

New Delhi, the 28th January, 2016

OFFICE ORDER

It has been decided to constitute an Expert Committee consisting of the following persons to examine the Specific Relief Act, 1963 and to make suggestions for amendments therein, namely:—

- (i) Mr. Anand Desai, Managing Partner, DSK Legal, New Delhi - Chairperson;
- (ii) Mr. Amit Kapur, Senior Partner, J Sagar Associates, New Delhi - Member;
- (iii) Mr. Akshay Chudasama, Managing Partner-West, Shardul Amarchand Mangaldas & Co., New Delhi - Member;
- (iv) Mr. Arghya Sengupta, Vidhi Centre for Legal Policy, New Delhi - Member;
- (v) Mrs. Neelima Bhabhade, Associate Professor, ILS Law College, Pune - Member;
- (vi) Dr. Mukulita Vijayawargiya, Additional Secretary, Legislative Department, Ministry of Law and Justice – Member-Secretary.

2. The terms of reference of the said expert committee shall be as under:—

(a) to review the Specific Relief Act, 1963 from the point of view of enforceability of contracts and other relief provided thereunder, in the context of tremendous developments which have taken place since 1963 and the present changed scenario involving contract based infrastructure developments, public private partnerships and other public projects, involving huge investments;

(b) to study the remedies of specific relief provided under the Specific Relief Act, 1963 and suggest changes required in the present scheme of the Act so that specific performance is granted as a general rule and grant of compensation or damages for non-performance remains as an exception;

(c) to examine and suggest amendments in the Specific Relief Act, 1963 to ensure that discretionary relief is done away with;

(d) to examine amendments required to be made in the Specific Relief Act, 1963 for ensuring ease of doing business in India;

(e) any other suggestions for amendments in the Specific Relief Act, 1963.

3. The Committee shall hold its meetings in New Delhi.

4. The Committee may consult any person having knowledge and experience in the subject matter.

5. The Committee shall regulate its own procedure for conducting its meetings.

6. The Committee shall finalise its report within three months and submit its report to the Secretary, Legislative Department, Ministry of Law and Justice.

7. The Members of the Committee shall be entitled to such allowances as are admissible to Group 'A' officers under Central Government rules.

8. This issues with the approval of Hon'ble Minister of Law and Justice.

(Veena Kothavale)
Additional Legislative Counsel
28th January, 2016
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