

National Highways Authority of India
Plot No. G 5&6, Sector 10, Dwarka, New Delhi - 110075

No. NHA/CGM(L)/Conciliation/2017-18
Date: 2nd June, 2017

To

All the Concessionaires/ Contractors/ Consultants
working with the NHA

Subject : Establishment of Conciliation Committees of Independent Experts in terms of the provisions contained in Part-III of the Arbitration & Conciliation(Amendment) Act, 2015 in NHA pursuant to the decisions of the CCEA.

Dear Sirs,

I have been directed to inform you that the NHA has established two Conciliation Committees of Independent Experts for conciliation/ settlement of any contractual disputes between the NHA on the one hand and the Concessionaires/ Contractors/ Consultants working for the NHA on the other.

1. The Standard Operating Procedures (SoP) for conciliation and settlement of disputes through the conciliatory process and the constitution of the Conciliation Committee of Independent Experts (CCIE) is contained in the Policy Guidelines issued by the NHA on the subject and placed on the website of the NHA. It may be noted that the scope of the CCIE pervades across disputes before, during or after the Arbitral process.

3. Presently, as on 25.05.2017, there are 144 references before the Courts on contractual disputes/ claims and 132 references have been made to various Arbitral Tribunals. The NHA would be agreeable to refer all the cases filed by it before the Hon'ble Courts challenging the Arbitral Awards with appropriate request to the Hon'ble Courts for holding the proceedings in these matters in abeyance for such time as may be taken by the Conciliation Committee of Independent Experts for settlement of the related disputes in case you are agreeable to the same.

4. Further, in case you are agreeable to refer the disputes presently under Arbitral proceedings to the said Committee(s), you may also take recourse to this conciliatory and settlement route with appropriate request to the Arbitral Tribunals to hold the proceedings in abeyance till such time the said dispute(s) is/ are considered by the Conciliation Committee.

5. Please take note that by giving your consent/ willingness to refer the dispute(s) to the Conciliation Committee, you are also confirming your acceptance of the conciliation process as contained in the Policy Guidelines of NHA dated 02.06.2017, more specifically to the provisions contained in Sections 63 and 64 of the Arbitration and Conciliation(Amendment) Act, 2015, and that it meets the requirements on "conciliation" under the Act *ibid*.

6. Accordingly, you are requested to indicate your consent/ willingness in this behalf at the following address:

*The Chief General Manager
Contract Management Division, NHA
Room No.201, Plot No G - 5&6,
Sector 10, Dwarka, New Delhi.-110075
Email: kvenkataramana@nhai.org
Contact No. 011-25074100/4200 , (Extn. 1104)
Mobile : 9899897444*

Yours Sincerely,

(K. Venkata Ramana)
Chief General Manager (CMD)