

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. 2020/TG-IV/18/Misc/Comml Contracts

New Delhi, Dated: 08.02.2021

The Principal Chief Commercial Managers,
All Zonal Railways.

Sub: Further Relief due to CoVID-19 pandemic to Commercial Earning contracts (Parking, Pay and Use toilets, STD/PCO booth, ATM, PBCM) in Indian Railways – one time relaxation as a special case.

Ref: Board's letter no. 2020/TG-IV/18/Misc/Comml Contracts dt. 07.09.2020.

Vide Board's letter of even no. dated 07.09.2020 certain relief were provided to existing contractors/licensees of Commercial earning contracts (Parking, Pay and Use toilet, STD/PCO booth, ATM, PBCM) on account of CoVID-19 pandemic. In continuation of this Zonal Railways have requested for granting of extension of contract in lieu of 90 days 'dies-non' period and also removing of December 2020 condition as mentioned in above referred letter.

2. In view of the above, the competent authority (Ministry of Railways) has decided to grant following one time relaxation considering the Covid-19 negative impact on economy and to save the Indian Railway's revenue, as a special case:

- (i) In para (ii) & (iii) of Board's letter dated 07.09.2020 Railways were empowered to grant further relief beyond 90 day 'dies-non' period by following due diligence taking into consideration footfalls on station in respect of individual contracts, and also the duration of contracts period remaining. Further, taking into consideration the request of Zonal Railways and also Covid-19 pandemic uncertainty in the country, Division may decide the relaxations on license fee on quarterly basis taking into consideration footfalls, on case to case basis, subject to submission of an undertaking assuring 'no exit at least till the period of relaxed license fee'
- (ii) The relief granted in pursuance of Board's letter dated 07.09.2020 shall not be extended to those Commercial licensees who are not willing to submit undertaking of 'no exit' as per para (i) above.
- (iii) Vide Board's letter dated 07.09.2020 the granted 90 days 'dies non' period from '25.03.2020 to 22.06.2020' shall be added at the end of the executed contract period and accordingly the contract period shall be extended by the Divisions. For this extended period the license fee has to be paid by the licensee payable in terms of their executed agreement.
- (iv) In terms of para (ii) to (iv) of Board's letter dated 07.09.2020, in order to provide equal opportunity by the divisions for grant of relief due to Covid-19 pandemic to all Commercial contract licensees after lockdown the only specific condition for zones regarding the validity of their contract 'December 2020 and beyond' is deleted contained in para-2 of instructions dated 07.09.2020 and other parameters/conditions remain the same.
- (v) Charging of monthly license fee from the Commercial contractor/licensees upto 31.03.2021 whenever required, can be considered by the Divisions themselves.
- (vi) Competent authority (as mentioned in the existing Tender) may consider extension of one year after expiry of extended 90 days contract period (as the case may be) for those Commercial contracts (viz. STD/PCO, Parking, ATM, Pay and Use toilet, PBCM) which have provision of

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extension of contract period in the tender and the same is expiring by 31.12.2021. This one year extension shall be granted without escalation of license fee.

Further, if warranted, subsequent extension on expiry of extended one year contract period, may be considered by GMs upto a period of one year subject to provision of escalation of license fee which should not be less than 50% of last escalation rate of license fee with Finance concurrence. For example, as per existing policy, if license fee is to be escalated by 10% of the last paid license fee, the same should not be reduced to less than 5% of the last paid license fee.

- (vii) For existing contracts, license fee deposited during the dies-non period of three months shall be adjusted by the Divisions against railway outstanding dues towards their due license fee and other dues. No cash refunds shall take place while the contract is still valid.

However, this relief would not be extended to those who are defaulter in terms of executed contract conditions.

3. Necessary action may be taken accordingly.
4. This issues with the approval of Member (O&BD) and concurrence of Finance Commercial Directorate of Ministry of Railways.


8/2/21
Sumeet Singh
Director Traffic Comm. (G)
Railway Board

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New Delhi, Dated: 08.02.2021

Copy forwarded for information and necessary action please to:

- (i) FA&CAOs, All Zonal Railways.
- (ii) The Dy. Comptroller and Auditor General of India (Railways), Room no. 224, Rail Bhawan, New Delhi.


8.2.21
For Member Finance
Railway Board