

No TE(NH)/2011/Recoveries/144262  
Central Vigilance Commission

Satarkta Bhawan, Block A,  
GPO Complex, INA,  
New Delhi – 110 023.

Dated the 12<sup>th</sup> Sept 2011

Circular no No. 11/09/11

**Sub:- Recoveries arising out of intensive examination conducted by Chief Technical Examiner Organisation (CTEO) of the commission**

Instances have come to notice that some organizations while notifying / effecting recoveries from the contractors bills indicate that the recoveries are consequent to the observations made by the CTEO.

In this connection, it may be noted that the contracts are primarily between the executing agency and the contractor. Any endorsements that the recoveries are being made at the instance of a third party could weaken the department's case during arbitration or court proceedings. Further, the observations / advice of the Commission are required to be considered by the executing agencies in terms of the contract and recoveries are to be enforced as admissible as per the conditions of the contract. The organizations are advised that justification / reasons for recoveries in line with contract clauses should be recorded while notifying / effecting recoveries from the contractors.

It is requested that these instructions may be notified to all concerned.

  
(Anil Singhal)

Chief Technical Examiner

To  
All Chief Vigilance officers/Heads of organisations