



भारत सरकार Government of India
रेल मंत्रालय Ministry of Railways
(रेलवे बोर्ड) (Railway Board)

No. 2018/AC-II/1/57(M&P)

New Delhi, Date 17.02.2021

To,
As per list attached.

Sub: Standard Novation Agreement – EBR-IF Funded Contracts.

Ref: Railway Board's letter F.No. 2018/AC-II/1/57 dated 02/02/2020, 20/03/2020 & 01.04.2020

1. Railway Board vide letter No.2018/AC-II/1/57(Pt.) dated 20.03.2020 has advised Railways to enter into Novation Agreement in all existing Works Contracts funded through EBR(IF) and further make necessary amendments in tender documents of all tenders to be opened then onward, incorporating the similar provisions of Novation Agreement.
2. In continuation of above, Board has now decided that in all works contracts funded through EBR(IF), wherein similar provisions of Novation Agreement has been incorporated, the Agreement may be signed by Railways and Contractors only. There is no need of signing of Agreement by IRFC officials.
3. This issues with the concurrence of Finance Directorate of Ministry of Railways.

Please acknowledge receipt.

Prem Sagar
17.02.21
(प्रेम सागर गुप्ता)

कार्यकारी निदेशक / सिविल इंजीनियरिंग(जी) / रेलवे बोर्ड
[Rly no. 030-44803, MTNL No.-011-23383379]
e-mail address : edceg@rb.railnet.gov.in

No. 2018/AC-II/1/57(M&P)

New Delhi, Date 17.02.2021

Copy forwarded for information to :

1. The PFAs all Indian Railways
2. The Deputy Comptroller and Auditor General of Indian (Railways), New Delhi

For Member (Finance)

LIST FOR DISTRIBUTION (Letter No. 2018/AC-II/1/57(M&P), Date 17.02.2021)

1. General Managers, All Indian Railways & Production Units
2. General Manager (Con), N.F. Railway, Guwahati
3. General Manager /CORE, Allahabad.
4. Chief Administrative Officers (Con), All Indian Railways (Except N.F. Railway)
5. Principal Chief Engineers, All Indian Railways

(A)

1. CAO, COFMOW, Tilak Bridge, New Delhi
2. Principal CAO, Diesel Loco Modernization Works, Patiala (Punjab)
3. CAO (Workshop Projects), Chamber Bhawan, Judge's Court Road, Anta Ghat, Patna-800001, Bihar

(B)

1. Director General, RDSO, Manak Nagar, Lucknow
2. Director General, NAIR, Vadodara
3. Director, IRICEN, Pune – 411 001 (Maharashtra)
4. Director, IRIEEN, PB No.-233, Nasik Road-422101 (Maharashtra)
5. Director, IRISSET, Taa Naka Road, Lalla Guda, Secunderabad-500017
6. Director, IRIMEE, Jamalpur Distt-Jamalpur, PIN-811214 (Bihar).
7. Director, IRITM, Sarswati Residential Estate, IRITM Campus, Manak Nagar, Lucknow

(C)

1. MD, CONCOR, Concor Bhawan, C-3, Mathura Road, Opp. Apollo Hospital, New Delhi- 110076.
2. IRCON International Limited, C-4, District Centre, Saket, New Delhi- 110017
3. MD, RITES Ltd., RITES Bhawan, Plot No.1, Sector-29, Gurgaon.
4. CMD, RVNL, August Kranti Bhawan, Plot No.25, 1st Floor, Bhikaji Cama Place, New Delhi.
5. MD, MRVC Ltd., Churchgate Station Bldg, Mumbai- 400020
6. CMD, KONKAN Railway Corporation Ltd, Rail Bhawan, New Delhi-110001.
7. MD, DFCCIL, 5th Floor, Pragati Maidan Metro Station Building Complex, New Delhi-110001
8. MD, RLDA, Near Safdarjung Railway Station, Moti Bagh, Phase-I, New Delhi- 110021
9. MD, CRIS, Chanakyapur, New Delhi.
10. CMD, RailTel Corporation of India Ltd. Plot No. 143, Institutional Area, Sector-44, Gurgaon – 122003.
11. CME, IROAF, 12th Floor, Core-1, Scope Minar, Distt. Centre, Laxmi Nagar, Delhi- 110092
12. Managing Director, IRFC Limited, UG Floor, East Tower, NBCC Place, Bhisham Pitamah Marg, Lodhi Road, Pragati Vihar, New Delhi.
13. CMD, IRCTC Ltd., B-148, 11th Floor, Statesman House, Barakhamba Road, New Delhi 110001
14. CMD, Braithwaite & Co. limited, 5 Hide Road Kolkata 700043.

Copy to:

(A)

1. Concerned PSO for kind information of Chairman cum CEO, M/Infra, M/T&RS M/O&BD, M/Finance, Railway Board
2. Chief Vigilance Officers, All Indian Railways
3. DG(RHS), DG(RPF), AM(CE), AM(Works), AM(B), AM(Elec.), AM(RS), AM(ME), AM/Tele, AM/C&IS, AM/Sig., AM(Plg.), PED(B&S), PED(Vigilance), PEDCE(P), EDCE(G), EDTK(M&MC), EDCE(B&S), EDF(X)-I, EDF(X)-II, ED(Works), EDW(Plg.), ED/Project(Mon.), ED(L&A), ED(PSU), EDVE, ED(Safety), ED(Sig. Dev.), ED(Tele), EDRS(G), EDRE, EDEE(G), EDFE, EDE(N), ED(Accounts), ED/T&MPP, EDME(Chg.), EDME(Frt.), ED/Plg., JS(conf), JS(P), JS(G), JS(D), Vigilance-III, Vig(Conf) of Railway Board



(भारत सरकार) GOVERNMENT OF INDIA
(रेल मंत्रालय) MINISTRY OF RAILWAYS
(रेल बोर्ड) RAILWAY BOARD

RBA No. 23 /2020
GST Circular No. 12 /2020

2nd February, 2020

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General Managers
All Zonal Railways/Production Units

Sub :- Revised Model of EBR-IF funded Contracts.
Ref:- Board's letter issued as RBA No. 109/2019, RBA No. 110/2019, RBA No. 02/2020 and RBA No. 11/2020 dated 31.1.2020.

-X-X-X-

Attention is invited to Board's letter ibid on the above subject for implementation of revised model of EBR-IF funded contracts w.e.f. 01.03.2020. Draft novation agreement is under examination in Board's office. It is therefore, decided that the revised procedure may be implemented w.e.f. 01.04.2020. In the meantime, the bills/invoices received upto signing of novation agreement may be passed for payment as per existing agreement.

(V. Prakash)
Joint Director/Accounts
Railway Board

Copy to:-

1. PFAs of all Zonal Railways and Production Units;
2. ED/W, ED/WP, ED/RF, EDME/Projects, EDTK/P, EDTK/M, EDRS/G, EDPR & RM, EDEFN-I, EDEFN-II, Railway Board;
3. Director/Sig-I, DRS/IC, DTK/P, DTK/P, DTK/M, DD/L&E, Railway Board.
4. Director/Finance, CRIS, New Delhi.
5. GM/AIMS, CRIS, New Delhi.



भारत सरकार Government of India
रेल मंत्रालय Ministry of Railways
(रेलवे बोर्ड) (Railway Board)

No. 2018/AC-II/1/57 (Pt.)

New Delhi, dated 20.03.2020

To,

As per list attached.

Sub: Standard Novation Agreement – EBR-IF Funded Contracts.

Ref: Railway Board's letter F.No. 2018/AC-II/1/57 dated 16/12/2019.

1. In continuation to Railway Board's letter under reference, kindly find enclosed herewith the format of Standard Novation Agreement for ongoing works contracts funded through Indian Railway Finance Corporation Limited, duly approved by Board (ME, MTR, FC).
2. The above Standard Novation Agreement has been finalized after Railway finance concurrence and legal vetting of Ministry of Law & Justice.
3. The Railways are therefore advised to incorporate the above Novation Agreement in all ongoing works contracts funded by IRFC, without any further legal and finance vetting at Zonal level.
4. Further, for all works tenders to be opened now onward for projects funded by IRFC, the tender documents may also be suitably modified to incorporate the provisions of Standard Novation Agreement.
5. This issues with the concurrence of Finance Directorate of Ministry of Railways.

Please acknowledge receipt.

Prem Sagar
20/03/2020
(प्रेम सागर गुप्ता)

कार्यकारी निदेशक/ सिविल इंजी(जी)/ रेलवे बोर्ड
(Phone: 011-23383379; Rly no. 44803)

No. 2018/AC-II/1/57 (Pt.)

New Delhi, dated 20.03.2020

Copy forwarded for information to:

1. The FA & CAOs all Indian Railways.
2. The Deputy Comptroller and Auditor General of Indian (Railways), New Delhi.

Singh

For Financial Commissioner/Railways

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NOVATION AGREEMENT

Articles of agreement made on this day _____ in the year Two Thousand and Twenty between the President of India, acting through the _____ <Zonal Railway> Administration having its office at _____ hereinafter called the 'Railway' of the first part and < _____ Name of Contractor _____> hereinafter called the 'Contractor' of the second part and Indian Railway Finance Corporation Limited hereinafter called the 'IRFC' of the third part having its office at _____ with GSTIN _____ <GSTIN of billing unit (IRFC)>.

First part, second part and third part collectively hereinafter called the 'Parties'.

Whereas the party hereto of the second part executed an agreement with the party hereto of the first part being agreement no. _____ dated _____ with contract cost of Rs. _____ for performance of _____ hereinafter called the 'Principal Agreement'.

Now it is hereby agreed by and between the parties that Indian Railway Finance Corporation shall be made an additional party to the Principal Agreement executed between Railway and Contractor with effect from date of this agreement.

It is agreed by and between the parties that Railway shall continue to be held responsible for all obligations, risk and liabilities, whatsoever, arising out of or in connection with the Principal Agreement and this Novation Agreement, whether during the progress of the work or after its completion.

It is further agreed and understood by and between the parties that IRFC shall be the owner of assets, if any, arising out of execution of works as defined in the Principal Agreement, except the land whose ownership shall continue with Railway. Accordingly, the invoices shall be issued by capturing GSTIN of contractor (*as the supplier*) and GSTIN of IRFC (*as the bill-to party*). Also, the contractor shall submit the invoice, issued in the name of IRFC, to Railway for processing payment by Railway to Contractor subject to applicable TDS under the Income Tax, GST or any other applicable laws.

It is further agreed by and between the parties that IRFC shall be responsible to comply with Income Tax and GST laws in relation to filing of returns.

It is further agreed and understood by and between the parties that, except for the amended obligations as mentioned above, the terms of the Principal Agreement for all kind of contractual/performance and legal obligations shall remain in full force and effect.

All the communication in relation to the Principal Agreement and said Novation Agreement, would only be between party hereto of first part and second part.

Prem Sagar
20/03/2020

J. Singh

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For and on behalf of the
President of India
Witness of the Signature

1. _____
2. _____
Address: _____

For and on behalf of the
Indian Railway Finance Corporation
Witness of the Signature

1. _____
2. _____
Address: _____

Signature of Contractor
<Name of Authorised Signatory>
Witness of the Signature

1. _____
2. _____
Address: _____

Prem Sagar
20/03/2020

De Singh

भारतसरकार (GOVERNMENT OF INDIA)
रेलमंत्रालय (MINISTRY OF RAILWAYS)
रेलवेबोर्ड (RAILWAY BOARD)

RBA No. 36/2020
GST Circular No. 21/2020

No. 2018/AC-II/1/57

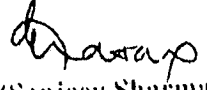
New Delhi, Dated 01.04.2020

General Managers,
All Zonal Railway/Production Units

Sub:- Revised Model of EBR-IF Contracts.
Ref:- Board's letter No. 2018/AC-II/1/57 dated 27.02.2020

Attention is invited to Board's instruction's, issued vide letter under reference. (Copy enclosed). In view of the present lock down period from 25.03.2020 to 14.04.2020, the date of implementation of the revised model, is extended beyond 1.4.2020 to 30.04.2020. Payment of pending bills of contractors, in such cases, may be made as per existing agreement. All arrangements may be made for signing novation agreements and processing bills in the Revised Model of EBR-IF Contracts, wef 1.5.2020.

DA:- As above.


(Sanjeev Sharma)
Director Finance (Accounts)
Railway Board

Copy to:-

1. PFAs All Zonal Railways and Production Units
2. PCEs, CAO/Con, All Zonal Railways.
3. GM/Finance/GSTM, GM/AIMS, CRIS
4. EDCE/G