

53.0 PENALTY DUE TO UNSAFE WORK

The contractor shall at all times be responsible for any damage or trespass committed by his agents and workmen in carrying out the work.

In the event of accident at the work site, on account of contractor's negligence or the negligence of his men, penalty as deemed fit by the Railway up to an upper limit of the 10% of the total cost of the work shall be imposed on the contractor and recovered from his bills. The decision of Engineer-in-charge in this regard shall be final and binding on the Contractor and he shall have no claims in this regard.

Railway administration reserve in the interest of public safety, the right to terminate the contract with immediate effect if the contractor is found responsible for causing an accident, without giving any further notice/notices to the contractor.

In the event of contractor not completing the work or leaving it unsafe at the end of the day's work, on account of which a speed restriction has to be imposed, the track shall be attended to immediately at the contractor's cost without any further notice. In addition to the labour cost recoverable from the contractor, supervision charges @ 12.5% and train detention charges @ Rs.2000/- every half hour or part thereof shall be recovered.



In the event of contractor starting the job without proper supervision, causing an accident, he may be prosecuted under Railway Act for unlawfully interfering with the Railway track and the contractor should bear the actual losses, compensation with damages to the Railway property. In additional penalty of Rs.20,000/- for every such case shall be leviable on the contractor.