



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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NHAI/Policy Guidelines/Contractual Disputes/ Claims-Standard Operating Procedure (SoP)/2017

No.2.1.25/2017, Dated 22.12.2017

[As decided by Executive Committee of NHAI in its meeting held on 29.11.2017 (Agenda Item No. 326.13)]

Subject: Contractual Disputes/ Claims - Standard Operating Procedure (SoP) for handling the arbitration matters and the court cases - Modifications.

Refer the Policy Guidelines issued on 01.06.2017 (copy of Circular enclosed). In this regard, the following modifications have been made to the SoP:

Para No., Page No. of Circular	Issues briefly	Modifications to Policy Guidelines
Para-(A)2.2 Page-3	Nomination of Arbitrator on behalf of NHAI: A Standing Committee of Member(in-charge of L&A/CM Division); Member(in-charge of the Project); and CGM(Fin.) decides the nominee arbitrator of NHAI in each arbitration case.	(i) For next 3 months, the cases of nomination of arbitrators shall be put up to Executive Committee of NHAI. Thereafter, the nominations will be decided by the Standing Committee as given in Para-A (2.2). (ii) Member(PPP) will monitor the constitution of Arbitral Tribunals and nomination of arbitrators.
Para-(A)5.2 Page-6	Techno Legal Expert shall be a Civil Engineer-cum-Law Graduate with an experience of 8-10 years in arbitration matters.	The qualification is changed to Graduate in Civil Engineering and the experience in arbitration matters is 10 years with atleast one arbitration case for each year of experience claimed.
Para-(A)4.2 Page-5	For arranging the venues of the hearings of AT, Technical Division is authorized to incur expenditure upto Rs.8,000 per day(50% share of NHAI)	The higher expenditure in arranging the venues will be approved by Member(in-charge of the Project), considering the justification for such higher expenditure.
New Issue (Add as Para-(A)10, Page-9)	As per Section-29 of the Arbitration and Conciliation Act, the award shall be made within a period of 12 months from the date the Arbitral Tribunal enters upon the reference and the parties may, by consent, extend the period for making award for a further period not exceeding 6 months.	The cases for extending the period of Arbitral Tribunal upto 2 months will be put up to EC and beyond 2 months will be submitted to the Board of NHAI.

Encl.: Policy Guidelines dated 01.06.2017.

(A.K. Sadhu)

Chief General Manager (Coord)

To

All Officers of HQ, ROs/ PIUs/ CMUs/ Site Offices