

**GOVERNMENT OF INDIA  
ROAD TRANSPORT AND HIGHWAYS  
LOK SABHA**

UNSTARRED QUESTION NO:1916  
ANSWERED ON:26.03.2012  
DISPUTE REDRESSAL MECHANISM  
Biswal Shri Hemanand ;Joshi Shri Pralhad Venkatesh

**Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:**

- (a) whether the Government has an effective dispute redressal mechanism for resolving the problems with regard to road sector;
- (b) if so, the details thereof; and
- (c) if not, the steps taken by the Government for setting up an effective dispute redressal mechanism in the form of tribunals for speedy resolution of conflicts?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA)

(a) & (b) Yes Madam. Under dispute redressal mechanism for item rate contracts, the disputes are referred to Dispute Review Board (DRB) comprising three Members (one each to be appointed by the Employer & Contractor and 3rd is chosen by other two) as retired Chief Engineer & above and having experience in the similar type of works involved in the Contract. If any party is aggrieved with the recommendations of DRB, the disputes can be referred to an Arbitral Tribunal comprising three Members (one each to be appointed by the Employer & Contractor and 3rd is chosen by other two). If aggrieved by the Arbitral Award, the aggrieved party can take recourse to move to Court of Law. For Public Private Partnership (PPP) contracts an attempt for amicable settlement is made by holding discussions between the Chief Executive Officer (CEO) of the Concessionaire and the Competent Authority of Employer. If the attempt of amicable settlement fails, the disputes can be referred to an Arbitral Tribunal comprising three Members (one each to be appointed by the Employer & Contractor and 3rd is chosen by other two). If aggrieved by the Arbitral Award, the aggrieved party can take recourse to move to Court of Law.

(c) Apart from Dispute Resolution Mechanism provided in the agreement of National Highways contracts, PMO has constituted B.K. Chaturvedi Committee for faster resolution of disputes pending for National Highways Development Project (NHDP) works. An Independent Expert Group (IEG) has been constituted comprising former Chief Justice of High Court as Head and former Deputy C&AG, former Vigilance Commissioner & former DG(RD) & SS, MoRTH as Members of IEG.