

F. No. 15-14/9/2021-Hydel-II(MoP)
Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg
New Delhi, 8th September , 2025

1. The Chief Secretaries of All the State Government/UTs (As per list)
2. The Chairperson, Central Electricity Authority
3. The Chairman, Central Water Commission
4. CMDs of all the CPSUs under Ministry of Power

Subject: Invitation of Expression of Interest (Eoi) for empanelment of Independent Experts for constitution of Conciliation Committees for dispute resolution of contractual disputes in respect of the projects implemented by CPSEs / Statutory bodies under administrative control of Ministry of Power-regarding.

Sir,

A dispute resolution mechanism through conciliation by Conciliation Committee of Independent Experts (CCIEs) for contractual disputes in respect of the projects implemented by CPSUs / Statutory bodies under administrative control of Ministry of Power, Govt. of India, was formulated vide OM dated 29.12.2021. Subsequently, an amendment was made to extend the mechanism to Coal Mining Sector and to make provision for a Coal Mining Expert Member in the CCIE, vide OM dated 29.04.2022. Later on, another amendment was issued to the CCIE Mechanism vide OM dated 18.10.2023, vide which, the provision for invoking Arbitration proceedings was allowed in the event of the failure of conciliation process. The aforementioned OMs are enclosed at Annex-I.

2 In this regard, Expression of Interest is hereby invited from eligible candidates for empanelment as Independent Experts for constitution of the CCIEs in accordance with the terms and conditions mentioned in this Ministry's Notification dated 08th September, 2025 (enclosed at Annex-II) **for Category-II, III & IV only. Applications/EOIs received within due date in this ministry against our earlier notification No 15-14/9/2021-**

Hydel-II(MoP) dated 01.05.2025 has been retained and candidates need not apply again.

3. It is requested that the enclosed Notification may kindly be given wide publicity in order to ensure maximum participation of the eligible participants.

Encl: as above.

Yours faithfully,



(Himanshu Lal)

Deputy Director

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Copy to:

1. Department of Financial Services, Ministry of Finance, Govt. of India- with request to give wide publicity to the enclosed Notification amongst the Commercial Banks /Financial Institutions/NBFCs under them.
2. Ministry of New & Renewable Energy - with request to circulate the Notification amongst the CPSUs under its administrative control.
3. Ministry of Coal, Shastri Bhawan, New Delhi -110001 - with request to circulate the Notification amongst the CPSUs under its administrative control.

Copy also to:

In-Charge, NIC Cell, MoP with request to upload the Notification on home-page/front-page of the website of Ministry of Power urgently and to ensure that it remains on the home-page for at least 30 days.

Government of India
Ministry of Power

Notification No 15-14/9/2021-Hydel-II(MoP)

Date : 08.09.2025

INVITATION FOR EXPRESSION OF INTEREST (EoI) FOR EMPANELMENT OF MEMBERS OF CONCILIATION COMMITTEE OF INDEPENDENT EXPERTS(CCIE) FOR RESOLUTION OF DISPUTES IN CONTRACTS OF CPSUs/STATUTORY BODIES OF MINISTRY OF POWER

1. Background

With the approval of then Hon'ble Union Minister for Power, a dispute resolution mechanism through conciliation by Conciliation Committee of Independent Experts (CCIES) for contractual disputes in respect of the projects implemented by CPSUs / Statutory bodies under administrative control of Ministry of Power, Govt. of India, has been formulated vide OM dated 29.12.2021. Subsequently, an amendment was made to extend the mechanism to Coal Mining Sector and to make provision for a Coal Mining Expert Member in the CCIE, vide OM dated 29.04.2022. Later on, another amendment was issued vide OM dated 18.10.2023, vide which, the provision for invoking Arbitration proceedings was allowed in the event of the failure of conciliation process

After careful consideration, Government of India in the Ministry of Power has decided now to constitute 3 fresh Committees of Independent Experts (hereinafter CCIE) for settlement of disputes arising in contracts of CPSUs / Statutory Bodies executing power projects. Each of the three CCIEs, shall have three members having high level of integrity and proven track record. The members shall be appointed from amongst the following categories:-

- I. Former Officers of the rank of Secretary / Additional Secretary to the Govt. of India.
- II. Sector Experts having substantial domain knowledge of project development and O&M of power projects.
- III. Experts in Finance with experience in senior positions of Financial Institutions or CPSUs/State PSUs of power sector.
- IV. Sector Expert having substantial domain knowledge of coal mining sector.

Provided that the composition of the CCIE should be such that there shall be (a) one member from category 2(I), (b) one member from Category 2(III), and (c) one member from Category 2(II) when dealing with disputes relating to power projects or Category 2(IV) when dealing with disputes relating to captive coal mines.

The main objectives of CCIE are as follows:

- To provide faster and cost effective mechanism for resolution of contractual disputes.
- For expeditious elimination of disagreements in a just and fair manner.
- To avoid time and cost overruns to ensure timely completion of the Projects.

With the above objectives in view, Ministry of Power, Govt. of India, intends to select and empanel members of CCIE with high level of integrity and proven track record, by adopting a transparent and objective selection process as per the requirements set out in this EoI.

2. Expression of Interest

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Expression of Interest (Eoi) is invited from domestic individuals for empanelment as members of CCIE under Category-II, Category-III and Category-IV, for settlement of disputes arising in contracts of CPSUs / Statutory Bodies executing power projects.

3. Eligibility and Experience Requirements

A retired person with the following qualifications and experience shall be eligible to apply to be empanelled as member of CCIE:

Category—I:

~~Has held the post of the rank of Secretary / Additional Secretary to the Government of India in any of the Ministries/Departments.~~

Category-II:

Has held the post of full time functional Director (dealing with technical matters) / CMD in the Board of a CPSU operating in the field of power generation, distribution or transmission.

Or

Has held the post of full time functional Director (dealing with technical matters) in the Board of a State PSU/Private Sector Company (with annual turnover of Rs 2000 crore or above) operating in the field of power generation, distribution or transmission.

Or

Has held the post of Chairperson/Member in Central Electricity Authority/Central Water Commission.

Category-III:

Has held the post of full time functional Director/CMD in the Board of a Scheduled Commercial Bank/Financial Institutions/NBFCs (including REC/PFC/IREDA)

Or

Has held the post of full time functional Director (Finance) in the Board of a CPSUs or State PSUs operating in the field of power generation, distribution or transmission.

Category –IV

Has held the post of full time functional Director (dealing with mining matters) / CMD in the Board of a CPSU operating in the field of mining.

Or

Has held the post of full time functional Director (dealing with mining matters) in the Board of a State PSU/Private Sector Company (with annual turnover of Rs 2000 crore or above) operating in the field of mining.

4. Broad Scope of Work

The broad scope of work of the CCIE shall include the following:

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- Once a conciliation request has been raised by the contractor, within 30 days the same shall be referred to the CCIE in the event of the matter remaining unresolved internally. The CMD/Board of the Developer may suitably decide an amount involved in the dispute below which it would not go into the exercise of conciliation after weighing the nature and quantum of disputes in the concerned organization.
- The Developer will also be free to suggest the option of resolution of disputes by conciliation in case a dispute has arisen. The case will be referred to the CCIE as per the preference of the Contractor after leaving out those CCIEs which are unavailable due to work load or any other reason like conflict of interest. A CCIE will normally be considered unavailable if it is handling cases to such an extent that there would be avoidable delay in the event of more cases being taken up by the same CCIE.
- Members of CCIE, shall declare any conflict of interest in advance. They should not have been engaged for providing any other services to any of the parties i.e. either Owner or Contractor in the last five years (s).
- The conciliation proceedings shall be completed in each case through 5 sittings in a period of not more than three months from the date the reference made to the CCIE.
- In exceptional cases, if any dispute so merits, the time period may be extended at the discretion of Conciliation Committee (with reasons to be recorded in writing), for a further period of three months. In case, a particular dispute requires more than 5 sittings, the same may be held at the discretion of the CCIE but with a cap on payment of fee for 5 sittings only.
- The CCIE shall hold day to day sitting at a suitable place (preferably the headquarter of the Developer or New Delhi) and may hold as many sittings every month as it deems appropriate keeping in view the volume of work.
- The procedure of CCIE shall not be treated as alternate arbitration proceedings where both parties come with Statement of claims/defence, arguments/counter arguments, rejoinders, written submissions etc., aided by their respective lawyers. The forum of CCIE is a conciliation forum, where mutual give and take constitutes the essence, rather than strict legal positions of the parties. Hence, the parties are expected to be brief and to the point before the committee with regard to their respective stance and view the exercise in the spirit of conciliation / settlement.
- The Conciliation process shall be conducted under Part III of the Arbitration and Conciliation Act, 1996. The Conciliation Committee would either be able to resolve and settle and dispute(s) between the parties, or the process may fail. In case of failure of the conciliation process at the level of the Conciliation Committee, the parties may withdraw from conciliation process and take recourse to Arbitration proceedings or the laid down legal process of Courts. In the event of the conciliation proceedings being successful, the parties to the dispute would sign the written settlement agreement and the conciliators would authenticate the same. Such settlement agreement would then be binding on the parties in terms of Section 73 of the Arbitration and Conciliation Act, 1996
- The possibility of non-availability of any one of the members of CCIE in any proceedings cannot be ruled out. As such, the Committee comprising the other two members shall be competent to proceed in the matter. The proceedings of the Committee shall not be vitiated if one of the three members of CCIE is not present in the deliberations of the Committee. When the parties sign the settlement agreement, at least two conciliators shall authenticate the same. Such conciliation proceedings shall be considered valid and the settlement agreement will be binding on the parties.

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