

**No. COVID-19/RoadMap/JS(H)/2020**  
**Government of India**  
**Ministry of Road Transport & Highways**  
**(Highways Division)**  
 Transport Bhawan, 1, Parliament Street, New Delhi - 110001

Date: 03.06.2020

To

1. The Chairman, National Highways Authority of India, G-5 7 6, Sector-10, Dwarka, New Delhi - 110075
2. Director General(RD) & Special Secretary, Ministry of Road Transport & Highways
3. The Managing Director, NHIDCL, PTI Building, New Delhi -110001
4. Principal Secretaries/Secretaries of all States/UTs Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
5. All Engineers-in-Chief and Chief Engineers of Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes)
6. The Director General Border Roads, Seema Sadak Bhawan, Ring Road, New Delhi - 110010
7. All CE-ROs, ROs and ELOs of the Ministry of Road Transport & Highways

**Subject: Atmanirbhar Bharat: Relief for Contractors/Developers of Road Sector- reg.**

Reference: MoRTH O.M. No. COVID-19/Roadmap/JS(H)/2020 dated 18<sup>th</sup> May, 2020 regarding a Committee constituted for this purpose

Sir

After due consideration of the representations received from the Construction Industry, the Competent Authority in the Ministry of Road Transport & Highways has approved following measures for providing urgent relief to the contractors, concessionaires and developers of road sector in view of the prevailing situation due to COVID19 for immediate implementation by all the concerned agencies.

- (i) Retention money (which is a part of the Performance Security till construction period) is recommended to be released in proportion to the work already executed in accordance with the Contract specification and further retention money from the period from 03 months to upto 06 months may not be deducted from the Bills raised by the Contractor. For HAM/ BOT Contracts, Performance Guarantee may be released on pro-rata basis of that as provided in the Contract, if Concessionaire is not in breach of the Contract.
- (ii) Extension of Time to Contractor/ Concessionaire for meeting their obligation under the Contract for 03 months to upto 06 months depending on site conditions.
- (iii) Relaxation in Schedule H to provide monthly payment to the Contractor for the work done and accepted as per the specification of the contract during the month under EPC/ HAM Contract.
- (iv) Direct payment to approved Sub-Contractor through Escrow Account.



- (v) Waiver of penalty for delay in submission of Performance Security/ Bank Guarantee in new Contract entered into during March, 2020 to September, 2020.
- (vi) To allow Extension of Time to Consultants i.e I.E/ A.E for 03 months to upto 06 months depending on site condition. During this Force Majeure Event, they may be considered as if they were on duty.
- (vii) BOT/ TOT Concessionaire: Before CoD, the concession period of BOT contracts shall be extended by a period equal in length to the duration of 03 months to upto 06 months. Further for loss in collection of user fee, the concession period shall be extended by a period in accordance with the Contract till the time daily collection is below 90% of the average daily fee.
- (viii) For all National Highway Tolling Contracts, loss in collection of fee may be compensated in accordance with the Contract.
2. After receipt of the proposal from the Contractor/ Concessionaire invoking provisions under FMC, the Authority Engineer/ Independent Engineer will examine and recommend for giving relief under the above measures to the Contractor/ Concessionaire by the PD/ Executive Engineer who will approve the relief measures as mentioned above.
3. It is directed that all the measures indicated above shall be implemented by the executing agencies with immediate effect.

Yours faithfully,



(Ramandeep Chowdhary)

Deputy Secretary to the Govt. of India

Tel No: 23718575

Copy to:

1. PS to Hon'ble Minister (RT&H)
2. PS to Hon'ble MoS (RT&H)
3. Sr. PPS to Secretary (RT&H)
4. AS&FA, MoRTH
5. All Joint Secretaries in the MoRTH
6. All ADGs/CEs in the MoRTH
7. Director(NIC), MORTH for uploading on the website