

DAC (Fee) Rules

THE DELHI INTERNATIONAL ARBITRATION CENTRE (DAC) (ADMINISTRATIVE COST ARBITRATORS' FEES) RULES

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1. **Title** - These rules may be called The Delhi International Arbitration Centre (DAC) (Administrative Cost Arbitrators' Fees) Rules [for short, DAC (Fee) Rules].
2. **Arbitrators' Fees** - The fees payable to the Arbitrators shall be determined in accordance with the scales specified in Schedules 'B, C, D and E ' to these rules. In cases where the Arbitral Tribunal consists of three or more members, the Coordinator shall, in consultation with the Chairperson, decide the fees payable to each of the Arbitrators.
3. **Parties to share equally Administrative Cost and the Fees** - The Administrative Cost and the Arbitrators' fees set forth in these Rules shall be initially shared equally by the parties subject to the cost of arbitration as may be finally determined by the Arbitral Tribunal.
4. Miscellaneous expenses likely to be incurred during arbitration shall be determined by the Coordinator and shall be paid equally by the parties.
5. The Coordinator may maintain an account of the Administrative Cost miscellaneous expenses and for which the Coordinator shall be entitled to open and operate a bank account with a scheduled nationalized bank.
6. Administrative Cost, Miscellaneous Expenses and Arbitrators' Fees payable when proceedings are terminated, withdrawn or settled –

- (1) In the event of the arbitration being terminated, withdrawn or settled, the Coordinator, in consultation with the Chairperson shall fix the quantum of fees payable to the arbitrator(s). The Coordinator shall take into account the stage at which the arbitration proceedings stood terminated and the extent of work done or time spent by the Arbitrators on the matter.
 - (2) The Administrative Cost and miscellaneous expenses paid by the parties shall not be refundable, under any of the aforesaid eventualities.
7. **Amendment of Rules** - These Rules may be amended by the Chief Justice of the Delhi High Court in consultation with the Arbitration Committee.
 8. **Residuary Provision** - The Arbitration Committee may take appropriate decisions, as it considers necessary in respect of all matters which are not specifically provided in these Rules.

Schedule A – Administrative Cost

Domestic Arbitration

As may be determined by the Chairperson of Arbitration Committee from time to time.

International Arbitration

Fixed Fee	Rs.30,000/- (To be paid alongwith the request for arbitration)
From Rs.10,00,000/- to Rs 50,00,000/-	Rs. 30,000/- + 1% of the claim amount over and above Rs 10,00,000/-
From Rs.50,00,000/- to Rs 1,00,00,000/-	Rs. 70,000/- + 0.5% of the claim amount over and above Rs 50,00,000/-
From Rs.1,00,00,000/- to Rs 10,00,00,000/-	Rs. 95,000/- + 0.25% of the claim amount over and above Rs 1,00,00,000/-
Over Rs. 10,00,00,000/-	Rs. 3,20,000/- + 0.15% of the claim amount over and above Rs 10,00,00,000/-

Note: Air fare and cost of stay in hotel of the member(s) of the Arbitral tribunal are excluded, which are to be equally borne by the parties.

Emergency arbitration

Fixed Fee Rs. 25,000/-

Note: Air fare and cost of stay in hotel of the member(s) of the Arbitral tribunal are excluded, which are to be equally borne by the parties.

In addition to the foregoing, the parties shall be required to pay a sum of Rs. 3,500/- per day for use of facilities of the DAC on the days the Arbitral Tribunal holds its sittings. (International Arbitration and Emergency Arbitration)

Schedule B – Arbitrators' fees*

Sum in dispute (in Rs.)	Fees
Upto Rs. 5 Lakh (Rs.5,00,000)	Rs.35,000/-
Above Rs. 5 Lakh and upto Rs.20 Lakh (Rs.5,00,001 to Rs.20,00,000)	Rs.35,000/- + 3.5% of the claim amount over and above Rs.5,00,000/-.
Above Rs. 20 Lakh and upto Rs.1 Cr. (Rs.20,00,001 to Rs.1,00,00,000)	Rs.87,500/- + 3% of the claim amount over and above Rs.20,00,000/-.
Above Rs. 1 Cr. and upto Rs.10 Cr. (Rs.1,00,00,001 to Rs.10,00,00,000)	Rs.3,27,500/- + 0.75% of the claim amount over and above Rs.1,00,00,000/-.
Above Rs. 10 Cr. and upto Rs. 20 Cr. (Rs.10,00,00,001 to Rs.20,00,00,000)	Rs.10,02,500/- + 0.5% of the claim amount over and above Rs.10,00,00,000/-.
Above Rs.20 Cr. (Rs.20,00,00,001--)	Rs.15,02,000/- + 0.25% of the claim amount over and above Rs.20 Cr., with a ceiling of Rs.25,00,000/-.

Schedule C – Arbitrator's fees in Summary Arbitration*

Sum in dispute (in Rs.)	Fees
Upto Rs. 10,00,000/-	Rs. 25,000/-
Above Rs. 10,00,000/-	As per Schedule B

* Sums in dispute mentioned in the Schedule B and C above shall include any counter-claim made by a party.

Note: Fee in respect of claims/counter claims either wholly or partially, monetary value whereof cannot be ascertained will be fixed by the Chairperson, having regard to, effective and substantial relief sought, and complexity of the subject matter.

Schedule D – Arbitrators’ fees in Interntional Arbitration

Sum in dispute	Fees
Upto \$ 50,000 or equivalent in Rupees	Rs.3,00,000/-(minimum)
From \$ 50,001 to \$ 1,00,000 or equivalent in Rupees	6% of the additional amount
From \$ 1,00,001 to \$ 5,00,000 or equivalent in Rupees	3.5% of the additional amount
From \$ 5,00,001 to \$ 10,00,000 or equivalent in Rupees	2.5% of the additional amount
From \$ 10,00,001 to \$ 20,00,000 or equivalent in Rupees	1.5% of the additional amount
From \$ 20,00,001 to \$ 50,00,000 or equivalent in Rupees	0.75% of the additional amount
From \$ 50,00,001 to \$ 1,00,00,000 or equivalent in Rupees	0.35% of the additional amount
From \$ 1,00,00,001 to \$ 5,00,00,000 or equivalent in Rupees	0.15% of the additional amount
From \$ 5,00,00,001 to \$ 8,00,00,000 or equivalent in Rupees	0.075% of the additional amount
From \$ 8,00,00,001 to \$ 10,00,00,000 or equivalent in Rupees	0.03% of the additional amount
Over \$ 10,00,00,001 or equivalent in Rupees	0.02% of the additional amount

Note: Fee in respect of claims/counter claims either wholly or partially, monetary value whereof cannot be ascertained will be fixed by the Chairperson, having regard to, effective and substantial relief sought, and complexity of the subject matter.

Schedule E – Arbitrators’ fees in Emergency Arbitration

Fixed Fee

15% of the fees payable to the Arbitrator in accordance with the fee structure in Schedule B or D as the case may be.