



**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/SOP for Conciliations/2018**  
**Policy No.2.1.28 dated 03.08.2018**

(Decision taken on File No. NHAI/CMD/Conciliation/2018)

**Sub: Modifications in the SOP for conciliation of disputes between NHAI and the Concessionaire/ Contractor/ Consultant.**

Para-1(g) of the modified Standard Operating Procedure (SOP) notified vide Policy Guidelines No.2.1.27/2018 dated 18.07.2018 has been reconsidered by the Executive Committee in the meeting held on 31.07.2018 and the same has been modified further as detailed below:

Para No. of SOP	Gist of modified SOP dated 18.07.2018	Modification decided by EC on 31.07.2018
1(g)	Member concerned would decide the options for conciliation in consultation with other Committee Members as mentioned in para (a) above and would place the same before the CCIEs.	A committee comprising three Members should deliberate on what is going to be final offer of NHAI for conciliation. The three Members Committee would comprise of Member (Finance), Member(P)-RKP and the Member concerned. In case, Member(P)-RKP himself is the Member concerned then Member (Administration) would be the third Member in the Committee.

2. (a) Further, as per the notified SOP, vide Policy Guidelines no.2.1.22/2017 dated 02.06.2017, Contract Management Division (CMD) of NHAI was to obtain and examine the correspondence/ documents of either parties relating to the disputes and hold discussions with the team of Concessionaire/ Contractor/ Consultant and the Technical Division so as to crystallize the issues and prepare the agenda for the meeting of both the Chairmen.
- (b) It has been observed that in many cases, the Technical Division has no knowledge of the correspondence/ documents of either parties relating to the disputes and also not examined the disputes at HQ and sought the decision of the Member concerned, before these have become the disputes to be referred to both the Chairmen. Therefore, the following modifications are made in the SOP so that the Technical Division at HQ and the Member concerned have full knowledge of the disputes and given their views:

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Para No. of SOP	Gist of SOP dated 02.06.2017	Modifications in SOP
3.1	.....the concerned Technical Division shall send a response within 7 working days thereby inviting the Concessionaire/ Contractor/ Consultant to depute a team of their representatives to interact with the Contract Management Division (CMD) of NHAI.....	Now CGM(T),HQ shall interact (not CMD).
3.2	CMD will obtain and examine the correspondence/ documents of either parties relating to the disputes, preferably within 30 days, hold discussions with the team of the Concessionaire/ Contractor/ Consultant and the Technical Division to crystallize the issues; prepare the agenda containing the gist on each dispute; fix up a meeting of both the Chairmen and circulate the meeting notice and the agenda.	Now CGM(T),HQ shall undertake all these activities and CGM(CMD) shall only fix up a meeting of both the Chairmen and circulate the meeting notice and the agenda.
3.3	Thereafter, both the Chairmen may meet on the date fixed, discuss the agenda and explore the possibilities of conciliation/settlement. The conciliation may be successful or partially successful or may fail. Whatever be the outcome, the CMD will issue the minutes with the approval of Chairman NHAI after the meeting, clearly indicating the outcome/ conclusions along with the reasons on each dispute/ claim.	CGM(T) shall make a presentation on behalf of NHAI and send the draft minutes after the meeting with the consent of Member concerned to CGM(CMD) for issue of the minutes after the approval of Chairman, NHAI.

3. This issues with the approval of Chairman.

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03/08  
(V.K. Sharma)  
Chief General Manager (Coord.)

To

- i. All Officers at NHAI HQ/ROs/PIUs/CMUs/Site Offices
- ii. Hindi Officer for translation in Hindi