

## The Arbitration and Conciliation Act, 1996

### Part-IA Arbitration Council of India

#### Section 43C: Composition of Council.

<sup>1</sup>[43C. (1) The Council shall consist of the following Members, namely:-

- (a) a person, who has been, a Judge of the Supreme Court or, Chief Justice of a High Court or, a Judge of a High Court or an eminent person, having special knowledge and experience in the conduct or administration of arbitration, to be appointed by the Central Government in consultation with the Chief Justice of India-Chairperson;
- (b) an eminent arbitration practitioner having substantial knowledge and experience in institutional arbitration, both domestic and international, to be nominated by the Central Government-Member;
- (c) an eminent academician having experience in research and teaching in the field of arbitration and alternative dispute resolution laws, to be appointed by the Central Government in consultation with the Chairperson-Member;
- (d) Secretary to the Government of India in the Department of Legal Affairs, Ministry of Law and Justice or his representative not below the rank of Joint Secretary-Member, *ex officio*;
- (e) Secretary to the Government of India in the Department of Expenditure, Ministry of Finance or his representative not below the rank of Joint Secretary-Member, *ex officio*;
- (f) one representative of a recognised body of commerce and industry, chosen on rotational basis by the Central Government-Part-time Member; and
- (g) Chief Executive Officer-Member-Secretary, *ex officio*.

(2) The Chairperson and Members of the Council, other than *ex officio* Members, shall hold office as such, for a term of three years from the date on which they enter upon their office:

Provided that no Chairperson or Member, other than *ex officio* Member, shall hold office as such after he has attained the age of seventy years in the case of Chairperson and sixty-seven years in the case of Member.

(3) The salaries, allowances and other terms and conditions of the Chairperson and Members referred to in clauses (b) and (c) of sub-section (1) shall be such as may be prescribed by the Central Government.

(4) The Part-time Member shall be entitled to such travelling and other allowances as may be prescribed by the Central Government.]

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#### Reference

1. Inserted “Part-IA Arbitration Council of India” by Arbitration and Conciliation (Amendment) Act, 2019, w.e.f. 12.10.2023 [vide Notification No. S.O. 4486(E) dated 12.10.2023].

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