

Arbitration (Andhra Pradesh Amendment) Act, 1990

1 of 1990

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PREAMBLE

An Act to amend the Arbitration Act, 1940 in its application to the State of Andhra Pradesh.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-first Year of the Republic of India as follows:-

1. Short title extent and commencement :-

(1) This Act may be called the Arbitration (Andhra Pradesh Amendment) Act, 1990

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force at once.

2. Amendment of section 14 :-

In the Arbitration Act, 1940 (Central Act x of 1940) (herein referred to as the principal Act, in section 14, sub-section (1), the following proviso shall be added namely:-

"Provided that the arbitrators or umpire shall give reasons for any award made under this section and no award shall be valid unless reasons therefor are given as aforesaid."

3. Amendment of section 17 :-

To section 17 of the principal Act, the following provisos shall be added, namely:-

"Provided that where an award pending in the court at the commencement of the Arbitration (Andhra Pradesh Amendment) Act, 1990 or an award filed in the court, thereafter does not contain reasons in error as required by the proviso to sub-section (1), of section 14 the court shall not proceed to pronounce the judgment according to the award, but shall remit the award to the arbitrators or the umpire for giving reasons therefor as required by the said proviso and there upon the arbitrators or umpire shall, within thirty days from the date of remittance of the award to them by the court give reasons for the award and file the same in the court;

Provided further that on the application of the arbitrators or the umpire and for reasons to be recorded in writing, it shall be competent for the court, to extend the period of thirty days aforesaid for a further period not exceeding fifteen days:

Provided also that where an award pending in the court as aforesaid does not contain any reasons and there is no possibility to remit the award to the arbitrator or panel of arbitrators or umpire due to their incapacity, negligence, refusal to act or death, the court shall set aside the award and direct the parties (sic) fresh arbitration in accordance with the terms of the agreement."