

**DEPARTMENT OF CIVIL ENGINEERING**  
**INDIAN INSTITUTE OF TECHNOLOGY, DELHI**

**CEL 767: Construction and Contract Management**  
**Major Test**  
**(2<sup>nd</sup> Semester, 2009-10)**

Date: 30<sup>th</sup> April 2010  
Time: 10.30 A.M. – 12.30 P.M.

Venue: VI-LT1/2  
Max Marks: 38

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1. Differentiate between various terms given below with suitable definition and with examples where required
  - a. Administrative decision and judicial decision
  - b. Breach, damages and compensation
  - c. Ante-lite, pendent-lite and post-lite interests
  - d. Negotiation and conciliation
  - e. Claim, counterclaim and dispute
  - f. Pre-qualification and enlistment of contractor
  - g. Indemnity bond and performance guarantee bond

2 x 7 = 14 marks
2.
  - a. Why is an arbitration process called quasi-judicial?
  - b. In case of an error in the arbitration award and the error are brought to the notice of the arbitrator, can the arbitrator correct the award, or should it taken to the court through appeal? Explain.
  - c. List ten reasons leading to disputes and ten advantages of arbitration process.

1+3+5 = 9 marks
3. List six important site documents?

3 marks
4. Draft a clause for price escalation in a contract taking care of material price escalation; labour wage escalation; and fuel price escalation.

6 marks
5. Discuss in the light of section 55 of the Indian Contract Act as to how will you administer the contract which contains contradictory provisions of both “extension of time” which amounts to time is not the essence of the contract and “Time is the essence of the contract and liquidity damage”.

6 marks