



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सडक परिवहन और राजमार्ग मंत्रालय)

## National Highways Authority of India

(Ministry of Road Transport and Highways)

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Dated: 24.05.2016

### POLICY MATTERS-Technical (2016/2016)

(Decision Taken in file no. NHAI/DR&A/Arb. (Misc.)/2011)


#### **Sub: Time frame for dealing with Arbitration Awards.**

Reference is made to circular dated 22.11.2013 (copy enclosed) about filing of Appeals in Arbitration Matters.

2. In the above mentioned circular, it has been clarified that the Arbitration Awards are to be dealt with by the Technical Division at HQs in consultation with Legal & Arbitration Cell. It is evident that the aggrieved party, whether NHAI or the Contractor/Concessionaire/Consultant would normally challenge it in the form of Appeal under Section 34 of the Arbitration & Conciliation Act before a Court of Law. Also, in quite a few cases, the decision of the Arbitration Awards in respect of certain claims are accepted and payments have to be made within reasonable time frame. It has become necessary to lay down timelines to avoid the case becoming time-barred as well as for prompt payment if the award is accepted.

3. It has, therefore, been decided that the GM of the Technical Division would ensure that within 45 days of receipt of the Arbitration Award, the matter must be projected to Executive Committee for decision whether to challenge or accept the Award and in no case later than 60 days of award date. Based on the decision of Competent Authority Technical Division shall ensure compliance of decision to accept or challenge the Award. In case any inputs, records or files are required from the PIU/RO / legal opinion etc, necessary steps have to be taken in advance, to adhere to this laid down time schedule.

4. This issues with approval of the Competent Authority.

  
(N.K. Sharma)  
CGM (Coord.)

To:

All Officers & Employees of HQ/ROs/ PIUs/ CMUs/ Site Offices