



F. No. NESTS/Civil/EMRSOrder/140/2021 22(Pt.)

Dtd. 21/10/2022

To,

Zonal Head/s,
NPCC/ HSCL/ B&R/ WAPCOS/ TCIL/MANIDCO/EPIL/MTDC

Subject: Guidelines to Construction Agency on submission of cases for Extension of Time for Construction of Eklavya Model Residential School (EMRS) in the designated tribal blocks of the country.

PSUs have been allotted construction of Eklavya Model Residential School/EMDBS in the designated tribal blocks across the country. The work is in progress in many locations and few schools are near completion. Recently, a few cases of Extension of Time have been received in this office for approval. PSU has been allotted time period for each EMRS. But when allotted time gets expired and construction is not completed within the time allotted, PSU may seek Extension of Time (EoT) from NEST for the period beyond its control.

A Guideline for submission of EoT cases is as under: -

1. A Request for Extension of Time for the Complete Project (For Pre-Construction period and Construction period, both) justifying each & every extension shall be submitted to NESTS with proper documentary evidence. The fair and reasonable extension of time shall be granted by NESTS based on the merit of the case. For submission of cases for Extension of Time by PSU to NESTS, a format has been enclosed vide Annexure I.
2. EoT cases between PSU/CA and their contractor needs to be settled in the light of the clauses of agreement between PSU and their respective contractor. PSU/CA shall ensure that contract period with the Contractor shall be extended from time-to-time based on justified hindrance till completion of the work as per the terms & conditions of the contract. A copy of such extension granted to the contractor may be intimated to NESTS time to time. **The PSU shall also ensure that contractor engaged for EMRS may not get undue advantage on grant of EoT.** When there is delay for the fault of contractor, the action to levy of compensation as per the terms & conditions of the contract shall be initiated immediately.
3. PSU is required to take advance action if the work is hindered due to reason beyond the control of the PSU/CA or due to any event/delay by the owner, the construction agency may intimate such cases within fifteen days of happening of the event.

Kap
21/10

In view of the above guidelines, NESTS Letter No. NESTS/Civil/JH/HSCL /EMRS/Tonto/RAB/220/2021-22 dated 04th of Oct., 2022 on the subject matter of issue of EoT to contractor is hereby withdrawn.

This issues with approval of the Competent Authority.

Encl. Annexure I.

Yours sincerely,



(K. C. Meena)

Addl. Commissioner (NESTS)

Copy to:

1. PS to Commissioner, NESTS;
2. PS to CMD, PSU Concerned.
3. DC (Finance);
4. AC (Finance);
5. Guard File.

PROFORMA FOR APPLICATION OF EXTENSION OF TIME TO NESTS

1. NAME OF WORK:
2. Date of Handing Over of the site to PSU: (Reference letter no. & date: issued by state)
3. Date of formal Sanction: (letter no. & date:)
4. Date of Issue of A/A & E/S Approval: (letter no. & date:)
5. Date of approval of DPR: (letter no. & date:)
6. Date of commencement of work as per Approval of NESTS:
7. Stipulated date of Completion as per Approval of NESTS:
8. Details for Construction Period: -

- a. Stipulated date of commencement as per Award Letter (LoI):
- b. Stipulated date of Completion of Construction Work: -
- c. Actual date of Commencement: -
- d. Likely date of Completion: -

9. Period for which extension of time has been given previously:

- i) 1st Extension vide NESTS No. dtd
- ii) 2nd Extension vide NESTS No. dtd

10. Total Period (Pre-Construction Period & Construction Period) for which extension is applied for:

11. Details of Extension of Time requested as under:

S.N.	Nature of Hindrance	Date of Occurrence of Hindrance	Date of Removal of Hindrance	Period of Hindrance	Extension of time applied by the Contractor	Overlapping Period if any	Net Period for which extension applied by the PSU	Documents attached in support justifying extension
Pre-Construction Activities								
1								
2								
3								
4								
5								
Construction Work								
1								
2								
3								
4								
5								
Total Period of Hindrance applied by PSU for Sanction =								



NESTS/Civil/JH/HSCL/EMRSTonto/RAB/220/2021-22

Date: 4th Oct 2022

To

CMD/MD/CEO
B&R/EPIL/HSCL/NPCC/MTDC/MANIDCO/TCIL/WAPCOS**Subject: Issue of EOT to the contractors – reg.**

PSU's have been allotted construction works of Eklavya Model Residential School/EMDBS in the designated tribal block across the country. The work is in progress in many locations and some schools are in completion stage. Recently few cases of EoT have been received in this office for approval.

Here it is clarified that every PSU has its own power of delegation to grant Extension of Time as per terms and conditions of the contract. In this regard, I am directed to communicate that all PSUs/CAs may kindly take up the matter of Extension of Time as per terms of conditions of their contract with the respective contractor and on the basis of justified hindrance, may issue Extension of Time (EOT) with the approval of their Competent Authorities.

So far MoU between NESTS and PSU is concerned, the PSU is required to submit Extension of Time for complete project (i.e., Pre-Construction and Construction activities). Accordingly, the PSU may seek Extension of Time once they issue Extension of Time to their respective contractor including any hinderance during the pre-construction period.

PSU's also needs to take advance action if the work is hindered due to the reasons beyond the control of Construction Agency or due to any event/reason by owner, the construction agency may seek extension of time in writing within fifteen days of happening of event causing delay in a prescribed form by NESTS. The fair and reasonable extension of time shall be granted by owner based on the merit of the case provided that the time is the essence of MoU.

Therefore, all the agencies involved in construction work are hereby directed to do needful well in advance for evaluation and issue of EOT (if any) to avoid any undue delay. It is also directed that EOT in respect of bills already submitted to the NESTS, immediate action shall be initiated for issue of EoT and further bills shall be processed only if the EoT case is submitted along with bill in case the allotted time of project has expired.

This issues with the approval of the Competent Authority.

Yours sincerely

(K.C. Meena)

Additional Commissioner

Copy to:

1. PS to Commissioner, NESTS