

## **Modification in Defect Liability Clause 17-A of Tenders for Building Works**

Government of Gujarat  
Roads & Buildings Department  
Circular No. PRCH-102013-2076/2759/N  
Sachivalaya, Gandhinagar  
Date : 27-05-2013

**Ref : Circular No. PRCH-102008-(2076)-N, Dt. 03-12-2009**

R&B Department had issued a circular as referred above where in following provision has been made for building works.

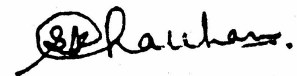
Three years of elapse of three monsoon periods following date of possession of building taken over by user agency OR four years of elapse of four monsoon periods following the certified date of completion, Whichever is earlier.

After due considerations on the representations received at various levels from the Gujarat Contractor Associations the above clause is now modified as under.

**The defect liability period shall be as under for original building works:**

"One year or elapse of one monsoon period from the certified date of completion whichever is greater"

The other conditions in the above said circular will remain as it is.



(R. K. Chauhan)  
Officer on Special Duty (S.P.)  
Road & Building Department

To,

All, Superintending Engineers, State, Ahmedabad city, Capital, Project and Panchayat Circles R&B Department.

All, Executive Engineers under above circles.

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1. PA to Principal Secretary (R&B), Sachivalaya, Gandhinagar.
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**Modification in Defect Liability Clause-17A of tenders for building works**

**Government of Gujarat  
Roads & Buildings Department  
Circular No. : PRCII / 102008 / (2076) / N  
Date : 3/12/2009**

**Circular :-**

**It was in consideration of Government to modify defect liability period clause-17A for building works. After careful consideration, the clause is modified as follows.**

**" Clause 17A : Defect liability period for Building Works :**

The contractor shall be responsible to make good and remedy at his own expenses any defect which may develop or may be noticed or noticing such items which are not up to the quality standards stipulated in tender documents before the period mentioned hereunder. The contractor shall be responsible to repair / reconstruct such items at his own expense so as to maintain quality as prescribed in tender specifications for the entire period as hereunder. The Engineer-in-charge shall give the contractor a notice in writing about the defect / discrepancy and the contractor shall make good the same within 15 days of receipt of the notice. In the case of failure on the part of the contractor, the Engineer-in –charge may rectify or remove or re-execute the work at the risk & cost of the contractor. The Engineer-in-charge shall be entitled to appropriate the whole or any part of the amount of security deposit towards the expenses, if any, incurred by him in rectification, removal or re-execution.

**The Defects Liability period shall be as under for original building works :**

- Three years or elapse of three monsoon periods following date of possession of building taken over by user agency OR Four years or elapse of four monsoon periods following the certified date of completion, whichever is earlier.

**The Defects Liability period shall be as under for building works of repairing - renovation :**

- For building work costing Rs. 50,000 or less, three months following the certified date of completion,
- For building works costing more than Rs. 50,000 and up to Rs. 100 Lacs, One year OR elapse of one monsoon period following the certified date of completion, whichever is later.
- For building work costing Rs. 100 Lacs or more, three years OR elapse of three monsoon periods following the certified date of completion, whichever is later.

For the purpose of deciding the monsoon period, 30th September may be treated as the last date.

It is instructed to incorporate this clause in tender documents of all building works and to observe that the condition is fully implemented.

**(R. K. Chauhan)  
Officer on Special Duty (SP)**

To,

All, Superintending Engineers, State, Ahmedabad City, Capital, Project and Panchayat Circles, R & B Department.

All, Executive Engineers under above circles.

Copy to;

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