

# New Delhi International Arbitration Centre (NDIAC) Act

May 15, 2020

## What is the NDIAC Act?

- The Act provides for the establishment of the New Delhi International Arbitration Centre, an institution to better manage domestic and international arbitration in the country. The NDIAC is to be declared as an **institution of national importance**. Further, the Act envisages NDIAC to take over the infrastructure and other facilities of the 'International Centre for Alternate Dispute Resolution'.

## Features of NDIAC Act

- **NDIAC will consist of seven members including:** (i) a Chairperson who may be a **Judge of the Supreme Court or a High Court, or an eminent person with special knowledge** and experience in the conduct or administration of arbitration; (ii) two eminent persons having substantial knowledge and experience in institutional arbitration; (iii) three ex-officio members, including a **nominee from the Ministry of Finance** and a Chief Executive Officer (responsible for the day-to-day administration of the NDIAC); and (iv) a representative from a recognised body of commerce and industry, appointed as a part-time member, on a rotational basis.
- The members of NDIAC will hold office for **three years and will be eligible for re-appointment**. The retirement age for the Chairperson is 70 years and other member is 67 years.
- **Key functions of the NDIAC will include:**

1. Facilitating conduct of arbitration and conciliation in a professional, timely and cost-effective manner; and
  2. Promoting studies in the field of alternative dispute resolution.
- The NDIAC will be required to maintain a fund which will be credited with grants received from the central government, fees collected for its activities, and other sources. The accounts of the NDIAC will be **audited and certified by the Comptroller and Auditor-General of India.**
  - NDIAC will establish a **Chamber of Arbitration** which will maintain a permanent panel of arbitrators. Further, the NDIAC may also establish an **Arbitration Academy** for training arbitrators and conducting research in the area of alternative dispute resolution.