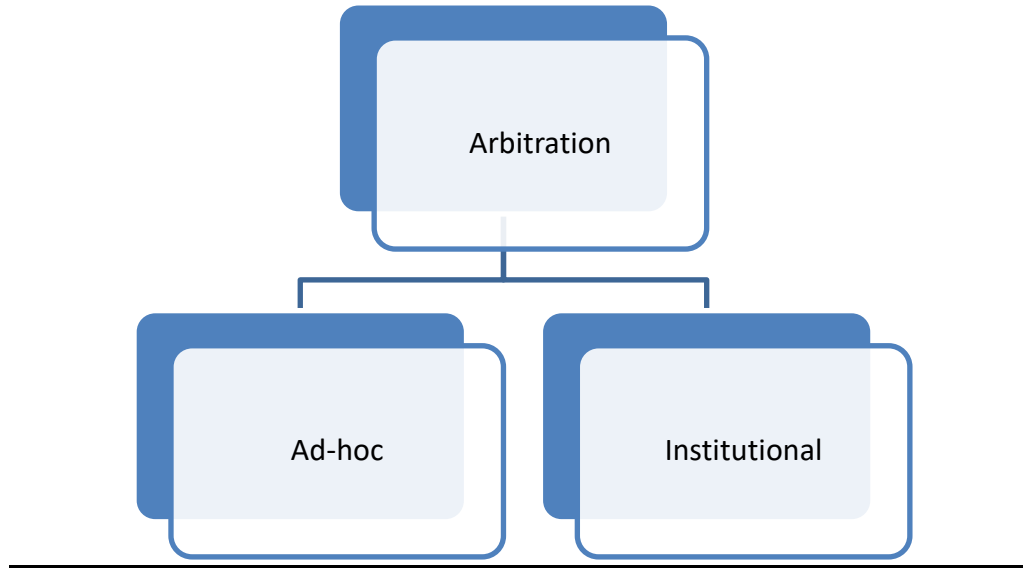


ARBITRATION ORGANISATIONS



In India, arbitration proceedings are of two types: ad-hoc arbitration and institutional arbitration. The parties have the option to seek recourse to either of them depending on their choice and convenience.

Ad-hoc arbitration: It refers to an arbitration where the procedure is either agreed upon by the parties or in the absence of an agreement, the procedure is laid down by the arbitral tribunal. Thus, it is an arbitration agreed to and arranged by the parties themselves without seeking the help of any arbitral institution.

In Ad-hoc arbitration, if the parties are not able to nominate arbitrator/arbitrators by consent, the appointment of arbitrator is made by the High Court (in case of domestic arbitration) and by the Supreme Court (in case of international commercial arbitration). In India, still most of the arbitrations are Ad-Hoc Arbitrations.

Institutional arbitration: In an institutional arbitration, the arbitration agreement may stipulate that in case of dispute or differences arising between the parties, they will be referred to a particular institution such as:

- Indian Council of Arbitration(ICA)
- International Chamber of Commerce(ICC)
- Federation of Indian Chamber of Commerce & Industry(FICCI)
- World Intellectual Property Organisation(WIPO)
- The International Centre for Alternative Dispute Resolution(ICADR)
- London Court of International Arbitration(LCIA)

All these institutions have framed their own rules of arbitration which would be applicable to arbitral proceedings conducted by these institutions. Such rules supplement provisions of the Arbitration Act in matters of procedure and other details as the Act permits. They may provide for domestic arbitration or for international commercial arbitration or both and the disputes dealt with by them may be general or specific in nature.

The Indian Council of Arbitration, being the apex body in arbitration matters in the country, has handled the largest number of international cases in India.

The Arbitral Institutions have fixed arbitrator's fees, administrative expenses, qualified arbitration panel, rules governing the arbitration proceedings etc., which help in the smooth and orderly conduct of arbitration proceedings. Some of the prominent institutions which conduct institutional arbitration in India are:

1. Delhi International Arbitration Centre (DIAC) – New Delhi
2. Indian Council of Arbitration (ICA) – New Delhi
3. Construction Industry Arbitration Council (CIAC)- New Delhi
4. LCIA India – New Delhi
5. International Centre for Alternative Dispute Resolution (ICDAR) – New Delhi
6. ICC Council of Arbitration – Kolkata



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