

3 Damages for Locomotive Under Repair (ref. clause 3.41):

For this purpose the maximum of the figure of locomotives under repair everyday at 0.0. hrs on Medha Microprocessor Control system account over a period of a month will be worked out for concerned Railway. This maximum figure shall not exceed 5% of the total no. of locomotives under maintenance contract during the particular month or else damage shall be levied as under:

Max number of Locos Down	Damages
5% or less	Nil
5% - 10%	2% of the total monthly proportionate bill
More than 10%	10% of the total monthly proportionate bill

However this shall be applicable only when the loco population under the maintenance increases to 20 nos. & above.

10.0 PAYMENT

10.1 The total yearly payment shall be made in four Quarterly instalments. Each instalment shall be paid at the end of each quarter, subject to other conditions of contract.

10.2 A bill will be submitted by the contractor quarterly and it will be certified by the nominated officer for completion of maintenance and after calculation of damages as stipulated in para 10.0.

10.3 The bills submitted by the firm for payment must accompany:

10.3.1 The certificate of maintenance of the locomotives issued by nominated Officer.

10.3.2 The above bill shall bear the individual locomotive number of the locomotives maintained by the firm for each quarter covered under this AMC.

11.0 THE RECORDS TO BE MAINTAINED BY NOMINATED OFFICER.

Apart from the other records approved maintenance plans etc. as required by the conditions of the contract, the nominated officer shall maintain following records:

11.1 The user Railway & the contractor will jointly sign the list of locos to be covered under this contract. Any modification will also be jointly signed, as proposed by the user Railway.

11.2 The user railways shall maintain records of maintenance contract stating the locomotive numbers to be maintained under this AMC along with the date of inclusion of the locomotive under AMC.

11.3 The nominated officer shall keep the register/ record for the previous bills paid for each locomotive to avoid duplicity of payments at any time.

12.0 PAYING AUTHORITY

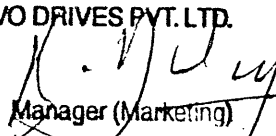
The payment against this contract shall be made by the Controlling Accounts Officer of the user Railways and the same shall be indicated in the contracts entered into by zonal railways.

Any taxes including Income Tax required to be deducted at the source shall be deducted and a certificate to that effect shall be issued to the contractor/uploading the Tax deposits as prescribed under the rules.

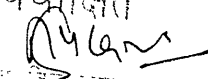
13.0 LAWS GOVERNING THE CONTRACT.

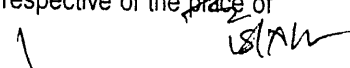
The contract shall be governed by the Laws of India for the time being in force irrespective of the place of performance or payment under the contract.

For MEDHA SERVO DRIVES PVT. LTD.


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विधाक्षत




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