



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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NHAI/Policy Guidelines/Possession & Control of all materials at site/2018

Policy No. 18.33/2018 dated the 13th August, 2018

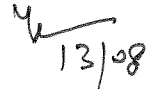
(Decision taken by Executive Committee in its meeting held on 10.07.2018 on Agenda Item No. 351.05)

Sub: Possession and control of all materials, stores, implements, construction plants and equipment on or about the Site of Plant & Machinery at site by the Authority after termination of Concessionaire /Contractor in BOT & EPC projects.

It has been observed that in one of the project after termination of Contract, PD has taken over the Road Construction Machinery, Plant, Equipments, Material and other assets deployed on the site in accordance with Concession Agreement which states that upon termination for any reason whatsoever, the Authority shall be deemed to have taken possession and control of the Project Highway forthwith; take possession and control of all materials, stores, implements, construction plants and equipment on or about the site. Upon inviting bids for Auction of the same, scheduled Bank Authorities intervened and informed that the said materials are under hypothecation and any action from NHAI side to dispose of the Plant, Machineries and Equipments will be illegal and may result in Legal action.

2. Hence, it has been decided by Competent Authority that henceforth upon termination, Notwithstanding the provisions in the contract documents (EPC, BOT (Toll), BOT (Annuity) and HAM), NHAI Officers should not take possession of any of Plant & Equipment and Material at site, if the same are under hypothecation of Banks.

3. This is issued with the approval of Competent Authority.


13/08

(V.K. Sharma)

Chief General Manager (Coord.)

To

- i. All Officers and Employees of HQ/ROs/PIUs/CMUs/Site offices.
- ii. Hindi Officer for translation in Hindi.