

First Address of Director General (Road Development) & Special Secretary through video conference with all CES (Roads) cadre officers of Ministry of Road Transport & Highways on 04-11-2022 at 15.30 Hrs

Good afternoon to everybody.

General

1.1 First of all, let me thank you for this opportunity I got to speak to you all, to lead you and to take you forward as much as I can. I thank all our colleagues for their support and their lively interactions during my journey of 32 years. Apart from this Ministry, I have worked in at least 4-5 different organizations including a teaching position in a college. I have very nice and cherished experience everywhere in all the organizations I had worked in and carry fond memories for which I consider myself fortunate. Actually, I thought, I would launch a series of VCs devoting each VC to a topic, first one being a general one. But after seeing the time constraints I decided to club a few topics along with the general one in this VC itself. I will reduce the number of VCs and will cover more topics in minimum number of VCs. In future also I will be launching these VCs to convey what I wanted to convey.

1.2 When I joined this Ministry 32 years back, this Ministry was a very low-key organization with low profile and many people did not know anything about CES(Roads) cadre. That was the scenario. I had to ask many people what this cadre is and what they do. I did my M.E. from Roorkee before joining the Ministry. After joining the organization, many of my immediate seniors and seniors to seniors after a little bit of interaction with me used to advise me and suggest to me that I should not waste my energy and talent, but should move to a more active organization. After listening to such comments for a while, I made efforts through engineering services and civil services to change the organization. It so happened that due to mismatches of high and low scores twice or thrice I could not change to a department of my liking. Then I decided that I would not make further efforts here and there for change. I consciously and decisively decided that I would stay in this Department and would make my best efforts. Whatever may be the scenario at that time, I have been observing this organization very neutrally without getting biased by anybody's views

or ideas. After considering the journey made all these years, I can now conclude that this is a very sought-after and most important Department for the development of the country. Absolutely there is no question or no second opinion about this. Please understand this. In the country, unless we develop robust infrastructure, further development is not possible. That is the first and foremost requirement. Therefore, this is the most important organization and I am sure all of you by now might have realized and convinced that Government of India as a whole is giving lot of importance to this Department. As we are getting adequate budget for the Highway sector without constraints, we all have to work hard and deliver the present increased volumes of projects. As far as importance and budgets are concerned, I think we are getting the highest attention after Defense, Finance and Home.

1.3 I have shared my views about this organization and this sector which is the first part. Then the second part is the structure and framework of our organization and working framework. I personally feel that this is a very good one and there is nothing wrong in it. Many people used to say that this organization inspite of being an Engineering Department does not have direct execution. See, everybody has a fixed number of hours to do work. If you are in the site, you have to spend all your hours in site only. If you are in the office side, you have to spend your hours there only. But in this Department, we have a distinct advantage in the sense that the policy making and execution roles are integrated in this department. You can take any Department, say CPWD or some other Department, they have long gap and distance between Ministry and that Department. To reach the Ministry itself is a herculean task for them. Whereas, we are very much part of the Ministry. If they want the policy change, they have to go to the Ministry, convince them and do a lot then only the policy change will happen. Whereas here, we have our hands on policy making as well as on its implementation. We have many hands, lots of PWDs and other organizations are working under our directions. Those may be effective or less effective. Molding the working hands is required everywhere.

1.4 As officers of CES cadre and as part of the Ministry you have the wherewithal and ability to reach to any nook and corner of the country to implement any idea which you have in the Highway sector. With these many advantages what else one can expect? You are in such a position that you can coin how a project should be shaped, how a project should be executed, you can coin the policy and you can visualize as to

how development should take place. If somebody is still grumbling, that means there is a lack of perception or he is confused or something is wrong. Please understand that you are in a vantage position and several things are available to you. Now, it is up to you, how best you want to deliver. This is the basic conceptual framework I wanted to convey to you. Feel proud that you are part of this system, you have got this opportunity to do and deliver. Now you may see that all the bright boys and top rankers of the engineering services are joining our department making it their first choice. Please avail this opportunity and try to do as best as you can.

Processing proposals- Roles & responsibilities

2.1 Having discussed and having given a thought to the importance and key position of our Ministry, now we have to do some introspection about the way we are discharging this function and the way we are contributing our bit which is expected of us. I have handled some RO offices earlier and in the past two years as a Zonal Head I had handled South Zone – I covering Andhra Pradesh, Telangana and Karnataka. I headed some other Zones like Road Safety engineering and zone covering Eastern States in the past. I had also worked in NHAI for a stint as PD cum DGM. I have seen the working in all these organizations. In my early years of working, I underwent a very small one-week course in Jawaharlal Nehru University campus. There is one institute called Institute of Secretarial training located there and we were given a one-week training in that institute. They have made our concepts very clear about all different processes in the Government. Basically, our organization in general has all the characteristics like formulating policies, maintaining files and taking approvals like any other Ministry in Government of India. If you go to the core then you have all the functions of project execution, its monitoring, its financial propriety. They have made our concepts very clear in all the aspects of noting, interacting with deferent divisions and offices, procurement etc. These basic abilities are somehow missing in many officers. All the officers of our cadre are basically the cream of the discipline and they have been taken after lot of filtrations into this cadre. There is absolutely no doubt about their ability and talent. But only thing is many are not putting them to use. Our files are speaking volumes about that. Large basic talent and ability laying in the officers of the cadre is not reflecting in the flow of work which is really unfortunate and that has to change. Without that change no real good development can take place. Normally anything can go on. The wheel always goes on revolving. But that is not the

requirement. The requirement is to really produce results with the level of speed, level of quality and level of punctuality that is expected, which is not taking place.

2.2 Let me put a few aspects before you. I will start with the processing of proposals in a generalized manner. You come across the requirement of processing proposals of different types. For example, it can be a project proposal, it can be an EOT proposal seeking extension of time of a project, it can be a COS proposal seeking a change in the original scope of the work or it can be any other proposal. These proposals as you know are processed from the junior most officer level to top level. Now the working also has become unified after digitalization. Earlier all the main files used to be handled at Head Quarters. But now after the E-office, it has become a unified working in the sense that the same file is handled at HQ as well as at Regional Office. You have lot of advantages, you don't need to carry the files, everything is available with a click whenever you want to see the file. In the present working by and large the proposals are basically prepared by consultants whether formally appointed or informally mobilized by the concerned State PWDs.

2.3 I am speaking this from the perspective of the working in Roads Wing and not NHAI, NHIDCL. However, most of these things are applicable in other wings/organizations also. For the sake of simplicity and brevity I am explaining from the perspective of Roads Wing. After the proposals are prepared, they are routed through the PWDs from NH Division, NH Circle and CE NH office and then it reaches Regional Office. After the regional office, it moves up towards to ADG, DG and then Secretary and Hon'ble Minister (RTH). This is the flow of work. But do you think that all the senior officers can go through the entire noting of the proposal starting from noting of AEE level of the RO office who first processes the proposal from the Ministry's side till ADG, DG etc., to understand the proposal? Is it possible? Absolutely not possible. It is not expected as well. But what the senior levels need is they see only the note which comes just below their level. That note should be such that it should explain the core and important things of the proposal comprehensively but briefly not longer than a page. Before the proposal is sent to the higher level, it is the duty of anybody sending the file forward to satisfy himself about the proposal that it is complete and that he is able to defend it. Simply clicking and sending the file up is not expected.

2.4 Once the file has reached you and the note of your immediate predecessor is a note of half to one page and if there is no need to modify or add anything, if you are satisfied with the proposal, then only you can say for kind approval and forward it. If you feel that the note is not adequate there are two options, one, you can get the note modified suitably or two, you can make a note of half to one page and send it forward. This is what is required. I many times see a very detailed note running into 5 to 6 pages which some junior officer has made and all others are clicking it forward. It means the top brass has to go through all the notes made by officers of the lower most level and understand the proposal. Absolutely this is a wrong method. Please do not do that. As the Head of a Zone, I used to make half to one page note and then only I used to send it up. If everybody clicks the file just like that and it reaches the top level, if it is found that the proposal is loosely made, what is the option? The whole work has to be done again. The entire effort will go waste. It is not expected that you, simply without going into the details of the proposal, without understanding it, without satisfying yourself simply push it up, just because someone has sent it to you, on the strength of the click of the lower officer. It is not acceptable. I will not call the lower most person to explain the project I will call only the immediate below level. So please be clear and remember to go into the details of the project, satisfy yourself before forwarding your proposals. Sometimes it may so happen that either IFD or higher level may call for certain information which is not directly related to the core of the project but is a little bit outside it or related to other projects of that region for comparison. In that case you can ask details from the relevant office. In all other cases the questions should be replied at one or two steps below and every time climbing down the stairs to the bottom and climbing up to the top is not expected. This is not the way. Unless we do proposals with due diligence, how NH projects can be implemented properly.

Preparation and processing a Highway development proposal

3.1 The first step is coining a proposal well which is the fundamental requirement and executing it in the same fashion is second step. You are not supposed to prepare the proposal and forward it, which cannot be defended. Let us take an example of a proposal of a Rs 200 Crore to Rs 300 crore project for improvement of a stretch. What details are required in such a proposal. We need plan profile drawings, we need TCS, all the TCSs with proper chainages in which each TCS is to be adopted. Say in a dense and long built up stretch, in a bypass, in a moderate built up area, a flyover with

slip / service roads etc. All these TCSs should be safe and the geometry should be as per NH standards. Unless there are severe constraints, geometry should not be compromised and the reasons for any compromise should be clearly brought out in the file. This clarity should be there. Many times, I am finding local references tab is blank. Many important documents can be easily placed in local references with suitable references in the noting.

3.2 Most of the times loosely prepared proposals come from the Consultants. I have not found a single proposal from the consultants with complete details of plan profile TCSs etc., which can be approved as it is or with minor changes. I used to review every proposal in detail and I used to issue a detailed record note indicating required corrections which generally span 3 to 4 pages even if the required corrections are indicated on example basis. In such a scenario if you all do not go into the details of the project, if you do not get things corrected properly and if there is no clarity, how our NHs will be proper. Once serious mistakes are committed in parameters like horizontal and vertical profile these will have serious negative repercussions. Repercussions are, every now and then you have something missing which you have to incorporate through COS. Sometimes details are not clear and Contractor has to rework all the things and it will take time. Though most of the projects are on EPC mode or on HAM mode, please be clear that all things required for a project are not automatically part & parcel of the scope. It is your duty and Ministry's duty to fix scope properly, clearly and firmly. Without this, nobody can work. I have seen many times that where the profile is raised and C-D structures are proposed for widening. How can you widen culverts in such conditions. You have to only re-build it. It's only a small example. There are hundreds of such cases of inappropriateness. Unless you go into the details and correct it these will lead to several changes in the project during execution which will cause time and cost overruns. In Government, the principle is very clear; if you are sending something forward, whatever you have sent, recommended, you are responsible for it. The proposals should be reasonably framed, all parameters should be clear, all necessary safety measures are to be covered properly and all components of the project should get accommodated within the existing land or within the land proposed to be acquired. Boundaries of the existing Land should be indicated as EROW and the land proposed to be acquired should be indicated as PROW in the plan profile / alignment plans invariably. All the junction

improvements should be worked out and the improvement layouts should be superimposed on the plan profile drawings ensuring that they are fitting in the EROW/PROW.

3.3 You have to check the heights of embankments, Check, whether embankment flanks / cut slopes can be accommodated within the available land or not. You have to visualize the project being constructed so that all aspects are comprehensively handled. You have to put all the essential project documents in the E-office. You can use local references tab and E-correspondence tab for this purpose. Engineering documents can be put in the local references giving them a proper name relating to the content in the document along with a date on which the document is placed on the E-file. Plan Profile drawings, TCSs SFC memo/ SFC cover note(if proposal is a SFC proposal), break-up details of land acquisition costs, are all important core documents for the project. All these can be placed in local references as “A” series (Annexure-A1, Annexure-A2 etc. Then come supporting documents like cost estimates, the Draft DPR, comparison of project cost with normative cost etc., which can be placed in “D” series. If the cost is substantially higher than the normative cost or substantially lower than the normative cost you have to relook at the proposal and identify the reasons for such higher cost / lower cost and indicate the reasons in brief in the file so that everybody can understand that the project cost is justified and that the project can be taken up. You should indicate whether we are developing the project stretch as part of the entire corridor or doing it in isolation. You have to explain about the corridor. What is happening to the Corridor. What is the traffic level, what is the status of land acquisition? Are we ready to go ahead with the project? All these aspects have to be indicated. Key features of the project like road safety aspects, junctions, culverts, bridges and their appropriateness are to be explained. Many times, pipe culverts are very good and cost effective for balancing purposes. I want you to go into these details and coin your proposals properly. Note from the Zonal Head should be comprehensive as well as a concise good note. All documents related to the project should be available on file with proper referencing. If you follow this approach all the stakeholders will appreciate and respect your work.

3.4 The first activity you have to do is to obtain the concurrence of finance. At this stage itself if you do detailed exercise and prepare a comprehensive note, remaining process becomes easier. 99% of the questions related to the proposal get answered

in the note. If you do a detailed work on the proposal in the initial stage, questions related to the proposal can be answered quickly. If a file has to climb down to the level of state PWD again and again where it takes 15 to 20 days to give answer, it means enough work to answer all reasonable questions is not done in the initial stage. You have to introspect yourself. Once upon a time our senior officers used to guide the entire team of consultants. Many of the consultants are now doing casual work. Launching such projects is leading to several problems like requirement of large-scale changes, time overruns, creation of new road accident black spots etc. All the projects are to be re-worked with lot of hard work to make them comprehensive and cost-effective while meeting NH standards. All of you have to take interest in this and have to mold / develop the available consultants. Nobody else can do it. I have done this basically for the past 3 to 4 years and the results are visible. So please do not just push the project because some consultants have prepared it. It is your project, it's not consultants' project, not anybody's project, not PWD's project, it's your project and my project. So, take the stand, develop this vision and go ahead.

Processing EOT proposals

4.1 EOT and COS proposals are other important proposals in the Highway development process. Have we understood the EOT concept and our EPC documents properly? I feel many times not. As majority of our projects are EPC and HAM projects let us confine our discussion to these two modes only. These are basically lump sum contracts. Please understand the principle of these lump sum contracts. Here we have defined scope for entire work and the contractor quotes money to do the entire work in the given time. So, the time is fixed and the scope / quantum of work is fixed and money for which he will do the work is also fixed. Now comes the question of extension of time. Why extension of time? Why is it required? Our EPC and HAM documents are very very clear that EOT is admissible only in cases where there is fault of the authority. Authority means Ministry, Regional Offices, PWDs, all put together is Authority. For our convenience only we have bifurcated the role of authority that this part will be played by RO, this part will be played by Headquarters, this part will be played by PWD etc. So, only when there is a clear-cut mistake on the part of Authority which led to the delay, can the EOT be given. Otherwise, absolutely there is no ground for EOT. When contractor due to his own mistakes delays the work, EOT is absolutely is not admissible.

4.2 It is a misnomer and wrong concept that the agreement gets expired if you don't give EOT in EPC/HAM contracts. It is not correct. EPC agreements are different. Agreement of every mode of contract has its own framework, its definitions and its own rules. EPC contract agreement has a clear clause, if you want to remember the clause it is 10.6 which clearly says that in case there is no fault on the part of Authority no EOT will be given and Contractor will make efforts to complete the work at the earliest at his own cost, at his own risk, paying the liquidated damages levied by the Authority. That means, if there is no fault of Authority, there is no need to give EOT. You can make it amply clear. If the contractor still feels that he is entitled for EOT he has to bring out all the faults of the Authority and how much time loss took place because of those faults and to that extent only EOT is admissible. Authority will examine claims for EOT of the contractor and if it is justified, and factually correct, to that extent only EOT can be given. Contract gets expired only in 3 conditions; one, when work is completed, second when one of the parties terminates the contract and the third is where the scope of the work is reduced and the contract is foreclosed. EPC / HAM contract does not expire because completion date is crossed or extended completion date is crossed. There is nothing like that in EPC / HAM contracts. Please understand. Then comes the question of progress.

4.3 Our EPC contract is driven by milestones, Milestone 1, 2, 3 etc., and the last milestone. The Contractor is supposed to work and reach or exceed the financial progress specified for the concerned milestone by the specified date. Milestone is measured in terms of percentage of financial progress. Whether he does culverts or does pavement, or does bridge or does some RE wall it is his look out. He can do whatever is feasible, wherever land is available, he should have to only achieve the financial progress. If he does not achieve the milestone then what is the remedy? You can levy liquidated damages. Liquidated damages for milestones are not explained in so much detail in the contract document. But wherever things are not explained in detail, what is the solution? The solution is based on the principles of fairness to both the parties. You have to interpret the contract conditions in a fair and just manner and operate the principles embodied in the contract. What are the principles embodied in the contract? If anybody misses the milestones, he will have to pay the liquidated damages. If a person delays the project without the fault of the Government or authority, he has to pay the liquidated damages and he has to complete the project at

the earliest. These are the principles. So, if milestone 1 is missed, what does it mean? Proportionate to that milestone he has delayed the project. So whatever is the liquidated damages for the whole project that can be proportionately operated for the mile stone also. It is the principle of fairness. You can do that. Let us say we have not given the land of 1 km or 2 km length, it does not absolve the contractor of the responsibility of achieving the progress. He can execute remaining parts of the project and achieve the milestone. Who is stopping him? We have to see the project as a whole and take a fair and balanced view. This is the way the milestones are operated and liquidated damages are levied. But there is another rule in respect of liquidated damages. In due course if the Contractor completes the entire project within the stipulated time or extended time, then the milestone related liquidated damages have to be returned to him but without interest. That is the provision in the contract and all these provisions are made based on lot of thinking and are not casually made. Suppose we have 50 km stretch and we have some problem in 5 km length and we have not given him land. First, second, third milestones can be achieved and the liquidated damages can also be imposed in case of failure in achieving the mile stones. At the end, if the 5 km length is completed by the Contractor within the time or within the extended time, all the liquidated damages have to be paid back to the contractor without interest. That is why practically if the contractor is achieving reasonable progress and if authority feels that work can be completed within the scheduled completion time or within the reasonably extended time, milestone liquidated damages are kept on hold to avoid blockage of cash flow of the contractor which may even further hamper the project. If contractor is not showing progress at all, mile stone liquidated damages need not be kept on hold. You have to take a pragmatic and balanced view while acting. These are the basic principles.

4.4 All basic details have to be given in the light of the above in a EOT proposal and proper justification has to be furnished while formulating the proposal itself. Basically, who is asking for EOT? The contractor is asking for EOT. When he will get EOT? When Authority is at fault, he will get EOT. It is his basic responsibility to show how the authority is at fault. In his proposal itself he has to indicate all those details properly and Authority side have to go into those details and satisfy themselves whether they are correct or wrong, if they are wrong, they have to be corrected while finalizing the proposal. The EOT proposal has to come upward for approval by

competent authority. Up to certain limit, Zonal Head can do. You have to prepare the proposal carefully. Suppose we have given certain stretch to the contractor and achievable financial progress is say 40% and first milestone is 10% then there is no justification for not achieving the first mile stone. We do not need to support or defend such things. You have to go into these details and bring out very clearly the real picture and give your clear cut recommendations in the EOT. So, if last milestone is achieved within the extended time, total contract itself is extended. So if he is able to achieve last milestone within that extended time that means he has completed the entire length, entire project within that extended period. Missing of milestones do not have any existence at that time in such a scenario. So, understand these principles.

4.5 I find many times that we obtain an all-encompassing undertaking from the contractor stating that no financial implications are allowed etc., which do not stand the test of legal scrutiny in due course. We have to go by the contract agreement. Contract is a mutually signed document between two parties. Nobody has any right to violate it. Unless both the parties consciously agree and sign a supplementary agreement indicating that they are changing certain things consciously for specified reasons and justification. Otherwise, we cannot violate the contract conditions. If something is admissible to contractor, it is admissible to him and we cannot do anything. By obtaining an undertaking you can only postpone the admissible dues at that point of time and afterwards when there is a dispute, arbitration claims get multiplied. So, the crux is if our way of looking at the things which is not balanced, is not fair, is not based on legal principles, is not based on proper professional and industry practices they do not stand the test of scrutiny. By simply drawing blanket undertaking we will be sweeping the dust under the carpet. By this you may feel very clean, the moment the carpet is rolled off you find all dust in a much more shabby manner. So, do not do such things. You are here to do a balanced work.

4.6 If we take decisions in a balanced and fair manner there should be no reasons for disputes. These disputes will be only when somebody disputes with wrong intention. In that case, all disputes are to be won by the Government. Why Government should lose in any dispute. This is not happening. It means either we are committing mistakes on paper, or in the procedural aspects or committing mistakes due to our wrong concepts. Introspect yourself whether you are following these principles with so much clarity or not. You all know Regional Offices handle either one

State or a few small States. But Head Quarters handle multiple issues at multiple levels. This type of arrangement is there. When a person is handling one State only those issues are coming to him. Then let us take the example of the EOT proposal. If all required details are given, how much time is required to go into the proposal. Maximum 4 to 5 days, at the most one week and it can be analyzed properly. Therefore, at the most in 15 to 20 days it should be settled, whether it is admissible or not admissible, drawing a clear conclusion. Huge delays take place only when basic proposals are made in a loose fashion. Unless the issues are settled the contractor will have wavering mind, he will have agony and grumbling and cannot concentrate on the work. If EOT is not admissible say it quickly that it is not admissible. So, until you do these things with passion with responsibility results can't be achieved. If you feel that your next lower level is acting in an improper way, immediately ask him to get corrected, giving a limited time to get corrected. If you need guidance take it from appropriate source. But handling the issues casually, irresponsibly and in a negligent way is not acceptable.

Processing COS proposals

5.1 Now I will discuss about Change of Scope (COS). Why the COS is required? Let us for the sake of discussion suppose that we do not define any scope. We say that make a road from A to B. What will happen? If you get to mind that a 7 m carriageway is to be made you will need a COS because you have not defined what is to be made. Contractor will say you asked me to make a road from A to B, you have not told what width is to be constructed, whether paved shoulders are to be provided, what earthen shoulders are to be provided and so on. I have only exaggerated the issue to make you understand that generally COS is required only when our scope itself is unclear or inadequate or casually made. Otherwise, why it's required? In COS proposal you need to first identify what was the basic reason which necessitated the COS. Is it a clear fault? Is it human error or is it the callous inaction of the State agencies. First thing is, if you make your project proposal very well the chances of your getting the COS requirement is minimized. In spite of that human error cannot be ruled out. But human error has limits. You can't have a human error of missing 20 culverts. Missing a culvert can be a human error. Whether it can be categorized as a human error or it is a negligence or inadequate or casual work can be easily judged. That differentiation can be made. Basically, preparation of the proposal has to be

done diligently, carefully and efficiently. I request all of you that you work with your heart and do not work just with your hands. If you start working with your heart then all the human errors get minimized. With this you develop a sort of attachment and affinity with the work you are doing. You should feel proud after seeing the work which you have done, after you see the proposal, you have shaped up. It is a very big opportunity to get a chance to shape the important infrastructure. It is a rare opportunity which everybody won't get. You avail this opportunity.

5.2 If you make the proposal in a loose manner and casual manner you miss essential things that is why you need to incorporate them in COS. Another possibility is, you might not have seen whether all the components of the project are really implementable or not, whether the land required is there or not, whether all site conditions are duly taken into account or not. After considering all site conditions and availability of land in detail you may have to change the proposal as the original proposal is not fitting there. This is another reason why the COS is required. The third reason is when certain amenities and facilities which are required in the project are not incorporated due to oversight or because we didn't want to give them either to save cost or to avoid land acquisition etc. If you have made your proposal in a fair manner keeping the interest of road users including pedestrians upper-most, then all the facilities which are required would have been incorporated in the proposal. Then where is the need for asking? If somebody asks something unreasonable, you can always explain with proper reason and refrain from changing the scope. You can always defend it. If you are succumbing to these demands again and again means you have no defending argument. For example, if in some length the traffic was low and in some length it is more, we go for 2L in some length and 4L in some length. By comparing with adjacent stretch people demand 4L. Let us not succumb to such COS demands. Why should we make investment today itself which can be done after 15 or 20 years. Why to make an investment which is not worth doing now. We can use that investment at some other place for a better purpose. Nobody will have reply for such convincing explanation. Why I am telling you this is, if you do your work seriously with due diligence, where a person is unreasonably asking for more items, they will calm down with your explanation. Please introspect and do your part diligently. Next comes how to prepare the COS proposal? How to handle? How much time it requires? These are the next questions to be answered. Please understand that COS proposal

is a mini project proposal. It is a mini EPC proposal, not item rate proposal, not any other thing.

5.3 You go into the EPC contract document and read the entire EPC document. Whatever it covers under COS clause, you have to cover in the COS order. Nothing else. Everything gets covered in COS order. So you have to first cover the scope as to what is to be done, second its cost as per the approach enunciated in the contract conditions, and third the stages at which level how much payment is applicable to do that work covered in COS i.e., payment schedules, you have to indicate applicability or otherwise of price adjustment, you have to indicate very clearly the basis of your costing, which SOR is followed, and you have to indicate time period within which it has to be done. You have to indicate clearly whether additional time for completion of the work on account of COS is admissible or not. All these things have to be covered in the COS order. And all these are required to judge whether COS is justified, reasonable or not. That means you have to prepare a draft COS order covering all aspects. If you want some additional work to be done, you require TCS for that, you require plan profile for that, GAD for that if applicable, Junction drawings if at all they are applicable and so on. All these are required as part of the COS order. If these are not there, that means you are doing a casual, loose and half-baked thing. You have to work out all these details and make a draft COS order and give detailed estimates based on the contract conditions. You all know that principles for costing the COS have changed after 2019 March. Before that COS costing is as per current SOR and after March, 2019, it is as per SOR applicable to the base date which was used for the main proposal and same tender premium or tender discount as per the main project is applicable on the COS items also. When you are adopting base year SOR it is quite natural that you have to give price escalation though it is not said in so many words in the contract document. It is a common engineering principle, contractual practice and legal prudence. If somebody blatantly denies something he is not doing any favor to the Department or to the Government, rather he is doing lot of loss to the Department and to the Country in the form of inviting undue claims and interest / legal cost burden. Always treat the contractor and the Department on equal footing. If he is trying to get away not doing the work and asking for unreasonable things then cut it. But do not try to circumvent the contract conditions under

misconception that you have saved something. Rather you are increasing the burden. Don't do that.

5.4 When you are going by the contract conditions, nothing is wrong and nobody will find fault with you. Sometimes either EOT or COS are due to certain clear cut and callousness inactions from the side of the State Government. Bring them out properly and say so and let us ask them to bear the burden of their inactions. It can be recovered from the agency charges, or from CRIF accruals etc. once, twice, thrice if that happens, then definitely they will correct themselves. All these are possible but at the same time because of these reasons simply keeping quite or closing our eyes is not the solution. Many times, huge delays take place because we do not have clarity as to how to handle a particular issue. So, have clarity, hold the problem by its horns, handle it and close it. Lots of expectations are there from you. Spend your time quickly on these things and see the results. If inaction continues, I will have to be tough. If I am not tough, that means I will be doing injustice to the person who is working sincerely. I do not want to be like that. Please understand. Start doing things in better way, expected way and proper way. Thank you.



Ravi Prasad V.V.S.S. Palakodeti

Director General (Road Development) & Special Secretary

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