

186 — 114-A

DELHI DEVELOPMENT AUTHORITY

NO: EM 1(10) 83/10872

Dated: 24/9/85

CIRCULAR NO. 114

D.G.(Works) CPWD has circulated a memorandum vide No. CE/CON/820 dated 20.8.85 (copy enclosed) in connection with timely action in r/o contracts where there is delayed performance & where action is to be taken under clause 2 & 3 of the contract. This memorandum clarifies the position regarding intimation of quantum of compensation under clause 2 of the contract during the progress of the work. The circular of D.G.(Works) is circulated in DDA for information & guidance of DDA Engineers.

This is issued with the approval of Engineer Member.

-13

(Om Prakash)
Director(Works)

Copy to:-

1. Engineer Member.
2. Finance Member.
3. C.V.O.
4. All Chief Engineers
5. Dir.(Hort.).
6. Director(Slum).
7. A.O.(Int.Insp.)

with spare copies for circulation amongst S.E., E.Es & Dy. Dir.

Director(Works).

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DIRECTORATE GENERAL OF WORKS
CENTRAL PUBLIC WORKS DEPARTMENT
.....

NO: CE/CON/820

Now Delhi, dated the 20.8.85.

MEMORANDUM

Subject: Timely action in respect of contracts where there is delayed performance and where action is to be taken under clause 2 and 3 of the contract.

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Attention is invited to instructions contained in para 6(i) of Memo. No. CE/CON/789, dated 25.8.1984.

Views have been expressed against the intimation of quantum of compensation under clause 2 proposed to be levied, during the progress of the work, because this may create serious procedural problems.

The matter has been reexamined and it is decided that while notifying the contractor regarding the delay in the execution of the work and his having rendered himself liable to pay compensation in accordance with clause 2, actual quantum of compensation should not be indicated. In such cases the contractor may be informed that he has rendered himself liable for levy of compensation upto the maximum rate of liquidated damages leviable under clause 2 and that the quantum of compensation to be actually levied will be decided in due course.

The revised instructions should be noted carefully.

Sd/-

(A.S.SIDHU)
F.O. to D.G.(W).

Issued from file No. 40/2/79-A&C(DGW).

To

14. Engineer Member, DDA, Vikas Minar, Now Delhi.