

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: 20th February, 2020

OFFICE MEMORANDUM

Subject: Settlement of commercial disputes between Central Public Sector Enterprises (CPSES), inter se and CPSE(s) and Government – Department(s) / Organization(s) – Administrative Mechanism for Resolution of CPSEs Disputes (AMRCD).

The undersigned is directed to refer to DPE OM No. 4(1)/2013-DPE(GM)/FTS-1835 dated 22nd May, 2018 on the above subject matter wherein Para 3 of said guidelines provides that in the event of any dispute or difference relating to the interpretation and application of the provisions of commercial contract(s) between Central Public Sector Enterprises (CPSES) / Port Trusts inter se and also between CPSES and Government Departments / Organizations (excluding disputes concerning Railways, income Tax, Customs & Excise Departments), such dispute or difference shall be taken up by either party for its resolution through AMRCD.

2. In the meeting of Committee of Secretaries (CoS) held on 23-01-2020 on the subject matter of "Evolving mechanism for resolving Inter-Ministerial / Departmental legal Disputes" **it was inter alia decided that existing AMRCD mechanism be made applicable to disputes other than those related to taxation and extended to all Ministries / Departments.**

3. In view of the above decision of CoS, it is clarified that under the existing AMRCD mechanism, all disputes (other than those related to taxation matters) between CPSES inter se and other Government departments / organizations shall be taken up by either party for resolution only through the AMRCD. The other provisions of the AMRCD guidelines dated 22-05-2018 will remain unchanged.

P.T.O.

4. All the concerned Ministries / Departments of CPSEs are requested to advise CPSEs under their administrative control accordingly.

5. This issues with the approval of Competent Authority.



(P.K. Sharma)

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To

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 in reference to D.O. No. 332619/338367/LS/2019 dated 14.02.2020.
- (III) Cabinet Secretariat in reference to communication no. 401/1/4/2019-TS dated 27.01.2020 in respect of minutes of CoS meeting held on 23.01-2029.
- (IV) NIC, Cell DPE for uploading on DPE web-site under what's -new and DPE guidelines / Chapter-VII-(a)