticulture University-Nauni, Regional Engineering College-Hamirpur now NIT Hamirpur, HPSIDC-Shimla & HP Tourism Development Corporation-Shimla. Since its inception, about 1189 number of arbitration cases have been decided(link-2), 940 cases have been terminated(link-3).

Lately, there has been changes in the law of arbitration & policy of the government with respect to arbitration under the government contracts:

- i) The arbitration clause has been deleted in the HP-PWD government contracts by way of policy notification dated: 26-5-2020(link-4).
- ii) The government officer cannot be appointed as arbitrator under the amendment done in *The Arbitration and Conciliation Act, 1996* by way of *Act-3 of 2016*, section-12 (w.e.f. 23-10-2015). However, there is exception that in case the parties agree to the appointment of government officer as arbitrator, then it can be under section-12 (5) by way of express agreement between parties.

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- iii) As per *The Arbitration and Conciliation Act, 1996* the case has to be decided within the two years of its institution after amendment by *ACT-33 of 2019*(w.e.f. 30-8-2019).

#### Annex-II

The detail of awards signed from January 2023:

File No.	Case No.	Parties Name (Claimant Vs. Respondent)	Date of entry in reference	Date of Award	Link for Download
1	13 /2019	M/S Rajeev Brothers Vs. EE HP.PWD Baijnath	17-07-2019	11-04-2023	
2	26/ 2011	Sh. Rajeev Kapoor Vs. EE HPSEB Mandi	04-07-2021	10-05-2023	
3	07 //2021	Sh. Jeet Singh Thakur Vs. HIMUDA Nahan	25-03-2021	21-05-2023	
4	34/ 2019	Sh. Nitin Sonkhla Vs. EE HP.PWD Mandi at padhar	17-09-2021	31-05-2023	
5	29/2019	Er. Parminder Kumar Vs. EE I&PH Shar Nehar	12-09-2019	12-06-2023	
6	08/ 2021	M/S Civil Engineer & Consultants Vs. EE Jal Shakti Divn. Pooh	30-06-2021	22-07-2023	
7	68/ 2012	Sh. PC Rohal Vs. EE HP.PWD Shimla Divn.- I	14-09-2012	05-08-2023	
8	03/ 2020	CPTL Engineers Vs. EE PSMIP Kangra	16-07-2020	08-08-2023	
9	64/ 2013	P.L. Sharma Vs. EE HPPWD Kalpa	06-12-2013	17-08-2023	
10	12/ 2010	Sh. Rajesh Thakur Vs. EE HP.PWD Rajgarh (Sarhan)	17-09-2010	19-08-2023	
11	02/ 2023	M/S PK CONSTRUCTION Vs. EE HP.PWD Seraj	15-06-2023	24-08-2023	
12	03/ 2023	M/S PK CONSTRUCTION Vs. EE HP.PWD Thalout	15-06-2023	03-08-2023	
13	04/ 2018	Dawa Sherpa Vs. EE HPPWD KALPA	07-04-2018	01-09-2023	
14	39/ 2015	Sonam Hishey Vs. EE HP.PWD KAZA	28-10-2015	02-09-2023	
15	03/ 2021	SH. RAJIV SHARMA VS EE HPPWD SUNDAR NAGAR.	18-02-2021	19-09-2023	
16	02/ 2022	M/S CHADHA VS. EE HIMUDA ELECT. KASUMPATI	26-04-2022	22-09-2023	
17	01/ 2022	M/S CHADHA VS. EE HIMUDA ELECT. KASUMPATI	26-04-2022	26-09-2023	
18	03/ 2022	M/S CHADHA VS. EE HIMUDA ELECT. KASUMPATI	26-04-2022	26-09-2023	
19	04/ 2022	M/S CHADHA VS. EE HIMUDA ELECT. KASUMPATI	26-04-2022	27-09-2023	
20	17/2019	Tek Singh Raghav Vs. EE IPH Reckong Peo	16-08-2019	29-09-2023	
21	01/ 2023	Sh. Balbir Singh Rathore Vs. EE HP.PWD Divn. No. III	31-05-2023	04-10-2023	
22	31/2012	Sh. Satya Pal Rishi Vs. EE HP.PWD	05-04-2012	10-10-2023	

		Kalpa			
23	27/ 2008	M/S Mengi Engineer Company Vs. EE HPPWD Kaza	01-10-2008	11-10-2023	
24	06/2021	Tek Singh Raghav Vs. EE IPH Kaza	17-03-2021	17-10-2023	
25	52/ 2007	M/S KAPIL CONSTRUCTION VS. EE HIMUDA KASUPATI	30-11-2007	18-10-2023	
26	21/ 2009	Suket Construction Vs. HPPWD Karsog	23-05-2009	04-11-2023	
27	36/2019	SMC-SBM Vs. IPH Bilaspur	27-11-2019	17-11-2023	
28	70/ 2012	Sh. Ashok Thakur Vs. EE NH HPPWD Hamirpur	01-11-2012	15-12-2023	
29	43/ 2012	Sh. Amrit Lal Gupta EE HPPWD Bhawanagar	19-05-2012	16-12-2023	
30	13/2010	Harish Negi Vs. EE HPPWD Shillai	28-04-2010	02-12-2023	
31	1/2021	ShRewati Ram Vs. EE HIMUDA MANDI	27-01-2021	07-12-2023	
32	41/ 2013	Sh. Mohinder Singh Vs. EE NH Hamirpur	10-09-2013	10-01-2024	
33	24/ 2012	Sh. Ramesh Vij Vs. EE Bus Stand Management Authority Shimla -3	25-02-2012	20-01-2024	
34	52/2015	Sh. Sonam Hishey Vs. EE HPPWD Spiti at Kaza	22-12-2015	31-01-2024	
35	14/ 2014	M/S V.S. SAINI Vs. EE NH HPPWD JOGINDERNAGAR	26-03-2014	06-02-2024	
36	48/ 2014	SH. OM PARKASH VS. EE HPPWD KANGAR	19-11-2014	13-02-2024	
37	07/ 2020	Sh. Sanjay Thakur Vs. EE HPPWD Tauni Devi	02-11-2020	17-02-2024	
38	14/2015	Sh. Dalip Singh Rathore Vs. EE HPPWD Dhami	19-05-2015	02-03-2024	
39	4/ 2013	Sh. Ram Charan Rana Vs.Executive Engineer, Killar Division, HP.PWD, Pangi,	09-01-2013	11-03-2024	
40.	11/ 2010	EE HPPWD Dodra Kwar Vs. Sh. Satish Negi Govt. Contractor	09-04-2010	16-03-2024	
41	42/2012	M/S Hi-Tek Earth Movers Vs.EE IPH Jawali	19-05-2012	19-03-2024	
42	36 /2014	M/S Kailash Contractors Pvt. Ltd. Vs. EE HPPWD Ghumarwin	07-08-2014	24-04-2024	

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