

The Coal India “Board of Directors” in their 292nd meeting held on 12th December, 2012 approved vide Item no. 292: 4 (M) the following amendment / modification of Clause 9.2 of General Terms & Conditions (GTC) in Transport Contract of Contract Management Manual (CMM) to insert new clause No. 9.2 (B) :

“If the progress of the work or of any portion of the work is unsatisfactory, the Engineer-in Charge, after giving the contractor 15 days’ notice in writing, without cancelling or terminating the contract, shall be entitled to employ another Agency for executing the job or to carry out the work departmentally or contractually through tendering/ limited tendering process, either wholly or partly, debiting the contractor with cost involved in engaging another Agency or with the cost of labour and the prices of materials, as the case may be. The certificate to be issued by the Engineer-in-Charge for the cost of the work so done shall be final and conclusive and the extra cost, if any, shall be borne by the contractor. However, when this clause is invoked, penalty will not be applicable.”