

KOLKATA PORT TRUST

VIGILANCE DEPARTMENT

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The Director
P & R
Ko. P. T.
38200

NJ: Vig/38/A/ 730

Dated 28/06/2013

18 July '13.

Circular

1635/Dir/13
02/07/13

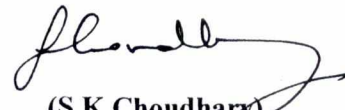
During examination of some of the tenders by Vigilance Department, certain glaring discrepancies have been noticed. They are given below:

1. Some clauses, which are major deviations from GCC, have been kept in the contract without any approval from the Competent Authority. The discrepancies observed are:
 - There is a provision in contracts by which Employer can terminate a contract by giving notice within certain period to the Contractor.
 - It has been stated in a contract that in case of dispute between the Employer and the Contractor, the matter will be referred to the Engineer. In case the Employer or the Contractor is dissatisfied with the decision of the Engineer, the matter will be referred to the Arbitrator.
2. Tenders have been concluded prior to necessary completion of preparatory work and it is seen that after concluding the tender, preparatory work has been taken up. It has resulted in prolonged delay in actual commencement of work, which has been concluded through tender.
3. Third party was appointed after a prolonged delay since the conclusion of tender of the actual work, defeating the spirit of the appointment of third party which usually supervises, examines, monitor the work etc and report to the Engineer of the Contract.

In view of the above, it is advised that:

- a. In future before making any major deviations in contractual stipulations which are overriding the clauses of GCC, the approval of the competent authority should always be taken.
- b. Effort should always be made in the planning stage of any critical project to give special emphasis on problem areas and co-ordination of various activities for smooth implementation of the total project in such a manner so that there is very little slack time between the activities.
- c. In future, effort should always be made to synchronise the award of contract of the third party with the award of the contract of the work.

This has been issued with due approval of the Chairman.


(S.K. Choudhary)
Chief Vigilance Officer

Distribution:

- The Chairman for information please.
- The Dy. Chairman (Haldia) for information please.
- The Dy. Chairman (Kolkata) for information please.
- All HODs (Kolkata)
- Dy CVO, Haldia – to circulate to all divisions.
- The Director (P&R) for information. He is requested to upload the circular under Vigilance Corner in KoPT website.