

**RAJASTHAN HIGH COURT, JODHPUR**

**NOTIFICATION**

No. 04/S.R.O./2024

Date: 17.02.2024

In exercise of the powers conferred under Rule 7 of the Alternative Dispute Resolution Rules, 2004 read with Clause 53 of Manual of Procedure for Alternative Dispute Resolution, 2009 and all other powers enabling in this behalf, the High Court of Judicature for Rajasthan hereby amends the Manual Procedure for Alternative Dispute Resolution, 2009 as under :-

**1. Short title and commencement:-** (i) It shall be called the Manual of Procedure for Alternative Dispute Resolution (Amendment), 2024.

(ii) It shall come into force with immediate effect.

**2. Amendment of Clause 34 :-** Existing Clause 34 of the Manual shall be substituted by the following :-

“34 Reasonable Costs of arbitration.- That simultaneously with the framing of time schedule as aforesaid and filing of the claim and counter claim, reasonable amount of fees if not already agreed by the parties and their nominee arbitrators, shall be fixed in consultation with the parties by explaining to them the method of determining that amount as per the Fourth Schedule appended to the Arbitration and Conciliation Act, 1996 inserted by the Arbitration Conciliation (Amendment) Act, 2015, with the provision of secretarial assistance allowance of Rs. 750/- per day upto the claim of Rs. 20 lacs, Rs. 1500/- per day above the claim of Rs. 20 lacs and upto Rs. 10 crores and Rs. 2500/- per day above the claim of Rs. 10 crores.

Provided that the fee prescribed by clause 34 substituted as above shall be payable with effect from 23.10.2015, the date on which the arbitration and Conciliation (Amendment) Act, 2015 came into force.

**“Explanation”**

The ‘sum in dispute’ in a claim or counter- claim shall be separate and not cumulative. Consequently, arbitrators shall be entitled to charge a separate fee for the claim and the counter-claim in an *ad hoc* arbitration proceeding, and the fee ceiling contained in the Fourth Schedule will separately apply to both, when the fee structure of the Fourth schedule has been made applicable to the *ad hoc* arbitration.

**By order of Hon’ble the Chief Justice**

*C.P. Shrivastava* 17/2/2024  
(Chandra Prakash Shrivastava)

**REGISTRAR GENERAL**

Copy forwarded to the :

- (1) Secretary General, Supreme Court of India, New Delhi.
- (2) Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Rajasthan High Court.
- (3) Registrar General, All High Courts.
- (4) All the Private Secretary to Hon'ble Judges, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.
- (5) Principal Secretary to Government, Law Department-Cum-Legal Remembrance, Rajasthan, Jaipur with the request to kindly obtain the permission from the Bhasha Vibhag for publication of this Notification in English as a special case and convey the same to the Superintendent Government Central Press, Jaipur under intimation to this office.
- (6) The Superintendent, Government Central Press Rajasthan Jaipur for publication in the next issue of the Rajasthan Rajpatra. Exemption for publication of the Notification in Hindi is being obtained from the Bhasha Vibhag through the Law Secretary. A copy of such Gazette may kindly be sent to this office immediately.
- (7) Registrar (Admn.), Rajasthan High Court, Jodhpur/Jaipur Bench Jaipur.
- (8) Director, Rajasthan State Judicial Academy, Jodhpur.
- (9) All Registrars, O.S.D (F&I), Rajasthan High Court, Jodhpur/Jaipur Bench Jaipur/ H.Q. Delhi.
- (10) All the District Judges with direction to circulate amongst to all the courts of their judgeship including Special Courts and Tribunals.
- (11) Registrar(Classification), Rajasthan High Court, Jodhpur with the request for upload the same on the official website.
- (12) The Secretary, Bar Council of Rajasthan, Jodhpur.
- (13) Member Secretary, Rajasthan State Legal Service Authority, Jaipur.
- (14) Financial Advisor, Rajasthan High Court, Jodhpur.
- (15) All Joint Registrar/ Deputy Registrars/ Assistant Registrar Rajasthan High Court, Jodhpur/ Jaipur Bench, Jaipur.
- (16) Court Officer, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.
- (17) The President, Rajasthan High Court Advocates Association/ Lawyers Association, Jodhpur/ Jaipur Bench, Jaipur.
- (18) The President, Bar Association, Jaipur.
- (19) Advocate General/ Additional Advocate General, Rajasthan High Court, Jodhpur/Jaipur.
- (20) Senior Librarian, Rajasthan High Court, Jodhpur / Bench Jaipur, with the direction to update the Manual of Procedure for Alternative Dispute Resolution, 2009
- (21) All Administrative Officer Judicial, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.

*C.P. Sharma*  
**REGISTRAR GENERAL**

19/2/24