



Govt. of Jammu & Kashmir
Jhelum and Tawi Flood Recovery Project

Press Release

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World Bank organizes Virtual workshop on “Contract Management During Emergency situations” for JTFRP

CEO, JKERA/JTFRP appreciates the effort.

A virtual workshop on the “The Contract Management during Emergency situations” was today organized by the World Bank for the Project Management Unit of JTFRP (Jhelum Tawi Flood Recovery Project) which is implementing the USD 250 Million Flood Recovery Project funded by the World Bank in the union territory of the Jammu and Kashmir.

The objective of the virtual workshop was to educate participants about the likely adverse impact of the COVID -19 pandemic on the implementation of the bank funded projects, its possible implications on the contract management and to equip them with the various mitigations measures.

Mr Ananya Kumar, a legal expert briefed participants about the various provisions in Indian legal system for interpreting contractual provisions including *force majeure* in emergencies. He dwelt at length on the provisions provided under sections 32 & 56 of the Indian Contract Act, 1872, FIDIC Red Book (1999) (2017). He said that the Force majeure clause has to be seen in harmony with the contract agreement as a whole. He added that in view of the COVID-19 we need to re-organize ourselves in terms of the changed situation.

Dr. Ajit Patwardhan, contract management expert and former Dean NICMAR, Pune delved at length on the affects of COVID-19 on the construction sector and likely claims to be made by the contractors due to the COVID-19 and the lockdown. He

stressed on the need for various contract remedial measures to tackle the situation that may arise in the management of contracts in post COVID-19 scenario. Dr. Ajit also gave the various suggestions to the implementing agencies to minimize the impacts of these events.

Prof. C.L Bansal, Public Policy & Governance expert in his session discussed about the role of Dispute Resolution Boards' and Arbitrators' in case of the disagreement between the parties. He said in the post COVID -19 era contracts will have to be looked at practically and not only rationally and existing contracts may have to be re-worked by way of NOVATION, ALTERATION, ACCORD and WAIVER for smooth execution of contracts and to avoid conflicts between the parties.

Dr. Syed Abid Rasheed (IAS) Chief Executive Officer, J&KERA/JTFRP who also attended the inaugural session of the virtual workshop appreciated the World Bank for organizing the event and expressed the hope that the workshop would equip the Project Management Unit, JTFRP to handle the contract management issues of the World Bank funded Jhelum Tawi Flood Recovery project (JTFRP) with a much improved clarity and understanding.

The workshop was also attended by the Iftikhar Hakim, Director Planning and coordination, JTFRP, Iftikhar Ahmad Kakroo, Director, Technical, and other senior officers of JTFRP and more than 350 other participants from different executing agencies across the country via virtual mode.

The virtual workshop was organized by World Bank in collaboration with AIMA (All India Management Association) and during the course of the workshop participants also had a Q&A sessions with the subject matter experts