



MES BUILDERS ASSOCIATION OF INDIA (REGD.)

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Website : www.mesbai.co.in



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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 : MBAI/MD/ 01 /2026

Date : 11.04.2026

To,
Shri Rajnath Singh Ji,
Hon'ble Defence Minister
25075, 5th Floor, Kartavya Bhavan-2
New Delhi-110001

Email: rmo@mod.nic.in

Subject:- Request for Immediate Intervention of Your Honour to ensure Survival of Contractors Working for Defence Services under Military Engineer Services in Present era of Crisis

Respected Sir,

1) With due regards and great expectations, we members of MES BUILDERS ASSOCIATION OF INDIA (REGD) respectfully submitted to your Honor to kindly intervene in the matters pending with the Appropriate Authorities due to indecisive working. There are **N number** of matters pending in this era of Present Governments slogan of "**Ease of Doing Business**" but sorry to say the situation is entirely different from the Present Governments ease of Business policy due to indecisiveness of concerned officials looking after the same on behalf of Government.

2) It is well known to each one about the present situation of Business / Market conditions which are severely hit by ongoing Middle East war like situation. We the fraternity of Contractors specifically working for Defence Services through M E S department are most suffering that from the counterpart Contractors of Other Government Engineering Departments viz CPWD, RAILWAYS, NHAJ & NBCC due to lack of support from the official channel of M E S department and step brotherly treatment given to our fraternity on various issues.

3) Though there are N number of Problems are being faced by our fellow contractors working for Defence Services which were repeatedly brought to Notice of Concerned Authorities n number of times but sorry to say due to indecisive attitude or procedural delay they remain unresolved. But the most

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important issues which are detailed in succeeding Para needs your urgent intervention for survival of Contractors fraternity:-

- (i) Announcements of Urgent Relief measures for Contracts to Bail out them from current situation due to abnormal price hike of construction materials. We had approached to the Concerned Official for relief which were extended by NHA1 to its Contractors performing the works for NHA1. But sorry to say no positive response received from there end. In this Connection our Representation made with the Engineer –In-Chief s Branch bearing our Letter No MES BAI/E-in-C/20/2026 dated 08th April 2026 is attached for your ready reference please.
- (ii) It is further submitted that all of a sudden nearly 450 to 500 working contractors are removed by MES authorities on arbitrary ground and snatch their rights to earn money to arrange Bread & Butter for their families and their livelihood. It happens only due to indecisive attitude of concerned authorities in spite of they were reminded **N number** of times by us to take decision. The action taken by the M E S authorities is against the law and taken at this most critical time when our contractor fraternity is facing very tough time sustaining blows at regular intervals right from COVID 19 period, Russia - Ukraine war and now the middle East war . It is worthwhile to brought to your kind information that at one end M E S officials removing illegally time tested Contractors who are giving services to Defence forces from past Decades and at other end continuously Enlisting new Contractors liberally. We request your immediate intervention to safeguard the interest of decade old time tested Contractors and direct the concerned authorities of M E S department to take decision on Priority and extend relief for suffering Contractors on this account. In this Connection our Representation made with the Engineer –In-Chief s Branch bearing our Letter No MES BAI/E-in-C/14/2026 dated 21st March 2026 is attached for your ready reference please.
- (iii) It is worthwhile to submit that the last revision in Tendering limits was carryout in the year 2010 i.e. nearly 15 years ago. After that the prices of Construction material, Labour wages and other expenses were significantly increased manifold but the revision of Tendering limit had not been changed which were due from the year 2015 in spite of raising the issue with appropriate authorities n number of times at various platforms. This had cascading effect on Improvement of Working

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contractors capacity and at other hand made easy for new Enlistment very easier. We request your immediate intervention in this matter to provide more opportunity to working contractors of M E S department for their upliftment in their future endeavours. In this Connection our Representation made with the Engineer –In-Chief s Branch bearing our Letter No MES BAI/E-in-C/15/2026 dated 21st March 2026 is attached for your ready reference please.

(iv) The Performance Security clause was introduced in M E S department few years ago. At that time after implementing the rules promulgated, a high power committee was Constituted by Engineer - In- Chief's Branch with the representative of our Association. The Committee after examination of provisions of Performance Security Clauses of other Government Engineering Departments, prepare and submitted its report. It is sorry to say that more than about Five to six years time passed but necessary relief based on the recommendations of that committee are not implemented due to indecisiveness of concerned authorities. We request you to kindly intervene and provide necessary relief to our fraternity in this time of crises so that we can survive to serve the Defence Services further. In this Connection our Representation made with the Engineer –In-Chief s Branch bearing our Letter No MES BAI/E-in-C/05/2025 dated 13.01.2025 is attached for your ready reference please.

At last we hope that our request will be considered systematically at your end and relief will be provided to our fraternity in this critical time of Crises.

With warm regards.

Yours faithfully,

(G.S. Mago)
President

HQ MES BAI NEW DELHI

Enclosure: As per para 3) (i), (ii), (iii) & (iv)

BRANCHES

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Copy Forwarded to For information and sympathetic consideration please.

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Ref. No.: MES BAI/E-in-C/ 20 / 2026

Dated : 08th April 2026

To

Lt Gen Vikas Rohella, SM**
E-in-C's Branch
Kashmir House, Rajaji Marg
New Delhi – 110011

Subject: REQUEST FOR GRANT OF RELIEF / EXTENSION DUE TO INTERNATIONAL CONFLICT SITUATION

Respected Sir,

1. Kindly refer to our letter No. MES BAI/E-in-C/ 19 /2026 dated 03rd April 2026, MES BAI/E-in-C/ 18 /2026 dated 02nd April 2026 and MBI/E-in-C/ 16 /2026 dated 25th March 2026 on the subject cited above.

2. It is pertinent to mention that the National Highways Authority of India (NHAI), vide Letter No. 18.115/2026 dated 08th April 2026, has acknowledged the difficulties being faced by contractors due to the prevailing international conflict situation, which has adversely affected global supply chains, transportation, availability of materials, and overall market stability. In the said communication, NHAI has considered granting suitable relief measures to contractors in order to mitigate the impact of these unforeseen circumstances which are beyond the control of executing agencies. Since contractors executing works under the Military Engineer Services (MES) are facing similar challenges under the present conditions, it is requested that the relief measures granted by NHAI may also kindly be considered for extension to MES contractors. Such consideration would greatly assist the contractor fraternity in continuing the execution of works without undue contractual or financial hardship arising out of the current international situation.

3. It is respectfully submitted that as reported in the enclosed newspaper article, the ongoing conflict has resulted in significant geopolitical tension and disruption in international trade, logistics, and supply chains. The situation has adversely affected the essential resources required for execution of works.

4. Due to these unforeseen circumstances beyond our control, our builders are facing considerable difficulties in maintaining the scheduled timelines for compliance with the contractual obligations. The disruption in global markets and transportation has directly impacted procurement and delivery schedules.

BRANCHES

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2023-2025

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Hony. General Secretary

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Imm. Past President

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E-mail: anil@twsc.co

5. In view of the above and considering the circumstances highlighted in the enclosed newspaper article, it is requested that suitable relief / extension may kindly be granted so that the firm is not adversely affected due to factors beyond its control.

6. A copy of the relevant newspaper article and letter from NHA are enclosed herewith for your kind perusal and consideration.

7. It is therefore requested that the matter may kindly be considered sympathetically and necessary relief may please be granted.

Thanking you.

Yours faithfully,

(G.S. Mago)
President
HQ, MES BAI

Encls : (Letter from NHA Ref. No.18.115/2026 dated 08th April 2026)
(Newspaper Article)

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

All Command Chief Engineers

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

BRANCHES

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सत्यमेव जयते

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



भाराराप्रा/ नीति दिशानिर्देश / विविध दिशानिर्देश / 2026 नीति परिपत्र सं.18.115 /2026 दिनांक 08th अप्रैल, 2026

{(ई-ऑफिस फाइल सं. NHA/COVID-19/RoadMap/CMD/2020 (कम्प्युटर सं. 5788 पर लिया गया निर्णय)}

NHA/ Policy Guidelines/Miscellaneous Guidelines/2026

Policy Circular No. 18.115 / 2026 dated 08th April, 2026

{(Decision taken on E-Office File No. NHA/COVID-19/Road Map/CMD/2020 (Comp No. 5788)}

विषय: ईंधन, निर्माण सामग्री के मूल्य और लॉजिस्टिक्स लागत में वृद्धि के कारण राष्ट्रीय राजमार्ग परियोजनाओं के लिए लागत वृद्धि प्रतिपूर्ति प्रणाली के संबंध में।

Sub.: Cost Escalation Compensation Mechanism for National Highway Projects due to Surge in Fuel, Construction Material Prices and Logistics Cost - reg.

सड़क परिवहन और राजमार्ग मंत्रालय (एमओआरटीएच) ने पत्र सं. एनएच-24028/03/2026 दिनांक 01.04.2026 द्वारा वर्तमान वैश्विक परिदृश्य में कच्चे तेल एवं पेट्रोलियम उत्पादों की कीमतों में वृद्धि के प्रभाव को कम करने और राष्ट्रीय राजमार्ग परियोजनाओं के निर्बाध निर्माण तथा अनुरक्षण को सुनिश्चित करने हेतु उपाय जारी किए हैं।

Ministry of Road Transport & Highways (MoRTH), vide Letter No. NH-24028/03/2026 dated 01.04.2026 has issued measures to mitigate the impact of the increase in prices of Crude Oil and Petroleum Products in the current Global Scenario and to ensure uninterrupted construction and maintenance of National Highway Projects.

2. ये उपाय दिनांक 01.04.2026 से 3 माह की अवधि के लिए अर्थात् दिनांक 30.06.2026 तक या वैश्विक स्थिति में सुधार होने तक प्रभावी रहेंगे। सड़क परिवहन और राजमार्ग मंत्रालय द्वारा जारी उपर्युक्त पत्र की प्रति **अनुलग्नक-1** के रूप में सूचनार्थ और आवश्यक कार्यान्वयन हेतु संलग्न है।

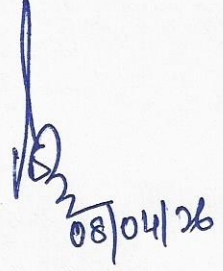
These measures shall remain in force for a period of 3 months w.e.f. 01.04.2026 i.e. up to 30.06.2026 or till the Global Situation improves. A copy of the aforesaid letter issued by MoRTH is enclosed at **Annexure-1** for information and necessary implementation.

Contd....2/-

3. यह सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।
This issues with the approval of Competent Authority.

संलग्नक: यथोपरी।

Encl.: As stated above.



(सीएस. संजय कुमार पटेल/ CS. Sanjay Kumar Patel)
प्रभारी मुख्य महाप्रबंधक(समन्वय) (i/c) Chief General Manager (Coord.)

प्रति/ To:

भाराराप्रा मुख्यालय/आरओ/पीआईयू/सीएमयू/साइट कार्यालयों के सभी अधिकारी।
All Officers of NHAI HQ/ ROs/ PIUs/ CMUs/ Site Offices.

प्रतिलिपि/ Copy to:

1. पुस्तकालय की साइट पर प्रकाशन के लिए पुस्तकालय को।
Library for hosting the Circular on Library site.
2. परिचालन के लिए वेब एडमिन को।
Web Admin for Circulation.
3. सचिव, सड़क परिवहन और राजमार्ग मंत्रालय के प्रधान निजी सचिव को सूचनार्थ।
PPS to Secretary, MoRTH for Kind Information.

No. NH-24028/03/2026-H
Government of India
Ministry of Road Transport & Highways
(Highway Section)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated: 01st April, 2026

To

1. The Chairman, National Highways Authority of India;
2. DG (RD & SS), Ministry of Road Transport & Highways;
3. MD, National Highways & Infrastructure Development Corporation Limited (NHIDCL).

Subject: Cost Escalation Compensation Mechanism for National Highway Projects due to surge in fuel, Construction Material Prices and Logistics Cost – reg.

Sir,

In order to mitigate the impact of the increase in prices of crude oil and petroleum products under the present global scenario and as a measure of relief to ensure uninterrupted construction and maintenance of National Highway projects, the following measures have been approved for implementation:

- i. Relaxation in Schedule-H for EPC projects and Schedule – G for HAM Projects to enable monthly payments to Contractors / Concessionaires for work executed and complying with quality specifications & standards.
 - ii. Price adjustment in EPC projects, WPI for (a) Construction Machinery, (b) Ordinary Portland Cement, (c) for all commodities, (d) Mild Steel, may be taken for one month prior to the relevant Interim Payment Certificate (IPC) month in place of three months prior to the relevant IPC month. Similarly, in case of price adjustment for bitumen, the official retail price of bitumen may be taken as the first day of the month, one month prior to the IPC month, in place of first day of the month three months prior to the relevant IPC month.
 - iii. Price Adjustment under EPC contracts may be paid along with the monthly payments and price escalation, in HAM contracts, calculated using the Price Index Multiple (PIM) may be paid along with monthly payments.
2. These measures have been put in place for a period of 3 months w.e.f. 1st April 2026 i.e upto 30.6.2026 or till the global situation improves.

3. This issues with the approval of Competent Authority.

Digitally signed by
Shaikh Aminkhan
Date: 01-04-2026
21:58:32
(Shaikh Aminkhan)
Director

Telephone 011-23351967
Email: highway.section@gov.in

Copy to:

1. PSO to Secretary, Ministry of Road Transport & Highways.



Small Cos Call for Force Majeure

Companies that have govt & PSU contracts seek relief; govt says offering relaxations

Twesh Mishra & Kirtika Sunaja

New Delhi: Small companies that have contracts with the government and public sector units have urged the Centre to invoke force majeure amid increasing disruptions in raw material supplies from overseas due to the Gulf war.

Force majeure is a legal provision applied during extraordinary events such as war that make it difficult to fulfil contractual obligations. Invoking it allows relief from penalties and extends timelines without cancelling contracts.

The issue was flagged last week at a Service Improvement Group (SIG) meeting reviewing the government's response. Industry executives said the situation mirrored the Covid-19 period, when the Centre treated supply chain disruptions as a natural calamity and allowed force majeure relief on a case-by-case basis.

"Representations have been made

What is Force Majeure

This is a legal provision applied during extraordinary events such as war that make it difficult to fulfil contractual obligations

Invoking it allows relief from penalties and extends timelines without cancelling contracts



WHY NOW?

Companies say exemptions needed as alternative supply chains take time to stabilise

Disruptions have hit global shipping routes, raised freight and insurance costs, and strained logistics networks

YOGESH

by small companies seeking force majeure similar to the Covid years when timelines were extended," said an executive, citing supply chain disruptions linked to the conflict. A government official said suggestions are being examined, adding

that timelines and relaxations are being extended wherever feasible. Companies say exemptions are needed now as alternative supply chains take time to stabilise. The disruptions have hit global shipping routes, raised freight and in-

surance costs, and strained logistics networks.

To support exporters, India has rolled out a ₹497 crore Resilience & Logistics Intervention for Export Facilitation (RELIEF) scheme, offering higher insurance cover.

It has also allowed special economic zone units to sell products in the domestic market at a concessional duty for a year.

Goods exports fell 0.81% year-on-year to \$36.61 billion in February. The RBI has extended the enhanced export credit period of up to 450 days until June 30.

Industry has also sought curbs on retrospective war-risk surcharges by shipping lines and flagged sector-specific issues. Container train operators have sought waivers on charges such as stabilising and empty wagon haulage, while air cargo operators have asked for relief on stranded shipments.

Government-owned ports have already begun offering support.



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Imm. Past President

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(Delhi)

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E-mail: anil@tws.co

Ref.No.: MBI/E-in-C/ 14 / 2026

Dated : 21st March 2026

To,
Dte of Contract Management
(DGW)
Engineer-in-Chief's Branch
Kashmir House,
Rajaji Marg,
DHQ PO New Delhi-110011

Subject : REGARDING RENEWAL OF ENLISTMENT PROBLEMS BEING FACED BY BUILDERS.

Respected Sir,

1. It is respectfully submitted for your kind perusal and favourable action as following :-

(a) Renewals of those contractors who secured works or participated in bids after 30th June 2025 have been denied whereas in their old renewals of 2021-25 it was explicitly mentioned that they will have to secure secure works up to 31 December 2025 to qualify for further renewals. Since the last date to apply for fresh renewals preceded the said date to secure works i.e. 31 December 2025 the said builders are not at fault nor should their enlistments/renewals be denied since they fully abided by the contents of their last renewals up to 31 December 2025. The lapse of following the said clauses is in no way attributable to the contractors and hence they cannot be punished for such reasons based on the after thought date of 30 June 2025 which was against the contents contained in the last renewal letters.

(b) So many builders have been denied renewals on the ground of cancellation of works allotted to them for which they had already forfeited the Performance Guarantee and also deposited the demanded amounts as intimated by the GEs, CsWE or CEs. Since they have been age old working contractors with good records they should not be punished twice for the same reason and as per law of the land in fair justice.

BRANCHES

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Imm. Past President

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(Delhi)
Mob. : 9810044862
E-mail: anil@tws.co

(c) Renewals of those whose last renewal was still pending due to reasons not attributable to them or change in constitution have also been denied despite court verdicts declared in certain cases.

2. The concerned builders are facing acute problems to earn their livelihood and to maintain their families because of denial of renewals in the above cases especially when they have served the country through MES since decades.

3. It is therefore requested that relief may please be provided to builders coming under the list of above reasons for which we shall be highly obliged.

4. Our prayer is that the Command Chief Engineers and ADGs as enlisting authorities may please be advised by your honour to renew the enlistments which have been denied due to the above reasons.

5. In this context our HQ letter No. MBAI/VB/09 dated 11th January 2026 and letter No. MBAI/E-in-C/03/2026 dated 09 February 2026 are also referred and brought to your kind notice and consideration please. (Copies attached).

Thanking you in anticipation.

Yours faithfully

(Sandeep Srivastava)
Hony. General Secretary
HQ MESBAI

Encl. (Copies of letters referred to above)

BRANCHES

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E-mail: anil@tws.co

Ref No MBAI/E-in-C/ 15 /2026

Dated: 21st March 2026

Lt Gen Vikas Rohella, SM**

Engineer-in-Chief

Kashmir House

Rajaji Marg, New Delhi-110011

Subject : REQUEST FOR ENHANCEMENT OF TENDERING LIMITS FOR ALL CLASSES OF CONTRACTORS

Respected Sir,

1. With utmost respect and profound regard, I most humbly seek to invite the kind attention of your esteemed office to a matter of considerable significance concerning the contractor fraternity associated with MES across the country. It is respectfully submitted that nearly sixteen years have elapsed since the last revision of tendering limits for various classes of contractors. During this prolonged period, there has been a substantial and unprecedented escalation in the cost of construction inputs, including labour wages, building materials, fuel transportation and other allied components. Consequently, the existing tendering limits have become grossly inadequate and no longer commensurate with the prevailing market realities. In view of the manifold increase in operational costs, the long pending enhancement of tendering limits for all classes of contractors has become an imperative and legitimate necessity, for which contractors nationwide have been consistently representing.

2. It is further most respectfully submitted that your august office is already well seized of the matter through various representations and correspondence made from time to time. It is understood that the proposal presently awaits approval from the Ministry of Defence. In this context, it is most humbly requested that the case may kindly be pursued with the Ministry at an appropriate level so that the long pending proposal may receive expeditious consideration and approval.

3. It would also be highly appreciated if a suitable officer or representative from the E-in-C's Branch may kindly be nominated to liaise with the concerned authorities of the Ministry of Defence for close follow up and early finalization of the proposal. Such proactive intervention would immensely facilitate the early disposal of the case file.

4. The builders' fraternity has, from time to time, been earnestly approaching your esteemed office and has been constrained to endure persistent hardships for

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over the last thirteen years owing to the non-revision of the tendering limits. In this regard, I most respectfully invite the kind and considerate attention of your good self to our earlier representation vide letter No MBI/E-in-C/08/2020 dated 23 February 2026, wherein the detailed agenda for deliberation on this long pending issue had been submitted for your kind perusal and necessary consideration.

5. In view of the above, the kind and sympathetic consideration of your good self in this matter will greatly alleviate the genuine difficulties presently being faced the contractor community and will also contribute significantly towards maintaining smooth execution of works and timely completion of projects under MES.

With profound regards.

Yours faithfully,

(G.S. Mago)
President
HQ MES BAI

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Ref.No.MBAI/E-in-C/05 /2025

Date: 13.01.2025

To,
Engineer-in-Chief
Army Head Quarters,
Kishmiri House DHQ PO,
New Delhi – 110011

Subject: Request for Release of Performance Guarantee upon Completion of Contracts

Sir,

1. Kindly refer to our letter No. MBAI/E-in-C/17 2024 dated 22.06.2024 Appendix 'B' and your minutes of the meeting no. 36073/MES BAI/Gen/299/E8 dated 24 Sep 2024 point no. 6 regarding the release of Performance Guarantee on completion of the contract.
2. To support this request, we are forwarding a policy letter No. 2022/CE-I/CT/GCC-2022/POLICY/Pt.I dated 09.01.2025 subject Indian Railways Standard General Conditions of Contract, April 2022 (Advance Correction Slip No.9) for your perusal please.
3. Please refer page No. 4 para (e) issued by the Railway Board (copy attached) regarding release of Performance Guarantees on the completion of work. The Railway Board policy explicitly stipulates that the Performance Guarantee should be released after the physical completion of the work, based on the completion certificate issued by the competent authority.
4. We request that the same policy be adopted for MES contracts and to release the Performance Guarantee upon satisfactory completion of work which will improve the funds flow for contractors and enable

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them to execute their contracts more efficiently without facing any financial restraints.

Your kind consideration in this matter will be highly appreciated, Sir.

Thanking you,

Yours faithfully,

(G.S. Mago)
President

Encl: As above

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भारत सरकार / Government of India
रेल मंत्रालय / Ministry of Railways
(रेलवे बोर्ड / Railway Board)

No. 2022/CE-I/CT/GCC-2022/POLICY/Pt.I

New Delhi, Dated 09.01.2025


To,
As per list attached.

Sub: Indian Railways Standard General Conditions of Contract, April 2022
(Advance Correction Slip No.9)

Please find enclosed herewith **Advance Correction Slip No.9** to Indian Railways Standard General Conditions of Contract, April-2022.

2. This shall be applicable to Works Contract of Indian Railways with prospective effect.
3. This issues with the concurrence of the Finance Directorate and approval of Board (MI, MF).

DA: As above.


09/01/25
(किशन रावत)

निदेशक सिविल इंजी.(जी)/रेलवे बोर्ड
[Rly No. 030-47598, MTNL No. 011-23047598]
e-mail address: padcegrb@gmail.com, dceg@rb.railnet.gov.in

No. 2022/CE-I/CT/GCC-2022/POLICY/Pt.I

New Delhi, Dated 09.01.2025

Copy forwarded for information to:

- (i) The PFAs, All Indian Railways.
- (ii) Dy. Comptroller and Auditor General of India (Railways), Room No. 224, Rail Bhawan, New Delhi.



For Member Finance

LIST FOR DISTRIBUTION (No. 2022/CE-I/CT/GCC-2022/POLICY/Pt.I dated 09.01.2025)

1. General Managers, All Indian Railways & Production Units
2. General Manager (Con), N.F. Railway, Guwahati
3. General Manager /CORE, Allahabad
4. Chief Administrative Officers (Con), All Indian Railways (Except N.F. Railway)
5. Principal Chief Engineers, All Indian Railways

(A)

1. CAO, COFMOW, Tilak Bridge, New Delhi
2. Principal CAO, Diesel Loco Modernization Works, Patiala (Punjab)
3. CAO (Workshop Projects), Chamber Bhawan, Judge's Court Road, Anta Ghat, Patna-800001, Bihar

(B)

1. Director General, RDSO, Manak Nagar, Lucknow
2. Director General, NAIR, Vadodara
3. Director General, IRICEN, Pune - 411 001 (Maharashtra)
4. Director General, IRIEEN, PB No.-233, Nasik Road-422101 (Maharashtra)
5. Director General, IRISSET, Taa Naka Road, Lalla Guda, Secunderabad-500017
6. Director, IRIMEE, Jamalpur Distt-Jamalpur, PIN-811214 (Bihar)
7. Director General, IRITM, Sarswati Residential Estate, IRITM Campus, Manak Nagar, Lucknow

(C)

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2. CMD, IRCON International Limited, C-4, District Centre, Saket, New Delhi- 110017
3. CMD, RITES Ltd., RITES Bhawan, Plot No.1, Sector-29, Gurgaon
4. CMD, RVNL, August Kranti Bhawan, Plot No.25, 1st Floor, Bhikaji Cama Place, New Delhi
5. CMD, MRVC Ltd., Churchgate Station Bldg, Mumbai- 400020
6. CMD, KONKAN Railway Corporation Ltd, Rail Bhawan, New Delhi-110001
7. MD, DFCCIL, 5th Floor, Pragati Maidan Metro Station Building Complex, New Delhi-110001
8. Chairman, RLDA, Near Safdarjung Railway Station, Moti Bagh, Phase-I, New Delhi- 110021
9. MD, CRIS, Chanakyapur, New Delhi
10. CMD, RailTel Corporation of India Ltd. Plot No. 143, Institutional Area, Sector-44, Gurgaon - 122003
11. CME, IROAF, 12th Floor, Core-1, Scope Minar, Distt. Centre, Laxmi Nagar, Delhi- 110092
12. CMD, IRFC Limited, UG Floor, East Tower, NBCC Place, Bhisham Pitamah Marg, Lodhi Road, Pragati Vihar, New Delhi
13. CMD, IRCTC Ltd., B-148, 11th Floor, Statesman House, Barakhamba Road, New Delhi 110001
14. CMD, Braithwaite & Co. limited, 5 Hide Road Kolkata 700043

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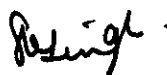
(A)

1. General Secretary, IRCA, DRM Office, New Delhi
2. General Secretary, AIRF, Rail Bhawan, New Delhi
3. General Secretary, NFIR, Rail Bhawan, New Delhi
4. General Secretary, IRPOF, Rail Bhawan, New Delhi
5. General Secretary, FROA, Rail Bhawan, New Delhi
6. General Secretary, AIRPA, Rail Bhawan, New Delhi
7. General Secretary, AISC & STREA, Rail Bhawan, New Delhi
8. The Secretary, RBSS, Group (A) Offices Association, Rail Bhawan
9. The Secretary, RBSS, Group (B) Offices Association, Rail Bhawan
10. General Secretary, RBSSS Association, Rail Bhawan
11. The Secretary, RBMSA, Rail Bhawan
12. The Secretary, Railway, Group (D) Employees Association, Rail Bhawan

(B)

1. Concerned PSO for kind information of Chairman cum CEO, M/Infra, M/T&RS M/O&BD, M/Finance, Railway Board
2. Adv./MR, EDPG/MR, OSD/MR, OSR(Co-ord)/MR
3. Chief Vigilance Officers, All Indian Railways
4. DG(RHS), DG(RPF), AM(CE), AM(Works), AM(B), AM(Elec.), AM(RS), AM(ME), AM/Tele, AM/C&IS, AM/Sig., AM(Plg.), PED(B&S), PED(Vigilance), EDCE(P), PED/Safety, PED/Gati Shakti, EDCE(G), EDTK(M&MC), EDCE(B&S), EDF(X), ED/GS(Civil-I), ED/GS(Civil-II), ED/GS(Elect.), ED/GS(S&T), ED/GS/SD, EDW(Plg.), ED(L&A), ED(PSU), EDVE, ED(Safety), ED(Sig. Dev.), ED(Tele), EDRS(G), EDEE(G), EDFE, EDE(N), ED(Accounts), ED/T&MPP, EDME(Chg.), EDME(Frt.), ED/Plg., JS(conf), JS(P), JS(G), JS(D), Vigilance-III, Vig(Conf) of Railway Board.


09/01/25



Advance Correction Slip No.9 to Indian Railways Standard General Conditions of Contract, April 2022

A. Para 16.(4), Part II of GCC-2022 shall be read as under:-

16.(4) Performance Guarantee

The procedure for obtaining Performance Guarantee is outlined below:

(a) The successful bidder shall have to submit a Performance Guarantee (PG) within 21 (Twenty one) days from the date of issue of Letter of Acceptance (LOA). Extension of time for submission of PG beyond 21 (Twenty one) days and upto 60 days from the date of issue of LOA may be given by the Authority who is competent to sign the contract agreement. However, a penal interest of 12% per annum shall be charged for the delay beyond 21(Twenty one) days, i.e. from 22nd day after the date of issue of LOA. Further, if the 60th day happens to be a declared holiday in the concerned office of the Railway, submission of PG can be accepted on the next working day.

In all other cases, if the Contractor fails to submit the requisite PG even after 60 days from the date of issue of LOA, the contract is liable to be terminated. In case contract is terminated railway shall be entitled to forfeit Bid Security and other dues payable to the contractor against that particular contract, subject to maximum of PG amount. In case a tenderer has not submitted Bid Security on the strength of their registration as a Startup recognized by Department of Industrial Policy and Promotion (DIPP) under Ministry of Commerce and Industry, DIPP shall be informed to this effect.

The failed Contractor shall be debarred from participating in re-tender for that work.

(b) The successful bidder shall submit the Performance Guarantee (PG) in any of the following forms, amounting to 5% of the original contract value:-

- (i) A deposit of Cash;
- (ii) Irrevocable Bank Guarantee;
- (iii) Insurance Surety Bond as per Annexure-XVII.

Note:

1. The provision of Insurance Surety Bond shall be for all contracts having DOC within 36 months only.
2. In case DOC extends beyond 36 months, fresh Insurance Surety Bond or any other form of Performance Guarantee prescribed in GCC for the balance amount shall be submitted by agency, otherwise necessary action will be taken as per terms of Agreement.

(iv) Government Securities including State Loan Bonds at 5% below the market value;


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- (v) Pay Orders and Demand Drafts tendered by any Scheduled Commercial Bank of India;
 - (vi) Guarantee Bonds executed or Deposits Receipts tendered by any Scheduled Commercial Bank of India;
 - (vii) Deposit in the Post Office Saving Bank;
 - (viii) Deposit in the National Savings Certificates;
 - (ix) Twelve years National Defence Certificates;
 - (x) Ten years Defence Deposits;
 - (xi) National Defence Bonds and
 - (xii) Unit Trust Certificates at 5% below market value or at the face value whichever is less. Also, FDR in favour of FA&CAO (free from any encumbrance) may be accepted.
- (c) The Performance Guarantee shall be submitted by the successful bidder after the Letter of Acceptance (LOA) has been issued, but before signing of the contract agreement. This P.G. shall be initially valid upto the stipulated date of completion plus 60 days beyond that. In case, the time for completion of work gets extended, the Contractor shall get the validity of P.G. extended to cover such extended time for completion of work plus 60 days.
- (d) The value of PG to be submitted by the Contractor is based on original contract value and shall not change due to subsequent variation(s) in the original contract value.
- (e) The Performance Guarantee (PG) shall be released after physical completion of the work based on 'Completion Certificate' issued by the competent authority stating that the Contractor has completed the work in all respects satisfactorily.
- (f) Whenever the contract is rescinded, the Performance Guarantee already submitted for the contract shall be encashed.
- (g) The Engineer shall not make a claim under the Performance Guarantee except for amounts to which the President of India is entitled under the contract (not withstanding and/or without prejudice to any other provisions in the contract agreement) in the event of:
- (i) Failure by the Contractor to extend the validity of the Performance Guarantee as described herein above, in which event the Engineer may claim the full amount of the Performance Guarantee.
 - (ii) Failure by the Contractor to pay President of India any amount due, either as agreed by the Contractor or determined under any of the Clauses/Conditions of the Agreement, within 30 days of the service of notice to this effect by Engineer.
 - (iii) The Contract being determined or rescinded under clause 62 of these conditions.


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B. New Annexure – XVII, Part-II of GCC-2022 shall be read as under:-

ANNEXURE-XVII
Reference Para 16.(4)

Insurance Surety Bond for Performance Security

Name of the issuer of surety bond:

President of India,
Acting
through.....,

.....
Railway.

Date:.....
.....

Surety Bond No:

Issue Date:.....

Amount of Bond:

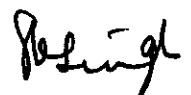
Expiry Date:.....

WHEREAS, In consideration of the President of India acting through
.....(Designation & address of contract signing
authority),.....Railway,....., (hereinafter called "The Railway") having
accepted the bid of M/S XXXXX hereinafter called the contractor, for the work of XXX" under
invitation for bids No XXXX Dated XXXXX, Vide Letter of Acceptance No.....

AND

WHEREAS, the contractor is required to furnish Performance Security for the sum of ₹. XXXX
(Rupees XXXX Only), in the form of Surety Bond, being a condition precedent to the signing
of the contract agreement.


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SB No:

Date:

WHEREAS, we, _____, (*Name of insurance company*) hereinafter called the Surety, acting through [*Designation(s) of the authorised person of the Surety*], have, at the request of the M/s. XXXX contractor, agreed to give Bond for performance security/ additional performance security as hereinafter contained:

1. KNOW ALL MEN by these present that I/We, the undersigned [*Insert name(s) of authorized representatives of the Surety*], being fully authorized to sign and incur obligations for and on behalf of the Surety, confirm that the Surety, hereby, unconditionally and irrevocably Bond to pay the Railway the full amount in the sum of XXXX (Rupees XXXX Only) as above stated.
2. The Surety undertakes to immediately pay on presentation of demand by the Railway any amount up to and including aforementioned full amount without any demur, reservation or recourse. Any such demand made by the Railway on the Surety shall be final, conclusive and binding, absolute and unequivocal notwithstanding any disputes raised/pending before any Court, tribunal, arbitration or any authority or any threatened litigation by the Bidder or Bank.
3. On payment of any amount less than aforementioned full amount, as per demand of the Railway, the Bond shall remain valid for the balance amount i.e. the aforementioned full amount less the payment made to the Railway.
4. The Surety shall pay the amount as demanded immediately on presentation of the demand by Railway without any reference to the contractor and without the Railway being required to show grounds or give reasons for its demand or the amount demanded.
5. The Surety Bond shall be unconditional and irrevocable.
6. The Bond hereinbefore shall not be affected by any change in the constitution of the Surety or in the constitution of the Contractor.
7. The Surety agrees that no change, addition, modifications to the terms of the Contract Agreement or to any documents, which have been or may be made between the Railway and the Contractor, will in any way release us from the liability under this Bond; and the Surety, hereby, waives any requirement for notice of any such change, addition or modification to the Surety.
8. This Bond is valid and effective from the date of its issue, which is [*insert date of issue*]. The Bond and our obligations under it will expire on XXXX (*Expiry Date*). All demands for payment under the Bond must be received by us on or before that date.
9. The Surety agrees that the Railways right to demand payment of aforementioned full amount in one instance or demand payments in parts totalling up to the aforementioned full amount in several instances will be valid until either the aforementioned full amount is paid to the Railway or the Bond is released by Railway before the Expiry date.
10. The Surety agrees that its obligation to pay any amount demanded by the Railway before the expiry of this Bond will continue until the amount demanded has been paid in full.
11. The expressions Surety and Railway hereinbefore used shall include their respective successors, administrators and assigns.


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12. The Surety hereby undertakes not to revoke the Bond during its currency, except with the previous consent in writing of the Railway. This Bond is subject to the Uniform Rules for Demand Bonds, ICC Publication No. 758.
13. We, the Surety Insurer, further agree that the Authority shall be the sole judge to decide as to whether the Bidder is in default of due and faithful fulfilment and compliance with the terms and conditions contained in the Bidding Documents including, inter alia, the failure of the Bidder to keep its Bid open during the Bid validity period set forth in the said Documents, and the decision of the Authority that the Bidder is in default as aforesaid shall be final and binding on us, notwithstanding any differences between the Authority and the Bidder or any dispute pending before any Court, tribunal, arbitrator or any other authority.
14. The Bond shall be in addition to and without prejudice to any other security Bond (s) of the contractor in favour of the Railway available with the Railway. The Surety, under this Bond, shall be deemed as Principal Debtor of the Railway.

Notwithstanding anything to the contrary contained in these presents,

- a. Our liability under this Surety Bond shall not exceed **XXXX (Rupees XXXXX Only)**.
- b. This Surety Bond shall be valid up to **XXXX (being the date of expiry)**;
- c. Unless the bank is served a written claim or demand on or before **XXXX [date of expiry]** all rights under this Bond shall be forfeited and the Surety shall be relieved and discharged from all liabilities under this Bond irrespective of whether or not the original Surety bond is returned to the Surety.

Dated the day of 2024

15. The Insurance Surety Bond shall be verified by sending mail to [customer.care@sbigeneral.in].

Place.....

Bank's Seal and authorized signature(s)

[Name in Block letters]

[Designation with Code No.]

[P/Attorney] No.

Witness

1.

2.

[Note: All italicized texts are for guidance on how to prepare this Insurance Surety Bond and shall be deleted from the final document.]



