

# CORD Rules for Appointment of Arbitrators

version in force as on 1 April 2020

## Part 1: Introduction

### Rule 1: Scope and Application

- 1.01 The present rules shall be called the Centre for Online Resolution of Disputes Rules for Appointment of Arbitrators (the “Arbitrator Appointment Rules”).
- 1.02 These Rules shall apply where, in a contract not subject to the Centre for Online Resolution of Disputes Rules of Arbitration or the CORD Rules of Arbitration (the “Rules”), CORD has been designated to act as an appointing authority to appoint one or more arbitrators by an arbitration clause, a subsequent agreement of the parties, or by any one or more parties who has the authority under the contract to appoint one or more arbitrators without the consent or concurrence of the other parties.
- 1.03 The appointment of arbitrators shall be governed by the version of the Arbitrator Appointment Rules in force as on the date a request is received by CORD for appointment of an arbitrator.

### Rule 2: Definitions and Interpretations

- 2.01 In these Rules, the following terms shall have the meaning provided to them herein, unless the context requires them to be interpreted otherwise:
  - a) “CORD”/“institution” means the Centre for Online Resolution of Disputes;
  - b) “claimant” includes one or more claimants;
  - c) “party” or “parties” include claimants, respondents or additional parties;
  - d) “priority sector arbitration” means an arbitration arising out of a relationship between a body incorporate and its customer in the banking, insurance, rental or e-commerce sectors, and shall not include an arbitration, even if arising in any of the aforesaid sectors, between a body incorporate and its suppliers, vendors, distributors or similar actors;
  - e) “respondent” includes one or more respondents;
  - f) “tribunal” includes one or more arbitrators;
- 2.02 In these Rules, a reference to the singular includes a reference to the plural, unless the context requires otherwise and a reference to a gender shall include a reference to any/all genders, as appropriate, unless the context requires otherwise.
- 2.03 For the purposes of the Rules, a working day shall mean a working day as declared under the Negotiable Instruments Act, 1881 as applicable to the whole of India.

### Rule 3: Appointment of Arbitrators

- 3.01 CORD shall, when acting as the appointing authority and requested to appoint one or more arbitrators, choose from the panel of arbitrators maintained by CORD, or appoint such other arbitrator as the Registrar, CORD believes to be the most appropriate person for the matter at hand.
- 3.02 Where CORD is required to make an appointment, it shall endeavour to do so within one week from the date of receipt of such request, or the date on which it is permitted to make such appointment, or, receiving the fees payable to appoint the Tribunal, whichever is later, or within such date as may be agreed between CORD and any Party.
- 3.03 Any Arbitrator appointed in an arbitration under the Arbitrator Appointment Rules must at all times remain independent and impartial. An arbitrator shall immediately upon being approached for

appointment disclose to the parties, to the other arbitrators and to the Registrar any circumstances that may give rise to justifiable doubts as to his impartiality or independence.

#### **Rule 4: Challenges to Arbitrators**

- 4.01 Where so requested by the parties, CORD can consider challenges to an arbitrator appointed by CORD. When deciding challenges, the Registrar, CORD shall follow the same steps as are envisaged in the Rules with respect to challenges to Arbitrators, with such modifications as may be appropriate, to take note of the fact that the Rules will not govern the entirety of the arbitration process.

#### **Rule 5: Arbitrator Fees and Expenses**

- 5.01 An Arbitrator appointed by CORD pursuant to the Arbitrator Appointment Rules shall be paid a fee as set out in Schedule A herewith.
- 5.02 Where CORD has been approached to act as an Appointing Authority, it shall charge a fee for appointing the Arbitrator as set out in Schedule A herewith.
- 5.03 The provisions of this Rule are subject to any contrary agreement that may be entered into between a Party and CORD.

#### **Rule 6: Procedure for Requesting CORD to Act as Appointing Authority**

- 6.01 Unless agreed between any Party and CORD, requests that CORD take any action as appointing authority should be directed to:

Registrar, Centre for Online Resolution of Disputes  
F-14, 3rd Cross,  
Manyata Residency,  
Manyata Tech Park,  
Bengaluru – 560045  
E-mail: registrar@resolveoncord.com  
T: +91-9880959035

#### **Rule 7: Independence**

- 7.01 CORD is an independent institution and does not guarantee the outcome or quality of any award that may be rendered by any arbitrator appointed by CORD under the Arbitrator Appointment Rules. CORD clarifies that it does not have any interest in the outcome of any dispute, and the fees payable to CORD by any party is not contingent on the outcome of the arbitration.

**SCHEDULE A**

**SCHEDULE OF FEES**

<b>Priority Sector</b>			
<b>Service</b>	<b>Details</b>	<b>Price in ₹</b>	<b>Pricing for</b>
Appointment of Arbitrator (Institution Fees)		₹ 500	Per case
Arbitrator Fees	Ex-parte	₹ 2,000	Per case
	Contested	₹ 5,000	Per case

<b>Non-Priority Sector</b>		
<b>Service</b>	<b>Price in ₹</b>	<b>Pricing for</b>
Appointment of Arbitrator (Institution Fees)	₹ 5,000	Dispute Value up to ₹ 50 Lakh
	₹ 10,000	Dispute between ₹ 50 Lakh and ₹ 1 Cr
	₹ 20,000	Dispute between ₹ 1 Cr and ₹ 10 Cr
	₹ 40,000	Disputes above ₹ 10 Cr
<b>Arbitrator Fees</b>		
<b>Value of Dispute</b>	<b>Nature of Dispute</b>	<b>Arbitrator's Fees</b>
Up to ₹ 25 Lakh	Ex-parte	₹ 25,000
₹ 25 Lakh to ₹ 50 Lakh		₹ 30,000
₹ 50 Lakh to ₹ 1 Cr		₹ 40,000
Up to ₹ 25 Lakh	Contested	₹ 40,000
₹ 25 Lakh to ₹ 50 Lakh		₹ 60,000
₹ 50 Lakh to ₹ 1 Cr		₹ 75,000
Dispute value from ₹ 1 Cr to ₹ 10 Cr	N/A	₹ 75,000 +0.3% of dispute value above ₹ 1 Cr
Dispute value from 10 Cr to ₹ 100 Cr		₹ 3,45,000 +0.2% of dispute value above ₹ 10 Cr with a cap of ₹ 25,00,000/-

\* All prices are exclusive of taxes.