

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF LEGAL AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 3440  
TO BE ANSWERED ON FRIDAY, THE 08<sup>TH</sup> AUGUST, 2025**

**Appointment of Arbitrator**

†3440. Shri Devesh Shakya:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether preference is given to retired judges than advocates in the matter of appointment of arbitrator;
- (b) if so, the reasons therefor;
- (c) the number of retired judges appointed as arbitrators in all the High Courts of the Country during the last three years, State-wise;
- (d) the number of advocates appointed as arbitrators during the same period; and
- (e) whether the Government proposes to make a balanced policy in this regard so that qualified advocates also get adequate opportunities and if so, the details thereof?

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY  
OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE  
MINISTRY OF PARLIAMENTARY AFFAIRS**

**(SHRI ARJUN RAM MEGHWAL)**

**(a) and (b)** The Arbitration & Conciliation Act, 1996 does not prescribe any qualification for appointment of persons as arbitrator or any preference to appointment of retired judges or advocates as arbitrator. The parties are free to appoint any person as an arbitrator in terms of their agreement since the arbitration mechanism is party autonomy driven.

**(c) and (d)** No such data is maintained by the Government.

(e) There is no such proposal under the consideration of the Government. However, the India International Arbitration Centre which has been established under the India International Arbitration Centre Act, 2019 as an institution of national importance, has notified the India International Arbitration Centre (Criteria for Admission to the panel of arbitrators) Regulations, 2023, which allows any person as eligible under the said regulations, to apply for consideration of empanelment by Chamber of Arbitration, constituted by the India International Arbitration Centre under Section 28 of the India International Arbitration Centre Act, 2019.

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