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GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CENTRAL PUBLIC WORKS DEPARTMENT
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No.DG(W)/CON/74

Nirman Bhavan, New Delhi,
Dated the 26 September, 1994.

OFFICE MEMORANDUM

Subject : Execution of Deposit Works.

Instances have come to the notice of this Directorate where client Departments are not forthcoming to pay liabilities in regard to works executed by CPWD as Deposit Works. In this connection, provisions in Para 3.5 of CPWD Manual Volume II(1988) and Paras 118 and 119(iv) of CPWD Code are reiterated.

- i) The contribution should be realised before any liability is incurred on account of the work. Only the Min. of Urban Development is empowered to authorise recovery from the contributor in suitable instalments.
- ii) The necessary funds for the execution of the work must be realised, in advance.

It should be ensured that in no case deposits received from one Department are diverted to works of other Department, nor moneys received in respect of one deposit work diverted to other deposit works.

The CPWD Manual II(1988) Edition will be amended as under:

- i) Add new para:

"Para 3.6.3 : While agreeing to execute Deposit works, a formal letter as per format given in Appendix-76 will be issued immediately on receipt of request for execution of work."

- ii) Table of contents:

Add under Part III Appendices.

<u>No.</u>	<u>Heading</u>
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<u>76</u>	Format of letter of Acceptance of Deposit works.
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Satakopan

(S. SATAKOPAN) / F.O. TO DG(W).

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Appendix-76

LETTER OF ACCEPTANCE OF DEPOSIT WORKS
(To be issued to the client Department)

To

Subject : Execution of Deposit Works.

(Indicate name of work)

The above work can be taken up by the CPWD as a Deposit Work under Para 118-119 of CPWD Code, subject to the following:

1. Full payment for the cost of work as per estimated cost worked out by this office will be made by you before the work is taken up for execution. In addition, Departmental charges for execution at the rate of _____ % of the total cost of the project for construction management will be levied.
2. In undertaking to execute the work, the CPWD does not bind itself to complete the work within the estimated cost/tendered cost and that additional funds if required to finance the excess will be provided by you when demanded.
3. In agreeing to execute the above work, it is an express condition that any dispute arising in the operation of the contract for the subject work will be subject to arbitration as provided for in the contract agreement. CPWD will defend the case in the Arbitration Proceedings and get the award examined by the appropriate authority and the decision of the competent authority in CPWD to accept the award or to challenge the same in a Court of Law will be binding on you.
4. Payment of all the amounts which may be decreed by a Court of Law, Tribunal or by Award of an Arbitrator in relation to the said deposit work will be made by you irrespective of your not being a party before the Court, Tribunal or Arbitrator. Such payments will be in addition to payments made to the contractors for execution of work.

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Your Department will help CPWD -

In providing site for labour huts for the contractors' labour free of cost;

in providing free access to contractors' material and labour to the site of work;

in providing electrical connection for execution of work on payment of usual charges; and

(7) in sanction and release of load from the concerned electricity board/authority.

You are requested to convey acceptance of the above to enable this office to proceed further.

Yours faithfully,

Executive Engineer

Issued from F.No.18/2/89-A&C(DGW).