

**GOVERNMENT OF ANDHRA PRADESH
TRANSPORT, ROADS & BUILDINGS DEPARTMENT**

Memo.No. 919/B.I-2/89-3,

Dated: 11.07.1989.

Sub: Works – Roads and Buildings Department – Widening and strengthening the carriage way from Km.37/4 to 48/0 on Cuddapah – Sugamanchipalli (Cuddapah – Tadipatri) road – Entrusting the work to Smt. P. Sanjamma wife of Sri P.V. Subba Reddy, Contractor died on 11-05-1989 – Instructions – Issued.

Ref: From the Engineer-in-Chief(R&B), Lr.No.7921/TA.XXI/T2/87, dated 17.06.1989.

The attention of the Engineer-in-Chief (R&B) is invited to the letter cited and he is informed as follows:

According to preliminary specification 2 of Andhra Pradesh Detailed Standard Specification, the said specification shall form an in-separable condition of a contract in respect of all agreements entered into by contractors with the public works department specification 72 provides that in the event of contractor's death, becoming insolvent, insane or imprisonment of contractor or where the contractor being a partnership or firm becomes dissolved or being corporation goes into liquidation voluntary or otherwise the contract may at the option of the Executive Engineer be terminated by notice in writing posted at the site or the works and advertised in one issue of the local district Gazette and all accepted and acceptable works shall forthwith be measured up and paid for at the rate provided to the contract schedule where such apply, or otherwise by most recent schedule of rates of the division approved by competent authority, to the person or persons entitled to receive and given discharge for the payment.

It is therefore open to the Executive Engineer to terminate the contract by issuing notice and by advertising the same in the local Gazette. Since the matter is left to the option of the Executive Engineer it is for the Executive Engineer or Superintending Engineer as the case may be, to take a decision for terminating the contract or to continue the contract and allow the legal representatives of the deceased contractor to execute the works.

Since the Engineer-in-Chief (R&B) has reported that the Mandal Revenue Officer, Chapad has issued a legal heir certificate that Smt. P. Sanjamma is a legal heir to the deceased contractor, Sri. P. Venkata Subba Reddy, who died in accident on 11.05.1989 and she has agreed to do the balance work at the agreement rates and recommended to consider her request favourably as there is no extra financial commitment to Government, Government having objection to continue the contract and allow the legal representative of the deceased contractor to execute the works. However, in case it is decided to continue the contract, a supplementary agreement may be entered into by the competent authority with the legal representative, binding them to all the conditions of the original agreement.

**C. ARJUNA RAO
SECRETARY TO GOVERNMENT**