

ANNEXURE-I

Reference Para 12.3.2 (b) &12.3.12.6

Agreement towards Waiver under Section 12(5) and Section 31A (5) of Arbitration and Conciliation (Amendment) Act

I/We..... (Name of the Supplier) with reference to Purchase Order no..... raise disputes and differences arising out of or in connection with the contract, during the progress of the contract after its completion, its cancellation/termination, as to the construction and operation of this contract, or the respective rights and liabilities, withholding of certificate and demand arbitration in respect of following claims:

Brief of claim:

- (i) Claim 1- Detailed at Annexure-
- (ii) Claim 2 –
- (iii) Claim 3 –

I/we..... (purchaser) with reference to Purchase Order no..... hereby raise disputes and differences arising out of or in connection with the contract, whether during the progress of the contract after its completion, its cancellation/termination, as to the construction and operation of this contract, or the respective rights and liabilities, withholding of certificate and demand arbitration in respect of following claims:

- (i) Claim 1- Detailed at Annexure-
- (ii) Claim 2-
- (iii) Claim 3-

I/we.....do/do not agree to waive off applicability of section 12(5) of Arbitration and Conciliation Act 1996 as amended from time to time.

Signature of Claimant_____ Signature of Respondent _____

Agreement under Section 31(5)

I/we..... (Name of claimant) with reference to Purchase Order no..... hereby waive off the applicability of sub section 31-A (2) to 31-A (4) of the Arbitration and Conciliation (Amendment Act. We further agree that the cost of arbitration will be shared by the parties as per Clause 29(6) of GCC.

Signature of Claimant_____ Signature of Respondent_____

*Strike out whichever not applicable.

ANNEXURE-II

Reference Para 12.3.9

Certification by Arbitrators appointed under Clause 27 & 28 of DPS General Conditions of Contract

1. Name:

2. Contact Details:

3. Prior experience (Including Experience with Arbitrations):

4. I do not have more than ten on-going Arbitration cases with me.

5. I hereby certify that I have retired from DPS/DAE w.e.f. _____ and empanelled as DPS Arbitrator as per 'The Arbitration and Conciliation (Amendment) Act, 2015' and as amended from time to time.

6. I have no any past or present relationship in relation to the subject matter in dispute, whether financial, business, professional or other kind.

Or

I have past or present relationship in relation to the subject matter in dispute, whether financial, business, professional or other kind. The list of such interests is as under:

7. I have no any past or present relationship with or interest in any of the parties whether financial, business, professional or other kind, which is likely to give rise to justifiable doubts as to my independence or impartiality in terms of The Arbitration and Conciliation (Amendment) Act, 2015 and as amended from time to time.

Or

I have past or present relationship with or interest in any of the parties whether financial, business, professional or other kind, which is likely to give rise to justifiable doubts as to my independence or impartiality in terms of The Arbitration and Conciliation (Amendment) Act, 2015 and as amended from time to time. The details of such relationship or interests are as under:

8. There are no concurrent Circumstances which are likely to affect my ability to devote sufficient time to the arbitration and in particular to finish the entire arbitration within twelve months.

Or

There are Circumstances which are likely to affect my ability to devote sufficient time to the arbitration and in particular to finish the entire arbitration within twelve months. The list of such circumstances is as under: