

Government of India
Ministry of Road Transport & Highways
S&R (P&B) Section
Transport Bhawan, 1, Parliament Street, New Delhi - 110001

RW/NH-34066/01/2020-QCZ

Dated: 14th, June 2021

To,

1. The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-110075.
2. The Managing Director, NHIDCL, PTI Building, New Delhi-110001.
3. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110010.
4. All ADGs, Zonal Chief Engineers, Chief Engineer-ROs, Superintending Engineer-ROs and ELOs of Ministry of Road Transport & Highways.

Sub: Enforcement of Quality Assurance and Quality Control measures in Construction of Road & Bridge works on National Highways and Centrally Sponsored Schemes by Authority's Representative.

Sir,

Ministry has issued a number of guidelines for strict Quality Assurance and Quality Control on Road & Bridge works. IRC SP:112 "Manual for Quality Control in Road & Bridge Works" gives detail guidelines for Quality Assurance and Quality Control on Road & Bridge works starting from project preparation to construction including acceptance thereof. NHAI have also issued several guidelines on the subject. These guidelines clearly define the roles and responsibilities of Concessionaire/Contractor, Authority's Engineer/Independent Engineer/ Supervision Consultant and Authority/Employer in achieving desired quality of works. Each item of work has several quality characteristics of input materials, mixes, processes and final product. Specification limits and applicable testing methods of different quality characteristics are given in Ministry's specifications for Road & Bridge Works and applicable IRC standards/guidelines. Necessary laboratory/onsite testing has to be done as per said standards/guidelines and test results compared with specification limits and further statistical analysis done wherever specified to determine acceptance of a particular item of work.


2. However, there are instances of lapses on the part of Concessionaire/Contractor and Authority's Engineer/ Independent Engineer/ Supervision Consultant leading to failure during construction or acceptance of sub-standard works leading to premature distress.

3. Standard EPC Contract document also provides for inspection and technical audit by Authority under Article 11.4 which relates as follows:

"The Authority or any representative authorized by the Authority in this behalf may inspect and review the progress and quality of the construction of Project Highway and issue appropriate directions to the Authority's Engineer and the Contractor for taking remedial action in the event the Works are not in accordance with the provisions of this Agreement"

4. Further Article 11.6 of EPC Contract provides for inspection of construction records which reads as follows:

"The Authority shall have the right to inspect the records of the Contractor relating to

(1/4) 

the Works”

5. Further under Article 18.1 of EPC Contract, the concerned Officers of the Regional Offices of MoRTH/ NHAI/ NHIDCL have been made responsible for overall supervision and monitoring execution of projects as the representative of the owner of the Project. The Article reads as follows 18.1 (ii) :

“The officer in-charge of the Authority (eg. PD/ RO/ CGM/ Member in the case of NHAI; RO/CE/ADG in the case of MoRTH projects executed through the State PWDs and PD/ ED/ Director in the case of NHIDCL) is responsible for the overall supervision and monitoring of the execution of project as the representative of the owner of the project. The Authority’s Engineer is appointed to assist the Authority for carrying out the functions as detailed under clause 18.2. As such, an officer of the Authority is vested with all such powers and responsibilities as are enjoined upon the Authority’s Engineer and is fully competent to issue any instructions for proper monitoring and supervision of the project, either by himself or through the Authority’s Engineer. Instructions issued by the concerned officer of the Authority shall have the same effect as that of the Authority’s Engineer in terms of this Agreement. Wherever such concerned officer issues any instructions or notice to the Contractor, he shall endorse a copy thereof to the Authority’s Engineer”.

6. From above provisions in the Contract, it may be seen that enabling provision has been given in the Contract for the Authority/Authority’s Representative to carry out inspection and issue instruction for non-compliance in Quality and specifications.

7. In order to prevent such violations of contract requirements, competent authority in Ministry has decided that the officer in-charge of the Authority at site i.e. PD/ RO in the case of NHAI; RO/SE/EE in RO office of MoRTH for projects executed through the State PWDs and PD/ ED in the case of NHIDCL shall inspect the projects to ensure that (i) approved construction methodology of the works is being followed, (ii) approved quality assurance plan is being diligently followed by Concessionaire/Contractor and Authority’s Engineer/Independent Engineer/Supervision Consultant and to see that Authority’s Engineer performs his duties in accordance with Contract and his TOR and invariably notifies NCR to the Contractor in monthly progress report, upload on the Ministry/ NHAI portal and closes the same before accepting the work and recommending same for payment. The officer in-charge of the Authority may also carry out sample laboratory/on site test on important quality characteristics of materials/mixes/process/final product and observations would be notified thorough Inspection Note under Article 18.1 (ii) or any other relevant Article. While carrying out the inspections, the officer in-charge of the Authority shall invariably follow the guidelines and Standard Operating Procedure for Quality Control/ Assurance in construction of National Highways and other centrally sponsored projects issued vide letter No. RW/NH-34066/01/2020-QCZ dated 1st October, 2020.

8. The inspection schedule shall be as below:

| S.No. | Designation of officer | Projects under jurisdiction | Frequency of inspection |
|-------|---|-----------------------------|-------------------------|
| 1. | PD/ RO in the case of NHAI and PD/ ED in the case of NHIDCL | All projects | Monthly |

| | | | |
|----|---|--|------------|
| 2. | RO/SE/EE of RO, MORTH in the case of projects executed through the State PWDs | Project costing more than Rs. 300 cr or projects involving major bridge (length more than 60m) | Bi-monthly |
| | | Project costing Rs. 100- 300 cr. without any major bridge (length more than 60m) | Quarterly |

Concerned RO of MoRTH /NHAI/NHIDCL will immediately issue necessary instructions to Concessionaire/Contractor and Authority's Engineer/Independent Engineer/ Supervision Consultant for necessary remedial measures.

9. In case of proven negligence on the part of PD/ RO in the case of NHAI; RO/SE/EE in RO office of MoRTH for projects executed through the State PWDs and PD/ ED in the case of NHIDCL in carrying out inspection as detailed in para-7 above, following penal action will be taken against the officer concerned:

| S.No. | Designation of Officer | Penal Action | |
|-------|---|--|------------------------------------|
| | | Number of instances of Failure | Action Proposed |
| 1. | PD/ RO in the case of NHAI and PD/ ED in the case of NHIDCL | a. 1 st instance | Advise |
| | | b. 2 nd instance | Non-recordable warning |
| | | c. 3 rd Instance | Recordable warning |
| 2. | RO/SE/EE of RO, MORTH in the case of projects executed through the State PWDs | d. Instances exceeding 3 times and /or failure of structure during construction or operation | Penalty Major/ Minor as deemed fit |

10. For the projects being executed through BRO, DGBR will issue similar guidelines for ensuring quality of works.

11. In case the outcome of investigation is unclear or on the basis of conjectures, no action on penalty (Major/Minor) shall be taken and only suitable warning shall be issued which may be included in the ACR of the concerned Officer.

12. The Competent Authority for approval of penal action against the Officer of the Roads Wing will be the DG(RD) & SS in respect NH works being implemented through State PWDs.

13. Representation may be submitted, if any, to the "Reviewing Authority" against the action/penalty imposed. The "Reviewing Authority" shall be the Secretary, RT&H.

14. NHAI and NHIDCL will designate competent authority for penal action and Reviewing Authority.

15. This issues with the approval of Competent Authority.

Yours sincerely,

Chhaya Rajput
04/06/21

(Chhaya Rajput)

Assistant Executive Engineer, S&R
For DG(RD)&SS

Copy to:

1. All Chief Engineers in the Ministry of Road Transport & Highways.
2. The Secretary General, Indian Road Congress, IRC Bhawan, Kama Koti Marg, Sector- 6, R. K. Puram, New Delhi- 110022.
3. Technical Circular File, S&R(P&B) Section.
4. NIC for uploading on the Ministry's website.

Copy for information and necessary action to:

1. Sr. PP to Secretary (RT&H).
2. PP to DG (RD) & SS
3. PPS to SS/AS/AS&FA.
4. P to all ADGs.
5. PS to all JSs.