

DPE-GM-05/0003/2019-FTS-10937

Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprises Bhawan,
Block no. 14, CGO complex,
Lodhi Road, New Delhi-110003.

Dated: 13th February, 2020

OFFICE MEMORANDUM

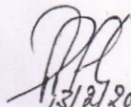
Subject: Mechanism for resolving Inter-Ministerial / Departmental legal Disputes.

The undersigned is directed to refer to guidelines issued by DPE dated 22nd May, 2018 on settlement of commercial disputes between CPSEs inter se and CPSEs and Govt Departments/organisation through Administrative Mechanism for Resolution of Commercial Disputes (AMRCD). The working of AMRCD mechanism has come up for review at the level of Committee of Secretaries (CoS) under the chairmanship of Cabinet Secretary. The following important decisions are taken in the meeting:

- i) All CPSEs are to resolve their commercial disputes through AMRCD mechanism only as per existing guidelines in a time bound manner without resorting to litigation through court of law;
- ii) The timelines prescribed in the AMRCD guidelines dated 22nd May, 2018 are to be strictly adhered to;
- iii) A reference to the second tier of dispute resolution provided in the AMRCD guidelines dated 22.5.2018 is to be taken only at the instance of the Secretary of the litigating Administrative Ministry/Department.
- iii) No litigation is to be resorted to without a mandatory reference to AMRCD;
- iv) Strict compliance & implementation of the decision taken at the level of AMRCD.

3. The concerned Ministries / Departments are requested once again to advise all CPSEs under their administrative control for strict compliance of the above guidelines. DPE has separately institutionalised a system of regular collection of on line data from CPSEs quarterly for periodical review of implementation of the AMRCD guidelines for which separate communication is being issued. The data is required to be provided for the quarter ending 31st December, 2019 by 28.2.2020 positively and thereafter by 7th of the following month for each quarter.

4. This issues with the approval of Competent Authority.


13/2/2020
(Pavenesh K. Sharma)
Deputy Secretary
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Secretaries of all Ministries / Departments concerned with CPSEs through e-mail as per list.

Copy to:-

- I. CMD / Chief Executive of all CPSEs through e-mail.
- II. Secretary, Department of Legal Affairs, 4th Floor, Shastri Bhawan, New Delhi w r t his letter No 332619/338367/LS/2019 dated 31.1.2020
- III. Cabinet Secretariat in reference to CoS meeting held on 23.01.2020.