Additional purchase condition

The following Additional Purchase conditions shall be read in conjunction with General Purchase Conditions. If there are any provisions in these Additional Conditions of Contract, which are at variance with the provisions of General Purchase Conditions, the provisions in these Additional Purchase conditions shall take precedence.

1. Payment terms: 100% against delivery.

2. Security deposit: Not Applicable (Clause No. 09 of GPC stands deleted)

3. Dispatch Instruction: Not Applicable (Clause No. 10 of GPC stands deleted)

4. ARBITRATION:

4.1 Clause no. 23 of GPC
   Deleted- There shall be no Arbitration Clause for this Contract except between Central Public Sector Undertakings inter se / Government of India Departments / Ministries as mentioned in the Clause No. 4.2 of APC below.

4.2 ARBITRATION BETWEEN CENTRAL PUBLIC SECTOR ENTERPRISES INTER SE / GOVERNMENT OF INDIA DEPARTMENTS / MINISTRIES

   i) In the event of any dispute or difference relating to the interpretation and application of the provisions of the contracts, such dispute or difference shall be referred by either party for arbitration to the sole arbitrator in the Department of Public Enterprises. The Arbitration and Conciliation Act, 1996 shall not be applicable to arbitration under this clause. The award of the Arbitrator shall be binding upon the parties to the dispute, provided, however, any party aggrieved by such award may take a further reference for setting aside of the award to the Law Secretary, Department of Legal Affairs, Ministry of Law & Justice, Government of India. Upon such reference the dispute shall be decided by the Law Secretary or the Special Secretary/ Additional Secretary, when so authorized by the Law Secretary, whose decision shall bind the Parties finally and conclusively. The parties to the dispute will share equally the cost of arbitration as intimated by the Arbitrator.

   ii) Subject to any amendment that may be carried out by the Government of India from time to time, the procedure to be followed in the arbitration shall be as is contained in O.M. No. 4(1)/2011-DPE(PMA)GL dated 12.06.2013. of Department of Public
Enterprises, Ministry of Heavy Industries and Public Enterprises, Govt. of India or any modification issued in this regard.

5. Clause No.24 of GPC, stands modified as under:

JURISDICTION:
The courts in Kolkata alone will have jurisdiction to deal with matters arising from the contract, to the exclusion of all matters.