

No. 10/V-12/(A-290)/2016-VS. I
Government of India
Office of JS & CVO
Vigilance Unit, CPWD
Nirman Bhawan, New Delhi-110108

Dated: 25.09.2018

To

**The Chief Engineer (CSQ)(Civil),
CPWD, Nirman Bhawan,
New Delhi- 110 108.**

Sub: Recommendations for issue of proper guidelines regarding acceptance of deposit works by CPWD

(Systemic improvement No. 09/2018)

(A) Issue related to letter of acceptance of deposit work sent by CPWD to the client department

A reference has been received in this office wherein it is highlighted that a deposit work was continued without availability of required deposits. The work was completed by CPWD and handed over to the client department. Now, there is huge unpaid liability and the department is not able to make realization of due deposits from the client.

During investigation, it was seen that letter of acceptance of deposit work as per CPWD Works Manual (Appendix-3) was sent along with PE to the client department but no acceptance of this letter by the client is available in records. The field unit has intimated that Appendix-3 was a part of the preliminary estimate submitted to the client and getting sanction to the PE implies that the client department has accepted the terms and conditions of deposit works. However, it is seen that when client has not accepted the terms and conditions exclusively, the department is not in a position to insist client to follow these conditions on the assumption that the conditions were part of PE of which A/A & E/S has been accorded by the client.


(B) Recommendations for systemic improvements –

The CPWD Works Manual provides that while submitting preliminary estimates for deposit works for obtaining sanction, a copy of the terms and conditions (Appendix 3) should be enclosed. It is not clarified that work is to be taken up only after acceptance of terms & conditions (Appendix 3) separately by the client department. Although, for deposit works, the Manual states that 33-1/3% of the estimated cost is to be deposited as advance and this advance is to be retained for adjustment against the last portion of the estimated expenditure but sometimes in compelling situations, this condition to retain 33-1/3% of advance amount for adjustment against last portion of the estimated expenditure may not have been scrupulously followed and work was continued without availability of desired deposits. It is observed that in absence of proper acceptance of conditions, the client department is not making due payment of deposits for pending liabilities of CPWD after completion of work.

In consideration of above, this office is of view that if acceptance of terms & conditions (Appendix 3) are specifically obtained from the client department, then client will be legally bound to act as per stipulated conditions. It will help in better contract management.

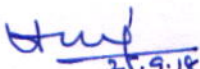
In order to avoid recurrence of such situations, it is suggested that proper guidelines regarding acceptance of deposit works by CPWD may be issued by your office and also incorporated in the CPWD Works Manual. This office may also be apprised of the action taken in the matter.

This issues with the approval of CVO, CPWD.


(A.K. Singh)
Executive Engineer (V)-12

Copy to -

AE (Computer),  Vigilance Unit, CPWD for uploading it on the website.


25.9.18
Executive Engineer (V)-12