

From

The Chief Administrator,
H. S. A. M. Board,
Panchkula.

To

The Deputy Commissioners,
Ambala/Bhiwani/Faridabad/Fatehabad/Gurgaon/
Hisar/Jhajjar/Jind/Kaithal/Karnal/Kurukshetra/
Mohindergarh at Narnaul/Panchkula/Panipat/
Rewari/Rohtak/Sirsa/Sonepat/Yamuna Nagar.
Memo No. AR-I-03/290-309 Dated:-13-1-03

Subject:-

Policy regarding construction of rural link roads.

The Hon'ble Chief Minister vide his orders dated 27.11.2002 has ordered as under:-

" Chief Minister has considered the matter. He has desired that norms of 5 karams may continue. Cases where relaxation is required may be put up for C.M.'s approval.

It has already been decided that earth work on roads announced in 2nd phase will be executed by Development and Panchyat Deptt. and construction of roads at later stage will be taken up by Haryana State Agril. Marketing Board. In view of the above decision, the earth work may be got executed where the available consolidation path is 5 karams or more. In case, the width of the path is less than 5 karams, then the relaxation for construction of road is required from Hon'ble C.M. You are accordingly requested to direct the Panchyat Deptt. to take up the work of earth filling under different schemes only after relaxation is obtained from Govt. in individual cases and conveyed by Board.

It was also decided in the conference of Deputy Commissioners and Superintendents of Police held under the chairmanship of Hon'ble C.M. on 2.11.2002 that P.W.B&R Deptt. may also complete the Border roads leading to other states. In view of this decision, the works already announced/being announced by Hon'ble C.M. regarding construction of inter-state roads may please be transferred/allocated to P.W. (B&R) Deptt. so that the announcements made by Hon'ble C.M. are implemented.

Endst. No. AR-I-2003/310-36

A copy is forwarded to all the Superintending Engineers and Executive Engineers, H.S.A.M. Board, in the State for information and further necessary action please.

V. J. Singh
Executive Engineer (Roads)
for Chief Administrator. *10/1/03*

Dated:-13-1-03

V. J. Singh
Executive Engineer (Roads)
for Chief Administrator. *10/1/03*

From

The Chief Engineer,
H.S.A.M.Board,
Panchkula.

To

All the Superintending Engineer,
H.S.A.M.Board in the state.

Subject:-

Memo no. 13646-50

Dated: 19-9-03

Regulation of sanctioning of annual repairs and maintenance works.

Ref:-

This office Memo No. CEA-88/5542-44 dated 22.06.1988

It has been observed that minor repairs such as potholes, patch work in roads, white-washing, painting and leakage in buildings are not being attended promptly, resulting in public criticism and requiring special repairs at a later stage. Field officers should attend these minor repairs promptly.

Instruction regarding regulation of sanctioning of annual repairs and maintenance of works were circulated vide this office Memo referred above (copy enclosed) to carry out the annual repairs works.

You are requested to ensure the compliance of the above said instructions of annual repairs so that urgent minor/ annual repairs can be carried out expeditiously.

You are, therefore, requested to monitor the physical and financial progress of these works and to send the report to this office along with other monthly progress reports by the 10th of each month.

DA/As above

For Executive Engineer (Mandi)
Chief Engineer.

Endstt.no. 13651-78

Dated 19-9-03

A copy of the above along with the enclosures is forwarded to all the Executive Engineers, HSAMB for information and compliance please.

2.
3.

S.D.O. (Mandi) and S.D.O. (Roads), HSAMB Panchkula.
All Asstts. In the Chief Engineer's office at Panchkula, for information and compliance please.

DA/As above

For Executive Engineer (Mandi)
Chief Engineer.

Circular No 88.

No.52/14/2004-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners, Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.
4. The Managing Directors/Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
5. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated, Chandigarh, the March 22, 2004.

Please examine, care fully & get it noted from all concerned for strict compliance.

Sub:- C.W.P. No.526 of 2004-Rajiv alias Ruli Vs State of Haryana instrctions regarding attending the Legal Notice/Notice of Demand promptly.

Subj

Sir,

for immediate compliance pl.

I am directed to invite your attention on the subject noted above and to say that Hon'ble High Court has recently observed in C.W.P. No.526 of 2004-Rajiv alias Ruli Vs State of Haryana and others as under:

"While disposing of the writ petition in the manner indicated above and by taking cognizance of the fact that in most of the cases in which legal notice/notice of demand for justice is sent by the litigant either personally or through his Advocate, no reply is given by the concerned authority. We deem it proper to direct Chief Secretary, Haryana to issue written instructions to all the Heads of the Departments/Offices and Heads of the Government Corporations/Companies/undertaking organisation to ensure that every legal notice/

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notice of demand for justice is promptly attended to and appropriate reply is given to the notice within maximum period of one month."

2. The matter has been examined by the State Govt. in light of the directions issued by the Hon'ble High Court with a view to provide effective mechanism for reducing multiple litigation. After careful consideration, it has been decided that the directions of the Hon'ble High Court as mentioned above may be complied with forthwith in true letter and spirit so that undersirable litigation is avoided, thereby saving time and money of the Govt. Accordingly, immediate steps may please be taken to ensure that all such legal notice/notice of demand for justice ~~xxx~~ of employees under your control are promptly attended to and appropriate reply may be given to the notice within a maximum period of one month.

3. The State Government has further decided that for monitoring the progress of such cases, it is considered extremely necessary that a nodal officer in each department/office be made responsible by Heads of Departments/Boards/Corporations. The nodal officer shall be personally responsible to ensure that every legal notice/notice of demand for justice is promptly attended to and appropriate reply is given to the notice within a maximum period of one month. You are, therefore, requested to appoint a nodal officer for this purpose under your department/office and intimation may be sent to Govt. within a month.

4. Your attention is also invited to the Govt. instructions issued from time to time wherein it was stressed that

the court matters and pursuant directions must be handled on top priority and with great care. The order of the Court must be complied with in letter and spirit within the stipulated period so as to minimise the scope of filing of contempt petitions against the State. It is also made clear violation of these instructions will be viewed seriously and the departments should take strict disciplinary action against those defaulting/erring officers/officials found responsible for non-compliance of these instructions.

5. These instructions may please be brought to the notice of all concerned for strict compliance. Any violation thereof will be viewed seriously by Government.

Yours faithfully

sd/-

Deputy Secretary General Administration.

for Chief Secretary to Government, Haryana.

OFFICE OF THE HARYANA STATE AGRICULTURAL MARKETING BOARD PANCHKULA

Endst.No.GA-I-2004/ 31400-575

Dated: 31-5-2004

A copy is forwarded for information and n/action

to:-

1. All the ZAs/ZMEOs/SPDMEOs/SACs in the State.
2. All the SEs/XENs, H.S.A.N. BOARD in the State.
3. All the Branch Officers/Incharges at H.Q.

W. K. Singh
SUPDT. (GENERAL)
FOR CHIEF ADMINISTRATOR

OFFICE OF THE HARYANA STATE AGRIL. MARKETING BOARD PANCHKULA.

No. AR-I-2004/14086-90

Dated:- 7-7-04

To

All the Superintending Engineers,
H.S.A.M.Board in the State of Haryana.

Subject:- Estimates for the work of Special repair.

The instructions issued vide this office memo
No. CE-557-58 dated 3.2.1988 is hereby withdrawn.

In supersession of the instruction issued vide
this office memo no. AR-I-99/10982-85 dated 8.7.1999, it is
brought out that only due inspections should be conducted
by the SE's while submitting the special repair estimates.

Executive Engineer(Roads)
for Chief Administrator.

Endst. No. AR-I-04/14091-14120

Dated:- 7-7-04

A copy of the above is forwarded to the following
for information and necessary action to:-

1. All the Executive Engineers, HSAMBoard in the State.
2. The Sub-Divisional Officer(Roads) HSAMBoard, Panchkula.
3. The C.H.D.(CE), H.S.A.M.Board, Panchkula.
4. PS/Chairman/CA, PA/C.E., HSAMBoard, Panchkula.
5. All the Assistants in the C.E. Branch.

Executive Engineer(Roads)
for Chief Administrator.

Subject: Construction and repair of roads and other works.

In some of the cases of repair/special repair of roads, I have seen the remarks that "no special repair has reportedly been done on this road". While submitting the cases of repair/special repair, the date of last repair/special repair should be mentioned clearly.

2. The information whether the previous agency has been finalised or not, should also be mentioned. If the previous agency has not been finalised, reasons thereof should be given.
3. The detailed estimate should be sanctioned at the time of approval of DNIT/approval of tender both in case of construction and repair/special repair of roads and other works, as per provisions of the rules.

These orders should be complied with meticulously.

Am
Chief Administrator
12.7.2004

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OFFICE OF THE HARYANA STATE AGRICULTURAL MARKETING BOARD, PANCHKULA.

No. CE.1-III-2004/222-17

Dated:- 19-10-04

To

- i) All the Superintending Engineers,
H.S.A.M. Board in the State.
- ii) All the Executive Engineers,
H.S.A.M. Board in the State.

Subject:- Regarding payment of outstanding dues in case of death of contractor.


A long due issue was pending regarding what action has to be taken in case of death of contractor while executing the work. The matter was referred to L.R. who has opined as under:-

"That construction work being a specialized job of a technical nature cannot be performed by everyone, it appears that the legal heirs of the contractor are not competent to perform the contract as they do not fulfill the conditions of enlistment as contractor. Hence the matter would be covered by illustration B of section-37 of the Contract Act. The contract, in question, cannot, thus be enforced either by the heirs of the contractor or by the department. Therefore, notwithstanding the contents of the first para of agreement, the representatives of the contractor are not bound to complete the contract. The death of contractor has put an end to the relationship in so far as the unperformed part thereof is concerned. To that extent, the contract has come to an end. For the partial performance i.e. the job already done by the contractor, the department is advised to work out the amount due to the contractor. This amount alongwith security deposit, shall be paid to all the natural heirs of the contractor in equal shares unless there is an order to the contrary by a court of competent jurisdiction. In so far as the

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unperformed part of the contract is concerned it may be treated as fresh work meaning thereby that no risk and cost clause needs to be invoked.


You are, therefore, advised to dispose off such type cases accordingly.


Sub-Divisional Officer (W),
for Chief Administrator.

Endst.No.CER-III-2004/22048-36 Dated:- 14-10-04

A copy of the above is forwarded for information and necessary action to:-

1. The Executive Engineer, H.S.A.M.Board, Rohtak w.r.t. his memo No.1786 dated 31.8.2004 to dispose off the issue of Sh. Ranbir Singh, Contractor who expired during execution of work.
2. The Executive Engineer(R)/D/HQ, HSAMBoard, Panchkula.
3. The SDO(R-I & II), S.D.O.(Mandi)/S.D.O(V), H.S.A.M.Board, Panchkula.
4. P.S. to Chairman/Chief Administrator, P.A. to Chief Engineer/Secretary/C.F.A., H.S.A.M.Board, Panchkula.


Sub-Divisional Officer (W),
for Chief Administrator.

Subject:- Special repair of roads - preparation of estimates.

It is noticed that the estimates for special repair of roads are being prepared taking C.C. provision on the phirni portions of the villages, thereby increasing the repair cost of the road to a large extent. As per road policy approved by the Government, the internal roads of the villages and the phirni roads are to be constructed by the Development & Panchayats Department. Therefore, it may be ensured that the provision of C.C. is not made until and unless there is a specific announcement in this regard by the Hon'ble Chief Minister. The provision of brick on edge should be made in the phirni portions, wherever necessary. In case of announcement, while preparing the estimate of C.C. in the phirni portion, proper drainage of water should be ensured and it may also be ensured that the road is not damaged at a later stage because of this reason.

Chief Engineer
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~~C.E.~~

pl. discuss immediately
2-12-04

Ash
Chief Administrator
1.12.2004

From

The Chief Engineer,
H.S.A.M.Board,
Panchkula.

To

All the SES/XENs,
H.S.A.M.B. in the State.

Memo No. Ak-I-96/14319-46

Dated: 30/10/96

Subject: Policy regarding construction of rural link roads
and repair of urban roads.

Please find enclosed herewith the copy of the
road policy approved by the Hon'ble Chief Minister Haryana.

Executive Engineer(R)
for Chief Engineer

Endst.No.AR-I-96/-13347-486 Dated: 30-10-96

A copy is forwarded to the followings for informa-
tion and necessary action:-

1. All the Zonal Administrators, H.S.A.M.B.
 2. CMEO/MDO/CFA/Under Secy.(Admn.), H.S.A.M.B.PKL.
 3. All the ZMEOs/DMEOs in the State.
 4. All the E.O.-cum-Secretaries, M.Cs. in the State.
 5. PS to Chairman/CA/PA to Secy./I.O./C.E./C.P.E.,
H.S.A.M.B., Panchkula.
- All the dealing Assistant(C.E.Office), H.S.A.M.B., PKL.
A.O./CHD (C.E.), H.S.A.M.B., Panchkula.

Executive Engineer(R)
for Chief Engineer

ROAD POLICY APPROVED BY HON'BLE CHIEF MINISTER
HARYANA ON 22.9.96.

The Board should construct rural link roads as per requirement of the area with the approval of Agriculture Minister/Chief Minister.

2. The execution of the roads announced by the Hon'ble Chief Minister should be taken up immediately and the Government may be informed.
3. The roads should be constructed in the available consolidation path having minimum width of 5 karams. Wherever the width of the path is less at site and road is to be taken up, additional land may be arranged from the adjoining field owners free of cost. However, relaxation may be taken in exceptional cases from the Government.
4. Periodical repairs of the link roads constructed by Marketing Board/Market Committees be taken up as per the procedure adopted by the Board.
5. The repair work of urban roads would be done by a special body whose constitution is under the consideration of the Government. Funds would be released to that organisation by the H.S.A.M.B. as decided by the Government. Till such time this happens, the H.S.A.M.B. would repair urban roads (12' wide and more and not belonging to H.U.D.A. & P.W.D. B&R) as approved by the Government.