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తెలంగాణ రాజ పత్రము
RULES SUPPLEMENT TO PART - I
EXTRAORDINARY
OF
THE TELANGANA GAZETTE
PUBLISHED BY AUTHORITY

No.10-A] HYDERABAD, MONDAY, MAY 16, 2022.

NOTIFICATIONS BY GOVERNMENT

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INDUSTRIES & COMMERCE DEPARTMENT

(FP&MSME)

THE TELANGANA MICRO, SMALL AND MEDIUM ENTERPRISES
INSTITUTIONAL CONCILIATION AND ARBITRATION RULES,
2022.

***[G.O.Ms.No.32, Industries & Commerce (FP&MSME),
16th May, 2022.]***

In exercise of the powers conferred by section 30 of the Micro,
Small and Medium Enterprises Development Act, 2006 (Central Act 27
of 2006), the Government of Telangana, hereby makes the following
rules, namely:-

RULES

1. Short Title and Commencement:

- (1) These rules may be called the Telangana Micro, Small and Medium
Enterprise's Institutional Conciliation and Arbitration Rules, 2022.

G-134.

[1]

(2) These rules shall come into force on the 16th day of May, 2022.

2. Definitions:

- (1) In these Rules, unless the context otherwise requires :-
 - (a) “Act” means the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006);
 - (b) “A&C Act” means the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996);
 - (c) “Facilitation Council” means The Micro, Small and Medium Enterprises Facilitation Councils established under section 20 of the said Act;
 - (d) “The International Arbitration and Mediation Centre, Hyderabad” or “IAMCH” means the mediation and arbitration Centre established by the International Arbitration and Mediation Centre Trust, Hyderabad;
 - (e) “IAMC Rules of Arbitration” means the most recent Rules of Arbitration published on the website of the IAMCH;
 - (f) “IAMC Rules of Conciliation/Mediation” means the most recent Rules of Conciliation/Mediation published on the website of the IAMCH;
- (2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act;

3. Reference to the IAMCH by Facilitation Councils:-

- (1) Where a reference of a dispute involving a claim of more than Rupees Three Crores made to the Micro and Small Enterprises Facilitation Council under Section 18 of the Act remains unresolved / undecided for a period of 90 days from the date of making a reference as provided under sub-section (5) of Section 18 of the Act, the Facilitation Council shall refer such dispute:
 - (i) for conciliation under sub-section (2) of Section 18 of the Act, to the International Arbitration and Mediation Centre, Hyderabad, for conciliation, where the Facilitation Council has not conducted conciliation in regard to such dispute; or
 - (ii) for arbitration under sub-section (3) of Section 18 of the Act to the

International Arbitration and Mediation Centre, Hyderabad, for arbitration where the conciliation held by the Facilitation Council has not resulted in a settlement or resolution of dispute.

- 2) Where the reference by the Facilitation Council is for conciliation, the reference shall be deemed to be a request by the parties to enlist the assistance of IAMCH for appointment of conciliator under clause (a) of sub-section (2) of Section 64 of the A&C Act and the person recommended by IAMCH shall be deemed to be the Conciliator appointed under clause (a) of sub-section (1) of Section 64 of the A&C Act; and such conciliator shall conduct the conciliation in accordance with Sections 65 to 81 of the A&C Act. Such conciliation shall be governed by IAMC Rules of Conciliation/Mediation in so far as they are not inconsistent with the provisions of the A&C Act.

- (3) Where a conciliation referred under Rule 3 (1) (i) does not end in Settlement / resolution of the dispute, IAMCH shall refer the matter to arbitration under the IAMC Rules of Arbitration and such a reference shall be treated as a reference to arbitration by the parties:

Provided that a Facilitation Council may also refer a dispute to IAMCH even prior to the expiry of the 90 days period referred to in sub-section (5) of Section 18 of the Act in case the Facilitation Council is of the view that having regard to the complexities of dispute in question the same is not likely to be disposed of within a period of 90 days.

JAYESH RANJAN,

Principal Secretary to Government & CIP (FAC).

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