

**Government of West Bengal  
Law & Arbitration Cell  
Public Works Department**

No. - 5951-PW/L&A/2M-175/2017

Date : 02.11.2017

**NOTIFICATION**

The Defect Liability Period of different projects have been revised vide Notification No. 5784-PW/L&A/2M-175/2017 dated 12.09.2017 in supersession of earlier Notification No. 177 - CRC / 2M - 57 / 2008 dated 17.07.2012.

Consequent upon these changes, there is a need to modify the existing provision of Bank Guarantee as provided vide clause no. 4 of Notification No. 52-CRC/2M-06/2014 dated 27.10.2014 to align these with new Defect Liability Period norms.

Now therefore the Governor is pleased to modify the clause no. 4 of Notification No. 52-CRC/2M-06/2014 dated 27.10.2014.

Please read	In place of
<p>The Bank Guarantee, now pledged in the form of Security Deposit will be released to the contractor in the following manner, if not forfeited under conditions of contract -</p> <p><b>(a) For work with three months Defect Liability Period:</b></p> <p>i. Full amount shall be refunded to the contractor on expiry of three months from the actual date of completion of the work.</p> <p><b>(b) For work with one year Defect Liability Period:</b></p> <p>i. Full amount shall be refunded to the contractor on expiry of one year from the actual date of completion of the work.</p> <p><b>(c) For work with three years Defect Liability Period:</b></p> <p>i. 30% of the same shall be refunded to the contractor on expiry of two years from the actual date of completion of the work;</p> <p>ii. The balance 70% of the same shall be refunded to the contractor on expiry of three years from the actual date of completion of the work;</p> <p><b>(d) For work with five years Defect Liability Period:</b></p> <p>i. No amount shall be refunded to the contractor for first 3 years from the actual date of completion of the work;</p> <p>ii. 30% of the same shall be refunded to the contractor on expiry of four years from the actual date of completion of the work;</p> <p>iii. The balance 70% of the same shall be refunded to the contractor on expiry of five years from the actual date of completion of the work;</p>	<p>The Bank Guarantee, now pledged in the form of Security Deposit will be released to the contractor in the following manner, if not forfeited under conditions of contract -</p> <p>i. 30% of the same after expiry of 1 (one) year from the date of issuance of completion certificate of work.</p> <p>ii. Further 30% of the same after expiry of 2 (Two) years from the date of issuance of completion certificate of work.</p> <p>iii. The balance 40% of the same after expiry of 3 (Three) years from the date of issuance of completion certificate of work.</p>

The remaining portion of the Notification No. 52-CRC/2M-06/2014 dated 27.10.2014 shall be unaltered.

This bears concurrence of Group-T of Finance (Audit) Department vide their U.O. No.417 Dated 22.08.2017.

This Notification will take immediate effect.

All concerned are being informed.

By order of the Governor

Sd/-  
(Indevar Pandey)  
Principal Secretary  
Public Works Department

**No. 5951/1(14) - PW/L&A/2M-175/2017**

**Dated:02.11.2017**

Copy forwarded for information to:

1. The Accountant General (A & E), West Bengal, AP Section, Treasury Buildings, Kolkata - 1.
2. The Accountant General (Audit), West Bengal,
3. The Accountant General (RW / LBA), West Bengal, C.G.O.Complex, 3rd MSO Building, Sector - I, Block - DF, 5th Floor, Bidhannagar, Kolkata - 64.
4. The Principal Secretary, Finance Department.
5. The Principal Secretary, Public Works Department.
6. The Managing Director, West Bengal Highway Development Corporation, HRBC Bhaban, Munshi Premchand Sarani, Kolkata - 700021.
7. The Engineer-in-Chief & Ex-Officio Secretary, Public Works Department.
8. The Finance Department, Group - 'T'.
9. The Finance Department. Group - 'N'
10. The Financial Adviser, Public Works Department.
11. The Joint Secretary, Project & Co-ordination / Works / Administration, Public Works Department.
12. The Technical Secretary, Public Works Department.

Sd/-  
Joint Secretary (Roads),  
Public Works Department

**No. 5951/2(1) - PW/L&A/2M-175/2017**

**Dated:02.11.2017**

Copy forwarded for information to :-

1. The Senior P.S. to the Hon'ble Minister - in - Charge, Public Works Department, Government of West Bengal.


Sd/-  
Joint Secretary (Roads),  
Public Works Department

**No. 5951/3(200) - PW/L&A/2M-175/2017**

**Dated: 02.11.2017**

Copy forwarded for information and necessary action to :-

1. The Chief Engineer, -----(All), P.W. Directorate / P.W.(Roads) Directorate / Social Sector, P.W. Directorate / Electrical, P.W. Directorate.
2. The Superintending Engineer,----- (All), P.W. Directorate / P.W.(Roads) Directorate / Social Sector, P.W. Directorate / Electrical, P.W. Directorate.
3. The Chief General Manager, West Bengal Highway Development Corporation, HRBC Bhaban, Munshi Premchand Sarani, Kolkata - 700021.
4. The Executive Engineer,----- (All), P.W. Directorate / P.W.(Roads) Directorate / Social Sector, P.W. Directorate / Electrical, P.W. Directorate.
- ✓ 5. The Executive Engineer, Kolkata IT Division, P.W. Directorate.  
He is requested to upload the Notification in PWD website.

  
Joint Secretary (Roads),  
Public Works Department