



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-क

वर्ष ५, अंक २३]

गुरुवार, एप्रिल २५, २०१९/वैशाख ५, शके १९४१

[पृष्ठ २, किंमत : रुपये १.००

असाधारण क्रमांक ३०

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिकार्यांनी तयार केलेले

(भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर)

वैधानिक नियम व आदेश ; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

THE HIGH COURT OF JUDICATURE AT BOMBAY

NOTIFICATION

No. P. 0703/2019.—In exercise of the powers conferred by sub-section (14) of section 11, of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996) and all other powers enabling it in this behalf, The High Court of Judicature at Bombay hereby makes the following rules namely :—

Rules

1. *Short title, commencement and application.*— (1) These Rules may be called the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.

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

(3) They shall apply to all the arbitrations under the Arbitration and Conciliation Act, 1996, in which the Arbitral Tribunal is appointed by the Bombay High Court.

2. *Fees of Arbitral Tribunal.*— (1) The fees payable to an Arbitral Tribunal shall be in accordance with the scales specified in the "Schedule".

(2) Where the dispute includes both the claim and counter claim, for the purposes of computing the fees of Arbitral Tribunal the 'Sum in dispute' shall be total sum of both claim and counter claim in dispute, before Arbitral Tribunal.

3. *Sharing of fees.*— Subject to section 38(2) proviso thereto, the Arbitrator's fees payable under these rules shall be initially shared equally by the parties to the Arbitration, subject to the cost of the Arbitration as may be finally determined by the Arbitral Tribunal.

Where the proceedings are terminated on account of mutual settlement of dispute by the parties, the fees payable to the arbitrators shall be determined as under :—

- (i) 40% of the fees if the pleadings are complete.
- (ii) 60% of the fees if the hearing has commenced.
- (iii) 80% of the fees if the hearing is concluded but the award is yet to be passed.

Schedule of Fees of Arbitral Tribunal

Sum in Dispute	Fees
Upto Rs. 5,00,000	Rs. 45,000
Above Rs. 5,00,000 and upto Rs. 20,00,000	Rs. 45,000 plus 3.5 percent of the claim amount over and above Rs. 5,00,000
Above Rs. 20,00,000 and above Rs. 1,00,00,000	Rs. 97,500 plus 3 per cent of Claim amount over and above Rs. 20,00,000
Above Rs. 1,00,00,000 and upto Rs. 10,00,00,000	Rs. 3,37,500 plus 1 per cent of the Claim amount over and above Rs. 1,00,00,000
Above Rs. 10,00,00,000 and upto Rs. 20,00,00,000	Rs. 12,37,500 plus 0.75 per cent of the claim amount over and above Rs. 10,00,00,000
Above Rs. 20,00,00,000	Rs. 19,87,500 plus 0.5 per cent of the Claim amount over and above Rs. 20,00,00,000 with a ceiling of Rs. 30,00,000

Note.— In the event, the arbitral tribunal is a sole arbitrator, he shall be entitled to an additional amount of twenty-five percent on the fee as per the Table set out above.

Dated the 23rd April 2019.

SURENDRA P. TAVADE,
Registrar General.