



MES BUILDERS ASSOCIATION OF INDIA (REGD.)

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2023-2025

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2023-2025

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Imm. Past President

ANIL KAPOOR
(Delhi)

Mob. : 9810044862
E-mail: anil@tws.co

Ref. No.: MES BAI/E-in-C/ 19 /2026

Dated : 03rd April 2026

Lt Gen Vikas Rohella, SM**
Engineer-in-Chief
Kashmir House
Rajaji Marg, New Delhi-110011

Subject : REQUEST FOR SUSPENSION/GRANT OF AUTOMATIC EXTENSION OF TIME FOR WORKS DUE TO EXTRAORDINARY GLOBAL DEVELOPMENTS AFFECTING EXECUTION OF DEFENCE CONTRACTS AND COST ESCALATION COMPENSATION MECHANISM FOR DEFENCE WORK PROJECTS DUE TO SURGE IN FUEL, CONSTRUCTION MATERIALS PRICES AND LOGISTICS COST

Respected Sir,

1. Kindly refer to this HQ letters No MBAI/E-in-C/11/2026 dated 10 March 2026, MBAI/E-in-C/16/2026 dated 25th March 2026 and MBAI/E-in-C/18/2026 dated 02nd April 2026 on the subject cited above. .

2. As already brought to your kind notice, the ongoing geopolitical disturbances in the Middle East have precipitated an extraordinary and unforeseeable volatility in the market, particularly impacting petroleum based inputs such as bitumen, diesel, lubricants and their downstream derivatives. The cascading effect of such disruptions has severely impaired the execution capabilities of contractors and has rendered adherence to contractual timelines increasingly onerous and commercially unviable.

3. In view of the foregoing, it earnestly and respectfully submitted that a pragmatic and compassionate policy intervention may kindly be considered by your esteemed office, through issuance of an appropriate circular/advisory, recognizing the prevailing force majeure like conditions and extending the following reliefs to the builders' fraternity :-

(a) Grant of automatic Extension of Time (EOT) for ongoing works, wherever execution stands demonstrably affected by such extraneous factors.

(b) Suspension/waiver of levy of liquidated damages, penalties or any adverse contractual action attributable to delays arising out of the aforesaid circumstances .

(c) Consideration and incorporation of suitable mechanisms to neutralize the impact of abnormal and extraordinary escalation in petroleum base inputs, especially in cases where existing price variation clauses are inadequate to address such exceptional volatility.

(d) Provision of requisite flexibility in execution schedules, technical approvals and streamlining of payment process to ensure sustained cash flow and continuity of works.

4. The above measures, if acceded to, would not only provide much needed succor to the contracting community but also ensure uninterrupted progress of strategically important projects under your jurisdiction.

BRANCHES

AGRA AHMEDABAD ALLAHABAD AMBALA AMRITSAR ANDAMANN/COBAR BABINA BANGALORE BARAMULLA BAREILLY BARMER BARODA BARRACKPORE BATHINDA BELGAUM BHOPAL BHUJ BIKANER BINNAGURI CHABUA-MOHANBARI CHANDIGARH CHANDIMANDIR CHANDIPUR CHENNAI COCHIN COIMBATORE DEHRADUN DELHI DINJAN EZHIMALA FEROPUR GURDASPUR GUWAHATI GWALIOR GREATER HYDERABAD HISAR HASIMARA JABALPUR JAIPUR JAISALMER JALANDHAR JAMMU JAMNAGAR JHANSI JODHPUR JORHAT KANPUR KARGIL KARWAR KOLKATA KOTA LEH LKABALI LUCKNOW MATHURA MEERUT MIHOW MUMBAI NAGPUR NASIK PANJIM PATHANKOT PATIALA PUNE RANCHI ROORKEE SAUGOR SHILLONG SILCHAR SILIGURI SRINAGAR TENGA TEZPUR UDHAMPUR VASCO VISAKHAPATNAM WELLINGTON WOL



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Imm. Past President

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(Delhi)

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E-mail: anil@tws.co

5. In this connection we enclose herewith the following representations submitted by the Builders' Association of India & National Highways Builders Federation to Various Ministries, wherein comprehensive relief measures have been recommended and extended to mitigate the unprecedented challenges faced by the construction sector :-

- NHBF letter No. NHBF/NHAI/2025-26/661 dated 17.03.2026
- Builders' Association of India letter dated 25.03.2026
- Builders' Association of India Ref. 02/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 05/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 03/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 09/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 04/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 06/A/2026-27 dated 1st April, 2026
- Builders' Association of India Ref.: 11/A/2026-27 dated 1st April, 2026

Yours faithfully,

(G.S. Mago)
President
HQ MES BAI

Encls : (As above)

Copy to :-

Director General Works
Engineer –in-Chief's Branch
Dte of Contract Management
Kashmir House, Rajaji Marg
New Delhi – 110011

Jt. DG (Contracts)
Engineer –in-Chief's Branch
Dte of Contract Management
Kashmir House, Rajaji Marg
New Delhi - 110011

- We most respectfully solicit your esteemed support and necessary action please.

BRANCHES

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- Timely revision of Schedule of Rates (SOR) to reflect actual market prices.
- Assurance of additional financial support / compensation mechanisms to offset sudden cost burdens.
- Streamlined and expedited approval process for variation claims and cost adjustments.
- Payment of direct difference in cost for major materials (such as steel, cement, bitumen, fuel, etc.) based on actual market rates or verified invoices.
- Major supply chain disruptions and abnormal price escalation in essential construction materials such as cement, steel, aluminium, MS sections, roofing sheets, electrical and HVAC components, arising from ongoing global geopolitical conditions.
- Acute shortage of migrant labour, particularly due to large-scale workforce movement to native states in connection with election activities and related administrative factors.

These developments have significantly impacted project execution across all sectors, resulting in unavoidable delays, reduced productivity, and substantial financial strain. It is important to note that most contracts do not adequately provide for such extraordinary situations.

Relief Measures:-

The BAI recommends that the Government consider the following options to mitigate the impact of the current situation:

Time Extensions and Penalty Relief

- Granting a minimum extension of 2 months for all ongoing project timelines.
- Suspending/waiving imposition of liquidated damages and penalties attributable to the current conditions.

Contractual and Regulatory Relief

- Recognizing the prevailing situation as a force majeure / exceptional circumstance affecting the entire construction industry.
- Providing necessary flexibility in execution schedules, approvals, and payment processes.

We earnestly appeal to your understanding that without such support, projects risk severe financial distress, disruptions, and slowdowns. Contractors are committed to completing works on time, but we need collective action and responsible support from all stakeholders to overcome these challenges.

We trust that you will appreciate the gravity of the situation and extend your full cooperation in ensuring the continuity and stability of ongoing projects.

In this regard, a small delegation from BAI would like to meet with you to discuss this matter in detail. We would be grateful if, you could kindly consider our request and grant an appointment at any time and date of your convenience.

Thanking you,

Yours faithfully,



**DR. D.C. AWASTHI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA**

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(All India Association of Civil Engineering Construction Contractors and Builders)

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Ref.: 04/A/2026-27 dated 1st April, 2026

Shri Nitin Jairam Gadkari Ji

Hon'ble Minister of Road Transport and Highways,

Government of India

Transport Bhawan, 1 Parliament Street,
New Delhi-110001

Subject: Urgent Appeal - Relief Measures for Ongoing Construction Projects.

Respected sir,

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Builders, founded in 1941, it has more than 25,000 business entities as members through its 264 plus Centres (Branches) throughout the country. Regional, Associations Affiliated to BAI form indirect membership of more than 2,00,000 members. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the Construction Industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Our members are engaged in various infrastructure development projects, constructions of residential / commercial complexes, public utility buildings and executing various Central Government's and State Government's works of Housing complexes, offices, Roads, water supply, sewerage and all infrastructure works across the country. Most of these contractors are registered in Government / Semi Government Departments such as NHAI, CPWD, MES, State PWDs, State Housing Boards, Local Self Governments, Railways, etc. etc.

The Construction Industry is one of the largest contributors to economic growth universally. This holds true specifically to India as this industry is a major contributor to India's GDP. This industry constitutes various facets such as; inter alia, development and infrastructure projects, engineering works, commercial and residential construction.

We write to you on behalf of the **Builders Association of India (BAI)**, to formally highlight the critical situation currently affecting construction activities across the country. In light of the ongoing war / global situation, we are witnessing a sharp and continuous increase in raw material prices. While the full impact may not yet be immediately visible, the cumulative effect is substantial and will significantly affect all contractors in the near future.

The industry faces the following challenges:

- Immediate amendment of ongoing contracts to incorporate escalation clauses wherever not provided.
- Invocation of anti-profiteering measures to regulate unjustified price hikes by manufacturers and suppliers.

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Ref.: 09/A/2026-27 dated 1st April, 2026

Shri H. D. Kumaraswamy Ji

Hon'ble Minister of Heavy Industries,

Government of India

Udyog Bhawan,

New Delhi - 110011

Subject: Urgent Appeal - Relief Measures for Ongoing Construction Projects.

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These developments have significantly impacted project execution across all sectors, resulting in unavoidable delays, reduced productivity, and substantial financial strain. It is important to note that most contracts do not adequately provide for such extraordinary situations.

Relief Measures:-

The BAI recommends that the Government consider the following options to mitigate the impact of the current situation:

Time Extensions and Penalty Relief

- Granting a minimum extension of 2 months for all ongoing project timelines.
- Suspending/waiving imposition of liquidated damages and penalties attributable to the current conditions.

Contractual and Regulatory Relief

- Recognizing the prevailing situation as a force majeure / exceptional circumstance affecting the entire construction industry.
- Providing necessary flexibility in execution schedules, approvals, and payment processes.

We earnestly appeal to your understanding that without such support, projects risk severe financial distress, disruptions, and slowdowns. Contractors are committed to completing works on time, but we need collective action and responsible support from all stakeholders to overcome these challenges.

We trust that you will appreciate the gravity of the situation and extend your full cooperation in ensuring the continuity and stability of ongoing projects.

In this regard, a small delegation from BAI would like to meet with you to discuss this matter in detail. We would be grateful if, you could kindly consider our request and grant an appointment at any time and date of your convenience.

Thanking you,

Yours faithfully,



**DR. D.C. AWASTHI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA**

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PRESIDENT
BUILDERS' ASSOCIATION OF INDIA**



Builders' Association of India

(All India Association of Civil Engineering Construction Contractors and Builders)

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Ref.: 02/A/2026-27 dated 1st April, 2026

Shri Narendra Modi Ji

Hon'ble Prime Minister of India

Government of India

Prime Minister's Office,

Seva Teerth, New Delhi - 110011.

Subject: Urgent Appeal - Relief Measures for Ongoing Construction Projects.

Respected Hon'ble Prime Minister,

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Builders, founded in 1941, it has more than 25,000 business entities as members through its 264 plus Centres (Branches) throughout the country. Regional, Associations Affiliated to BAI form indirect membership of more than 2,00,000 members. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the Construction Industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Our members are engaged in various infrastructure development projects, constructions of residential / commercial complexes, public utility buildings and executing various Central Government's and State Government's works of Housing complexes, offices, Roads, water supply, sewerage and all infrastructure works across the country. Most of these contractors are registered in Government / Semi Government Departments such as NHAI, CPWD, MES, State PWDs, State Housing Boards, Local Self Governments, Railways, etc. etc.

The Construction Industry is one of the largest contributors to economic growth universally. This holds true specifically to India as this industry is a major contributor to India's GDP. This industry constitutes various facets such as; inter alia, development and infrastructure projects, engineering works, commercial and residential construction.

We write to you on behalf of the **Builders Association of India (BAI)**, to formally highlight the critical situation currently affecting construction activities across the country. In light of the ongoing war / global situation, we are witnessing a sharp and continuous increase in raw material prices. While the full impact may not yet be immediately visible, the cumulative effect is substantial and will significantly affect all contractors in the near future.

The industry faces the following challenges:

- Immediate amendment of ongoing contracts to incorporate escalation clauses wherever not provided.
- Invocation of anti-profiteering measures to regulate unjustified price hikes by manufacturers and suppliers.

...P2...

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Relief Measures:

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In this regard, a small delegation from BAI would like to meet with you to discuss this matter in detail. We would be grateful if, you could kindly consider our request and grant an appointment at any time and date of your convenience.

Thanking you,

Yours faithfully,



**DR. D.C. AWASTHI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA**

NHBF/NHAI/2025-26/661

Date: 17.03.2026

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

(Kind Attn.: Sh. Santosh Kumar Yadav, IAS)

Sub.: Request for policy-level recognition of the ongoing Middle East conflict as a Force Majeure event (in terms of Article 28 of HAM, Article 34 of BOT and Clause 21 of EPC Contracts) and provision of suitable relief across NHAI projects

Respected Sir,

1. The National Highways Builders Federation (NHBF), representing Developers and Contractors engaged in the construction of National Highway projects across the country, wishes to draw your kind attention to the disruptions presently affecting the sector due to the ongoing conflict in the Middle East.
2. While the conflict is geographically external to India, its repercussions on global energy markets and maritime logistics are having a significant impact on the execution environment of highway projects. The sector is particularly sensitive to such developments due to its dependence on petroleum-based inputs such as bitumen, diesel, and lubricants, as well as on international shipping routes for certain equipment and components.
3. The escalation of hostilities in the region and the instability affecting maritime corridors, including the Red Sea routes, have resulted in:
 - i. volatility in crude oil prices impacting cost and availability of bitumen and fuel,
 - ii. disruptions in international shipping and logistics, leading to delays in procurement of equipment and materials, and
 - iii. increased freight charges, insurance costs, and overall supply chain uncertainty.
4. These developments are clearly beyond the control of Contractors and Concessionaires and are materially affecting the timely execution of project activities.
5. It is pertinent to note that the standard contractual provisions governing NHAI projects recognize such circumstances:
 - i. Article 28 of the Model Concession Agreement for HAM projects and Article 34 of the Model Concession Agreement for BOT projects include events such as war (whether declared or undeclared), armed conflict, blockade, or embargo within the ambit of Force Majeure.
 - ii. Clause 21 of EPC Contracts also provides for relief where events beyond the control of the contractor materially and adversely affect performance of contractual obligations.
6. Although the present conflict is occurring outside India, its global repercussions—particularly on energy markets and maritime logistics—are directly impacting project execution, thereby satisfying the essential conditions of Force Majeure as envisaged under the above provisions.

7. NHBF would also respectfully submit that, in past instances such as the COVID-19 pandemic and the global disruptions arising out of the Russia–Ukraine conflict, appropriate policy-level relief measures were extended by NHAI/MoRTH to address sector-wide challenges and ensure continuity of project execution.

8. Request for Policy Intervention

In view of the above, NHBF respectfully requests that National Highways Authority of India may consider issuing an appropriate policy circular/advisory recognizing the impact of the ongoing Middle East conflict and providing suitable relief to affected projects.

Such relief may broadly include:

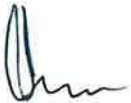
- i. Grant of Extension of Time (EoT) for project milestones and Scheduled Completion Dates (SCOD), wherever execution is demonstrably impacted.
- ii. Protection from levy of liquidated damages or penalties for delays attributable to such circumstances.
- iii. Appropriate consideration of extraordinary cost escalation in petroleum-based inputs, particularly where existing price adjustment provisions do not adequately capture such exceptional volatility.
- iv. Uniform applicability across all project modes, including EPC, HAM, BOT, and TOT, to ensure consistency across the sector.

NHBF believes that a clear and uniform policy guidance from NHAI will help avoid project-level disputes and facilitate smooth implementation of ongoing projects during this challenging period.

The Federation remains committed to supporting the timely delivery of the National Highway development program and would be pleased to provide any further inputs, if required.

With warm regards,

Yours sincerely,
For National Highways Builders Federation



(P C Grover)
DG NHBF

Copy to:

1. The Secretary, Ministry of Road Transport & Highways, Transport Bhawan, 1, Parliament Street, New Delhi-110001.
(Kind Attn.: Sh. V. Umashankar, IAS)
2. The PS to Minister, Ministry of Road Transport & Highways, Transport Bhawan, Parliament Street, New Delhi-110001
(Kind Attn: Sh. Deepak Shinde ,IAS)



Builders' Association of India

(All India Association of Engineering Construction Contractors)

Cochin Centre : 38/1870 A, Builder's Chamber, Gandhi Nagar, (Next to SIDCO), Kochi 682 020

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Shri. B. Chandra Mohanan

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Er. Savad K. Muhammed

Shri. Mijulal. P

Shri. Praveen Mathew

Special Invitees:

Er. Anil Varma

Shri. Sharal Arakkal

Er. Sandeep Mani

Shri. Tony Cherian

To,
Project / Concerned Authorities

Date:25.03.2026

Subject: Immediate Consideration for Time Extension & Relief Measures – Ongoing Projects

Dear Sir/Madam,

We write to you on behalf of the Builders Association of India (BAI), Cochin Centre, representing the contracting community, to formally highlight the critical situation currently affecting construction activities across Kerala.

The industry is undergoing severe disruption due to circumstances that are clearly beyond the control of contractors, including:

- **Major supply chain disruptions and abnormal price escalation** in essential construction materials such as cement, steel, aluminium, MS sections, roofing sheets, electrical and HVAC components, arising from ongoing global geopolitical conditions.
- **Acute shortage of migrant labour**, particularly due to large-scale workforce movement to native states in connection with election activities and related administrative factors.

These developments have significantly impacted project execution across all sectors, resulting in unavoidable delays, reduced productivity, and substantial financial strain. It is important to note that most contracts do not adequately provide for such extraordinary situations.

In this context, BAI Cochin Centre strongly urges all Clients and Project Authorities to take immediate and practical measures to address the situation, including:

- Granting a **minimum extension of 2 months** for all ongoing project timelines
- **Suspending / waiving imposition of liquidated damages and penalties** attributable to the current conditions
- Recognizing the prevailing situation as a **force majeure / exceptional circumstance** affecting the entire construction industry
- Providing **necessary flexibility in execution schedules, approvals, and payment processes**



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Shri. Tony Cherian

We wish to emphasize that continuation of projects without such reasonable support may lead to severe financial distress, disruption of works, and potential project slowdowns across the sector.

Contractors remain committed to completing all works at the earliest possible time; however, the present situation necessitates collective understanding and responsible action from all stakeholders.

We trust that you will appreciate the gravity of the situation and extend your full cooperation in ensuring the continuity and stability of ongoing projects.

Thanking you,

Yours faithfully,

For Builders Association of India (BAI)
Cochin Centre

Er. George Mathew Palal
Chairman

