



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India

(Ministry of Road Transport and Highways)

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NHA/DR&A/ARB(Misc.)/2011

July 30, 2012

CIRCULAR

Sub.: Handling of Arbitration cases by Legal & Arbitration Cell of the HQs.

It has been decided by the Competent Authority that henceforth all Arbitration cases shall be handled and represented by Arbitration Cell instead of Project Directors so as to maintain uniformity of instance before tribunals and develop expertise in the field of Arbitration matters. Accordingly all PIUs are hereby advised to henceforth refer all notices of Concessionaire/Contractors invoking Arbitration Clauses of the Contract/Concession agreement, to Legal & Arbitration Cell for taking further necessary action in the matter.

2. The Project Directors shall extend full cooperation and provide all relevant documents/files/records, pertaining to the disputes for which arbitration clause has been recently invoked. The relevant information needs to be given to Legal & Arbitration Cell alongwith significant inputs/comments for formulating the counter-claim and reply/written statement to be filed before Arbitral Tribunals on behalf of NHA as well as defending claims against the organization effectively.

3. The ongoing cases shall continue to be handled by Project Directors in accordance with the extant instructions issued earlier through various circular/office orders. However, the cases where Arbitrators have been recently appointed but the proceedings are yet to commence have to be tackled as per new arrangement.

(P.C. Grover)

Chief General Manager (Legal/HR)

To,

All Officers of HQ/ZO/PIUs/CMUs/Site Office