



# 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/Legal/2020 Policy Circular No.2.1.44 dated 22.10.2020 {Decision taken on E-Office File Comp. No.5693}

**Sub: Revision of Fee payable to the Arbitrators in terms of the Arbitration & Conciliation (Amendment) Act, 2015 in the Contractual Disputes.**

Para 3 of Policy Circular/SoP dated 01.06.2017, regarding schedule of fee mentioned in the Annexure-3, has been modified/amended with the following schedule as per 437-Minutes of EC decision dated 11/09/2020:

Sum in dispute	Model fee
Up to Rs. 5,00,000 (Five Lakh)	Rs. 45,000
Above Rs 5,00,000 (Five Lakh) and up to Rs 20,00,000 (Twenty Lakh)	Rs 45,000 plus 3.5 per cent of the claim amount over and above Rs 5,00,000 (Five Lakh)
Above Rs. 20,00,000 (Twenty Lakh) (and up to Rs 1,00,00,000 (One Crore)	Rs 97,500 plus 3 per cent of the claim amount over and above Rs 20,00,000 (Twenty Lakh)
Above Rs 1,00,00,000(One Crore) and up to Rs 10,00,00,000 (Ten Crore)	Rs 3,37,500 plus 1 per cent of the claim amount over and above Rs 1,00,00,000 (One Crore)
Above 10,00,00,000 (Ten Crore) and up To Rs 20,00,00,000 (Twenty Crore)	Rs 12,37,500 plus 0.75 per cent of the claim amount over and above Rs 10,00,00,000 (Ten Crore)
Above Rs 20,00,00,000 (Twenty Crore)	Rs 19,87,500 plus 0.5 per cent of the claim amount over and above Rs 20,00,00,000 (Twenty Crore) with a ceiling of Rs 30,00,000 (Thirty Lakh)

Note:- In the event, the arbitral tribunal is a sole arbitrator, he shall be entitled to an additional amount of twenty-five per cent on the fee payable as per the table set out above.

2. The above fee is payable to each arbitrator, to be shared equally by both the parties to the arbitration i.e. Claimant and Respondent, which is inclusive of fee of arbitrators for Claim & Counter Claims i.e. total "Sum in dispute", reading charges, declaration/publishing of award. Further, the fee of AT was being regulated as per Policy Circular of 01.06.2017 and henceforth the fee shall be regulated as per ibid OM. Therefore, difference of fee in ongoing Arbitration matters shall be worked out by the respective Divs. /PIUs and difference of amount shall be paid accordingly. In other words, fee already paid shall be adjusted from the prescribed fee shown in the chart and balance amount, if any, shall be paid to the Arbitrator(s).

3. The expenses such as stay and travelling charges will be paid as per Policy Guidelines/ Circular No. 2.1.22/2017 dated 01.06.2017.

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4. Accordingly the Policy Circular dated 01.06.2017 on the mentioned subject is modified to the above extant.
5. This issue with the approval of Competent Authority.



(Digvijay Mishra)  
CGM (Coord)

To,

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

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