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Subject: Action to be taken in respect of completed projects having non-rectifiable defects.

Dear

Under the revamped quality monitoring system evolved for inspection of projects by the National Quality Monitors (which has been made effective from January, 2007), completed PMGSY projects are rated '*unsatisfactory*' if there are structural defects of the following kinds in the different layers of the pavement:

- *Earthwork*: Quality of material and degree of compaction.
- *Granular sub-base*: Quality of material in respect of grading and plasticity. Degree of compaction and thickness.
- *Base Course–Water Bound Macadam*: Quality of material in respect of gradation of course aggregate, quality of filler material in respect of plasticity and its quantity. Compaction through volumetric analysis and thickness.
- *Bituminous Layer*: Surface unevenness and thickness.

2. While such defects in respect of ongoing projects can be rectified, these defects are not ordinarily amenable to rectification in respect of completed projects. Therefore, whenever a completed project is rated '*unsatisfactory*' on the basis of field inspections conducted by the NQMs, supported by the prescribed field tests, the defects found in the pavement are treated to be of non-rectifiable nature. Since these deficiencies cannot ordinarily be rectified, unless the defective layer of the payment is fully re-laid, special measures are required to be taken in such cases.

3. With a view to further strengthening quality monitoring processes and systems, it has been decided to adopt the following course of action if PMGSY projects are found to be having non-rectifiable defects on the basis of field inspections by the NQMs.

Step 1: After detailed analysis of the NQMs reports in respect of such projects, the State Governments concerned will be notified about the projects having non-rectifiable defects indicating the reasons why these projects are proposed to be rated as such. The State Governments will be advised to rebut these findings within two weeks, in case they wish to do so, by providing adequate justification as to why the findings of the NQMs are not acceptable.

Step 2: Response of the State Governments contesting the findings of the NQMs if any would be considered by NRRDA and on that basis NRRDA will take a final view as to whether any review of the grading of the projects concerned is merited. In case no change in the grading of the project is warranted the State Government will be accordingly notified within 2 weeks.

Step 3: Once the final grading as to the status of the projects having non-rectifiable defects is notified by the NRRDA, the State Government concerned would be advised to initiate to fix responsibility as follows:

- (a) The NQM report shall be thoroughly examined by a technical officer not below the rank of CE with a view to ascertaining the reasons for the non-rectifiable construction defects. Responsibility for the defects shall be fixed by the State Government on the basis of this examination.
- (b) Appropriate action against the contractor may be taken under appropriate clause of agreement including action for disqualifying or blacklisting the contractor as per the rules of the State Government.
- (c) Appropriate disciplinary action may be taken against the officers found responsible for failure of supervision mechanism.
- (d) Action Taken Report in such cases shall be forwarded by the officer of the level of Chief Engineer after due verification within a period of 90 days.

Recovery of Expenditure

4. In case of projects having non-rectifiable defects, the expenditure incurred would be treated as infructuous and an equivalent amount will be set-off against the future release of programme funds to the State Governments concerned. This action to recover the entire expenditure of projects having non-rectifiable defects from the future releases due to the State Governments concerned is expected to incentivise stricter quality monitoring of PMGSY projects by the State Governments themselves.

5. The above procedure for dealing with completed PMGSY projects having non-rectifiable defects would be applicable in respect of inspections carried out by NQMs with effect from April 1, 2009.

Yours sincerely,

(J. K. Mohapatra)

To
All State Secretaries in-charge of PMGSY