



HALF YEARLY REPORT 2023

HIGH COURT OF ORISSA ARBITRATION CENTRE

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Introduction

The High Court of Orissa Arbitration Centre was inaugurated on 18th October 2014 in the old extension building of Orissa High Court. Since then, the Arbitration Centre of the High Court was functioning in the heritage building. There was paucity of space to accommodate the growing number of arbitrations over the years. The Centre was also required to be modernized. The Centre therefore, was shifted to the newly inaugurated Aain Seva Bhawan.

Inauguration of New Arbitration Centre at Aain Seva Bhawan

The arbitration centre after having been shifted to the third floor of Aain Seva Bhawan, was inaugurated on 11th December 2021 by Justice L. Nageswara Rao, Judge, Supreme Court of India in the presence of the Chief Justice and companion Judges of the High Court of Orissa. The arbitration centre at the new location has a modern look and has all the facilities required for its effective and smooth functioning. The shifting of the Centre to the new location obviated the long felt need for space in its earlier location.

Arbitration Committee

The committee to look after the functioning of this centre consists of the following.

Chairman: Hon'ble Shri Justice S. Talapatra

Members: Hon'ble Shri Justice S.K. Sahoo

: Hon'ble Shri Justice K.R. Mohapatra

: Advocate General, Odisha

: Deputy Solicitor General of India attached to the High Court of Odisha

: President, Orissa High Court Bar Association, Cuttack

: Co-ordinator, Arbitration Centre (Member Ex-Officio)

Facilities in the new Arbitration Centre

The drawbacks and deficiencies felt in the centre in its earlier location were redeemed by functioning of the Centre in its new location. The Centre has 18 air-conditioned spacious rooms. Six of the rooms are being used to hold arbitration proceedings. Two rooms are dedicated for Arbitrator's Lounge attached with dining area and wash room. There are two separate waiting rooms, for the advocates. The centre has a record room attached to the reprographic room. Apart from that, there are rooms for the staff and the chamber of the Coordinator. The rooms are equipped with all the recent equipment to allow the parties to attend the proceedings in virtual mode from remote locations. The entire Centre, except for the rooms where arbitration proceedings take place, is under round the clock CCTV surveillance. In addition to pure drinking water facility, the Centre has also got a pantry used for serving tea and snacks to the Arbitrators, Advocates, Parties and other people visiting the Centre. The offices of the centre are also located here. Apart from the two lifts inside the building, there is one capsule lift fitted on the facade of the building which helps the elderly and persons with difficulty in movement, to avoid the stairs to reach the lifts inside the building. To reduce the use of papers and for the convenience of the parties and advocates in getting access to the files and records, all the disposed of and pending files in the Centre have been digitized.



Advocates' lounge at the Centre



A state-of-the-art Arbitration room at the centre

Internship at the Centre

Under the guidance of the office, many Law students from various law colleges and universities have interned in the Centre. From the inception of the centre, in total 55 students have successfully completed the internship programme in the High Court of Orissa Arbitration Centre. The details of the students from the colleges and universities along with the period of their internship is set out below.

| Sl. No | Period of Training | No. of Intern Students | University/ College |
|--------|--------------------------------|------------------------|---|
| 1 | 26.11.2018 to 20.12.2018 | 1 | National Law University, Cuttack |
| 2 | 06.06.2022 to 26.06.2022 | 15 | SOA National Institute of Law, Bhubaneswar (01) University Law College, Bhubaneswar (01) MS Law University, Cuttack (08) National Law University, Cuttack (03) KIIT School of Law, Bhubaneswar (01) Amity Law School, Noida (01) |
| 3 | 05.05.2022 to 25.05.2022 | 13 | National Law University, Cuttack (01) MS Law College, Cuttack (06) The Law College, Cuttack (06) |
| 4 | 04.08.2022 to 25.08.2022 | 06 | Biraja Law College, Jajpur(04) University Law College, Vanivihar, Bhubaneswar (02) |
| 5 | 23.11.2022 to 13.12.2022 | 18 | Ms Law University, Cuttack (11) The Law College, Cuttack (07) |
| 6 | 10.02.2023 to 03.03.2023 | 02 | SOA National Institute of Law (SOA University), BBSR |

Accounts

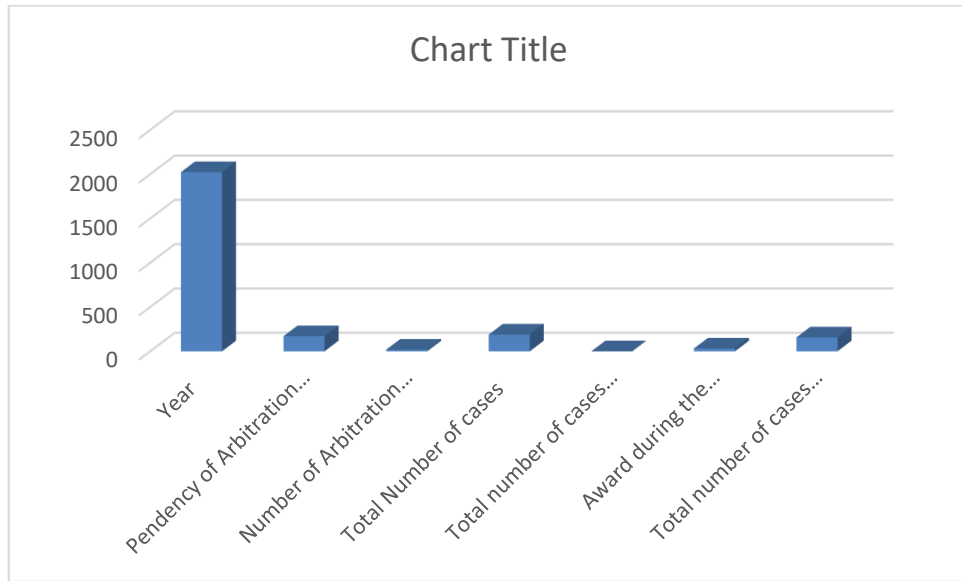
The Arbitrators fee deposited by the parties is deposited in the High Court campus branch of the State bank of India savings account the name of “The High Court of Orissa Arbitration centre”. The coordinator of the centre is the drawing and disbursing authority. During the year (till 30th June 2023) Rs, 2,26,54,426.50/- was deposited by the parties in various proceedings. The interest received during the period is Rs, 20,71,304/-. During the period Rs, 3,06,03,400/- was disbursed to the arbitrators. The total amount in the account of the Centre as on 30th June 2023 is Rs, 9,40,39,770.40/-. The total interest amount in the account as on 30th June 2023 is 1,04,63,148/-

Case Statistics

Since the inception 423 ARBP cases have been referred to the Centre. Out of those cases 241 cases have already been disposed of. As on date 157 proceedings are pending and 25 proceedings are dropped.

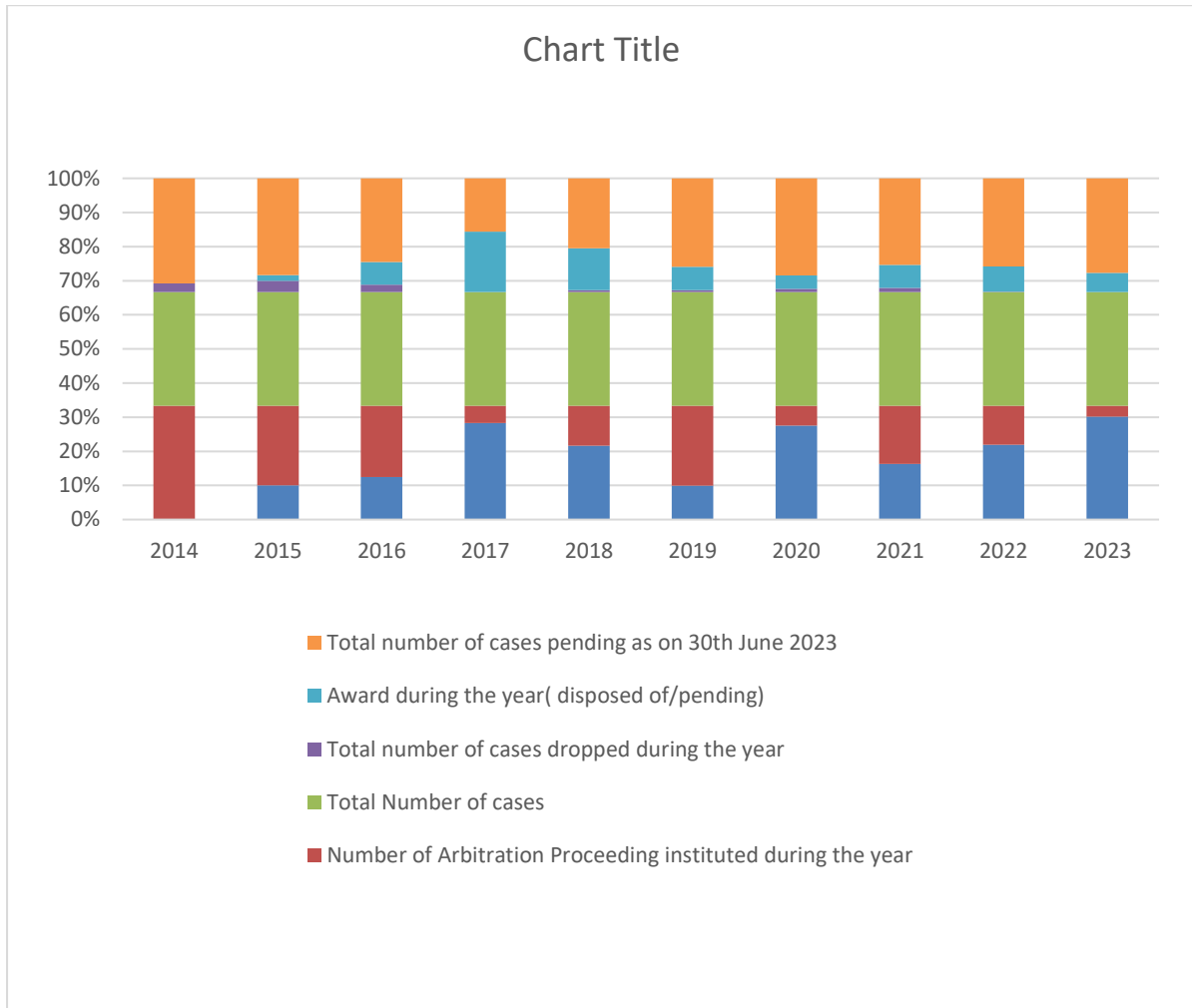
At the beginning of the year 171 proceedings were pending with the Centre. During the year 18 cases were instituted taking the total to 189. While 32 cases were disposed of and awards were made therein, no case was dropped during the year. The following table shows the details of the arbitration proceedings till 30th June 2023.

| Year | Pendency of Arbitration Proceeding at the beginning of the year | Number of Arbitration Proceeding instituted during the year | Total Number of cases | Total number of cases dropped during the year | Award during the year(disposed of/pending) | Total number of cases pending as on 30th June 2023 |
|-------------|--|--|------------------------------|--|---|--|
| 2023 | 171 | 18 | 189 | 0 | 32 | 157 |



The details of cases instituted and its status from 2014 to 30th June 2023 are set out below.

| Year | Pendency of Arbitration Proceeding at the beginning of the year | Number of Arbitration Proceeding instituted during the year | Total Number of cases | Total number of cases dropped during the year | Award during the year (disposed of/pending) | Total number of cases pending as on 30 th June 2023 |
|------|---|---|-----------------------|---|---|--|
| 2014 | 0 | 13 | 13 | 1 | 0 | 12 |
| 2015 | 12 | 28 | 40 | 4 | 2 | 34 |
| 2016 | 34 | 57 | 91 | 6 | 18 | 67 |
| 2017 | 67 | 12 | 79 | 0 | 42 | 37 |
| 2018 | 37 | 20 | 57 | 1 | 21 | 35 |
| 2019 | 35 | 82 | 117 | 2 | 24 | 91 |
| 2020 | 91 | 19 | 110 | 3 | 13 | 94 |
| 2021 | 94 | 98 | 192 | 7 | 39 | 146 |
| 2022 | 146 | 76 | 222 | 1 | 49 | 172 |
| 2023 | 171 | 18 | 189 | 0 | 32 | 157 |



Panel of Arbitrators

The Centre has a panel of Arbitrators which includes, former High Court Judges, retired District Judges, Senior Advocates and advocates.

- No. of Judge Arbitrators - 17
- No. of District Judge Arbitrators - 16
- No. of Advocate Arbitrators - 67
- No. of Technical Arbitrators - 12

The details are as follows.

All retired Judges of Supreme Court who were elevated from the Orissa High Court below the age of 80 years, subject to availability.

Retired Chief Justices and Judges of the High Court of Orissa subject to their availability but up to their reaching the age of 75 years.

- Hon'ble Shri Justice R.N. Biswal

- Hon'ble Shri Justice B.P.Das
- Hon'ble Shri Justice M.M.Das
- Hon'ble Shri Justice L.Mohapatra
- Hon'ble Shri Justice Raghubir Dash
- Hon'ble Shri Justice B.K.Patel
- Hon'ble Shri Justice Bijaya Kumar Nayak
- Hon'ble Dr. Justice D.P.Choudhury
- Hon'ble Shri Justice Birakishore Misra
- Hon'ble Justice Harjinder Singh Bhalla
- Hon'ble Shri Justice Jatindra Prasad Das
- Hon'ble Shri Justice S.C. Parija
- Hon'ble Dr. Justice A.K. Rath
- Hon'ble Dr. Justice A.K. Mishra
- Hon'ble Shri Justice Pramath Patnaik
- Hon'ble Shri Justice S. Pujahari
- Hon'ble Shri Justice Biswajit Mohanty

Retired District Judges subject to their availability and up to their reaching the age of 70 years.

- Sri B.K. Dash,
(Retd. Judicial Member/ Acting Chairman, O.A.T.)
- Shri Bhaskar Ch. Sahu
- Shri Samir Kumar Ray
- Shri Bijoy Ketan Mohanty
- Shri Chakradhar Kar
- Shri Amiya Kumar Sahoo
- Shri Gayadhar Panda
- Shri Durga Sankar Mishra
- Shri Prem Raj Bohidar
- Shri Pramod Kumar Jena
- Shri Pradip Kumar Ray
- Shri Sanjay Kumar Panda

- Miss Rekha Prasad
- Shri Basudev Panda
- Shri Ranjan Kumar Panda
- Shri Muralidhar Pradhan

Senior Advocates/Advocates who have practice of more than 25 years, subject to their availability and up to their reaching the age of 75 years.

- Mr. Ramakanta Mohanty
- Mr. Surya Prasad Mishra
- Mr. Ashok Kumar Parija
- Mr. Sanjit Mohanty
- Mr. Yeshan Mohanty
- Mr. Santosh Kumar Pattnaik
- Mr. Saurjya Kanta Padhi
- Mr. Laxmidhar Pangari
- Shri Nirmal Chandra Panigrahi
- Shri Narendra Kishore Misra
- Shri Manas Mohapatra
- Shri Jitendra Mishra
- Shri Manoranjan Mohanty
- Shri Shyamananda Mohapatra
- Mr. Gopal Krushna Mohanty
- Sri Bhupati Bhusan Pattnaik
- Dr. Chitta Ranjan Misra
- Shri Debi Prasad Dhalsamanta
- Shri Dushmanta Kumar Biswal
- Shri Ghasiram Verma
- Shri Gopinath Padhi
- Shri Manoj Kumar Mohanty (1)
- Shri Narasingh Patra
- Shri Prafulla Chandra Biswal
- Shri Prakash Ranjan Barik

- Shri Prasanta Kumar Jena
- Shri Rabindra Nath Nayak
- Rakhi Sikdar
- Shri Sabita Ranjan Pattnaik
- Shri Sanatan Das
- Shri Sarat Chandra Sathapathy
- Shri Saroj Kumar Das
- Shri Satyabadi Mantry
- Shri Somadarsan Mohanty
- Shri Surendra Kumar Patri
- Shri Brahmananda Tripathy
- Shri Madhablal Agrawal
- Shri Srikant Kumar Nayak
- Shri Bhimasen Sahoo
- Shri Sitansu Mohan Dwibedy
- Shri Nayan Behari Das
- Miss Deepali Mohapatra
- Shri Santanu Kumar Sarangi
- Shri Jayanta Kumar Bal
- Shri Sisir Kumar Purohit
- Shri Manoj Kumar Mishra
- Shri Kamal Behari Panda
- Shri Ajit Kumar Hota
- Shri Prasanta Kumar Mohanty
- Shri Nirod Kumar Sahu
- Shri Jatindra Kumar Mohapatra
- Shri Debendra Kumar Dwibedi
- Shri Ullash Chandra Mohanty
- Shri Goutam Mukherji
- Shri Adwita Kumar Panda
- Shri Jagannath Rath
- Shri Saktidhar Das

- Shri Debendra Kumar Sahoo
- Shri Partha Mukherji
- Shri Anjan Kumar Jena
- Shri Prafulla Kumar Rath
- Shri Manoj Kumar Mohanty (2)
- Budhadev Routray, Sr. Advocate
- Mrinalini Padhi, Advocate
- Sisir Das, Advocate
- Achyuta Nanda Routray, Advocate
- Dayananda Mohapatra, Advocate

Technical Experts subject to their availability and up to their reaching the age of 75 years.

- Dr. Jayant Dattatraya Bapat
- Shri K.Aaronic
- Er.Bishnu Charan Sahoo
- Shri Arvind Kumar Arora
- Prof. (Dr.) Subhash C. Gupta
- Shri Bhuvnesh Prakash Khare
- Shri Aditya Kumar Mittal
- Shri Ajay Kumar Lal
- Er. Biranchi Narayan Dash
- Shri S.K. Satapathy, Retd. I.A.S
- Shri Prasanta Kumar Mohanty
- Shri Premananda Mohanty

Fees of Arbitrators and Administrative Cost

The fee payable to the Arbitrators is decided by the Fourth Schedule of the Arbitration and Conciliation Act, 1996, as per The High Court of Orissa Arbitration Centre (Administrative Cost and Arbitrator's fees) Rules, 2014, and the Notification dated 15th November 2016, in the following manner:

[THE FOURTH SCHEDULE]
[see section 11 (3A)]

| Sl. No. | SUM IN DEPOSIT | MODEL FEE |
|---------|---|---|
| 1 | Up to Rs.5,00,000 | Rs.45,000 |
| 2 | Above Rs,5,00,000 and up to Rs.20,00,000 | Rs.45,000 plus 3.5 per cent. of the claim amount over and above Rs.5,00,000 |
| 3 | Above Rs,20,00,000 and up to Rs.1,00,00,000 | Rs.97,500 plus 3 per cent. of the claim amount over and above Rs.20,00,000 |
| 4 | Above Rs,1,00,00,000 and up to 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 |
| 5 | Above Rs,10,00,00,000 and up to 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 |
| 6 | 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 |

Apart from the Arbitrator's fee, there is an administrative cost which is to be deposited by both the parties equally.

Schedule-A

The parties shall deposit the administrative expenses as indicated below before the dispute is referred to the arbitral tribunal.

| | |
|--|--|
| If the value of the claims/disputes does not exceed Rs.50,00,000/- (Rupees Fifty Lakh only) | Rs.10,000/- (Rupees Ten Thousand Only) |
| If the value of the claims/disputes is between Rs.50,00,001/- (Rupees Fifty Lakh One only) and Rs.5,00,00,000/- (Rupees Five Crore only) | Rs.25,000/- (Rupees Twenty-Five Thousand Only) |
| If the value of the claims/disputes exceeds Rs.5,00,00,000/- (Rupees Five Crore only) | Rs.50,000/- (Rupees Fifty Thousand only) |

Officers and Staff

The staff of Arbitration Centre are deputed from High Court of Orissa. The Coordinator, a Judicial Officer in the Cadre of District judge, being assisted by the Additional Coordinator, an officer in the Cadre of Senior Civil Judge, manages the day-to-day activities of the Centre. A Section Officer is in charge of the Superintendent of the Centre and there are three Assistant Section Officers and two Data Entry Operator-cum Jr. Grade Typist to assist him. In addition, there are two Class -IV employee (peon) who play a very important role in carrying out the daily activity of the Centre.



A corridor at the Centre
