



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

## National Highways Authority of India

(Ministry of Road Transport and Highways, Government of India)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली - 110 075 • G-5 & 6, Sector-10, Dwarka, New Delhi-110075

दूरभाष/Phone : 91-11-25074100 / 25074200



### NHAI/ Policy Guidelines/Dispute Resolution/ 2025

#### Policy Circular No. 2.1.84/2025 dated 12<sup>th</sup> June, 2025

{Decision taken on E-Office File No. CDMDIV-11/42/2025-CMD Division (Comp. No. 280587)}

**Sub: Standard Operating Procedure for Dispute Resolution through Dispute Resolution Board (DRB)/Conciliation provided in the Contract/ Concession Agreement-reg.**

NHAI vide Policy Circular No. 2.1.43/2020 dated 04.09.2020 incorporated Provisions under Article 26, 38 and 44 of the Standard Agreements for EPC, HAM and BOT (Toll) Projects regarding Dispute Resolution as under:

- (i) In the event of any Dispute between the Parties, either Party may call upon the Authority/ Independent Engineer (AE/ IE), to mediate and assist the Parties in arriving at an amicable settlement.
- (ii) Failing mediation by the AE/ IE or without the intervention of the AE/ IE, either Party may require such Dispute to be referred to the Dispute Resolution Board (DRB).
- (iii) Only if either Party is dissatisfied with the decision of DRB, or if DRB is unable to resolve the Dispute, the Parties are required to explore Conciliation through CCIEs established by the Authority before proceeding to Arbitration.
- (iv) Only if the Conciliation process through CCIE fails, either Party may escalate the Dispute to Arbitration.

2. However, it has been observed that, some Contractors/ Concessionaires are submitting requests for Conciliation even when the Dispute is under adjudication before DRB. This practice is not in line with the Dispute Resolution framework envisaged under the Contract/Concession Agreement. Accordingly, it has been decided that NHAI shall not accept any request for Conciliation from the Contractor/Concessionaire unless the Dispute has been first decided by the DRB and/ or if DRB is unable to resolve the Dispute.

3. This issue with the approval of Competent Authority.

(CS. Sanjay Kumar Patel)  
I/c Chief General Manager (Coord.)

To:

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

Copy to:

1. Hindi Division for translation in Hindi.
2. Library for hosting the circular on library site.
3. Web Admin for circulation.