

# OPWD CODE

## VOL.-II

### APPENDIX-I

#### LIST OF CONTROLLING OFFICERS

- 1) Chief Engineer, Roads
- 2) Chief Engineer, National Highways & Projects
- 3) Chief Engineer, Public Health
- 4) Engineer-in-Chief, Irrigation
- 5) Chief Engineer, Electricity-cum-Chief Engineer, Electrical Project
- 6) Chief Engineer, Upper Kolab
- 7) Chief Engineer, Rengali, Gohera&Samakoi Projects
- 8) Chief Engineer, Minor Irrigation
- 9) Chief Construction Engineer, Upper Indravati Projects
- 10) Chief Construction Engineer, Rengali Irrigation Project.

### APPENDIX-II

#### RECORD OF MEASUREMENT

##### A. MEASUREMENT BOOK

- (a) Payments for all works done otherwise than by daily labour and supplies received (except for stock- when the maintenance of goods received sheets is in force) (See Para 7.2.5 of C.P.W.A.Code, should be made on the basis of measurement recorded in Measurement Book in form 23. the pages of each Measurement Book are machine numbered. The Measurement book should be considered as a very important primary record. All the Measurement Books belonging to a division should be numbered serially and entered in a Register maintained in Form 92 in the Divisional Office showing the serial number of each book, the name of the Sub-division to which issued, the

date of its issue and the date of its return, so that its eventual return to the Divisional Office may be watched. A similar register should also be maintained in the Sub-divisional Office showing the names of the Ex-Sub-Divisional Officer and Sectional Officers to whom measurements books are issued. Sub-Divisional Officers are responsible for the safe custody of all measurement Books in their charge. Completed Measurement Books should be returned within a month from the date of completion and books no longer in use should be returned within fifteen days after a lapse of two years from the date of issue to the Divisional Office where they should be recorded with the same care as it bestowed on Cash Books and other important accountant records.

- (b) No measurement book shall remain in use for a longer period than two years. It must at the expiry of this period be returned for final record. But, if any book is then found to contain a large number of black pages, it may be reissued by the Divisional Officer recording the fact in the Register of Measurement Book.

## **B. DETAILED MEASUREMENTS**

In recording detailed measurements, the, following general instructions should be carefully observed.

- (a) Subject to such subsidiary orders, instructions as may be issued by the Government, detailed measurements should be recorded in their own hand by Sub-Divisional Officer and Sectional Officer in charge of the works to whom measurement books have been supplied for the purpose. (In important cases the divisional Officer may record the measurements where necessary).
- (b) All measurements should be neatly taken down with indelible pencil or pen in a measurement, book issued for the purpose and nowhere else.
- (c) Each set of measurements should commence with the entries stating.

### **(i) In the case of bill, for work done—**

1. Full name of the work as given in the, estimate
2. Situation of the work
3. Name of the Contractor
4. Number and date of his agreement
5. Date of written order to commence work
6. Date of actual completion of work, and

7. Date of measurement

**(ii) In the case of bills for supply of materials-**

1. Name of the Supplier
2. Number and date of his agreement or order
3. Purpose of supply
4. Date of written order to commence supplies
5. Date of actual-completion of supplies, and
6. Date of measurement

and should end with the dated initial of the person making the measurement. A suitable abstract should then be prepared which should contain in the case of case of measurement for work done, the total quantities district item of work relating to each sanctioned sub-head.

(d) As all payments for work done or supplies made are based on the quantities recorded in the measurement book, it is incumbent upon the person taking the measurements to record the quantities, clearly and accurately. He will also work out and enter in the measurement book the figures in the "contents or area column".

If the measurements are taken in connection with a running contract account, on which work has been previously, measured, he is further responsible.

1. That reference to the last set of measurements is recorded and
2. That if the entire job or contract has been completed, date of completion is duly noted in the prescribed place, vide clause © above. If the measurements taken are the first set of the measurements on a running account, or the first and final measurements, this fact should be suitably noted against the entries in the measurement book and in the latter case, the actual date of completion noted in the prescribed place.

(e) In the measurement book, whose pages are machine numbered; entries should be recorded continuously and no blank page left or page torn out. Any page left blank, inadvertently, should be cancelled by diagonal lines, the cancellation being attested and dated. No page should be removed from the measurement book.

(f) The entries should ordinarily be made in ink; when this is not possible, the entries should be made in indelible pencil and the pencil entries should not be inked over, but should be left untouched.

The entries in the contents or area should however, be made in ink in the first instance. No entry should be erased. If a mistake is made, it should be

corrected by crossing out the incorrect words of figures and inserting the corrections, the correction thus made being initialled and dated by the officer concerned. When any measurements are cancelled, the cancellation must be supported by the dated initials of the officer ordering the cancellation by a reference to his orders initiated by the officer who made the measurements the reasons for cancellation being also recorded. A reliable record is the object to be aimed at, as may it have to be produced as evidence in a Court of Law.

- (g) Each measurement Book should be provided with an index which should be kept up-to-date.
- (h) When Measurements are taken by two or more officers jointly, the entries should always be recorded and signed by the senior most officers.
- (i) Recording of measurements for earth work and other type of works by levelling and cross sections.
- (i) In case of measurements by levelling and cross sections, level are to be recorded in level books and measurements derived there from are to be recorded in the measurement books. The level books should renumbered, accounted for and handled like Measurement Books.
- (ii) Before starting the earth work, original ground levels should be recorded in the books in the presence of contractor or his authorized representative and should be signed by him and the departmental officer who records the levels. All the local mounds and depressions should be indicated clearly in the drawing and field level book and should be checked by Sub-divisional Officer/ Divisional Officer before levelling is started.
- (iii) A suitable base line should be fixed with permanent masonry pillars at distances not exceeding 500 ft., to provide a permanent reference line for facilitating check. The base line should be entered in the level field book with co-ordinates these base lines should be maintained till final payment for the work has been made.
- (iv) While recording levels, it should ensure that the circuit is closed by taking final level of the starting point or any other point, the R.L. of which was previously determined. This procedure should be followed so as to ensure accuracy of levels taken, as these levels cannot be check measured subsequently.
- (v) Plans showing the initial levels, locations of bench marks and its reduced levels, should be prepared and signed by both the parties and attached to, the agreement before commencement of the work. The S.D.O. should exercise test-check to the extent of 50% and the Divisional Officer to the extent of 10% when the value of an items of work exceeds Rs. 25,000. The test-check of levels should be carried out independently by each

officer on a separate page and readings for the reduced levels should be recorded in the same level book in the red ink against the old levels which should be neatly scared out, where necessary. If the test checking carried out reveals serious mistakes in the original levels, these should be taken or retaken and rechecked. The test check by an officer should be as representative as possible for the entire work done.

(vi) On completion of work, the levels should again be recorded in the level book and the contractors signatures obtained. These levels should also be test checked by the Sub-Divisional Officer/ divisional Officers to the same extent as indicated above within one month of the date of completion of the earth work and according to the procedure as laid down in the case of initial levels indicated above. The formation levels as per final execution of the work should be compared with the proposed formation level and work got rectified with tolerance of plus/minus.

(vii) In case of large scale levelling works involving earth cutting and filling and accurate site plan should be prepared before the work is commenced. The portion requiring cutting and filling shall then be divided into squares and corresponding squares in to filling, which are complementary to the squares in cutting given the same numbers. A table may be written upon the plan showing leads involved between the various complementary squares. This would form a lead chart for the work to be done. Before the work of levelling is commenced, the lead chart shall be checked by a responsible officer in presence of the contractor or his authorized representative and signature shall be obtained the same. This should form an integral his part of the contract and should be duly signed by both the parties before commencement of the work. The quantity payable for earth work shall be lower of the quantity derived from cutting or filling. The payment for lead shall be based on lead chart prepared in the aforesaid manner.

(viii) In case of **earch** to be imported, the area from where the earth is to be imported, should be carefully pre-determined before the state of the work and where feasible, average lead should be worked out and stipulated in the tender. After this is determined, initial levels of this area should be recorded along with the initial levels of the area to be filled. The levels should be properly checked during the progress of work and on completion, measurements of earth work should be recorded in both places to determined correctly the earth excavated and carted. Payment for the earth work shall be made on the basis of the lesser of the quantity in filling or cutting, Distance between the two places should be measured correctly which should be test checked.

(ix) Similarly procedure should be followed while recording measurement of disposal of **earch**.

- (x) In case of borrow pits measurements and stack measurements of earth, the place of borrowing or disposal, may be recorded clearly so that the leads and lifts can be verified.
- (xi) For measurements of tunnel excavation work area is to be determined with reference to the graph sheets and accordingly the following subsidiary records need be maintained and handled like measurement books as basic records.
1. Ordinate Book
  2. Graph sheets
  3. Calculation Register

The measurement at each chainage is to be recorded in the ordinate book. With reference to measurements so recorded in the ordinate book, graph sheets are to be prepared for each chainage, from the data so available in the Graph sheets, the detailed calculations have to be recorded in the calculation register and then completed to arrive at the total area in respect of each chainage which should be taken to measurement book.

- (j) The Sub-Divisional Officer should measure all important works (Like foundation, reinforcement concrete, and any other underground works and items having very high unit rates) himself, which owing to their situation cannot be subsequently checked. The items usually attract high unit rates are given in the annexure.
- (k) The measurement for extra items should be recorded irrespective of the fact whether rates for such items have been settled or not.
- (l) In case of items like dewatering etc which are not susceptible of measurement subsequently the Divisional Officer should take steps to keep necessary account of the labour, machinery etc engaged in the work.
- (m) Works estimated to cost over Rs. 20,000 carried out by daily labour or piece work/ job work
- (i) In cases of works estimated to cost over Rs. 20,000 and which are carried out by daily labour or piece work, the Divisional Officer should from time to time, at least once take such measurements, as are necessary to satisfy himself that the total work done is commensurate with the quantities of materials or work paid for up-to-date.
- (ii) The Divisional Officer should certify, once at least during the execution of work, with check measurements when possible, (e.g. in the case of masonry works or excavation) or without check measurements when such are not possible (e.g. in the case of dewatering foundations etc.)

that he is satisfied that the work done is commensurate with the expenditure incurred.

(n) In the case of Departmental work, final measurement should be taken by the Sub-divisional Officer.

(o)

(i) On completion of the abstract, the book should be submitted, to the S.D.O. who should scrutinize the entries in the measurement Book relating to description and quantities of work or supplies and the calculation of contents or area should be checked arithmetically under his supervision. The Bill and the M.B. should be submitted to the S.D.O. who should enter the rates allowed either in the abstract of measurements or in the bill itself and then after comparing the two sign of the bill and the M.B. at the end of abstract. When a bill is paid for work done or supplies made every page containing the detailed measurements must be invariably scored out by a diagonal red ink line. Quantities entered in the measurement books should be clearly traceable into the vouchers and a reference to the vouchers in which they are entered, as well as the date of payment should be given in the measurement book by writing in red ink at the end of the abstract of quantities.

(ii) Any correction in quantities or rates made in the Sub-divisional or divisional Office should be written in red ink and brought to the notice of the Sub-divisional Officer or the Divisional Officer as the case may be, and of the person recording the original measurements. In the case of final bills, payment should be deferred until the corrections have been accepted by the person making the measurements.

(iii) Measurement books should invariably accompany the bills and accounts to which they refer and in no case should measurement sheets or extracts from measurement books be accepted as a substitute for the books itself; they should be scrutinised and checked in the Divisional Office by divisional Accountant or his assistants and immediately below the total of each set of measurements on enforcement should be made connecting the entries with the bill, cash book vouchers and work abstracts in which the quantities are taken into account the enforcement should invariably be initialled and dated by both the Divisional Accountant and the Divisional Officer. For works located at a distance from the Divisional Head Quarters alternate measurement books may be used so that measurements may be made in the second book, whilst the other is in the Division Office. For large works, two or more sets of measurement books may be used if considered necessary.

- (p)
- (i) In case of works of repetitive type the measurements for each building should be recorded separately and this should not be dispensed with merely on the ground that the works are of repetitive nature.
  - (ii) In case of measurement for materials, these must be recorded from the result of actual measurement or contained not simply copied from the bills received from the supplier.
  - (iii) Each set of measurement for materials, these must be dated by the officer by whom it is actually made and the signature of the contractor obtained in taken of acceptance by him of the recorded measurements. The contractor must furnished claim or no claim certificate at the time of acceptance of measurement. Of no such certificate is furnished, claims will not be entertained subsequently. The signature of the clerk who checks the calculations in the measurements should be recorded in English as far as possible. When they are recorded in regional language this should be translated into English over the signature of the Sub-divisional Officer.
  - (q) Public works officers should see that the sub-ordinate who gets the works executed, records the measurements immediately after the works are completed so as to prevent loss to Government due to the work becoming not susceptible of measurement after a lapse of time.

### **C. FINAL MEASUREMENT**

Final measurements for all works should be most carefully recorded on the lines indicated below. The Sub-divisional Officer should personally inspect all works of any magnitude before authorizing or recommending final payments in connection therewith.

- (i) Final measurement of works estimated to cost Rs. 50,000 and more should be taken and recorded by the Sub divisional officers-themselves and checked by Divisional Officers during inspection.
- (ii) Final measurements of work costing less than Rs. 50,000 and of all repairs (including annual and special repairs of roads and channels) whatever be the cost, may be taken by the Sub-Assistant Engineer/ Junior Engineer.
- (iii) As failure to take measurement of earth work pits in time creates a position in which either the Government or the contractor suffers, it is necessary to take effective measures to ensure that final measurements of earth work are taken before the concerned pits are ploughed or obliterated by rain, flood, etc. the Divisional Officer must, therefore, make arrangements to take final measurements of earth work as soon as it is completed but in any case before the commencement of the rainy season.

## **D. MEASUREMENT BY SUPERIOR OFFICERS**

Every opportunity should be taken by the Sub divisional Officers and Divisional Officers to check the accuracy of the measurements recorded by the subordinate officers. The object of check measurement is to detect errors in measurement and to prevent fraudulent entries and also to see that the specification has been faithfully maintained. Check measurement should, therefore be conducted with discretion and method, those items being selected, which appear obviously incurred or which would most seriously affect total amount of bill and the soundness of the structure.

- (i) The Sub Divisional Officer should check measure not less than 50 percent of the measurements of item made by Junior Engineer Sub-Assistant Engineer, in respect of works costing Rs. 2 Lakhs ( Rs. 30,000 in respect of internal public Health and Electrical installations) so as works costing less than Rs. 2 lakhs (less than Rs. 30,000 in respect of internal public Health and Electrical installations) are concerned, 50% of the measurement of important and costly items should be check measured. This check should cover both running payments and final bills.
- (ii) Similarly, the divisional Officer must check measure 10 percent of the measurements of important and costly items (judged by their money value) in respect of works costing more than Rs. 2 Lakhs (More than Rs. 30,000 in respect of internal public Health and Electrical installations). As regards works costing less than Rs. 2 Lakhs ( More than Rs. 30,000 in respect of internal public Health and Electrical installations), not less than 12 of his more important works should be checked measured, the work so measured must not be less than 5 percent of the measurement judged by their money value. As far as practicable work of check measurement should be spread throughout the year covering all the Sub-divisions and sections of the Divisions.

The check should cover both running and final bills. The Divisional Officer should particularly check measure extra items an items in respect of which the executed quantity has exceeded the original quantity by more than ten percent.

- (iii) So far as check measurement of stores are concerned, apart from the check measurement of actual quantity. The quality of materials should be tested in the Control and Testing Laboratory where necessary, to ascertain if the stores are as per prescribed specifications. The Sub-divisional Officer should check measure materials in respect of 50 percent of the bills received during financial year subject to the condition that the check so

exercised should not be less than 50 percent of the quantity of materials received during the year. The Divisional Officer should check measure materials in respect of 10 percent of the bills, the value of which is Rs. 50,000 or above. This is subject to the provision that they should check measure at least 10 percent of the quantity of materials received during a financial year.

For this purpose the quantity received in a bill should not be split up for the purpose of check measurement.

In respect of stores of Sub-Divisions the Sub-Divisional Officer should check measure cent percent of the quantity of materials received during a financial year. The Divisional Officer who is exclusively in charge of Stores Divisions should check measure the quantity of materials in respect of 20 percent of the bills, subject to condition that the checks so exercised should not be less than 20 percent of the quantity of materials received during a financial year.

- (iv) A register of check measurement should be maintained at the Sub-Divisional and Divisional office in the prescribed form.
- (v) The check measurement referred to in the above paragraph should be carried out before payment is made.
- (vi) Check measurement of earth work should be conducted without delay, but in any case before the commencement of the rainy season.
- (vii) Check measurement of such items of work, which due to their situation cannot be subsequently checked, should be conducted without delay and before the works are covered. (Also see Rule 1 of 8 detailed measurements).
- (viii) The check measurement referred to above should be carried out with reference to final measurement of works as a whole and not with reference to each running bill.
- (ix) When check measurements are taken, it is not necessary that they should be recorded in a separate measurement book but the checking officer should clearly indicate in the original measurement book, by putting his initials against each item checked and recording a certificate "items initialled have been check measured and found correct" at the end of each set of measurement above his dated signature, if his measurements agree with the original ones should there be any serious difference, a note explaining the discrepancies should be recorded in the measurement book. A collective record of all checks carried out from time to time should be prepared at the end of the each measurement book in the following tabular form:-

- (i) Date of Check
- (ii) Page recording measurements subject to test check

- (iii) Value of measurement checked
- (iv) Result of check exercised
- (v) Dated initials and the designation of the checking officer. All entries must be made in the ink or in indelible pencil.
- (x) The rules do not prohibit any superior officer check measuring the measurements for check measurements recorded by a subordinate officer, when considered necessary.
- (xi) The **superintending Engineer** must see that these instructions are duly observed by the Division Officers.

## **E. RULES FOR RECORDING STANDARD MEASUREMENTS AND THEUPKEEP OF STANDARD MEASUREMENT BOOKS**

- (i) The standard measurement books are maintained to record the measurements of permanent standing in a building and are required to be brought up-to-date from year to year on the basis of additions, etc. These are used for preparing the repairs estimate for work repeatedly carried out in the repairs of buildings (such as white washing colour washing, paint washing and distempering) and contractors bill for such repairs so as to avoid taking detailed measurements on each occasion.
- (ii) The entries of measurements and abstracts thereof should be recorded legibly in ink,. It should either be written by the Sub divisional Officer himself or Sectional Officer under his orders. Each set of measurements taken by the Sectional Officer should however, be fully checked by the Sub-divisional Officer after which it should be examined by the Divisional Officer and declared in writing in the book itself as finally approved by him for the purpose of preparing annual repairs estimates and contractors bills for work done. Until this is done, the book will not be assigned a number and will not be entered in the register of standard measurement books. Any correction necessary should be attested by the Divisional Officer.
- (iii) The books should be numbered in an alphabetical series so as to be readily distinguished from ordinary measurement bookstand should be entered in separate pages in the divisional register of measurements books.
- (iv) Certified copies of measurement books relating to work in charge of Sub-divisional Officer should be sent to them to kept in their personal custody and noted on separate pages of sub-divisional register of measurements books.

**Note-** Duplicate copies may be dispensed with, when sectional Sub divisional and Divisional Officer are all in the same place.

- (v) For the use of Sectional Officers, standard measurement of each work copied in loose sheets and signed by the Divisional Officer should be sent to the Sub-Divisional Officer who will issue them the Sectional Officers concerned.

- (vi) When corrections have to be made owing to additions or alterations in buildings, the Divisional Officers concerned should be make the corrections in their copies of measurement Books. At the same time they should intimate the Sub-Divisional Officers who will correct the books in their office under their initials. The copies with the Sectional Officers, in which corrections have to be made, should be called for by the Divisional Officers and corrected under their initials and then returned.
- (vii) The Divisional Officer are required to exercise check over completion of standard measurement books from time to time by personally examining each book at least once a year. The scrutiny, inter alia, includes verification with Registers of standard measurement Books, accounts of expenditure and the record of connected measurements relating to estimate for addition, alterations, etc.
- (viii) On the 30th April each year, Divisional Officers should sent certificates to their **SuperintendingEngineers** that all the standard measurement books in their Divisions have been inspected by them, that the entries there have not been tampered with, and that all corrections due to additions or alterations in the buildings have been made in the books and that the latter are reliable and up-to-date record.
- (ix) When a payment has to be based on standard measurements, the Gazettted Officer or subordinate preparing the bill for payment should certify both in the ordinary measurement book and the bill the whole of the work (since previous running bill as the case may be) as per standard measurements book the number of which would be quoted) has been done and that it has not previously been billed for in any shape).
- (x) Separate measurement books should be set apart for not in the details of such bills so as to facilitate the review of payments based on standard measurements.
- (xi) All bill so paid should be specially checked in the Divisional Officer with reference to standard measurements on record in that office.

## APPENDIX - III

# INSTRUCTIONS TO REGULATE APPOINTMENT AND CONDITIONS OF SERVICE OF THE ODISHA WORK CHARGED EMPLOYEES

- 1. Short title, date of commencement and scope:** These instructions may be called the Odisha Work-Charged Employees (Appointment and Conditions of Service), instructions, 1974.

- (1) These instructions shall come into force on such date as may be notified by Government in the Official Gazette.
- (2) These instructions shall be applicable to those employees whose pay and allowances are debitable to the concerned item of work for which they are employed:

Provided that these instructions shall not be applicable to those employees borne on a regular establishment notwithstanding the fact that their Pay and allowances are charged to the item of work for which they are employed for the time being.

Provided further that these Instructions shall not operate to the disadvantage of any workman who is covered by any Labour Laws or terms of any award, agreement or contract of service and in such event the relevant provisions of such Labour Laws or terms of any award, agreement or contract of service shall be applicable to him.

**2. Definitions :** In these Instructions unless there is anything repugnant) in the subject or context -

- (a) "Appointing authority" means –
  - (i) the authority who appointed a work-charged employee before the commencement of these Instructions, or
  - (ii) the authority not below the rank of Executive Engineer who is in-charge of execution of the work, or
  - (iii) such other authority as may be notified from time to time by the Government.
- (b) "Approved Service" means continuous service including authorised leave.
- (c) "Chief Engineer" means a Chief Engineer under the control of any of the Department mentioned in item (g) below.
- (d) "Employer" in case of a work-charged establishment which is treated as in industry for the purpose of Industrial Disputes Act, 1947 means such authority as prescribed by the State Government or where no authority is prescribed, the head of the Department concerned.
- (e) "Employee" means work-charged employee.
- (f) "Establishment" means works-charged establishment.
- (g) "Executive Engineer" means an Executive Engineer under the administrative control of Works Department or Irrigation & Power Department or Housing and Urban Development Department.
- (h) "Government" means the State Government of Odisha.

- (i) "Head of Department" means the Government servants mentioned in Appendix - 3 of Odisha Service Code.
- (j) "Pay" means an amount drawn monthly by An employee for the post held by him, in the work-charged establishment and excludes dearness allowance and other temporary additions to the emoluments granted by Government from time to time.
- (k) "Post" means a work-charged post.
- (l) "Prescribed qualification" for recruitment to any work charged post shall be the same qualifications as prescribed for a corresponding post in the regular establishment. Where there is no corresponding post in the regular establishment, the qualification Will be prescribed by the appointing authority.
- (m) "Skilled employee" are those employed in posts notified as "Skilled" from time to time by Government.
- (n) "Sub-divisional Officer" means a Sub-divisional officer under the administrative control of any Department mentioned in items (g) above.
- (o) "Superintending Engineer" means a Superintending Engineer under, the administrative control of any Department mentioned in item (g) above.
- (p) "Unskilled employees" are employees other than those notified as "Skilled".
- (q) "Work-charged Establishment" means an establishment where the pay and allowances of the employees are charged to the item of work which they are employed.

### **3. Tenure and condition of appointment :**

- (1) Work charged Establishment shall consist of employees of two categories, namely (1) those employed for actual execution of work and (2) those for general supervision of a specific work or of sub-works of a specific project or subordinate supervision of departmental labour, stores and machinery in connection with such work or sub-work. When employees borne on regular establishment are employed on work of this nature, their pay and allowances should be charged direct to the work. If the entertainment of work-charged establishment is contemplated for supervision in connection with any work, the cost should be invariable shown as a separate sub-head of the estimate for that work Pay and allowances of those employed for the actual

execution of work should be debited to the concerned item of work.

- (2) The employment of a person appointed under the work charged establishment for a particular work will cease on completion of the work of it can be terminated earlier at any time without assigning any reason.
- (3) The whole of a work-charged employee is at the disposal of Government and no overtime allowance can be claimed on any account.

#### 4.

- (1) No person below 18 years and above 28 years of age shall be appointed to the work-charged posts. Provided that in case of Scheduled Castes and Scheduled Tribes the upper age limit shall be 33 years subject to relaxation in exceptional cases by the appointing authority.

**Note :** Of the vacancies 16 per cent is reserved for Scheduled Castes and 24 per cent for Scheduled Tribes subject to the conditions that they satisfy the minimum standard of suitability for appointment to the posts.

- (2) Retrenched and skilled employees may be given preference for appointment by the appointment authority.
- (3) No person shall be appointed either directly or by promotion to a post if he does not possess the qualification and experience required for the post prescribed by the appointing authority.
- (4) No persons shall be appointed to a post without a Medical Certificate of fitness from a Medical Officer of the State Government not below the rank of Civil Assistant Surgeon.
- (5) The Appointing Authority shall satisfy himself as to the character and antecedents of the persons appointed to the work-charged establishment.

#### 5. Pay & Increment :

- (1) All employees shall be appointed on the minimum of the scale of prescribed for the post.

Provided that in the case of skilled or experienced employees, who was drawing pay at a rate higher than the minimum on the date of appointment under any Government, Semi-Government or Public Sector Undertaking or Corporation, the

Head of the Department may fix the initial pay of the employee at a higher stage in the time scale by allowing advance increments up to two in the maximum;

Provided further that when the Head of the Department is satisfied that more than two such advance increments are justified he shall obtain prior sanction of Government in the Administrative Department.

(2) Increment in the time scale of pay shall be drawn subject to satisfactory service.

(3) Service in any post carrying higher scale of pay and leave other than extraordinary leave will count for increment in the post held by the incumbent.

## **6. Leave and Leave Salary:**

(1) Any leave as admissible under these instructions may be granted by the appointing authority.

(2) Leave cannot be claimed as a matter of right. When exigencies of public service so require discretion to refuse or revoke such leave is reserved to the Appointing Authority.

(3) Subject to the approval of the Sub-divisional Officer a person belonging to the work-charged establishment may avail of casual leave up to a maximum of 10 days in a calendar year. The Divisional officer may in his discretion grant special casual leave to an employee up to a maximum of 5 days in a calendar year. Casual leave can be combined with special casual leave of Gazetted public holidays or off days as admissible but the total period of absence of an employee on casual leave, special casual leave, holidays and off days shall not exceed days at a time.

(4) Leave may not be granted to a member of such establishment without production of a Medical Certificate signed by a Medical Practitioner with qualification not less than that of a Civil Assistant Surgeon of the State Govt. It must be certified therein that the applicant is unfit for duty on account of ill health and the period for which leave is recommended must be definitely stated.

(5) Leave may be granted to one month for each year of approved service under Govt., subject to a maximum of three months at any one time. Provided that no leave may be granted unless the applicant has rendered approved service under Government for at least three years continuously.

- (6) Leave salary shall be equal to half the pay drawn at the time of taking leave, provided that in the case of a person to whom the Workmen's Compensation Act, 1932 applies the amount of leave salary payable under this clause shall be reduced by the amount of compensation payable under Section 4(1) D of the said Act.
- (7) Before returning to duty the employee shall be required to produce a Medical Certificate, signed by a Medical Practitioner with qualification not less than that of a Civil Assistant Surgeon of the State Government stating that he is fit to return to duty.
- (8) Maternity leave may be granted to women employees upto a maximum of 6 weeks provided that leave salary for the period of maternity leave shall be at the rate equal to half the pay last drawn at the time of proceeding an such leave.
- (9) The sanctioning authority may not insist on production of Medical Certificate in the case of casual leave, special casual leave or maternity leave.

## **7. Holidays :**

- (1) All employees are eligible for one day off on full pay in a week either on Sunday or on any other day in that week to be reckoned from Monday. They will also be eligible to avail of Second Saturday of each month subject to the condition that the Officer-in-charge of the work makes subject to the condition that the Officer-in-Charge of the work makes roster arrangement for smooth implementation of the work during this holiday and the ceiling fixed for the plan and non-plan projects do not go up because of an employee availing this holiday. They will further be eligible to avail of gazetted holidays not exceeding fifteen days in a calendar year as detailed below :

1. Makarsankranti	... One day
2. Republic Days	... One day
3. Siva Ratri	... One day
4. Muharam	... One day
5. Holi	... One day
6. Ganesh Puja	... One day
7. Biswakarma Puja	... One day
8. Durga Puja and Dasahara	... Four days
9. Mahatma Gandhi's Birthday	... One day
10. Kumar Purnima	... One day
11. Diwali	... One day
12. 15th August (Independence day)	...One day

(2) The work-charged employees may avail of either the first day of May (May Day) or Prathamastami as Optional Holiday.

(3) They may also avail of Local Holidays declared by the Revenue Divisional Commissioner concerned;

- 8. Savings :** Employees, whose conditions of service, leave, etc, are regulated by specific enactments like the Industrial Disputes Act or Factories Act shall be governed by the relevant provisions of those Acts. Paragraphs 6 and 7 of those instructions will be applicable only to those employees, who are not covered under specific enactments.
- 9. Travelling allowances:** Travelling allowance may be granted to an employee who is transferred in the exigencies of public service. Such allowance shall be limited to actual travelling expenses, the amount of which shall be determined by the appointing authority, but in no case such actual travelling expenses shall exceed the amount admissible under the Odisha T.A. Rules.
- 10. Advances :** The employees may be allowed bicycle and festival - advances by the appointing authority at his discretion who will also determine the terms and conditions of such advances according to individual circumstances but in no case such terms and conditions shall be more liberal than those prescribed for temporary Government servants.
- 11. Contribution to Provident Fund:** All employees covered under the Employees Provident Fund Scheme shall contribute regular to the Employees Provident Fund after completing one year of service. Such of the employees who are not covered by the Employee's Provident Fund Scheme shall contribute regularly to the Contributory provident Fund after completion of one year of service.
- 12. Maintenance of Service Rolls:** Service Rolls of the employees shall be maintained in the forms as will be prescribed.
- 13. Medical Aid :** Free medical aid shall be given to all employees who may also be given reimbursement of the cost of medicines to the extent to be determined by the Appointing Authority in individual cases.
- 14. Retirement :** The work-charged employees shall ordinarily be retained in service upto the age of 60 years :

Provided that the work-charged employees can be required by the appointing authority in public growth to retire at any time before attaining the age of 60 years on one month's notice or one month's Pay in lieu thereof.

- 15. Gratuity :** The employees shall be allowed gratuity at the rate of half a month's pay for every completed year of service subject to the maximum of 15 month's pay on retirement invalidation except where it is caused by

intemperance and death while in service subject to the condition that this concession shall be allowed only to those employees who have rendered continuous service for a minimum period of 10 years. Pay for this purpose shall be the pay last drawn :

Provided that employees whose service conditions are governed by special enactments or labour laws would be entitled to gratuity as provided under such special enactments or laws, and not under the above instructions.

**16. Misconduct :** The acts and omissions mentioned below by an employee shall constitute misconduct and shall be punishable under these instructions :

1. Willful in subordination or disobedience either individually or in combination With another or others to any lawful order of a superior.
2. Striking work or inciting others to strike work with another or others in contravention of any law or any rule having the force of law.
3. Stay-in strike
4. Adoption of slow tacts or abetment or instigation thereof.
5. Theft, fraud or dishonesty in connection with the establishment's work or property or property of the employees.
6. Taking or giving bribe or an illegal gratification whatsoever including corrupt practices.
7. Habitual late attendance
8. Habitual breach of any standing orders or any other rules of the establishment
9. Negligence or neglect of daily; malingering or sleeping during duty hours.
10. Sabotage or willful damage to or causing loss of the establishment's goods or property or any irresponsible action resulting in damage to any goods or property of the establishment.
11. Drunkenness, disorderly, insolent or indecent behavior or any acts subversive of discipline, on the premises of the establishment or at the place of employment or in course of performance of duty.
12. Conviction by a Court of law for a criminal offence involving violence or moral turpitude.
13. Loitering, during duty hours.
14. Unauthorised absence from the place of duty.
15. Acceptance of gifts or presentation exceeding Rs. 20 in value from others exceeding close relations of the family without permission of the head of office.
16. Borrowing money from subordinate employees.

17. Unauthorised use or unauthorised occupation of the Government quarters or land
18. Gambling within the establishment's premises
19. Quarrelling and fighting in the establishment's premises
20. Smoking in non-smoking areas of the establishment's premises
21. Furnishing false information regarding one's name, father's name, age, qualification, previous service, address, etc. at the time of employment and in the course of normal work.
22. Failure to carry out work in accordance with the instructions given by the officers of the establishment or through delegated authorities.
23. Hiding away or attempting to hide away any articles or materials of the establishment.
24. Failure to report at once to his superior any defect which the employee may notice in any equipment connected with his work.
25. Refusal to accept charge-sheet, order or any other official Communication issued by a competent authority.
26. 'Gherao', 'dharana', hunger strike, protest, fast and, work to rule
27. Mass casual leave or earned leave.
28. Approaching Government and any higher authority without permission of the appointing authority in connection with the terms of his employment, non-employment, transfer, promotion, denotation or disciplinary action.
29. Association with or being a member of any political or communal party or organisation or subscribing in aid of or assisting in any other manner any Political or communal movement or activity.
30. Canvassing or interfering or participating otherwise than by voting in election to Parliament, Legislative Assembly or Local Authorities in which he has a right to vote.
31. Except with the previous sanction of the head of office, owing wholly or in part, conducting or participating in editing or managing of any newspaper, periodical or publication, radio broadcasts or contributing any article or writing any letter to any newspaper or periodical;  
Provided that no such sanction shall be necessary if such contribution to any newspaper or periodical is on a purely literary, artistic or scientific subject and of occasional character.
32. Engaging directly or indirectly in any trade or business or undertaking and employment with the exception of honorary work of, a social or charitable nature or occasional work of literary, artistic or scientific character.

33. Acquiring or disposing of any immovable property by lease, mortgage, purchase, sale, gifts or otherwise either in his own name or in the name of any member of his family or a benamidar without the previous sanction of the Head of the Department when any such transaction is conducted otherwise than through a regular or reputed dealer.
34. Entering into any transaction by way of purchase, sale or otherwise concerning any property exceeding in value of Rs. 200 otherwise than through a reputed dealer, without prior permission of the head of office.
35. Failure to furnish true and complete declaration of assets in accordance with prescribed instructions.
36. Misuse or careless use of amenities provided for him by the establishment to facilitate discharge of his duties.
37. Wilful absence from duty after expiry of leave.
38. Any other act or omission, which in the opinion of the appointing authority, offends against the norms of decency, normality, discipline or loyalty to the Union or the State Government.
39. Furnishing false information in the application for post on the basis of which he is appointed.
40. Joining a lightening strike or acting in furtherance of such a strike.

## **17. Penalties :**

(1) The following penalties may be imposed by the appointing authority on an employee for misconduct as defined in Paragraph 16 :

- (i) Fine,
- (ii) Censure,
- (iii) Withholding of increments or promotion,
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligency or breach of orders.
- (v) Suspension,
- (vi) Reduction to a lower service, grade or post or to a lower time-scale or to a lower in a time-scale.
- (vii) Compulsory retirement,
- (viii) Removal from service which shall ordinary disqualification for future employment.

(ix) Dismissal from service which shall ordinarily be disqualification for future

(x) employment.

(2) When the appointing authority is satisfied that there is prima facie evidence or any allegation detailed in paragraph 16 of these instructions against a work-charged employee he shall frame charge of such allegation against the delinquent and shall communicate a copy thereof together with; the copies of the documents, if any, on which the charging for the explanations in writing of the delinquent within a period of not less than 15 days from the date of receipt of such charge.

After due consideration of such explanation as the delinquent may offer the appointing authority may, if he finds the delinquent guilty of the charge, come to a tentative decision as to the punishment to be imposed on the delinquent and shall issue notice to the delinquent to show cause within a period of not less than 15 days from the date of receipt of such notice as to why the tentative decision shall not be made absolute. After careful consideration of the cause shown, if any by the delinquent, the appointing authority shall take the final decision in the matter of punishment to be imposed on the delinquent.

Provided that if any oral evidence is required to be taken the same shall be taken in presence of the delinquent.

(3) The Services of an employee may also be terminated by the appointing authority in the following cases

(a) On his attending superannuation,

(b) For continuous absence on grounds of ill health for one year or more,

(c) On an employee being declared medically unfit.

(4) The services of an employee appointed as a substitute against a suspensioner leave vacancy may be terminated at any time during such period by giving 7 days notice or 7 days pay in lieu thereof, irrespective of whether the principal employee has or has not returned to duty :

Provided that no such notice or pay in lieu of such notice shall be given when an appointment of a substitute is for a specific period and is terminated in terms of orders of appointment or on the expiry of the specific period of appointment, as the case may be.

(5) The services of employees who are governed by special enactments are liable to be 'terminated' otherwise than by way of punishment, as provided in such enactment in addition to the special sub-paras (1, 2 & 3) above.

## **CASE LAW -**

(xii) Paragraph 17 - read with section 110-A of Motor Vehicles Act, 1939 - The disciplinary authority adopted an untenable procedure by absolving themselves of the duty to hold an inquiry - Nature of inquiry would vary from case to case depending on the facts and circumstances - The allegation in the facts and circumstances could only be established by adducing evidence, either oral or documentary, in the enquiry - No such attempt was made - hence determination of petitioners liability is contrary to law and principles of natural justice - Order of disciplinary authority quashed. 62 (1986) CLT 149.

### **18. Appeal:**

(1) No appeal shall lie against any order made by the appointing authority imposing the penalty of fine or censure.

(2) Appeal against orders imposing penalties other than those of fine and censure shall lie before the authority next higher to the appointing authority and the decision of such authority shall be final.

**(Based on P. & S. Deptt. Resolution No. 9488, dtd. 18th June, 1974)**

## **APPENDIX - IV**

### **GUIDE LINES FOR PREPARATION OF ESTIMATES FOR DIFFERENT TYPES OF WORKS**

#### **A. GENERAL**

Reports on estimates must contain the following information in a brief and lucid form :

- (a) **History** : Particulars relating to intimation of and reasons leading upto the proposal and its general purpose including reference to previous correspondence documents and specifications where necessary.
- (b) **Design** : A description of the original proposals and those finally adopted particularly with-regard to location, sitting and design also with reference to specifications, calculation and drawings, where necessary.
- (c) **Scope** : An explicit statement as to what work is and is not, covered by the estimate, also reference as to what arrangements are being made for any portions which are not included in the estimates.

- (d) Rates : Particulars as to how the rates have been arrived at, giving reference to the standard schedule of rates and also to the details accompanying the estimates which necessary, with any special explanation connected therewith.
- (e) Cost : Cost of the work and comparison with the amount originally provided under any previous administrative sanction, or detailed estimates in case of revision.
- (f) Method : The method proposed for carrying out the work whether by lump sum contract, item rate tender, petty contract etc. or daily labour or any combination of these three. If the work is to be carried out both by "Contractor's" and "Departmental labour" the portions of the work to be carried, out by these agencies should be briefly indicated separately together with its estimated cost.
- (g) Establishment: Details of any provisions made in the estimate for work charged establishment, when necessary.
- (h) Construction Plant: In special method of construction to be adopted with reference to specifications etc and details of the arrangements that have been made for the necessary construction plant, tools etc.
- (i) Land : Arrangements for acquisition of land when necessary.
- (j) Time : The time of starting and estimated time of completion of the work. Full reference should be made to the plans accompanying estimates in support of details. This is not intended to be exhaustive and any other points of importance especially such as demand knowledge of local conditions, must be included.

## **B. BUILDINGS**

**Buildings** : Projects for buildings will usually be prepared and submitted in Stages I and II as described below -

### **1. A projects in Stage will comprise :**

- (i) A brief but complete history of the case, together with the references to any previous correspondence.
- (ii) Site plan of the proposed work, showing the north point and details of the soils in the foundation.
- (iii)
  - (a) In the case of a building for which standard plan and estimate exists,an estimate of the probable cost of the work based on the standard estimate, and allowances made for local rates special foundations, etc. which should be explained in the report the probable cost of the land should be ascertained from the local civil authorities and provision made in the estimate accordingly.
  - (b) In case of building for which a standard plan and estimate do not exist

- (i) A report stating clearly the accommodation required and provided, and giving a general specification of the proposed building -
- (ii) Line plans, showing the size and disposition of the rooms, the purpose for which they are intended and all verandah. In the case of a building intend for use as an office, the position for racks and sitting arrangement must be clearly shown.
- (iii) An abstract of cost of the building based on the plinth area of the line plans, with due allowance for the cost of the land.

**2. A project in stage II will comprise –**

- (i) A full detailed report and estimate
- (ii) Calculations for the pressure on foundations
- (iii)
  - (a) In case of building for which a standard plan exists
    - (i) A site plan and
    - (ii) the printed report, the estimate and plan, amplified and modified, where necessary
  - (b) In the case of a building for which a standard plan does not exist -
    - (i) drawings finished in all respects
    - (ii) calculation for the strength of all beams and all other calculations necessary to show that the buildings as designed is structurally sound.
  - (c) The drawings accompanying a stage II estimate will usually be as follows
    - (i) a site plan, showing the situation of the proposed building with reference to others, the various feature in proximity to the intended site, the north point, the prevailing direction of the wind and all other matters capable of graphic delineation which may have influence on the selection of the site
    - (ii) A ground plan or plans of the building and plans of the foundations and of various stores as required;
    - (iii) Sections through the building of such number and in such directions as are necessary to exhibit the intended, form and dimensions of every part.
    - (iv) Such elevation as are necessary
    - (v) A drawing or drawings showing the general arrangement of the floor and roof, and the distribution of the timbers, iron work etc., and such working

drawings as well as to enable the officers responsible for the project to judge the details.

(d) While forwarding the detailed estimate for technical sanction, the following information should invariably be furnished.

- (i) Necessary details in, support of the lump sum provision against cost of civil construction works made in the estimate.
- (ii) Basis on which the rates have been provided, that is name of the scheduled of rates of the locality, projects adopted.
- (iii) Prevailing average cost of site, of material e.g. brick, sand, cement, stone, aggregate, timber, steel, etc. and labour i.e. Mason, carpenter and welder etc.
- (iv) A brief note of the special construction difficulties, if any, that are likely to be encountered during the project construction stage.
  - (e) The estimate in respect of residential building should be sanctioned after the plans designs both structural and Architectural, which should be mostly according to the type designs, have been prepared in detail and would apply in case of medium sized non-residential buildings of the single or double storied types, the estimated cost of which including the services in Rs. 5 lakhs or below.
  - (f) In case of large sized multistoryed structures, detailed estimate should be got prepared and technically sanctioned as far as possible after all the buildings and architectural working drawing (1/8, V2 and VA scale drawings) are finalised. This is important since in absence of such drawings no estimate can be accurately prepared either in respect of the quantities or in respect of the correct descriptions of items and adoption of appropriate rates. As regards structural drawings, it is emphasized that sanctions should be given on the basis of accurate designs and finalised sizes of all structural numbers so that during actual execution quantities of the work do not alter significantly –

## **C. ROADS**

- (a) The projects for roads when submitted for sanction should be accompanied by the following documents :
  - (i) Report detailing history designs, scope, rates, specifications, preferences, cost and mode of executions, etc.

- (ii) Detailed measurements and abstract of cost.
- (iii) Index map, scale 1-50 M.
- (iv) Plans, scale 1.5 m Longitudinal and cross or transverse sections, scale horizontal 11M and vertical 1.100M.
- (v) Detailed drawings of all engineering works such as bridges, etc. scale 1.100 or 1.50 for plan and estimate.
- (vi) Detailed drawings, as per scale given in (v) above of structures, dwelling or inspection bungalows, and quarters for subordinate and gangs.
- (vii) Quarry charts showing the various, quantities from where road metal is proposed to be obtained.

(b) Estimates for bridges, in addition, to the reports and plans, as above, should be accompanied by water way calculations and sections of trial pits and foreign of the stream bed.

**Note :** The scale noted above may be reduced or increased according to the nature of the project -

- (i) Necessary provision should be made for shifting of pipe lines, drainage, electrical Poles, cables and telephone lines if any, coming in the way of new alignment.
  - (ii) Before detailed estimates; for bridges are made as many, trial pits or borings as are considered necessary should be taken. It is necessary to make a careful preliminary investigation of the subsoil in order to ascertain exact nature of the strata and determine accurately the stability of sites for bridgest, large buildings etc., and the depths, to which foundations should be taken -
- (c) Estimates for bridges must be accompanied by adequate calculations and the report should show how the stream has been crossed hitherto, why it is proposed to bridge it, the kind and volume of traffic expected, whether the stream has ever been bridged before, if so, a description of which should be given and if it failed the reasons the kind of bridge now proposed, the reasons for the amount of water way allowed the height of road, way allowed for boats, if any the nature and size of stages, if any, the drainage of the stream whether flat or hilly, the velocity of current in rainy and dry whether, liability to sudden floods, whether the stream is used for flatting out timber and if so, how the nature of bed and bank whether the banks are liable to erosion whether the stream is navigated and if so, by what types of vessel, the highest flood level, maximum and normal, and the nature of materials available within a reasonable distance.

(d) Whenever it is proposed to construct or modify a bridge, culvert, dam, diversion or other work which might effect any railway line in the vicinity, the Railway Administration should be consulted in regard to the adequacy of the water ways etc. provided in the proposals, where there is disagreement, the matter should be referred to the S.E. concerned.

(e) In addition to the actual bridge plans, the following plans should accompany an estimate for a new bridge -

A plan of the stream of 1.5 Km. above and below the proposed crossing, with connected cross section, in every quarter of a Kilometre (or oftener, if necessary) a cross section of the stream at the proposed bridge site showing the general level of, the country on either bank as well as that of road approaches, the various Water levels, depth at which good foundation is available and its nature.

(i) The code of practice prescribed by the Indian Roads Congress should be followed in general.

#### **D. EMBANKMENTS**

In the case of new lines or river embankments it is necessary that the financial responsibilities of that the report should show clearly Government in connection therewith and the manner in which it is proposed that the outlay shall be recovered.

#### **E. IRRIGATION WORKS**

##### **(I) CANAL PROJECTS**

1. Every projects for an irrigation work should contain a full report as to the rainfall and depth of spring level in the tract affected the sources of existing Irrigation, and the means of drainage proposed if such are necessary. The opinion of the local revenue officers should also be taken as to the desirability and necessity of the project work, the fairness of the water rates proposed and the probability of the anticipated financial results being realised.

(ii)

(a) A general description of the proposed works should follow, including the sources from which the supply of water is to be drawn the quantity of water available at different periods of the year and the quantity it is proposed to utilise, also the character of the sediment brought down whether likely to fertilise or the reverse, the area of land commanded the average area usually cultivated, and the area probably irritable; the length of main cannals and distributions and any of navigate on be also contemplated, the length of the navigation portion.

- (b) The quantity of water allotted to each main canal and the area irritable therefrom in tabular form the dimensions of the channels and the works on each being furnished.
  - (c) The reasons for the adoption of the particular scheme recommended in preference to any other; and a full account of the basis on which the alignments channels and other portions of the designs have been projected with a careful analysis of any engineering questions involved.
  - (d) The localities when materials are obtainable and the facilities for manufacture, with the probable rates, the results of any experiments on the quality of lime, the character of brick clay, etc.
  - (e) The method proposed of carrying out the work and the establishment probably required.
  - (f) The executive divisions among which it is proposed that the works should be divided and the time which will probably be occupied in construction.
  - (g) In the case of project for which Capital and Revenue Accounts will be kept, the returns expected from the work and the basis on which they are calculated.
- (iii) The complete estimate for a project should include indirect as well as direct charges. The main headings are as follows:

**Direct Charges –**

- (1) Works
- (2) Establishment including leave and pensionary charges.
- (3) Tools and plant.

**Indirect Charges -**

Capitalisation of abatement of land revenue on area occupied by works

The items included under head “works” should be classified under the prescribed main and sub-head of account.

The Provision for establishment and Tools and Plant should be made at such percentage rates as the State Government may fix from time to time and will include 1 per cent for audit of accounts.

**(II) STORAGE PROJECT**

The report should in addition to the information specified for canal projects give the area of the tank and contents when full, the area of land commanded and

irrigable, the length of the dam its maximum height materials of which it is proposed to construct, its form, length of surplus weir or weirs, and the mode in which the water is to be let off for irrigation. The questions of the available water supply, number of times the reservoir will probably fill during the year, rainfall and proportion flowing off the catchment character of soil and general slopes of the country, loss by evaporation, and absorption quantity of the water, etc. should be fully, dealt with as well as the quantity of the flood water for which provision must be made and the waterway of the escape weirs or sluices. The results of any experiments bearing upon the strength of the materials proposed for use in the dam should be dealt with, as also the suit content of the water and the probable effective life of the reservoir.

## **F. TOWN WATER SUPPLY PROJECTS**

- (i) For town water supply projects the nature and quantity of the existing water supply, I should be given, and the reasons necessitating an improved supply, the possible sources of an additional supply and the reasons for preferring the scheme submitted, the area and number of people, horses, cattle, etc. to be supplied, as well as the estimated daily allowance in litres for each individual and for head of cattle the quality of water, whether acquiring filtration or not and whether religious objections are likely to be raised to the use of the water.

The report should be accompanied by an index map showing the lines, of main and distributary piping and plans of all works including filters, service reservoirs, settling tanks etc. If pumping is contemplated, the annual cost of working the pumps should be estimated. The mode of calculating dimensions of pipe, etc. and the formula used should form one of the appendices.

- (ii) The manual of practices on water supply service issued by the concerned Miniseries should be adopted with reference to the norms prescribed by the Indian Standard Institution from time to time.

## **APPENDIX – V**

### **A. RULES FOR SELECTION OF SITES FOR BUILDINGS COST OF WHICH IS RS. 50,000 OR MORE**

The Divisional Officer should unless instructed to the contrary take steps to have site selected as soon as requisition is received from a competent authority for an approximate estimate for a building project.

2. On receipt of administrative approval to a project for which a site has not yet been selected, the Divisional Officer, shall at one ask the District Magistrate to convene a Site Committee and as soon as the site is selected, he will apply for an estimate for the acquisition of land if necessary and submit it with draft declaration through the usual channel, to the authority competent to sanction it. The amount of this estimate should be subsequently incorporated in the detailed estimate for the project.
3. The selection of sites for building shall ordinarily be made by a committee composed of –

The District Magistrate

... President Members

- (i) The Chief District Medical Officer
- (ii) The Divisional Officer
- (iii) The Divisional Officer, Public Health Division
- (iv) An Officer representing the department concerned
- (v) The Health Officer of Municipality or N.A.C.

If the proposed site is within a Municipality or controlled area the Chairman of the Municipality or President of the station committee shall be a member Ex-officio and a representative of the planning authority if any, working in that area shall be a member.

If outlying stations members, may, on their own responsibility depute a Subordinate Gazetted Officer, to represent them.

If for any reason any member of the committee cannot attend on the date fixed, his opinion may be taken separately, the plans and proceedings being sent to him for the purpose by the District Officer.

This Committee will be assembled by the District Officer at the request of, the, Divisional Officer.

4. The Divisional Officer will prepare a plan of the site selected embodying such information may be necessary in each case e.g., if the site is on land liable to be flooded the highest flood level should be shown with reference to the general level of the site. He will forward this plan with the proceedings of the

committee, after both have been countersigned by the members, to the **Superintending Engineer** of the circle.

He will be responsible for any action required under paragraphs 80 and 81 and will place before the site committee the opinion received from the Defence Department.

5. The **Superintending Engineer** of the Circle concerned if he agrees with the conclusion of the committee, both as regards the site and arrangement of the buildings shall countersign the paper and forward them to the head of the department concerned for counter signature and transmission to the Revenue Commissioner for signature and return to the Divisional officer.
6. If the members of the committee are unable to agree or if, the **Superintending Engineer** differs from their conclusion he will, in the event of failing to come to an agreement with the president of the committee, submit the case to the Board of Revenue for decision, attaching his note to the proceedings of the committee. After deciding the case so referred, the Board of Revenue will communicate their decision to the **Superintending Engineer** and to the President of the Site Committee, forwarding the plans as approved to the **Superintending Engineer** for disposal by the head of the deptt. Whether possible, the **Superintending Engineer** should discuss the matter personally with the President before forwarding the case to the Board of Revenue.
7. In cases where the views of the department differ from those of the local authorities, the matter should be referred for the decision of Govt.
8. In the case of important buildings, the Government desire that heads of departments, will before countersigning the plan, sent it to the Director of Health Service and the Chief Engineer for opinion.
9. Two plans are required –
  - (a) A block plan 1 500 if this is to large 1 1000 showing the relative position of buildings, wells, etc., included in the project as well as all existing buildings, etc., in the same compound.
  - (b) An index plan 1 : 2,500 or 1 : 5000 showing the site and its surrounding on North South, East and West.

## **B.RULES FOR SELECTION OF SITES FOR BUILDINGS COST OF WHICH IS LESS THAN RS. 50,000**

1.

(a) The selection of a site for proposed building must be dealt with as soon as a demand is received for an estimate from an officer authorised to call for it.

(b) When a rough estimate is called for, a general report regarding the proposed site will be given which will accompany the estimate when it is sent up for administrative approval.

2. As soon as a demand for an estimate as in Paragraph 1 (a) or administrative approval to an estimate sent under paragraph 1(b) is received, the Divisional Officer shall in consultation with the District Magistrate and the local head of the, department concerned select a site for the proposed building and make out the usual plans.

If the building is in the compound of an existing Government building, a block plan only will be required. This must show the whole compound and all the buildings existing of proposed within it.

In cases where land has to be acquired, the Divisional Officer will at once apply to the District Magistrate, for an estimated draft declaration for the land.

In outlying stations the District Magistrate, Divisional Officer and the local head of the deptt. concerned may delegate their subordinates to represent them.

3. The Divisional Officer will be responsible that the site selected is suitable.

In case the Divisional Officer has any doubt as to the suitability of the proposed on sanitary grounds he should consult the CDMO.

4. If the site selected is no land already in charge of the Public Works Department, the site plan will be signed by the Superintending Engineer of the circle before the estimate is sent up for technical sanction.

When the land is in charge of the department concerned, the signature of the head of that department on the plan will be necessary.

5. In cases where there is a difference of opinion regarding the suitability of a site among the officers referred to in rule 2, the matter will be referred by the **Superintending Engineer** concerned to the Board of Revenue whose decision shall be final.

6. When the site is within a Municipality or Controlled Area, the signature of the Chairman of Municipality or of the president of the local committee, will be necessary before technical sanction as given.

**Note :** It is desirable that when sites for important buildings are being selected, the Chief Architect should be present at the site selection committee meeting.

- (i) The Divisional Officer concerned and a representative of the Administrative Deptt. for which land is to be acquired should make preliminary selection of one of more sites in order of preference for consideration by the site selection Committee and not leave it to the Committee to find site.

## **APPENDIX VI**

(See Paragraph 6.3.6.)

### **GENERAL RULES FOR THE PURCHASE AND SUPPLY OF ARTICLES FOR USE IN THE DEPTT. CHARGE OF PUBLIC WORKS**

**Preamble** - The policy of the Govt, of Odisha is to make their purchase of articles required for the State Service in such a way as to encourage the development of the **Indeniniuie** Industries to the greatest Possible extent consistent with economy and efficiency. In order to give effect to this policy, preference in making purchase will be given the following order:

**Firstly**, to articles which are produces in the Indian Union in the form of raw materials, or are manufactured in the Indian Union from raw materials produced in the said union, provided that the quality is sufficiently good for the purpose; and delivery is suitable.

Similarly and on the same condition preference will be given to articles produced or manufactured in Odisha over those produced in any Other State of the Indian Union.

**Secondly**, to articles wholly or partly manufactured in the Indian Union from imported materials provided the quality is sufficiently good for the purpose; and delivery is suitable.

Similarly, and on the same condition preference will be given to articles manufactured in Odisha from imported materials over those so manufactured in other States of the Indian Union.

**Thirdly**, to articles of foreign manufactured held in stock in the Indian Union provided they are suitable type and requisite quality.

**Fourthly**, to articles manufactured abroad which need to be specially imported, (preference to be given to offers received for supply through Indian Based Establishment).

Purchasing Officers shall allow preference in respect of the price to articles produced or manufactured in the Indian Union either wholly or in part. The degree of preference allowed shall generally extend up to 15 per cent of the price of the imported articles of similar quality. But in respect of classes of stores specified by the Government of Indian price preference up to 25 per cent shall be allowed.

Notwithstanding Anything stated in the aforementioned paragraphs, cottage industry products and handicrafts goods particularly those made within the State of Odisha as may be named by Industries Deptt. from time to time should be preferred in meeting all requirements of stores for the State service and price preference upto 15 per cent may be allowed in favour of cottage industry and handicraft goods-over those of mill made or factory made goods.

In case of products of Small Scale Industries as may be named by Industries Department from time to time price preference, if any, extended by Government should be, taken into account by the purchasing Officer while procuring stores for use in Public Works Division.

Price preference up to the limit if any prescribed by Government may also be allowed to goods manufactured by the Public Sector industries and Industries in the Co-operative Sector.

All Departments of Government, quasi-Government agency and State owned corporations should purchase items of stores from sources with whom rate contracts have been entered into by the procurement. At the same time care should be taken not to purchase stores in excess of actual requirements.

In order to ensure that the stores do carry a large inventory and at the same time to avoid stock out position of essential category of items the Divisional Officer should carry out proper analysis of various items to enable Government to determine the reserve stock limits and to help him to determine the most appropriate frequently and quantity of ordering further supplies. He should also keep a special watch on slow moving items to avoid their accumulation in the stores.

When indenting for plant and machinery, etc., the indenting Officers should take a decision as to the quantity of spare parts to be purchased along with the main equipment and also to place an indent. Whenever consider necessary the following guarantee should be obtained in case of purchase of costly plant and machinery.

- (i) A guarantee from the supplier of these equipment that he supply spare parts if and when required on an agreed basis for an agreed period. This may include an agreed discount on the published catalogue price.
- (ii) A guarantee to the effect that before going out of production of the spare parts, he will give adequate advance notice to the purchase of the equipment so that the latter may order the balance of the life time requirements in one lot.
- (iii) If possible a warranty to the effect that the supplier of the original will make available, blue prints, drawings of spares of and when required in connection with the equipment.

**Rule 1** - Save as provided in Rule 7, articles required to be purchased for the State service shall be purchased on the condition that delivery shall be made in Odisha for payment in rupees.

**Rule 2** - Sealed tenders should be invited by giving wide publicity for the supply of all articles which are purchase under Rules 1 to 4 if the value of the order to be placed exceed Rs. 10,000 unless sufficient, reasons have been recorded to indicate that-it is not in the public interest to call for tenders. In respect of purchases of the value of Rs. 10,000 and below limit sealed quotations should be invited. The deposit of earnest money at the rate of one per cent of the cost of materials should be insisted. No sealed tender of- quotation which fails to comply with the conditions as to the delivery and payment prescribed in rule 1 shall be accepted.

**Note :** The Rules prescribed for calling and accepting of tenders for works should be followed see also rule 8.

## **Amendment - 2005**

### **Petty Purchase**

1. Petty purchase not exceeding Rs. 1000 at a time can be made, without calling for quotation provided that a certificate to the effect that the purchase is made at the lowest available market rate is recorded on the body of voucher. Such purchase should as far as possible be made from dealers who are registered under the Odisha VAT Act 2004.

**(Substituted by Works Deptt. No. 8097., Dt. 29.08.2005)**

**Rule 3** - All Articles whether manufactured in India or abroad shall be subject to inspection before acceptance and articles for which specifications and or tests have been prescribed by the competent authority shall be required to conform to such specifications; and or to satisfy the prescribed test or tests which may be carried out during manufacture or before or after despatch from the premises.

**Rule 4** - Important plant, machinery, iron and steel materials borne on Rate contract shall ordinary be obtained from firms approved by the Director General of Supplies and Disposal of New Delhi any or any other Organisation so entrusted by Government of India and specified in the lists mentioned by him/them if such items are not available on the rate contract entered into by the Director, Expert Promotion and Marketing, Odisha.

**Rule 5** - In the case of important construction works let out on contract, articles required for the construction of such works may be supplied by the contracting firm provided that where specification and/or tests have been prescribed for such articles they shall confirm to such specification and/or tests.

**Rule 6** - Nothing in these rules shall be deemed to prohibit the purchase of articles by one Department from another.

**Rule 7** - Indents for articles manufactured abroad which need to be specially imported should be placed on the Directorate General of Supplies and Disposals, New Delhi or any other Organisation so authorised by Government of India who shall transfer such indents to the Director-General, India Store Department, London or India Supply Mission, Washington. Articles so purchased shall be subject to inspection or test or both by the purchasing, agencies of the Government of India abroad.

**Rule 8** - The financial powers of the Public Works Officer in the matter of the purchase of stores ordinarily extends to the limits to which he is empowered to accord sanction to the estimate for stock tools and plants subjects to such restrictions as may be imposed by Govt, from time to time.

**Rule 9** - Government may sanction department from the rules in particular cases where it can be shown that such departure is in the public < interest. Applications for sanction in such case should be made to the Administrative Departments concerned who will issue the order after taking the advice of Finance Department.

In case where a Public Works Department execute Works administratively approved by other departments, applications for any departure from the rules necessary for the execution of the work should be made to the concerned Public Work Department who will issue the orders without any reference to the Administrative Deptt. concerned with concurrence of the Finance Deptt.

**Rule 10** - All contracts for purchase of stores, other than purchase through the Director-General of Supplies and Disposals, State Purchasing Organisation or at rates approved by Director-General of Supplies and Disposal or any other Organisation regulation purchase of stores on behalf of the State Govt, estimated to cost 25 lakhs (Twenty-five lakhs) above at a time should be submitted to the

Administrative Department in charge of public works which will accord approval to the purchase of the recommendation of the Tender Committee.

When it is considered absolutely necessary to purchase materials borne in the rate contract from the open market in the interest of work, the requiring officer, should at the 1st instance obtain the certificate of non-availability of the required materials, indicating the period during which the same is required from the D.G.S. & D. or Director E.P.M. or any other Organisation regulating price structure of various materials on behalf of the State Govt, as the case may be. If the value of such purchase exceeds Rs. 1 lakh the Chief Engineer/ Additional Chief Engineer should furnish the proposal with non-availability certificate to Administrative Deptt. for according approval to the proposal. In the case of purchase costing Rs. 1 lakhs and below, the Chief Engineer/Addl. Chief Engineer will approve the proposal. In all such purchases, the rates paid for will not exceed the rate contract price of such materials.

**Rule 11** - In all such cases the officer placing the order should record the reasons for procurement from the open market.

**Rule 12** - Purchase of spares for machinery from the original manufactures of their authorised dealers may be made by the Public Works Officer strictly according to the price structure regulated by the manufactures without calling for tenders provided that where there are more than one manufacture or more than one authorised agent for the same items, sealed quotations should be called for from such firms to determine the price before purchase is made.

**Rule 13** - In case where no regular written agreements entered into orders for supply should invariably refer to the quotation of the firm and should also as far as possible indicate the following

1. Description of material with detailed specification in unambiguous terms which will precisely describe the material, required.
2. Quantity required
3. Unit rate
4. The total cost
5. The time for delivery
6. Payment of sales tax
7. Insurance
8. Inspection

9. Guarantee
10. Test Certificate
11. Despatch instructions
12. Destination
13. Method of paying
14. Name and designation of the paying officer
15. Penalty

**Rule 14** - Any agreement of contract for-technical collaboration or consultancy service, purchase of stores of proprietary nature, with foreign firms or foreign Government should be referred to the administrative Department for according approval to the transaction and the agreement from to be used in such cases.

**Rule 15** - payment of advance against purchase orders are prohibited. But in cases where the purchase of materials without payment of advance or full cost of materials before delivery, is not otherwise possible, advances may be paid subject to the instructions issued by the state Government from time to time (see also rules 16 and 17).

**Rule 16** –

- (a) Payment of advance for supplies is regulated in accordance with conditions laid down in F.D Memo 9514 (28) Codes 19/70.F., dtd. 12.03.1970 (Annexure 1).
- (b) Advance payment to reputed and reliable firms in respect of materials other than steel, if considered absolutely necessary may be allowed by the Chief Engineer/Additional Chief Engineer up to 90 per cent or 100 per cent of the value of materials sought to be procured -subject to a maximum limit of Rs. 10,000 against R/R or entitled documents through Bank. In all such cases an agreement as prescribed in para (e) of F.D. Memo No. 9514, dated the 12th March 1970 must be@ executed before payment of advance.

**Rule 17** - Procedure for payment of advance or the cost steel materials obtained from H.S.L.I.S.C.O. TISCO and B.R.CI is laid down in F.D. Memo No. 44185 Codes - 48/87 - (35)-F., dated the 12th December, 1974, No. 44187 Codes - 48/74 - (12) Dt. 12.12.1974 and No. 33126 Codes - 1976 - (14), Dt. 19.07.1976 (Vide Annexures II, III and IV).

**Rule 18** - Sanction for any fresh charge which has not been acted upon for a year must have lapsed unless it is specifically otherwise mentioned. In its application to the purchase of stores as sanction shall be deemed to be acted upon if quotations

or tenders have been accepted in case of local or direct purchase (Indent has been placed on central purchasing Organisation or manufactures or re-rollers) for iron and steel against allocation by Joint Plant Committee and of authorised distributors for cements within the prescribed period of one year of the date of issue of sanction even if actual payment has not been made during the said period. The payment for the stores will, however, be subject to the availability of specific budget provision for the purpose.

**Rule 19** - Procurement of any stores or spares, etc., is always, subject to the condition that there is a property sanctioned estimate for the purchase.

**Rule 20** - The Chief Engineer/Additional Chief Engineer is empowered to authorise payment of Transit Insurance charges for materials produced from outstations if there is any risk for the safe delivery of the materials at the destination.

## **APPENDIX - VII**

### **AWARD OF WORK WITHOUT CALL OF TENDERS**

#### **AMENDMENT - 2015**

1. Tenders shall ordinarily be invited for all works costing more than [Rs. 5 lakh.]. In case of urgency the prescribed period of notice may be suitable reduced. **(Subtd. by File No. 10147/W., Dt. 31.08.2015)**

In emergent cases, requiring intensive employment of labour the interest of work so demands, contracts for works may be without calling for tenders, provided departmental execution by engagement of labour on must roll basis is not found feasible practicable. The precise nature of the emergency should be recorded by the Divisional Officer in writing before dispensing with call of tender. Tenders may dispensed with in the following cases :

- (i) Cases of exceptional urgency like test-relief works, flood damage repairs, closure of breaches in embankments and roads etc. when it is not possible in the interest of speedy execution of works to award contracts even by short tender notice.
- (ii) Other cases of exceptional urgency when award of contracts by invitation of tenders is likely to involve delays which will be against the public interest.
- (iii) Cases where tenders have not been received in spite of two or more notices.

- (iv) When rates offered by tenders are considered unduly high in comparison with the estimated rates.
- 2. The Divisional Officer shall furnish a monthly return to the **Superintending Engineer** by the 10th of each month indicating the works taken up without tender and the rates accepted by him. The **S.E.** shall scrutinize the return to see that work orders have been issued only in emergent cases and the rates allowed are in order.
- 3. When it is decided to award works without calling for tender, in any of the circumstances stated in para 2 above, the following conditions shall be observed :
  - (i) The rates of execution for different items of work shall not in any case exceed the current schedule of rates.
  - (ii) As far as possible, contract shall be settled at rates lower than the current schedule of rates.

**Note** : For the purpose of complying with this condition, the Engineer-in-charge should display a notice in the Notice Board of his office

inviting quotations for the work question and allow at least 48 hours' time for receipt of quotations from the available contractors and job-workers. The lowest rates thus received should be accepted and in case this cannot become the same should be referred to the next higher authority for a decision.

- (iii) Contracts shall ordinarily be given to registered contractors of the P.W.D., Persons no registered as contractors may be awarded contracts only when registered contractors are no available. In such cases steps should be taken to register them as Contractors of P.W.D. soon after the award of work.
- (iv) K-2 Forms of contract shall be adopted in all cases and the quantity and the rate of each item specified in the contract.
- (v) Specific provision shall be made in the contract for imposition of penalty upto 5 per cent of the value of work in the event of failure to complete it within the stipulated time.

## **AMENDMENT - 2005**

- (vi) For works costing up to Rs. 50,000 the time limit for completion shall not ordinarily be more than one month. The time limit for work costing more than Rs. 50,000 shall exceed two months.

**(Subtd. by Works Deptt. No. 13395., Dt. 01.07.2005)**

- (vii) Estimates shall not be split up to bring particular portion of work within the powers delegated for awards of work without calling for tenders, except where splitting up of works in the public interest for smooth and expeditious execution of the work. Provided that the authority for such splitting up work costing upto Rs. 2.00 lakhs will be exercised by the Chief Engineer and for works of more than Rs. 2.00 lakhs by the Administrative Department.
- (viii) The sum total of all works orders issued against any particular estimate shall not exceed the financial limit upto which work may be awarded by a competent authority without calling for tenders.
4. Settlement of rates by calling for quotation shall not be considered as competitive and award of works on the basis of such quotations shall be deemed as award of contracts without calling for tenders.
5. Financial powers of different officers of P.W.D. to award works without calling for tenders shall be as follows :

	Rs.
(a) Chief Engineer	50,000.00
(b) Superintending Engineer	15,000.00
(c) Executive Engineer (Divisional Officer)	[10,000.00]

**(Subtd. by Works Deptt. No. 18078, Dt. 17.8.1991, w.e.f. 17.8.1991)**

6. A Register of works awarded without calling for tenders shall be maintained in each Divisional Office and reviewed by the Superintending Engineer once in each quarter.

## **APPENDIX - VIII**

### **P.W.D. CONTRACTOR'S REGISTRATION RULES, 1967**

1. These rules shall be known as the "P.W. D. Contractor's Registration Rules" and shall come into force from the 16th October 1969 in supersession of all other rules on the same subject issued previously. These rules will apply to all

the wings of P.W.D. under the administrative control of Government of Odisha in the Works Department, Irrigation and Power Department, and Housing and Urban Development Department.

2. No person shall be awarded any work except within permissible limit of job basis, under any wing of the P.W.D. and unless he has been registered as a contractor in accordance with these rules and has obtained a valid certificate of Registration in taken thereof.

## **AMENDMENT - 2007**

After careful consideration, Government have been pleased to decide that bidders registered under the other State Govt./MES/Railways/CPWD in equivalent rank may participate in the tender work in the State. But, successful bidder has to register under the State PWD before signing of the agreement.

Accordingly, existing codal/contractual provision stands modified with effect from the date of issue of O.M. No. i328I-Codes-4/2007/w., Dt. 02.08.2007

**D.K. DEY**

EIC-cum-Secretary to Govt.

**Note :** Nothing fetters the discretion of the Chief Engineer or any officer having the powers of a Chief Engineer to invite tenders for specially important or big works from contractors already registered in the highest class in the C.P.W.D. or in any State Public Works Department, Military Engineering service, any of the Indian Railways or Major Public Body like Calcutta, Bombay and Delhi Corporations or in Port Commissioners, Organisation or Hindustan Ltd. Rourkela, Bhillai, Bokaro and Durgapur from reputed Engineering firms of the country engaged in construction work.

3. For the purpose of Registration, the Contractors shall be classified as follows and award of any work to any individual contractor the cost of which exceeds the amount noted against the class to which he belongs, prohibited except with the prior approval of the C.E. or A.C.E.

(Subtd. by F.D.U.O.R. No. 446 WF-I, Dt. 14.9.1995)

## **AMENDMENT - 2014**

**O. M. NO. 10627/W., DT. 09.09.2014**

After careful consideration Government have been pleased to revise the financial limit of following Class of Contractors to participate in the tender by modifying the existing provisions under Rule-3 of Appendix VIII of the Odisha Public

Works Department Code, Volume II (Public Works Department Contractors Registration Rules-1967).

<b>Class of Contractors</b>	<b>Amount</b>
1. Super Class	Unlimited
2. Special Class	Not exceeding Rs. 10.00 Crore
3. 'A' Class	Not exceeding Rs. 04.00 Crore
4. 'B' Class	Not exceeding Rs. 01.50 Crore
5. 'C' Class	Not exceeding Rs. 40.00 lakh
6. 'D' Class	Not exceeding Rs. 20.00 lakh

1. This will take effect from the date of issue of this Office Memorandum.
2. The existing codal provision stand modified accordingly with effect from the date of issue of this Office Memorandum.
3. This has been concurred in by the Finance Department vide their U.O.R. No. 201-WF-I, Dt. 07.08.2014. '

#### **EIC-cum-Secretary to Government**

4. Registrations of Contractors falling in 'Super Class' 'Special Class' and 'A' Class will be done, by a Committee consisting of the following officers :
  1. Engineer-in-Chief (Civil (R & B)
  2. Chief Engineer, Delta and Flood Control
  3. Engineer-in-Chief, P.H. (Urban)
  4. Chief Electrical Inspector
  5. Chief Engineer, Minor Irrigation
  6. Chief Engineer, National Highways
  7. Chief Engineer, Buildings
  8. Chief Engineer, Rural Works-1

The Engineer-in-Chief (Civil) R & B will be the convenor and Chairman of the Committee and he will maintain all records for this purpose. The Committee will meet not less than once in a period of 3 months and consider all Applications for registration died up-gradation to the above three classes received, during the preceding months. Quorum for the meeting of the Officers will be five.

(a) Any person desirous of being registered as a Contractor under these rules for the first time and. Contractor seeking promotion to a higher class other than Super, Special and 'A' Class shall make an application to the authority named below in respect of the class under which registration is applied for in Form 'A' appended here to accompanied by a Treasury Challan showing payment of requisite fee as indicated below.

Application for registration in Super, Special and 'A' Class together with Treasury Challan shall be made to the Engineer-in-Chief (Civil) R & B who is the Chairman of the Committee.

### **AMENDMENT - 2005**

<b>Class of Contractor</b>	<b>Registering Authority</b>	<b>Registration Fee</b>
(i) Super Class	Committee of C.Es.	Rs. 2.00 lakh
(ii) Special Class	Committee of C.Es.	Rs. 60,000/-
(iii) 'A' Class	- do -	Rs. 30,000/-
(iv) B' Class	Additional C.E. of C.E., <i>If there is no Addl. C.E. in that wing</i>	Rs. 12,000/-
(v) 'C' Class	Any S.E. or. by the Addl. C.E. Or C.E. if there is no S.E. in that wing	Rs. 6,000
(vi) 'D' Class	- do -	Rs. 3,000/-

***(Substituted by Works Deptt. No. 17297., Dt. 23.08.2005)***

#### **Notes :**

1. Contractors of 'B' Class and below registered in any one wing shall be entitled to tender for works under any other wing excepting Electrical works. Similarly, contractors of Electrical wings will be entitled to tender for Electrical works only in any other wing.

2. Contractors registered in Super Class, Special Class and 'A' Class shall be entitled to tender for work under any wing or department of the State Govt, except the Contractor registered exclusively for Electrical works.

3. Graduate Engineers and Diploma holders should be entitled as 'A' Class and 'B' Class contractors respectively without making any deposit as required in Rule 7 infra on payment of registration fees only at 50% (fifty percent) of the normal rates.

4. Chief Engineers means Chief Engineer or any other Engineers to whom the State Govt, have delegated powers and functions of a Chief Engineer.

(b) The application for registration will be submitted by the applicant along with Treasury Challan showing that the registration fees of the required amount has been deposited in the Treasury under the head of account "059- Public Works", The Registration Fees deposited are non-refundable except, when the applicant is not registered in which case the fees deposited shall be refunded by the authority empowered to make such registration. In case of registration in Super Class, Special Class, and 'A' Class refund shall be made by the Engineers-in-Chief (Civil) R & B.

[**Note 1** : Application for duplicate copies of registration certificates should be accompanied by a challan showing a credit of Rs. 5/- (Rupees five) under the Head of Accounts indicated above].

**(Renumbered vide Works Deptt. O. M. 12610, Dt. 17.7.2002)**

[**Note 2** : Application for any change in the Registration Certificate such as name, style, partner (s) Managing Partner, Director (s)/Managing Director/ Chairman etc. without effecting the legal status of the Registration Certificate originally issued, should be accompanied with a challan showing a deposit of the following fees under the head of account indicated above :

<b>Class of Contractor</b>	<b>Amount</b>
1. Super Class	Rs. 25,000.00
2. Special Class	Rs. 10,000.00
3. 'A' Class	Rs. 5,000.00
4. 'B' Class	Rs. 2,500.00
5. 'C' Class	Rs. 1,500.00
6. 'D' Class	Rs. 500.00

The application has to apply fresh by depositing registration fees prescribed under Rule 4(a) in case of change in the legal status of the original registration certificate such as from proprietorship to partnership from firm to company, from private limited company to limited company etc.]

***(Amended vide Works Deptt. O. M. 12610, Dt. 17.7.2002)***

(c) The existing contractors shall deposit the differential amount towards registration fees within two months from the date of this amendment. Contractors who have already deposited the differential amount pursuant to Notification dated 27.12.1995 need not deposit such differential amount.

5. Ordinarily a new Contractor shall be registered in the lowest class and promotion to next higher class will depend on performance and capacity - financial,

technical, etc. The registering authority may however promotes to or register in a higher class as his discretion any existing or new contractor.

6. Before grant of a certificate of registration in Form B appended hereto, the registering authority may make such enquiries as he considers necessary with regard to the suitability of the applicant his technical ability or any other relevant matter. All certificates shall be serially numbered under each class and in the case of C or D Class prefixed with the name of the Circle.

## **AMENDMENT - 2005**

7. The applicants desirous of enrolling themselves registered as contractors should deposit the amounts indicated below in shape of Post Office Savings Bank Account/National Savings Certificate/Post Office Time Deposit Account and Kishan Vikash Patra duly pledged in favour of the registering authority.

<b>Class of Contractors</b>	<b>Amount</b>
(i) Super Class	Rs. 10.00 lakhs
(ii) Special Class	Rs. 2.00 lakhs
(iii) 'A' Class	Rs. 80,000/-
(iv) 'B' Class	Rs. 40,000/-
(v) 'C' Class	Rs. 20,000/-
(vi) 'D' Class	Rs. 20,000/-

**(F.D. U.O.R. No. 282/WF-1., Dt. 04.05.2005)**

In case of 'Super Class', 'Special Class' and 'A' Class Contractors, the deposit referred at above shall be made in favour of the Engineer-in-Chief (Civil) R & B.

The existing contractors shall deposit the differential amount towards the above initial deposit within two months from the date of this amendment.

Those contractors who have already deposited need not deposit such differential amount towards the aforesaid initial security deposit.

**7-A.** Any person desirous of being registered as a Special Class Contractor or 'A' Class Contractor under these rules for the first time on any contractor seeking promotion to Special Class, or 'A' Class, shall satisfy the registering authority that he has under his employment the minimum technical staff as prescribed below :

**(Subtd. by No. 1606, Dt. 17.1.1986 and further Subtd. by No. 15384, Dt. 9.7.1991)**

**Special Class** - One Graduate Engineer and Two Diploma Holders belonging to the State of Odisha.

**"A" Class** - One Graduate Engineer or two Diploma Holders to the State of Odisha.

The Contractor shall pay to the Engineering personnel monthly emoluments which shall not be less than the emoluments of the personnel of equivalent qualification employed under the State Govt. The Chief Engineer, Roads, Odisha, may however, assist the contractor with names of such unemployed Graduate Engineers and Diploma Holders, if such help is sought for by the Contractor.

#### **CASE LAW -**

Rule 7-A. On the basis of the old record a Contractor cannot be refused registration for all times to come requirements under Rule 7-A whether fulfill or not has not been considered - Rejection of the petitioners application on the letter of the Chief Engineer is held not sustainable in Law: **33 (1991) OJD 304 (Civil)**.

8. Certificates of registration shall remain valid for, a period of three years from the date of commencement of the financial year during which they are granted and may be renewed thereafter for further three yearly periods.

### **AMENDMENT – 2005**

9. Every registered contractor who wishes to renew his Certificate of registration shall apply to the registering authority not less than one month before the expiry date of the certificate in Form 'C' accompanied with the Treasury Challan showing deposit of the following Fees and performance reported in Form G (copy enclosed):

	<b>Class of Contractors</b>		<b>Amount</b>
(i)	Super Class	...	Rs. 50,000/-
(ii)	Special Class	...	Rs. 20,000/-
(iii)	'A' Class	...	Rs. 10,000/-
(iv)	'B' Class	...	Rs. 5,000/-
(v)	'C' Class	...	Rs. 2,000/-
(vi)	'D' Class	...	Rs. 1,000/-

***(Substituted by F.D.U.O.R. No. 282/WF-1., Dt. 04.05.2005)***

Renewal may be granted by endorsement on the certificate of registration. But if it is found from the performance report that the performance of the contractor

is not satisfactory, the registering authority will enquire into the matter and if after such enquiry the authority is convinced that his performance is not satisfactory, action as prescribed under Rule 11 of these Rules shall be taken against the contractor.

The registering authority shall not renew the certificate of registration of 'A' Class, Special Class and Super Class contractor if they have not employed Technical Staff as prescribed in Rule 7-A.

10. Failure to apply for renewal in time will render the contractor liable to a penalty equal to the renewal fee for the first three months of default or part thereof. Thereafter the amount of penalty will be equal to the renewal fee for every month of default.

11.

(a) The Divisional Officers, should report to the Registering Authority if in their opinion any contractor is incompetent, dishonest, or his performance is unsatisfactory, has contravened any, provisions of the Labour Regulations and Rules persistently or has misbehaved with the Department while executing any work or has otherwise, forfeited his right to continue as a registered contractor.

On receipt of such a report from the Divisional Officer or any other officer- in-charge of Public Works, the Registering Authority may suspend or cancel the certificate of registration after due enquiry if -

- (i) The contractor has to execute a contract or has executed unsatisfactorily or is proved to be responsible for constructional defects revealed even before the expiry of twelve months from the completion of the work;
- (ii) Has no longer adequate equipment, technical personnel or financial resources;
- (iii) Has intentionally violated any important conditions of the contract;
- (iv) If declared or is in the process of being declared, bankrupt or insolvent;
- (v) Has persistently violated the provisions of Labour Regulations and Rules;
- (vi) Is guilty of misconduct in connection with execution of Government works or of such conduct as is calculated to impede or results in impeding the progress of Government works;
- (vii) Has failed to clear Government dues outstanding within a period of six months from the date of passing of the Final Bill;
- (viii) Has failed to employ technical staff as per Rule 7-A;
- (ix) Has persistently quoted unrealistic **rate^** while tendering for works.

(b) Before taking a decision to cancel the registration certificate of a contractor, the registering Authority may, if he considers necessary, issue a notice to a contractor asking him to explain his actions as to why his registration should not be cancelled.

**(G.O. No. Codes AP-2/75 - 34221, dt. 23.12.1975)**

12. Every Registering Authority shall maintain the following registers :

- (i) Register of applications for registration in Form D;
- (ii) Register of certificate for registration in Form E;
- (iii) Register of applications for renewal in Form E.

Besides, for every application or registration a separate file shall be opened in which shall be recorded all papers relating to matters arising out of these rules.

### **AMENDMENT - 2005**

13. All Contractors for the purpose of participation in tender have to deposit 1% of the bid amount as earnest money at the time of submission of tender and other 1% of the bid amount at the time of drawal of agreement as initial security deposit in the following manner.

- (i) Deposit receipt of Schedule Bank
- (ii) Kissan Vikash Patra
- (iii) Post Office Savings Bank Account
- (iv) National Savings Certificate
- (v) Post Office Time Deposit Account.

Besides earnest money and initial security deposits, Contractors of Super, Special, A & B Classes will be required to furnish security deposit by way of deduction from their bills at the rate of 5% of the gross amount of each bill whereas in case of C & D Class Contractors, such deduction will be made at the rate of 3% of the gross amount of each bill. Thus the total security deposit from Contractors will be 7% for Super, Special A & B Class and 5% for C & D Class Contractors.

Provided that in case of tenders relating to externally aided projects/any other work of special nature State Govt, may prescribe extra percentage towards earnest money deposit and initial security deposit.

**(Works Deptt. No. 15443., Dt. 23.08.2005)**

## AMENDMENT - 2006

[Security deposit of contractors for each work will be refunded in accordance with the following procedure regard being had to the provisions of Rule 279 of the Odisha General Financial Rules, Vol. I.

(i) In case of contractors for supply of materials and carriage of materials	Security deposit is to be refunded in full along with the final bill within a month of satisfactory completion of contract.
(ii) In case of item rate and L.S. contracts	Full refund is to be made one year after the date of completion provided final bill has been paid and defects, if any rectified. However, in case of projects executed with externally aided fund, Security deposit is to be refunded as outlined therein.
(iii) Percentage – rate contract	Full refund is to be made six months after the date of completion provided final bill has been paid and defects if any, rectified.

In case, however, where refund of security is delayed for non-payment of final bill, the two per cent of the security deposit recovered as earnest money and initial security may be refunded and the balance of the deposit may be refunded after the payment of the final bill.]

**(Added by Works Deptt. L. No. 17321, Dt. 11.10.2006)**

14. No registered Contractor shall be eligible for renewal of certificate of registration unless he has validly tendered for or executed any work during the following periods counted from the date of expiry of the term of the certificate –

	Not validly tendered during the years	Not executed Work during the years
(1)	(2)	(3)
(1) Special-and A Class	3	8
(2) B Class	5	5
(3) C and D Class	2	3

The contractors already enlisted in Class B, C and D, before coming into force of these rules should be deemed to have been registered under rules, but those who

have been enlisted in Class "A" and desire to be upgraded to special Class should furnish fresh applications to the appropriate authority. Contractors already enlisted in 'A' Class by the Chief Engineer and Additional Chief-Engineer before promulgation of: P.W.D. Contractors Registration Rules, 1967 would continue as such till the certificate of registration of becomes due for renewal Once renewal becomes due the should apply afresh to the Committee for registration as 'A" Class contractors,, under the new rules.

**(G.O. No. Codes - AP 9/75 - 34221, Dt. 23.12.1975)**

## **AMENDMENT - 2005**

### **FORM - A**

#### **APPLICATION FOR REGISTRATION OF A CONTRACTOR/UPGRADATION TO A HIGHER CLASS**

The applicants desire to enroll themselves as contractors and also for the purpose of upgradations to higher class should furnish necessary information in the enclosed proforma.

- (1) Name of the Applicant, qualification, if any
- (2) Permanent Address -  
Should include telephone No. Fax No. and E-mail (ID)
- (3) The class in which registration in now prayed for
- (4) The class in which already registered and when ?
- (5) In case of registered Contractor, the list of works done by him indicating the details of each work should be furnished with a certificate of the Engineer-in-Charge under whom he worked. The contractor has to furnish the list of works done by him during the last three years in the enclosed format.
- (6) Whether agreement for any work was rescind by the concerned Authority (during last 5 years) ? If so, reasons in detail.
- (7) Whether any work was abandoned by the contractor (during last 5 years) ? If so, reasons in detail.
- (8) A copy of the Treasury Challan in which the prescribed fee has been deposited in the Treasury has been attached. (Yes/No)
- (9) List of tools, plants, machinery and vehicles which the firm owns.

- (10) The names and qualifications of the partners of the applicant. In case of partnership firm, the copy of the partnership deed to be furnished.
- (11) Whether the applicant has tendered for any work/works under any Engineering Deptt./Organisation of the State Govt, during the last three years.
- (12) Technical and financial standing for the category concerned as required under rule 6.
- (13) Whether the applicant has registered himself as a contractor under any other name.
- (14) Whether three copies of passport size photograph of the applicant duly attested have been enclosed. (Yes/No)

**(Subtd. Works Deptt. No. 15443/W., Dt. 01.08.2005)**

Date :

Signature of the Applicant

## FORM - B

### CERTIFICATE OF REGISTRATION

(Vide Rule 6 of the P.W.D. Contractors Registration Rules, 1967)

Office of the .....

Order No .....

Date .....

..... is hereby registered as..... Class contractor according to the revised classification prescribed under Rule 3 of the P.W.D. Contractors Registration Rules, 1967.

- 2. He has deposited the fixed security, as prescribed under Rule 13 of the said rules with the..... He is, therefore, entitled to tender and take up works without depositing earnest money or initial security deposit.

He has not deposited the fixed security as prescribed under the rules. He is to deposit earnest money and initial security deposit while tendering or taking up works as laid down under the rules. He will, however, be exempted and an intimation to that effect will be given if he makes such fixed deposit.

- 3. Attested Photo of Sri..... is affixed.

- 4. Specimen Signature ..... is attested Registering Authority.

\*(Strike out whichever is not applicable)

Chief Engineer/

Superintending Engineer/

Executive Engineer

(Inserted by works Deptt. No. 15292, Dt. 13.5.1983)

## FORM - C

### APPLICATION OF CONTRACTOR FOR RENEWAL OF REGISTRATION, IN P.W.D.

(To be applied one month before the date of expiry of the registration)

1. Name of the Contractor
2. Class in which registered and the authority
3. Date of registration
4. Date of application for renewal
5. Amount of fees paid with Treasury Challan as prescribed under Rule 8.
6. If the applicant has validly tendered for any work during the period.
7. If the contractor has obtained work order during the period in respect of his class as per Rule 14.
8. If the Contractor has executed any work during the period in respect of his class as noted under Rule 14.
9. Attested true copies of up-to-date Income Tax and Sales Tax Clearance Certificate of appropriate authority to be attached and the original certificate to be Produced to the Registering Authority at the time of renewal.

(Inserted by works Deptt. No. 15292, Dt. 13.5.1983)

Signature of applicant

## FORM D

### REGISTER OF APPLICATIONS RECEIVED FOR REGISTRATION PROMOTION AS CONTRACTORS

Sl. No.	Name of the applicant with address	Date of receipt of the application	Purpose of the application	Fees paid	Order passed	Remarks
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(1)	(2)	(3)	(4)	(5) •	(6)	(7)
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## FORM E

### REGISTER OF CERTIFICATES OF REGISTRATION ISSUED UNDER RULE - 13

Sl. No	Name of the contractors with address	Registration certificate No. and date	Class in which registered	Period for which registration certificate issued (from.....to)	Date of cancellation	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)

## FORM F

### REGISTER OF APPLICATIONS FOR RENEWAL OF REGISTRATION OF CONTRACTORS

Sl. No.	Name of applicant with address	Date of receipt of application	Amount of fees paid	Order passed	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

## FORM G

### PERFORMANCE REPORT OF CONTRACTOR

Sl. No.	Name of the Work for which tender paper allowed to be purchased	Cost of Work	Date of purchase of tender document	Signature of E.E. or his representative	Date of receipt of tender	Valid or not	Ref. Of Work Order and Agreement if approved	If any Legal/para-legal; case initiated by Court/ Dept.	Remarks of EE on Performance
1	2	3	4	5	6	7	8	9	10

(Inserted by F.D.U.O.R.No. 84, Dt. 16.2.2000 w.e.f. 1.4.2000)

**[Format for list of Works done during last three years]**

Sl. No.	Department/ Organisation	Name of Work	Estimated Cost	Agreement Amount (Rupees in Lakh)	Agreement No.	Schedule date of commencement as per Agreement
1	2	3	4	5	6	7
Actual date of commencement	Scheduled date of completion as per agreement	Actual Date of completion	Whether the work is completed in time	Cause of delay if any	Litigation if any	Remarks Comments of Engineer-in-Charge with Sign
8	9	10	11	12	13	14

**Counter Signature of Employer(s)**

**Signature of the Contractor**

**(inserted by Works Deptt. Memo No. 15443/W Codes, Dt. 1.8.2005)**

[In Tender Call Notice (N.I.T.) Contractors shall be asked to furnish report in the following proforma duly certified by the Executive Engineers under whom he has executed works in order to their past performance.

**Performance Record of Contractors**

1. Name of the Contractor
  2. Registration No. and Date
  3. Class of Contractor
  4. Licence Authority
  4. Licence valid upto
  5. Details of work executed
-

Sl. No.	Jobs under execution	Agreement amount	Date of commencement	Stipulated date of completion	Whether work is progressing as per programme	Reasons for delay if any
1	2	3	4	5	6	7

7. Whether the contractor has requisite machineries and personal deployed

(details of machinery and personal deployed)

8. Whether the quantity of construction is satisfactory.

9. Whether he has capability to make good the loss time :

10. Whether the Contractor has abandoned any work in the past three years, if yes, the details thereof:

11. Whether the contractor has entered in to any litigation in the past if yes, the details thereof:

12. Name of the Certifying Officer with official seal.

**Signature of Contractor**

**(Inserted by WorksDeptt. Memo No. 15443/W Codes, Dt. 1.8.2005)**

## **APPENDIX - IX**

# **EXECUTIVE INSTRUCTIONS REGARDING CALLING FOR AND ACCEPTANCE OF TENDERS**

## **TENDER NOTICE**

1. Tenders for work should be Invited only after a detailed estimate showing quantities, rates and amounts of various items of works and also specifications to be adopted are prepared and sanctioned by competent, authority.

2. In case of urgent works where there is no time to prepare a complete estimate, rough quantities and rates for the main items of that part of the work for which tenders are proposed to be invited and which cover a major part of the cost of the work should be worked out and approval of the next superior authority obtained, before tenders are invited.

3. The tender documents comprise (1) the notice inviting tenders in the prescribed form, (2) the schedule of quantities of works, (3) a complete specifications of the work to be done, (4) a set of complete drawings and (5) the form of tenders be used alongwith a set of special conditions. The method of measurement, queries, places where Departmental materials are available should be clearly indicated.

4.

(a) All notices calling for tenders should be in prescribed form and be serially numbered, a proper register being maintained for the purpose. Those should be only issued after the authority competent to accept the tender has approved the tender documents. The notice calling for tenders should be carefully prepared; the use of symbol 0/0 and 0/00 in the schedule of quantities accompanying the tender notice is prohibited the works per thousand and per hundred must be written.

(b) The notice inviting tenders should stipulate reasonable time for completion of work. In case of an urgent work the period of completion may be certified by the authority competent to approve the notice inviting tenders, but in no case should the period be unreasonable.

5. The notice inviting tenders add all other connected papers are very important documents on which subsequent agreements are based. It is, therefore, necessary, that each page and the correction slips and other corrections and modifications made in the tender papers are signed by the competent authority, in token of approval so that all chances of tampering with documents are avoided.

6. The Officer approving the tender documents should see that there are no ambiguities in the tender papers. The officer inviting tenders will be responsible for seeing that all forms issued to tenders whether printed or otherwise are clear, legible and as per-approved tender documents.

7. All tenderers should be asked to give a declaration about the names of their relatives employed in the particular department in charge of execution of works alongwith their tenders.

8. All tenderers are required to submit a list of works which are in hand at the time of submitting their tenders. The list of works are required to be submitted in the following form -

- (i) Name of the work,
- (ii) name and particulars of the division where the works is being executed

- (iii) amount of work,
- (iv) position of works in progress, and
- (v) remarks.

9.

(a) Tenders must be invited in the most open and public manner possible whether by advertisement in the papers or by notice in English or Oriya posted in public places. Copies of such notices should be sent to all the divisions under the Circle Office with a request to exhibit them conspicuously in their notice boards.

### **AMENDMENT - 2015**

The notice inviting tenders for works costing more than Rs. 10,000.00 but upto 5.00 lakh should be circulated among the local offices. A copy of NIT should be sent to Contractors' Association (s), all Divisions of PWD within the District and Concerned SEs Office.

**(Subtd. by No. 10147/w, Dt. 31.08.2015)**

### **AMENDMENT - 2006**

(b) Tenders costing more than Rs. 50,000/- and upto Rs. 10.00 lakhs shall be published in two local Oriya newspapers, above Rs. 10.00 lakhs and upto Rs. 100.00 lakhs shall be published in one local English daily and two local oriya dailies. Tender for works costing more than Rs. 100.00 lakhs shall be published in one English national newspaper in addition to one Oriya daily, Besides above, tenders for works costing more than Rs. 10.00 lakhs shall also be posted in the web-site of the State Government. The bid documents will available on the web-site for down loading by intending bidders. In addition, the bid documents in the form of compact disc (CD) may also be made available on payment of cost. Bidders who down load the bidding document for the internet site will have to pay the cost of bid document i.e. Rs. 10,000 /- in shape of demand draft in favour of the concerned Executive Engineer and submit the demand draft in separate envelope marked 'cost of the bidding document downloaded from the internet' with bid documents. The authority will not be responsible, if any portion of the approved documents available in the office of the Executive Engineer or the Chief Engineer is excluded or modified. The download facility will be available upto the last date of sale of tender papers. Tenders where special skill of experience is required for execution of work or where the requisite material for execution is not locally available, the same may be published in the newspaper on posted in the web-site at the discretion of the Engineer in-Chief/Chief Engineer.

**(Dt. 17.05.2006)**

## **AMENDMENT – 2015**

For all tenders costing more than Rs. 5.00 lakh, the e-Tender route be adopted. Tenders for works costing more than Rs. 5.00 lakh and upto Rs. 10.00 lakh shall be published in two local Oriya News Papers. All other provisions remain unaltered.

**(Subtd. by No. 10147/w, Dt. 31.08.2015)**

## **POSTING OF AWARD OF WORK IN WEB-SITE OF STATE GOVT.**

Award of tender for the works costing Rs. 20.00 lakhs and above are to be posted in web-site of State Government with information to Director, Printing, Stationary and Publication, Odisha Cuttack for publication in gazette.

## **AMENDMENT - 2004**

10. The time limit between issue/publication of tender notice and sale, receipt shall ordinarily allowed as follows. This period may however be varied at the discretion of the Officer competent to accept the tender in case of urgency. The tender document should be kept ready prior to date of publication/ issue of tender notice, so that it will be made available for sale immediately after publication in News Papers.

- (i) Minimum 10 days and maximum 15 days in case of works, the cost of which does not exceed Rs. 50.00 lakhs.
- (ii) Minimum 15 days and maximum 21 days in case of works, the cost of which is more than Rs. 50.00 lakhs and upto Rs. 3.00 crores.
- (iii) Minimum 15 days and maximum 30 days in case of works, the cost of which is more than Rs. 3.00 crores.
- (iv) In case of very large and complex projects, minimum 21 days but not more than 45 days.

**Note:** If more than the maximum prescribed time is allowed, the concerned authority will record the reason in writing.

**(Codes 1220/W., Dt. 19.01.2004)**

11. If for any reasons tenders cannot be opened on the due date, intending tenderers should be informed at the earliest opportunity about the new date and time for the opening of tenders.

12. Tender documents should be prepared and kept ready for sale to the contractors before the notice is actually sent to the press or is posted in the notice board, and every contractor desiring to tender should be asked to make a written application. It is the responsibility of the officer inviting tenders to see that the tender documents are made available to the contractors as soon as the application is made with the cost of tender papers.

13. Every tender document issued to a contractor should contain the following information at the time of issue.

- (a) Name of the contractor;
- (b) Date of application;
- (c) Date of receipt of application in the divisional office;
- (d) Date of issue of tender papers, and
- (e) Date of receipt of tender papers per call notice.

The office inviting tender should have a rubber stamp with the information to be put on each tender and the dates and other particulars be filled in at the time of issue of tender.

### **AMENDMENT - 2006**

**Time limit for refund of security deposit** : Security deposit of contractors for each work will be refunded in accordance with the following procedure regard being had to the provisions of Rules 279 of the Odisha General Financial Rules, Volume -1.

Security deposit of contractors for each work will be refunded in accordance with the following procedure regard being had to the provisions of Rule 279 of the Odisha General Financial Rules, Vol. I.

(i) In case of contractors for supply of materials and carriage of materials	Security deposit is to be refunded in full along with the final bill within a month of satisfactory completion of contract.
(ii) In case of item rate and L.S. contracts	Full refund is to be made one year after the date of completion provided final bill has been paid and defects, if any rectified. However, in case of projects executed with externally aided fund, Security deposit is to be refunded as outlined therein.

(iii) Percentage – rate contract	Full refund is to be made six months after the date of completion provided final bill has been paid and defects if any, rectified.
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In case, however, where refund of security is delayed for non-payment of final bill, the two per cent of the security deposit recovered as earnest money and initial security may be refunded and the balance of the deposit may be refunded after the payment of the final bill.]

**(Added by Works Deptt. L. No. 17321, Dt. 11.10.2006)**

14. To avoid the possibility of bogus and faked tenders being submitted. It is necessary that tender documents resold individually acknowledgments taken from contractors or, their as credited representatives in the sale register of tender while handing over tender documents to them. In case where tender documents are transmitted by post, these should be despatched by registered post with acknowledgment reference there to be given in the sale Register.

### **AMENDMENT – 2005**

15. The following will be the scale of charges for tender forms to be sold to contractors –

(i)	Tenders costing upto Rs. 10,000/-	Rs. 200.00
(ii)	Tenders costing over Rs. 10,000/- but below Rs. 1.00 lakh	Rs. 400.00
(iii)	Tenders costing over Rs. 1.00 lakh but belowRs. 2.00 lakhs	Rs. 600.00
(iv)	Tenders costing over Rs. 2.00 lakhs but belowRs. 5.00 lakhs	Rs. 2000.00
(v)	Tenders costing over Rs. 5.00 lakhs but below Rs. 10.00 lakhs	Rs. 4000.00
(vi)	Tenders costing over Rs. 10.00 lakhs but below Rs. 50.00 lakhs	Rs. 6000.00
(vii)	Tender costing Rs. 50.00 lakhs & above	Rs. 10,000.00

**Authorities** competent to accept tenders have got the discretion to add to the price of tender forms mentioned above towards additional cost of drawing to be supplied alongwith the tender documents depending on the labour actually involved for their preparation.

In case of re-tender of a work due to any reason, the tender forms will also be sold at above mentioned price.

**(Substituted by Works Deptt. No. 17283., Dt. 23.8.2005)**

16. Where a request is received from a contractor for the supply of a duplicate set of tender documents, the same may be supplied to him at full cost of the original copy to the time of issue of original papers if available. The copy to be supplied should be stamped duplicate so that it may not get mixed up with original tender documents.

17. When it is not practicable to supply plans and drawings along with each set of tender documents to the contractors for the purpose of tendering, plans and drawings should be displayed on notice board in such a manner that they can be seen by the intending tenders without causing damage to the plans.

18.

(a) All tender documents should be priced as indicated in Rule 15 and the price given on the body of tender documents should be kept in charge of the estimate in the Divisional Offices and the Sub-Divisional Clerk in the Sub-divisional Offices. In respect of Circle Offices and Chief Engineer's Office the same should be kept with senior most Estimator and Drawing Superintendent respectively.

(b) All tender forms received should be entered in register of tenders received together with the number and date of letter advising despatch with which they are received.

(c) The Register should contain chronological record of the issue of the tender forms showing the name of the person to, whom it is issued, the number of forms issued and the amount received.

(d) The register of tender forms should be treated as a subsidiary cash book on its page should be numbered and certified.

19.

(i) With a view to avoid the possibility of tampering with the original tenders during the interval, they are in the office for the preparation of comparative statement the officer opening the tender should invariably date and initial all the documents, attest all corrections, number them in red ink and sign each page of the schedule accompanying the tender, he should also record in red ink at the end of each page the number of such corrections. The competent authority may reject a tender containing corrections and mutilation.

(ii) Any ambiguities in the rates quoted by the tenders in words or figures, must be clearly indicated on each page of the schedule attached to the tender to, which it concerns.

(iii) In case where the contractor has quoted rates in rupees and no paisa is mentioned the word only should invariably be added by the officer opening the tenders, after the words rupees and the corrections should be initially and suitable remarks added at the end.

(iv) Where the contractors have omitted to quote the rates in figures or in words, the omissions should be recorded by the officer opening the tender or each page of schedule.

(v) It should be seen that the contractor quotes entire rates in words including paisa to avoid chance of tempering and if the contractor fails to do so, the officer concerned should himself write the rates in words at the time of opening of the tenders.

20. The tenders should be encouraged to be present at the time of opening the tenders, Lump sum tenders should be read out to the tenders as far as possible. In the case of item rates tenders, the total amount as worked out by the different tenders may be read out if required by the tender's present. If required by the contractors or their representatives present the rates in respect of important items of work may be read out.

The Divisional Accountant should be present at the time of opening of tenders if he is in the office. If in any case this is not practicable, the reasons for his absence should be recorded under the dated initials of the officer opening the Divisional Accountant, should also see and sign in case he was absent from office on the prescribed date immediately he returns to duty.

21. A complete comparative statement in the prescribed form of all tenders received in response to the notice should be drawn up in the office of the officer calling for tenders and the following instructions should be carefully noted.

- (a) The officers opening the tenders should prepared in their own hands a statement of tenders received in the prescribed form and should sign the statement. The tenders of their authorised agents present at the time of opening the tenders should also be asked to sign the statement
- (b) Care should be taken in preparing and scrutinizing the comparative states of tenders to guard against arithmetical and other mistakes. Failure to do this, may result in the work being awarded to a contractor who has not given the lowest acceptable tender.
- (c) All special conditions and special concessions, in the tender should also be prominently shown in the comparative statement and their money value evaluated if possible and taken into consideration while awarding the work.

22. The detailed arrangements for proper check of tenders and preparation of comparative statements are left to the officer inviting the tender but such arrangements must provide –

- (a) That the persons entrusted with the work shall date and initial all papers the calculations of which they have checked and that all working sheets are preserved.
- (b) That the Divisional Accountant makes satisfactory and efficient arrangements for checking the computed tenders, he should also conduct personally a test check of computer and checked tenders sufficient to satisfy himself reasonably that the checking work has been properly done. He should also see that the comparative statement correctly incorporates the totals as checked in individual tenders. He should initial all items test checked by him.
- (c) That if on check there are differences between the rates given by contractor in words and figures or in the amounts worked out by him the following procedure should be followed -
  - (i) When there is difference between the rates in figures and in words, the rates which correspond to the amounts worked out by the contractor shall be taken as correct.
  - (ii) When the amount of an item is not worked out by the contractor or it does not correspond with the rate written either in figures or words, then the rate quoted by the contractors in words shall be taken as correct.
  - (iii) When the rate quoted by the contractors in figures and in words tallies but the amount is not worked out correctly, the rates quoted the contractor shall be taken as correct and not the amount.
  - (iv) In case of percentage rates both in amount as well as in percentage below or above the rates entered in the schedule. In such cases in the event of arithmetical, error, committed in working out the amount by the contractor the tendered percentage and not the amount should be taken into account.
- (d) That the officer inviting tenders himself makes a proper Scrutiny of the tenders and the statement.
- (e) That the officer inviting tender makes proper arrangements while computation is being made in his office.
- (f) All corrections should be carried out neatly and clearly endorsed for, attestation by the authority concerned.

23.

(a) The Divisional Accountant himself should not be called upon to do any of actual computing work of the intermediary verification of the Quotations or of the preparation of the comparative His responsibilities extend to the final checking

arrangements and himself doing a reasonable amount of test check. In fact an officer inviting tenders not below the rank of Divisional Officer should be quite entitled to ask the Divisional Accountant to note: on the comparative statement that as far as he could ascertain from such test check as he had been able to carry out the statement is accurate. There is no objection for the employment of the Accounts Clerks as distinct from the Divisional Account on the computation if the work is large and the preparation of a comparative statement is urgent. It should however, be opened to the Divisional Accountant if he thought this the more satisfactory method of ensuring accurate check, to reserve or detail one or more of the Accounts clerks solely for him to satisfy himself that the check has been properly done.

(b) It is essential that there be no hurrying of the work of computing tenders and of computation and an Account is entitled to claim that reasonable time should be allowed to him to satisfy himself that the check has been properly done.

(c) The Divisional Accountant should record the following certificate on the comparative statement;

Certificate that (i) I have personally conducted a test check of the computed and checked tenders including the three lowest tenders and have satisfied that the checking work has been properly done.

(ii) The comparative statement correctly incorporates the total as checked on the individual tenders.

**Note :** In case of tenders called for by the Sub-divisional Officer the preparation and check of comparative statement should be done by the S.D.O. himself with the help of Sub-divisional work.

24. Top priority should be given to, decide the award of work on receipt of tenders. In order of minimize chances of delay the time table indicated in the annexure should be observed- in dealing with the tenders by different authorities.

25. No officer can accept any tender:

- (i) which relates to a work not yet technically sanctioned except those covered under exception to Para 3.7.1.
- (ii) which exceeds the amount technically sanctioned for the work by an amount greater than that he empowered to pass.
- (iii) Any provision which infringes any standard rule or order of higher authority (rules for the supply of articles for the public service etc.)
- (iv) Which involves an uncertain or indefinite liability or any condition of an unusual

character.

- (v) Which exceeds the amount up to which he is empowered to accept the tender.
- (vi) After a period of 90 days from the date of opening the tender, unless the period of validity has been extended by the parties concerned.

26. The reasons for accepting a tender which is not the lowest or for rejecting all tenders should be recorded on a separate sheet of paper and it should be attached to the comparative statement and removed before the case goes back to the office. This sheet should be kept in the custody of the accepting authority and should not be sent to the office and a true copy of this may be furnished to the Divisional Office for his personal custody. It may be shown to the Gazetted Officer of the Audit Department on inspection if he desires to see it.

**Note** : Provision relating to acceptance of tenders other than the lowest is laid down in paragraph of this Code.

27. Tenders which are beyond the power of acceptance of the Sub-divisional Officer or Divisional Officer as the case may be should be submitted by the Divisional Officer in sealed covers and addressed by same to the Superintending Engineer along with the Divisional Officer's recommendations. The comparative statement accompanying tenders must be submitted in duplicate. After the Superintending Engineer has given approval, one copy of the comparative statement will be retained in his office and the other copy along with the original tenders will be returned to the Divisional Officer for preparing the draft agreement. Similarly in case of tenders which are beyond the power of acceptance of Superintending Engineer, the Superintending Engineer should submit the comparative statement in triplicate and the tender papers etc. to the Chief Engineer in sealed cover with his recommendations and address it to him by name. The Chief Engineer while communicating his approval should retain one copy of the comparative statement and return the remaining two comparative statement along with the tender papers to the Superintending Engineer. The Superintending Engineer will retain one copy of the comparative statement in his office and will return the other copy of the comparative statement along with the original tenders to the Divisional Officer for preparing the draft agreements. The agreement should be ready for the signature of the contracting parties within 15 days from the date of receipt of approval of the contract documents. When submitting tenders to a higher authority for approval of acceptance, if any of the rates differ appreciably from those prevalent in the schedule of rates a, note to this effect should be made in the comparative statement of tenders. The agreement should be signed on behalf of the Governor by an officer authorised by the Government. A Divisional Officer can also sign, on behalf of Governor, an agreement for a work the tender in respect of which has been accepted by a higher authority.

*Note :*

*(i) Certified copies of agreements for which tenders have been accepted by authorities higher than the Divisional Officer must be submitted by Divisional Officer to such higher authority and to the audit office without any delay and within 30 days from the date of acceptance through the authority who accepted tender.*

*(ii) The original comparative statement will be filled with agreement in the Divisional Officer whereas the certified copies there of will-be retained in the office of the accepting authority.*

28. While submitting tender for acceptance, a critical analysis offender should be given. Such analysis should indicate abnormally high or low rates or unusual conditions etc.

### **AMENDMENT - 2015**

29. When in response to a notice calling for tenders, only a single tender is received in the first time, the tender shall be cancelled without opening of the bid and fresh tender be invited publicity. If single tender is received, even after retendering then the approval of the next higher authority should be obtained, if the tender is otherwise in order and acceptable.

1. This shall take effect from the date of issue of this Office Memorandum.

2. This has been concurred in by the Finance Deptt. vide their U.O.R. No. 254-WF-I, Dt. 13.11.2014. Subtd. by File No. 07556900052104-16/W., Dated 01.01.2015

**EIC-cum-Secretary to Government**

### **AMENDMENT – 2006**

30. If an office inviting tender considers it necessary in the interest of Government, to negotiate with a tenderer with a view to reduce the rates quoted or to withdraw special condition imposed by a tenderer, negotiations may be conducted by him or by an officer authorised by him in writing with the lowest tender only, if the tender value exceeds the estimates cost by more than 5%. If the quoted rate of the lowest bidder is within 5% excess of the estimated cost, there is not need for negotiation. There will be no negotiation with any other bidder except with lowest bidder.

**(Subtd. by Water Resources Deptt. L. No. 8310/WE, Dt. 17.05.2006)**

31. After tender for a work has been accepted, the fact of acceptance will be communicated to the contractor in the prescribed form.

32. When contractors sign their tenders in any Indian script or can only their name in English the amount of the tender or rate of percentage above or below offered by them should be written in the contractors own handwriting in Indian script preferably in Oriya and in the case of illiterate contractors, the amount of the tender should be attested by a witness. All corrections should be carried out neatly and clearly endorsed for attestation by the Officer opening the tender.

33. When bonafide mistakes or omissions have to be corrected to remove ambiguities or indefiniteness in a contract, such corrections should be made with the approval of the competent authority who accepted the tender and this rectification should be done by an official order in which reasons for modifications should be fully set forth. In signing any modifications care should be taken to see that they are within the powers of the authority sanctioning them. If considered necessary, supplementary agreement should be executed on the basis of the order sanctioning the modifications.

34.

(a) The tender after acceptance becomes a contract and should be filed with care in Divisional or Sub-divisional office as the case may be after entering it in the register of accepted agreements. In case of tenders called for and accepted by the Chief Engineer and Superintending Engineer the certified copies of contract documents should be retained in the respective offices, the original copies sent to the Divisional and Sub-divisional office for checking bills before.

(b) Every leaf of the agreement should bear the signature of both the parties to the agreement.

(c) Agreement should be prepared in the same handwriting and ink throughout. If an agreement is type-written, it may be done on the same machine and blank spaces are either filled in or a line drawn through such spaces to avoid interpolations.

35.

(a) The power to extend the date of completion of works vests with authority accepting the tender.

(b) The power to waive any penalty levied will rest with the Administrative Deptt. which will obtain concurrence of Finance Deptt. before orders are issued.

## **ADDED - 2013 (VIDE O.M. NO. 12366/W., DT. 08.11.2013)**

36. If the rate quoted by the bidder is less than 15% of the tendered amount, then such a bid shall be rejected and the tender shall be finalized basing on merits of rest bids. But if more than one bid is quoted at 14.99% (Decimals up to two numbers will be taken for all practical purposes) less than the estimated cost, the tender accepting authority will finalize the tender through a transparent lottery system, where all bidders/their authorised representatives, the concerned Executive Engineer and DAO will remain present.]

## **ADDED - 2015 (VIDE FILE NO. 10224/WDT. 01.09.2015)**

"If the rate quoted by the SC and ST category contractors come to 14.99% (decimals upto two numbers will be taken for all practical purposes) less than the estimated cost after availing 10% price preference as per Para-2 of Works Department Resolution No. 27748, Dt. 11.10.1977, then the tender shall be finalised by the tender accepting authority through a transparent lottery system along with other category of contractors whose rates are 14.99% less than the estimated cost".

1. This shall take effect from the date of issue of this Office Memorandum.
2. This has been concurred in by the Finance Department vide their U.O.R. No. 130-WF-I, dt. 03.06.2015.

**EIC-cum-Secretary to Government**

## **AMENDMENT - 2004 ANNEXURE**

### **TIME SCHEDULE FOR SCRUTINY OF TENDERS MAXIMUM TIME ALLOWED FOR SCRUTINY AND DISPOSAL**

SI No	Classification of tender	Maximum time allowed for				
		Sub divisional Officer	Divisional Officer	Superintending Officer	Chief Engineer	Contract Committee
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Tenders within the power of Sub-divisional Officer	5	...	...	...	...

2.	Tenders within the power of Divisional Officer	10	...	...	...	...
3.	Tenders requiring orders of authority higher than Divisional Officer.					
(a)	Scrutiny and disposal	...	15	10	10	...
(b)	Disposal by the Divisional Officer after receipt of orders from higher authority	...	7	...	...	...

**Note :**

(i) In case where prolonged negotiations are necessary an additional period of 15 days is allowed at the level at which negotiations are to be carried.

(ii) In respect of works for which alternate design has been given by the contractor, the period of examination in the office of the Chief Engineer (including scrutiny in the Design Directorate if any) will be double the period indicated against item 3(a).

(Codes 1/2004.1220/w., Dt. 19.01.2004)

## **APPENDIX - IX (A)**

### **CODAL PROVISIONS REGARDING E- PROCUREMENT – 2013**

#### **EXECUTIVE INSTRUCTIONS REGARDING CALLING FOR AND ACCEPTANCE OF TENDERS IN E-PROCUREMENT**

1. This office memorandum consist of the procedural requirement of e-

procurement and shall be made part of the Detailed Tender Call Notice or Instruction to Bidder for all “works” tenders hoisted in the portal.

**2.** The e-procurement portal of Government of Odisha is “<https://tendersodisha.gov.in>”.

**3.** Use of valid Digital Signature Certificate of appropriate class (Class II or Class III) issued from registered certifying authorities (CA) as stipulated by Controller of Certifying Authorities (CCA), Government of India such as n-Code, Sify, TCS, MTNL, e-Mudhra is mandatory for all users.

**4.** The DSC issued to the Deptt. users is valid for the period of two years only. All the Deptt. users are responsible to revalidate their DSC prior to expiry.

**5.** For all purpose, the server time displayed in the e-Procurement portal shall be the time to be followed by all the users.

**6.** Government after careful consideration have decided to hoist all tenders costing 10 lakhs or above in the e-procurement portal. This will be applicable across all Engineering Departments such as Works Department, Department of Water Resources, Rural Development and Housing and Urban Development Department. Government of Odisha also welcomes hoisting of tenders by any other departments, authority, corporations, local bodies etc. of the State with prior approval from Works Department. Works Department is the Nodal Department for the implementation of e-Procurement in the State.

**7.** The e-procurement shall be operated complaint to relevant provisions of OGFR/OPWD Code/Accounts Code/Government statues including any amendments brought from time to time to suit the requirement of the best national practice.

**8.** Registration in the e-procurement portal is without levy of any charges but Government reserved the right to levy any charges for such value added services in future.

**9.** Contractor not registered with Government of Odisha, can participate in the e-Procurement after necessary enrolment in the portal but have to subsequently register themselves with the appropriate registering authority of the State Government before award of the work as per prevalent registration norms of the State.

**10.** For the role management “Department” is the Administrative Department, Organisation or wing is the Chief Engineer or highest tender accepting authority or equivalent officer, Division is the Executive Engineer or equivalent Officer and Subdivision is the Assistant Engineer or equivalent officer.

**11.** The e-Procurement software assigns roles for operation of the module for specific function. The terminologies used in the portal and their respective function

in the software are as follows.

**11.1 Application Administrator (NIC and State Procurement Cell)**

- (i) Master Management
- (ii) Nodal Officer Creation
- (iii) Report Generation
- (iv) Transfer of Officer's login ID.
- (v) Blocking and unblocking of officer's and bidder's login ID.

**11.2 Nodal Officer (At organization level not below the Superintending Engineer or equivalent rank)**

- (i) Creation of Users.
- (ii) Role Assignment
- (iii) Report Generation
- (iv) Transfer of Officer's login ID.
- (v) Blocking and unblocking of officer's login ID.

**11.3. Procurement Officer-Publisher (Officer having tender inviting power at any level)**

- (i) Publishing of Tender
- (ii) Publishing of Corrigendum / addendum / cancellation of Tender.
- (iii) Bid Clarification
- (iv) Uploading of Pre-Bid minutes
- (v) Report generation.

**11.4. Procurement Officer-Administrator (Generally sub-ordinate officer to Officer Inviting Tender)**

- (i) Creation of Tender
- (ii) Creation of Corrigendum / addendum / cancellation of Tender
- (iii) Report generation.

**11.5. Procurement Officer Opener (Generally sub-ordinate officer to Officer Inviting Tender)**

- (i) Opening of Bid

11.6. Procurement Officer Evaluator (Generally Sub-ordinate Officer to Officer Inviting Tender)

(i) Evaluating Bid

11.7. Procurement Officer-Auditor (Procurement Officer Publisher and/ or Accounts Officer/Finance Officer)

(i) To take up auditing

## **12. NOTICE INVITING BID (NIB) OR INVITATION FOR BID (IFB) :**

12.1. The Notice Inviting Bids (NIB) and Bid documents etc. shall be in the Standard formats as applicable to conventional Bids and will finalized / approved by the Officers competent as in the case of conventional Bids.

12.2. The Officers competent to publish NIB in case of conventional Bids will host the NIB in portal. Simultaneously, a notification should also be published in the newspapers, as per existing rules preferably, in the following format, to effect economy –

### **GOVERNMENT OF ODISHA “E” PROCUREMENT NOTICE**

Bid Identification No.....

1. Name of the work .....
2. Estimated cost: Rs .....
3. Period of completion .....
4. Date and Time of availability of bid document in the portal .....
5. Last Date / Time for receipt of bids in the portal .....
6. Name and address of the O.I.T. ....

Further details can be seen from the e-procurement portal “<https://tendersodisha.gov.in>”

12.3 The tender documents published by the Tender Inviting Officer (Procurement Officer Publisher) in the website <https://tendersodisha.gov.in> will appear in the “Latest Active Tender”. The Bidders/ Guest Users can download the Bid documents only after the due date and time of sale. The publication of the tender will be for specific period of time till the last date of submission of bids as mentioned in the

'Notice inviting Bid' after which the same will be removed from the list of "Latest Active tenders".

### **13. ISSUE OF ADDENDA/CORRIGENDA/CANCELLATION NOTICE :**

13.1. The Procurement Officer publisher (Officer Inviting Tender) shall publish any addendum / corrigendum / cancellation of tender in the website <https://tendersodisha.gov.in>, notice board and through paper publication and such notice shall form part of the bidding documents.

13.2. The system generates a mail to those bidders who have already uploaded their tenders and those bidders if they wish can modify their tenders. The bidders are required to watch the website till last date and time of bid submission for any addendum / corrigendum / cancellation thereof. Tender Inviting Authority is not responsible for communication failure of system generated mail.

### **14. CREATION AND PUBLISHING OF BID :**

14.1. All the volumes/documents shall be uploaded in the portal by the tender creating officer (Procurement Officer Administrator) and published by the Officer Inviting Tender (Procurement Officer Publisher) using their DSCs in appropriate format so that the document is not tampered with.

14.2. The tender document comprise the notice inviting tender, bid document / SBD, drawings in .pdf format and the schedule of quantities / BoQ in .xls format to be uploaded by the Officer Inviting Tender.

14.3. Procurement Officer Administrator creates tender by filling up the following forms :

- (i) Basic Details
- (ii) Cover Content : The Procurement Officer Administrator should briefly describe the name and type of documents to be uploaded by the bidder in the following format:

## **AMENDMENT 2017**

(a) For Single Cover/Packet:

Sl. No.	Cover Type	Document Description	Type
1	Fee/ Pre-Qual/ Technical/ Finance	[GSTIN,PAN, Contractor RC] Affidavit, Undertakings and any other Document as per SBD/DTCN  BoQ	.pdf          .pdf          .xls

(b) For Two Cover/Packet:

Sl. No.	Cover Type	Document Description	Type
1	Fee/ Pre-Qual/ Technical...	[GSTIN,PAN, Contractor RC]  Affidavit, Undertakings and any other Document as per SBD/DTCN	.pdf          .pdf
2	Finance	BoQ  Special Condition, if any specifically mentioned by Officer Inviting Tender	.xls    .pdf

**OM No. 11774/W, Dt. 3.8.2017**

(iii) Tender Document: The Procurement Officer Administrator should upload the

- NIT in .pdf format.
- (iv) Work Item Details :

## **AMENDMENT 2017**

- (v) Fee Details : [The Procurement officer Administrator should mention the cost of tender paper and EMD amount to be paid online as per works department OM No. 6785/W. Dt. 9.5.2017 and as laid down in DTCN/ SBD (DTCN/SBD is to be modified accordingly.

The bidder shall also have to furnish as part of its bid the additional performance security (if any) online as per the works department OM No. 5288/W, Dt. 4.5.2016.]

**OM No. 11774/W, Dt. 3.8.2017**

- (vi) Critical Dates : The Procurement Officer Administrator should mention the critical dates of tender such as published date, document download start date and end date, seek clarification start date and date (optional), bid submission start date and closing date, bid opening date as per DTCN/SBD.
- (vii) Bid Opener Selection : The Procurement Officer creator can select two / three / four bid openers for a particular bid. If required the bid openers can also be selected within an organization from other procurement units (Circles / Divisions).
- (viii) Work Item Documents : The Procurement Officer Administrator should upload the digitally signed tender document (SBD/DTCN) or any other addition document/drawings in .pdf format and Bill of Quantities in .xls format.
- (ix) Publishing of Tender: The Procurement Officer Publisher shall publish the tender using his/her DSC after details scrutiny of the field created and documents uploaded by the Procurement Officer Administrator. Procurement Officer Publisher can publish tenders for multiple procurement units using multiple DSCs procured for each post separately. After being relieved from the additional charges he has to surrender the additional DSCs to the Nodal Officer of the concerned organisation.

### **15. PARTICIPATION OF BID :**

15.1. **Portal Registration** : The Contractor/Bidder intending to participate in the bid is required to register in the portal using his/her active personal/ official e-mail ID as his/her Login ID and attach his/her valid Digital signature certificate (DSC) to

his/her unique Login ID. He/She has to submit the relevant information as asked for about the firm/contractor. The portal registration of the bidder/firm is to be authenticated by the State Procurement Cell after verification of original valid certificates /documents such as (i) PAN and (ii) Registration Certificate (RC) / VAT Clearance Certificate (for procurement of goods) of the concerned bidder. The time period for validity in the portal is at par with validity of RC/VAT Clearance. Any change of information by the bidder is to be re-authenticated by the State Procurement Cell. After successful authentication bidder can participate in the online bidding process.

15.1.1. Bidders participating through Joint Venture shall declare the authorised signatory through Memorandum of Understanding duly registered and enrol in the portal in the name and style of the Joint Venture Company. It is mandatory that the DSC issued in the name of the authorised signatory is used in the portal.

15.1.2. Any third party/company/person under a service contract for operation of e-Procurement system in the State or his/their subsidiaries or their parent companies shall be ineligible to participate in the procurement process that are undertaken through the e-Procurement system irrespective of who operates the system.

15.2. **Logging to the Portal:** The Contractor/Bidder is required to type his/her Login ID and password. The system will again ask to select the DSC and confirm it with the password of DSC as a second stage authentication. For each login, a user's DSC will be validated against its date of validity and also against the Certificate Revocation List (CRL) of respective CAs stores in system database. The system checks the unique Login ID, password and DSC combination and authenticates the login process for use of portal.

15.3. **Downloading of Bid :** The bidder can download the tender of his choice and save it in his system and undertake the necessary preparatory work off-line and upload the completed tender at his convenience before the closing date and time of submission.

15.4. **Clarification on Bid :** The bidder may ask question related to tender online in the e-procurement portal using his/her DSC; provided the questions are raised within the period of seeking clarification as mentioned in tender call notice/Bid. The Officer Inviting the Bid/Procurement Officer- Publisher will clarify queries related to the tender.

#### **15.5. PREPARATION OF BID :**

15.5.1. The bids may consist of general arrangement drawings or typical or

any other drawing relevant to the work for which bid has been invited. Bidder may download these drawings and takeout print for details study and preparation of his bid. Any other drawings and documents pertaining to the works available with the Officer Inviting the bid will be open for inspection by the bidders.

### **AMENDMENT 2017**

15.5.2. The Bidder shall go through the Bid carefully and list the documents those are asked for submission. [He shall prepare all documents including Declaration Form. Price bid etc. and store in the system.]

**OM No. 11774/W, Dt. 3.8.2017**

### **15.6. PAYMENT OF EMD/BID SECURITY AND COST OF BID DOCUMENTS : AMENDMENT 2017**

[15.6.1. The Bidder shall transfer the tender paper cost online as parts of its bid as mentioned under DTCN/SBD through a process mentioned in works department OM No. 6785/W, Dt. 9.5.2017.

15.6.2. Also the bidder shall transfer the EMD/BID security online as parts of its bid as mentioned under DTCN/SBD through a process mentioned in works department OM No. 6785/W, Dt. 9.5.2017.

The bidder shall also have to furnish as part of its bid the additional performance security (if any) as mentioned in the DTCN/SBD and as per the para 3.5.5 (v) of Note II of OPWD Code Vol. I, modified by works department OM No. 5288/W., Dt. 4.5.2016 which is to be paid online through a process mentioned in works department OM No. 6785/W, Dt. 9.5.2017.] **OM No. 11774/W, Dt. 3.8.2017**

**15.6.3. (Deleted) vide OM No. 11774/W, Dt. 3.8.2017**

**15.6.4.** The tender accepting authority will verify the originals of all the scanned documents of successful lowest bidder only within 5 days of opening of the tender. In the eventually of failure on the part of the lowest successful bidder to produce the original documents, he will be debarred in future from participating in tender for 3 years and will be black listed by the competent authority. In such a situation, successful L-2 bidder will be required to produce his original documents for consideration of this tender at the negotiated rate equal to L1 bidder.

**15.6.5.** Contractor exempted from payment of EMD will be able to participate in the tender directly by uploading documentary evidences towards his eligibility for such exemption.

**15.6.6.** (Deleted) vide OM No. 11774/W, Dt. 3.8.2017

## **16. SUBMISSION OF BID:**

### **AMENDMENT 2017**

**16.1.** The Bidder shall carefully go through the tender and prepare the required documents. The bid shall have a Technical Bid and a Financial Bid. [The Technical Bid generally consist of GSTIN, PAN, Registration Certificate, Affidavits, Profit Loss Statement, Joint venture agreement, List of similar nature of works, work in hand, list of machineries, and any other information required by OIT.] The Financial Bid shall consist of the Bill of Quantities (BOQ) and any other price related information/undertaking including rebates. **OM No. 11774/W, Dt. 3.8.2017**

**16.2.** Bidders are to submit the original BoQ (in .xls format) uploaded by Procurement Officer Publisher (Officer Inviting Tender) after entering the relevant fields without any alteration / deletion / modification. Multiple BoQ submission by bidder shall lead to cancellation of bid. In case of item rate tender, bidders shall fill in their rates other than zero value in the specified cells without keeping it blank. In the percentage rate tender the bidder quoting zero percentage is valid and will be taken at par with the estimated rate of work put to tender.

**16.3.** The bidder shall upload the scanned copy/copies of document in support of eligibility criteria and qualification information in prescribed format in Portable Document Format (PDF) to the portal in the designated locations of Technical Bid.

**16.4.** The Bidder shall write his name in the space provided in the specified location in the Protected Bill of Quantities (BoQ) published by the Officer Inviting Tender. The Bidder shall type rates in figures in the rate column of respective item(s) without any blank cell in the rate column in case of item rate and type percentage excess or less up to two decimal place only in case of percentage rate tender.

**16.5.** The bidder shall log on to the portal with his/her DSC and move to the desired tender for up loading the documents in appropriate place one by one simultaneously checking the documents.

**16.5.1.** Bids cannot be submitted after due date and time. The bids once submitted can not be viewed, retrieved or corrected. The Bidder should ensure ecorrectness of the bid prior to uploading and take print out of the system generated summary of submission to confirm successful uploading of bid. The bids can not be opened even by the OIT or the Procurement Officer Publisher/opener

before the due date and time of opening.

**16.5.2.** Each process in the e-procurement is the time stamped and the system can detect the time of log in of each user including the Bidder.

**16.5.3.** The Bidder should ensure clarity/legibility of the document uploaded by him to the portal.

**16.5.4.** The system shall require all the mandatory forms and fields filled up by the contractor during the process of submission of the bid/tender.

**16.5.5.** The bidder should check the system generated confirmation statement on the status of the submission.

**16.5.6.** The Bidder should upload sufficiently ahead of the bid closure time to avoid traffic rush and failure in the network.

**16.5.7.** The Tender Inviting Officer is nor responsible for any failure, malfunction or breakdown of the electronic system used during the e-procurement process.

**16.5.8.** The Bidder is required to upload documents related to his eligibility .criteria and qualification information and Bill of Quantity duly filled in. It is not

necessary for the part of the Bidder to upload the drawings and the other Bid documents (after signing) while uploading his bid. It is assumed that the bidder has referred all the drawing and documents uploaded by the Officer Inviting the Bid.

**16.5.9.** The Bidder will not be able to submit his bid after expiry of the date and time of submission of bid (server time). The date and time of bid submission shall remain unaltered even if the specified date for submission of bids declared as a holiday for the Officer Inviting the Bid.

**16.6. Signing of Bid :** The 'online bidder' shall digitally sign on all statements, documents, certificates uploaded by him, owning responsibility for their correctness / authenticity as per IT Act 2000. If any of the information furnished by the bidder is found to be false / fabricated / bogus, his EMD/Bid Security shall stand forfeited and his registration in the portal shall be blocked and the bidder is liable to be blacklisted.

## **17. SECURITY OF BID SUBMISSION :**

**17.1.** All bid uploaded by the Bidder to the portal will be encrypted.

**17.2.** The encrypted Bid can only be decrypted / opened by the authorised openers on or after the due date and time.

## **18. RESUBMISSION AND WITHDRAWAL OF BIDS :**

**18.1.** Resubmission of bid by the bidders for any number of times before the final date and time of submission is allowed.

**18.2.** Resubmission of bid shall require uploading of all documents including price bid afresh.

**18.3.** If the bidder fails to submit his modified bids within the pre-defined time of receipt, the system shall consider only the last bid submitted.

**18.4.** The bidder should avoid submission of bid at the last moment to avoid system failure or malfunction of internet or traffic jam or power failure etc.

**18.5.** The Bidder can withdraw his bid before the closure date and time of receipt of the bid by uploading scanned copy of a letter addressing to the Procurement Officer Publisher (Officer Inviting Tender) citing reasons for withdrawal. The system shall not allow any withdrawal after expiry of the closure time to the bid.

## **19. OPENING OF THE BID :**

**19.1.** Bid opening date and time is specified during tender creation or can be extended through corrigendum. Bids cannot be opened before the specified date and time.

**19.2.** All bid openers have to log-on to the portal to decrypt the bid submitted by the bidders.

**19.3.** The bidders and guest users can view the summary of opening of bids from any system. Contractors are not required to be present during the bid opening at the opening location if they so desire.

**19.4.** In the event of the specified date of bid opening being declared a holiday for the Officer Inviting the Bid, the bids will be opened at the appointed time on the next working day.

**19.5.** Combined bid security for more than one work is acceptable.

**19.6.** The electronically submitted bids may be permitted to be opened by the predefined Bid opening officer for their new location if they are transferred after the issue of Notice Inviting Bid and before bid opening. Further, action on bid documents shall be taken by the New incumbent of the post.

**19.7.** In case of non-responsive tender the officer inviting tender should complete the e-Procurement process by uploading the official **letter for cancelled / re-tender.**

## **20. EVALUATION OF BIDS :**

**20.1.** All the opened bids shall be downloaded and printed for taking up evaluation. The officer authorized to open the tender shall sign and number on each page of the documents downloaded and furnish a certificate that "the documents as

available in the portal containing..... nos of pages”.

**20.2.** The bidder may be asked in writing/online (in their registered e-mail ids) to clarify on the uploaded documents provided in the Technical Bid, if necessary, with respect to any doubts or illegible documents. The Officer Inviting Tender may ask for any other documents of historical nature during Technical Evaluation of the tender. Provided in all such cases, furnishing of any document in no way alters the Bidder's price bid. Non-submission of legible documents may render the bid non-responsive. The authority inviting bid may reserve the right to accept any additional document.

**20.3.** The bidders will respond in not more than 7 days of issue of the clarification letter, failing which the bid of the bidder will be evaluated on its own merit.

**20.4.** The Technical evaluation of all the bids shall be carried out as per information furnished by Bidders.

**20.5.** The Procurement Officer-Evaluators; will evaluate bid and finalize list of responsive bidders.

**20.6.** The financial bids are technically responsive bidders shall be opened on the due date opening. The Procurement Officer-Openers shall log on to the system in sequence and open the financial bids.

**20.6.1.** The Financial Bid will be opened on the notified date and time in the presence of bidders or their authorised representative who wish to be present.

**20.6.2.** At the time of opening of “Financial Bid”, bidders whose technical bids were found responsive will be opened.

**20.6.3.** The responsive bidder's name, bid prices, item wise rates, total amount of each item in case of item rate tender and percentage above or less in case of percentage rate tenders will be announced.

**20.6.4.** Procurement Officer-Openers shall sign on each page of the downloaded BoQ and the Comparative Statement and furnish a certificate to that respect.

**20.6.5.** Bidder can witness the principal activities and view the documents/summary reports for that particular work by logging on the portal with his DSC from anywhere.

**20.6.6.** System provides an option to Procurement officer Publisher for reconsidering the rejected bid with the approval of concern Chief Engineer / Head of Department.

## **21. NEGOTIATION OF BIDS :**

21.1. For examination, evaluation and comparison of bids, the officer inviting the bid may, at his discretion, ask the lowest bidder for clarification of his rates including reduction of rate on negotiation and breakdown of unit rates.

## **22. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT :**

**22.1.** The Employer/Engineer-in-Charge shall notify acceptance of the work prior to expiry of the validity period by cable, telex or facsimile or e-mail confirmed by registered letter. This letter of Acceptance will state the sum that the Engineer-in-charge will pay the contractor in consideration of execution and completion of the works by the contractor as prescribed by the contract and the amount of Performances Security and Additional Performance Security required to be furnished. The issue of the letter of Acceptance shall be treated as closure of the Bid process and commencement of the contract.

**22.2.** The Contractor after furnishing the required acceptable Performance Security and Additional Performance Security, "Letter to Proceed" or "Work Order" shall be issued by the Engineer-in-charge with copy thereof to the Procurement Officer - Publisher. The Procurement Officer-Publisher shall up load the summary and declare the process as complete.

**22.3.** If the L-1 bidder does not turn up for agreement after finalization of the tender, then he shall be debarred from participation in bidding for three years and action will be taken to blacklist the contractor. Besides the consortium / JV / firm where such an agency / firm already happens to be or is going to be a partner/member/proprietor, he/they shall neither be allowed for participation in bidding for three years nor his/their application will be considered for registration and action will be initiated to blacklist him / them. In that case, the L-2 bidder, it fulfils other required criteria, would be called for drawing agreement for execution of work subject to condition that the L-2 bidder negotiates at par with the rate quoted by the L-1 bidder, otherwise the tender will be cancelled.

## **23. BLOCKING OF PORTAL REGISTRATION :**

**23.1.** If the Registration Certificate of the Contractor is cancelled / suspended by the registering authority / blacklisted by the competent authority his portal registration shall be blocked automatically on receipt of information to that effect.

**23.2.** The portal registration blocked in the ground mentioned in the above Para 23.1 shall be unblocked automatically in receipt of revocation order of cancellation / suspension / blacklisting from the concerned authority.

**23.3.** The Officer Inviting Tender shall make due inquiry and issue show cause notice to the concerned contractor who is turn shall furnish his reply, if any, within a fortnight from the date of issue of show cause notice. Thereafter the Officer Inviting Tender is required to issue an intimation to the defaulting bidder about his unsatisfactory reply and recommend to the Chief Manager (Tech.) for blocking of portal registration within 10 days of intimation to the defaulting bidder regarding his unsatisfactory reply with intimation to the Registering Authority and concerned Chief

Engineer / Heads of Office if any of the following provisions are violated.

## **AMENDMENT 2017**

**23.3.1.** [Fails to furnish original Technical documents before the designated officer within the stipulated date and time.]

**OM No. 11774/W, Dt. 3.8.2017**

**23.3.2.** Backs out from the bid on any day after the last day of receipt of tender till expiry of the bid validity period.

**23.3.3.** Fails to execute the agreement within the stipulated date.

**23.3.4.** If any of the information furnished by the bidder is found to be false/fabricated/bogus.

Accordingly the Officer Inviting Tender shall recommend to the Chief Manager (Tech.), State Procurement Cell, Odisha for blocking of portal registration of bidder and simultaneously action shall also be initiated by Officer Inviting Tender for blacklisting as per Appendix-XXXIV of OPWD Code, Volume - II.

### **24. GUIDELINES FOR UNBLOCKING OF PORTAL REGISTRATION :**

#### **24.1.** Unblocking of Portal Registration :

Unblocking of portal registration of a contractor shall be done by a Committee consisting of the following members.

EIC (Civil)-cum-CPO .	- Chairman
Engineer-in-Chief (WR)	- Member
Concerned Chief Engineer	- Member
Sr. Manager (Finance), SPC	- Member
Officer Inviting Tender	- Member
Chief Manager (Technical), SPC	- Member

**24.2.** The Chief Manager (Tech.), State Procurement Cell will be the convener and he will maintain all records for this purpose. The Committee shall meet not less than once in a month if required and shall consider the recommendation of the officer inviting tender for unblocking of portal registration. The quorum of the meeting will be four.

## **AMENDMENT 2017**

**24.3.** The minimum period of blocking of Portal Registration shall in no case be less than [180] days. After blocking of Portal Registration, the Contractor whose Portal Registration has been blocked may file application to the concerned officer inviting tender showing sufficient ground for unblocking of his portal registration along with a Treasury Challan showing deposit of Rs. 10,000/- (Rupees ten thousand) only (non-refundable) under the head of accounts '0059-Public Works' as processing fees. The Officer inviting tender shall forward the application filed by the contractor to the Chief Manager (Tech.), State Procurement Cell.

**OM No. 11774/W, Dt. 3.8.2017**

1. This shall take effect from the date of issue of this Office Memorandum.
2. Accordingly relevant existing codal / contractual provision exist vide office memorandum No. 7885/W, Dt. 23.7.2013 of Works Department stands modified with effect from the date of issue of this Office Memorandum.
3. This has been concurred in by the Finance Department vide dt. 6.7.2017.

#### **EIC-cum-Secretary to Government**

**24.4.** On receipt of recommendation from the concerned Chief Engineer along with the copy of challan as mentioned above, the Chief Manager (Tech.) being the member Convener of the Committee shall place the case before the Committee for examination and taking a decision in this regard. After examination the Committee may recommend for unblocking of the portal registration of said contractor if the Committee is satisfied that the fault committed by the contractor is either unintentional or done for the first time.

**24.5.** After scrutiny by the State Procurement Cell if it is found that the portal registration of contractor has been blocked for the 2nd time the Chief Manger (Tech), SPC may not consider his case to be placed before the Committee and may advice the concerned officer inviting tender to issue show cause notice to the contractor asking him to explain as to why his portal registration shall not remain blocked. On receipt of show cause reply from the Contractor the officer inviting tender shall examine the same and if considered proper he may report to the Chief Manager (Tech), SPC along with his views furnishing the copy of the show cause reply for placement of the same before the Committee for taking a decision in respect of blocking / unblocking. If the Committee found that the contractor is in habit of committing such fault again intentionally the committee may advice the concerned officer inviting tender to initiate proceeding for blacklisting as per the existing rule.

1. These amendments shall take effect from the date of issue of the order.

2. Accordingly OM No. 1027 dt. 24.01.2009 stands modified.
3. This has been concurred in by the Finance Department vide their U.O.R. No. 3-WF-I, Dt. 04.01.2013.

**(Memo No. 7885/W., Dt. 23.7.2013)**

**EIC-cum-Secretary to Government**

## **APPENDIX-X**

Officers legally empowered to execute on behalf of the Governor the different classes of deeds contracts and other instruments.

"A" In case of the Works, Irrigation & Power and Housing & Urban Development Deptt. (subject to any limit fixed by the Departmental orders.)

1.	All instruments relating to purchase, supply and conveyance or carriage of materials, stores machinery, etc., sale or purchase of electrical energy.	By Secretaries to Government in works Department Irrigation & power Department & Housing Urban Development Department and Chief Engineer, Chief Construction Engineer, Additional Chief Engineers Superintending Engineers, Divisional Officers, Sub-divisional Officer of Electrical Inspectors working under the respective Department
2.	All instruments relating to the execution of works of all kinds connected with buildings, bridges, roads, canals, river control, land drainage, reservoirs, dock and harbours and embankments, power stations (all types of primemovers) transmission and distribution lines including substations and electrical installation in buildings and also instrument relating to the construction of water works, sewerage works, the erection of machinery, and the working of coal mines.	
3.	Bonds of auctioneers, contractors and security bonds for the due	By the concerned Chief

	performance and completion of works.	Engineer's Chief Construction Engineer, Additional Chief Engineers, Superintending Engineers, Divisional Officers, Sub-divisional Officer of the Works Department, Water Resource Department and Housing and Urban Development.
4.	Security for the due performance of their duties by servants of the Government whom the officers specified have power to appoint.	
5.	Leases for grazing cattle on canal banks or roads side for fishing in canals and tanks or reservoirs, for the cultivation of land under the Irrigation Department, leases of water for Irrigation and other purposes, and leases of waterpower and instruments relating to the sale of grass, trees of other produce on road side or in plantation.	
6.	Leases of houses, land or other immovable property, provided that the rent reserved shall not exceed Rs. 5,000 per month.	By the concerned Chief Engineer, Additional Chief Engineers, S.E. Divisional Officer under the Works, Irrigation & Power and Housing & Urban Development Department.
7.	All Instruments connected with the recoverance of property given as security.	
8.	Agreements, for the recovery of fines on account of draft wood or other timber passing in to a canal or other timber passing in to a canal except all fines realisable by Irrigation Officers under the Canals Act for offences committed in canals	By the concerned C.E., Chief Construction Engineers, Additional Chief Engineers, Superintending Engineers, Divisional Officers of the Works, Irrigation and Power, Housing & Urban Developments Department.
9.	Instruments connected with the collection or farming of tolls at bridges or ferries or other means of communications.	
10.	Agreement relating to the loan of tools and plant to contractors and others.	By the connected Divisional Officers under the Works, Irrigation & Power, Housing & Urban Development Deptts.

11.	Agreements for sewer connections with Govt. Sewerage system.	By S.E's under the Housing.& Urban Development Department.
12.	All deeds instruments relating to any matter other than those specified in items I to II.	By Secretaries or Joint Secretaries to Government in the Works, Irrigation & Power Housing & Urban Development Deptt.s.

[Law Dept. Notfn. No. II -1.2/72 (Part) 4595 - Judl. dt. 19.4.1973]

## APPENDIX-XI

### PROCEDURE FOR THE ACQUISITION OF LAND FOR PUBLIC WORKS

1. Land required for a public purpose should be acquired by following the procedure laid down in the Land Acquisition Act of 1894 and the executive instructions issued thereunder by the State Govt, as incorporated in the Bihar and Odisha Land Acquisition Manual: 1928 amended from time to time.

2. Transfer of Land under the possession of one Department of Government to be arranged by executive action and it is not necessary in such case to initiate proceedings under the Land Acquisition Act.

3. As far as possible land should not be acquired by private negotiations as this may involve Government in unnecessary litigation regarding rights and title over the land and may also result in payment of higher rates. In cases when it is absolutely necessary to acquire land by negotiation, the Divisional Officer should invariably obtain necessary information from the Collector and his opinion on the transaction should be sent along with the proposal. Sanction of State Government is necessary for the purpose of acquiring land by negotiations.

4. When it is intended to acquire land for a public purpose, the Divisional Officer concerned should apply to the Collector of the District in which the land is situated clearly the reasons why it is considered desirable to acquire the land. No form has been prescribed for furnishing the requisition. It should be furnished with the requisite information prescribed in the Executive Instructions No. 10 in the Bihar and Odisha Land Acquisition Manual 1928. In order to eliminate errors in and omissions from the requisitions the requiring officer should frame the requisition carefully and always in consultation with the latest cadastral survey map and the maintained land record. The date after which possession of the land is required should be mentioned in the requisition. The requisition should contain a schedule of land proposed to be acquired. The schedule should indicate the name of the village, tehsil and district in which the land is situated. It should also

indicate the survey number of each plot, total area of the plot as recorded in the record of rights, the extent (area) to be acquired out of each plot and the name of the persons or person in whose favour the land stands recorded in the maintained record-of- rights. In order to prepare the schedule of the lands correctly the requiring officer or his employees specially authorised in this behalf, should avail the facilities made available for collecting necessary informations from the maintained record-of-rights. Where printed copies of cadastral maps are available for sale, the Requisitioning Officers should purchase required number of copies of such maps for use in connection with the preparation of requisition, etc. If printed copies are not available for sale, he may avail facilities made available by the Collector to take out copies of such maps. Where land has not been cadastrally surveyed and no record-of-rights has been prepared, it will be sufficient if the Requiring Officer, gives only the approximate area, boundaries of the land and names of the persons believed to be interested in it for identification of the land. Where large area are required for projects a sketch map should be attached to the application. Copies of the maps should be available in Divisional Officer's-Office for inspection of the Public.

5. It is incumbent on the Divisional Officer to endeavour to avoid buildings, particularly religious buildings, tombs, grave yards, communal lands etc., the acquisitions of which will entail unnecessary expenditure to Government or annoyance to the owners. If the object can be attained by a slight alteration of the alignment or sites chosen or in some other manner.

6. In case, land is required for the construction of buildings, the Divisional Officer, should in the first instance obtain the approval of the site selection committee where it is necessary.

7. The Divisional Officer is required to furnish the following important information and documents along with requisition.

1. No possession certificate.
2. Name of the Administrative Department i.e., the name of the Deptt. from whose budget the cost of the acquisition will be financed.
3. Requisite number of landplans based on the latest cadastral map.
4. If any gochar land is required to be taken up then separate proposal to acquire land for its replacement should simultaneously be made.
5. A certificate to the effect that Government land to the extent of such and such has been included in the proposed acquisition doubts having arisen also the incidence of private rights therein.
6. For the Land Plans prepared for roads, embankments, drainage channels, canal etc., there should be a separate plan for each Revenue Village and the plans should be numbered consecutively

and shall be on the following, scale For roads, etc., 330ft, for a inch or if a larger scale is required 21 1/4 ft to an inch.

And for buildings in 821/2 ft to an inch or if a larger scale is required congested areas in 421/4 ft to an inch.

8. On receipt of the requisitions the collector is required to prepare a draft notification under Section 4 of the Land Acquisition Act in all cases in consultation with the Requiring Officer, if necessary and forward it to the Revenue Department, R.D.C. Administrative Department for approval and publication in the Odisha Gazette.

9. After the publication of the notification, the Collector will give public notice of the substance of the notification in the locality to enable the persons interested in the land to file objections, if any the Collector while hearing the objections filed under Section 5-A of the Act, will intimate the local officers of the Requiring Department who should represent. On receipt of intimation of the issue of public notice the Requiring Officer may proceed to examine the land, survey, dig, bore and otherwise ascertain its suitability for the purpose for which it is required and should collect such information as will assist the Collector in framing an estimate of the probable cost of the land. The map or plan together with a memorandum, specifying generally the character of the land, (waste land, cultivated land, etc.) the number and character of buildings, trees, etc. standing the land, should be sent to the Collector for preparation of an estimate of the cost of acquisition and draft declaration under Section 6 of the L.A. Act. For this purpose the Requiring Officer may obtain from the Collector, information from the settlement records to ascertain the rates of rent class and tenants, etc. if necessary.

No work should however, be commenced by the Divisional Officer during the preliminary investigation and been formally handed should be done to the property till the land has been authorised over or unless the approval in writing of the local revenue has been obtained.

10. In case of extreme urgency recourse can be taken to the provision of Section 17 of the Land Acquisition Act. Where it is intended to adopt the emergency procedure the Divisional Officer should state whether Sub-section (1) or Sub-section (2) is to be applied and whether Sub-section (4) of the said Section is also intended to be applied. As this special procedure has the effect of depriving the persons interested in the land of a statutory right to contest the propriety of acquisition/ the Divisional Officer concerned should furnish full reasons justifying the proposal so as to enable the Collector to certify that there is no objection to the acquisition based on general or specific grounds. He should also furnish particulars of the land, etc. to the Collector to avoid delay in the procedure.

11. The Divisional Officer should bear in mind that lands required for different projects cannot form the subject matter of one proceeding. Therefore, lands

required for each projecting each revenue village shall form the subject of one proceedings and for each proceeding there must be a separate requisition.

12. Since no field enquiry and verification of records is ordinarily done by the Land Acquisition Officer, the Divisional Officers are required to verify the records properly before sending requisition to the Collector to avoid delay.

13.

- 1) In cases when the emergency procedure is applied, the Divisional Officer should within a fortnight from the date of publication place funds towards the cost of declaration under Section 6 in the gazette, place funds towards the cost of acquisition with the Land Acquisition Officer.
- 2) When the emergency clause is not applied, the estimated cost of the land as sanctioned by the competent authority must be paid within three months from the date of issue of the order under Section 7 or earlier. If the Land Acquisition Officer so directs. Interest as may be required should be paid on demand.
- 3) If funds are not deposited, as above, the Land Acquisition Officer is at liberty to recommend the case to be dropped. Hence, there should be no delay in depositing the money.
- 4) Payment must be made separately for each case and not together for a group of case.

14. Land notified for acquisition can be withdrawn from acquisition if possession has not been taken over. Even where possession has been taken, such portion of the land under acquisition which is not required for the purpose for which it is acquired, may be restored at any stage provided the persons interested in the land agrees to this course. The Requiring Officer should therefore promptly apply to the Collector for withdrawal of land from acquisition/ restoration of land taken over, when he finds acquisition of some portion or in full not necessary for the purpose.

15.

- a) In case land is required for a temporary period not exceeding three years the usual procedure for temporary acquisition should be followed. A plan of the land, of which temporary occupation as desired should be furnished by the Divisional Officer to the Collector with a request to furnish an estimate of cost for occupation. The Collector will furnish an estimate with endorsement that there is no specific or general objection to the occupation of the land. The Requiring Officer will move the Administrative Department through proper channel for sanction and obtain orders of Revenue Department under Section 35 of the Act.
- b) When temporary occupation under Section 35 of the Act is required for the purpose of taking earth there from for roads and embankments and the requisition is for a period of 3 years allowed by law, three years continuous digging in the same land for taking earth is likely to cause

serious damage and the compensation payable may- be heavy. It should, therefore, be examined whether permanent acquisition would be cheaper.

16. The Divisional Officer is prohibited from starting any work on the land unless physical possession has been made over by the Land Acquisition Officer at the site. He should abstain himself from taking advance possession and wherever taking advance possession seems imperative permission of Revenue Department, should be obtained before taking any such possession.

17. Since no work can be started till the land acquisition proceedings are complete and the land handed over, the Divisional Officer should watch the progress of the proceedings at every stage and keep a close liaison with the land Acquisition Officer.

**(Issued under I. & P. Department No. Codes - Ap. 372 -11625 (7), dated 20.4.1973)**

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## **APPENDIX - XII**

### **PRINCIPLES TO BE FOLLOWED FOR HIRING OUT ACCOMMODATIONS FOR PUBLIC PURPOSES**

1. Subject to provisions under Rule 157 of OGFR.  
The accommodation should be hired only for public purposes and will be subject to the following conditions :
  - a) No accommodation may be hired under these powers in places outside Odisha.
  - b) Certificate of non-availability of Government accommodation shall be obtained from the concerned departmental authorities who are in charge of Government buildings available in the locality. In the case of accommodation sought at New Capital, the certificate should be obtained from the Director of Estates.
  - c) A certificate of fairness of rent shall be given by an officer not below the rank of an Assistant Engineer in accordance with the principles prescribed by Government from time to time.
  - d) The rent fixed for the building taken on hire shall not exceed the fair rent as certified by the Officer mentioned in clause (c) above. But under

special circumstances the Administrative Deptt. and Heads of Deptt. may sanction up to ten per cent in excess over the fair rent certified.

- e) Unless otherwise provided in any general or special orders issued by Govt, no accommodation shall be hired purely for residential purposes.
- f) Where the accommodation is hired exclusively for office, the, area of accommodation shall not exceed what is admissible by more than 10 per cent for the purpose of admissibility of office accommodation, the scales indicated below should be observed -

<b>Categories of officers</b>	<b>Floor space between 250 to 300 sq. feet.</b>
(i) Head of Departments including junior Head of Department.	
(ii) Other Class I Officers	Between 200 to 250 sq. ft.
(iii) Other Gazetted Officers	Between 100 to 175 sq. ft.
(iv) Head Ministerial Officer	50 sq. ft.
(v) Assistant, Clerk, Auditor	40 sq. ft.
(vi) Stenographer, Typist, Record Supplier and Diarist	30 sq. ft.

Accommodation for other categories of staff should be made on the above analogy but necessary allowance to a reasonable extent may be made for special requirement, if any, e.g., Court work record room etc. The authorities sanctioning hiring of office accommodation should record a certificate in the sanction order to the effect that the floor space of the building taken on hire is in accordance with these instructions.

2. Private accommodation should normally be hired for office purpose only. Where, however, such accommodation on the proper scale and according to requirement of the office concerned is not available or where special circumstances exist, accommodation may be hired for office-cum-residence purposes other than exclusively residence purposes, the residential portion shall be allotted to the incumbent of a specific post and thereafter it shall be incumbent on the Government servant holding the post and also his successors in that post to occupy the

residential portion until alternative accommodation is secured for office alone.

Only such accommodation as is surplus to office requirements may be set apart as residential accommodation and is allotting it to the incumbent of any post, it should be ensured that the residential accommodation is not in excess of what is appropriate to the status of the post according to the scales prescribed subject to a variation up to 10 per cent.

3. Out-house, if any, which forms a part of accommodation hired should be utilized for storage of stationery, forms, old records or any other appropriate purposes. Where this is not possible these should be let out to members of Class IV staff.

4. The standard rent for the residential portion of accommodation should be determined on the plinth area basis or at the rate of ten per cent of Government servant's monthly pay, whichever is higher subject to a maximum of 50 per cent of the total rent of the house.

5. Accommodation shall not be hired for a period exceeding five years at a time.

6. Quotations should be invited for hire of buildings by giving adequate publicity.

7. Instructions in Odisha General Financial Rules not inconsistent with these provisions should be followed.

8. Under special and unavoidable circumstances, accommodation for official use at rent not exceeding Rs. 100 per month without obtaining fair rent certificate can be hired under the orders of the Superintending Engineer.

**Note** : The power of the Heads of Deptt. to sanction house rent is indicated in Annexure "D" to Delegation of Financial Power Rules, 1978.

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## **APPENDIX - XIII**

### **PROCEDURE FOR FIXATION OF FAIR RENT OF PRIVATE BUILDINGS TAKEN ON HIRE**

1. Whenever a request for fixation of fair rent of a private building, proposed to be hired for Government purpose, is received by a Divisional or Sub- Divisional Officer from the head of office, he should request the Requisitioning Officer to furnish particulars of the building in the pro forma prescribed in annexure along with a detailed plan with section and elevation. The plan should also show the portion of the building proposed to be taken on hire, Part A of the proforma show be filed in by the Requisitioning Officer and Part B by the owner of the building.
2. In determining the fair rent, the capital cost of the building at the time of taking

on hire and the depreciated value at the time of hiring has to be taken into account, For this purpose buildings have been classified on the basis of designs specifications and materials used as follows

**Class I** - Pucca walls in lime or cement mortar with R.C. roof covering or pucca walls with terraced roof cover joints either R.C. settle or tick wood and burghas which should be of good workmanship, durable materials and in good and regular repair.

**Class II-**

- a) Pucca walls build in lime or cement mortar roof having A.C. sheets Raniganj tiles with good workmanship, good materials and kept in good repair.
- b) Buildings classified under Class I above but not kept in good repairs.
- c) Kucha pucca walls included roof having C.I. sheets A.C. sheets thatched or tiled roof with good workmanship, good materials and kept in good repairs.

**Class III-**

- a) Buildings of temporary nature such as those with Kucha bricks, mud, walls, wattle and daub and/or with A.C. Sheets walling etc.
- b) Building classified under Class 11 (a) and which are not kept in good repairs.

3. The percentage of depreciation for the above categories of buildings should be as below -

Categories of buildings	Rate of depreciation per annum
Class -1	1.5 per cent
Class - II (a)	2.0 per cent
Class - II (b)	3.0 per cent
Class - II (c)	5.0 per cent
Class - III (a)	5.0 per cent
Class - III (b)	10.0 per cent.

4. For the purpose of catenation of fair rent, the following factors should be taken into account keeping in view the percentage of depreciation as mentioned above.

- (i) Capital cost of the building either or current plinth area rate or on the actual cost including installations.

- (ii) Cost of land on which the building stands on the basis of sale statistics of preceding three years to be ascertained from Registration Office.
  - (iii) Depreciated value of the building.
  - (iv) Municipal or other local taxes of services nature.
5. By including the cost of the land the renewal value of a building would naturally be more than the fair rate on the basis of the cost of the building only. If buildings that are located on extensive sites are rented, Government will have to pay heavy rent for such building without any commensurate benefit, it is desirable that while calculating the fair rent of Building on extensive plots of land only the portion of the land on which the building stands and the portion that would be actually necessary of Government use shall be taken into account for the purpose.
  6. The Divisional Officer or Sub-Divisional Officer should verify the particulars with the plan and if he considers it necessary he should inspect the building. He should then calculate the fair rent and fill in Part "C" of the proforma and return into the Requisitioning Officer within the fortnight of the receipt of the requisition duly filled in.
  7. The fair rent will be calculated at 8 per cent of the capital cost of the building determined under rule 4 excluding the municipal or other local taxes or service nature which will be paid as per actuals (See Annexure Parts A B C for calculation of fair rent).

Notes :

- (i) The order takes effect from 1. 3.1976.
- (ii) The fair rent once calculated will remain in force for a period of three years from the date of sanction.

**(Based on Works Deptt. Letter No. Code - AP - 27/76 - 24244, Dt. 24.8.1976)**

## **ANNEXURE**

### **INFORMATION REQUIRED FOR**

### **FIXATION OF FAIR RENT OF A BUILDING**

#### **PART A**

(To be filled in by the requiring office)

1.
  - a) Head of the Deptt./Administrative Deptt. requiring the building.
  - b) Purpose for which building is required
  - c) Is the entire building or a portion thereof is to be hired ?
  - d) Is the entire land within the premises of the building or a portion thereof is to be hired.

2.

- a) Floor area prescribed if any, for the accommodation of office as per rules (with authority) ?
- b) Floor area of the building proposed to be hired .
- c) If the floor area of the building in question is in excess of requirement the reasons for such extra accommodation is required may please be mentioned and in such a case authority for hiring extra floor area is to be quoted ?
- d) Does the authority agree to pay extra rent due to increase in capital cost of the building, by using the special fittings as mentioned, under item 6 of Part 'B' in lieu of ordinary fittings ?
- e) Are the amenities provided in the building, suited to your requirement or the same are in excess over/less than requirement ?

Signature and Designation of the  
Requisitioning officer

**N. B.** - The plan furnished by the owner should be verified and countersigned in token of acceptance by the Departmental authority requisitioning the house and enclosed to this proforma.

## PART B

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(To be filled in by the owner of the building)      ( Calculation by the Assessing Officer)

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(1)

(2)

1.Name of the owner-

2.

- (a) Location of the building
- (b) Plinth area of ground floor
- (c) Plinth area of 1 st floor
- (d) Plinth area of othet floors
- (e) Plinth area of portico

3. Date of completion of the building

4. Expenditure actually incurred –

- a) For building portion
- b) For electrical installations
- c) For sanitary & Water supply installation

Total

5. Land -

- a) Area of land covered by the building and its compound





(iv) Payments may only be authorised on valid forms authenticated by the Disbursing Officer and voucher Nos and date should be noted in the Register against the entries of issue of the forms as soon as the payments are accounted for in cash book. The Divisional Accountant or Sub-divisional Clerk in the case of Sub-divisions where the Sub-divisional officer is the disbursing Officer, should verify the voucher numbers and initial in Col. 8 of the Register in token of verification. In the case of a Register maintained in the Sub-division, the Divisional Accountant should test check at least 10 per cent of the entries at the time of inspection of the Sub-division to ensure that the Register is being properly maintained. Muster Roll so lost or destroyed can only be written off under orders of the Superintending Engineer to whom a full report explaining the circumstances of loss or destruction should be sent as soon, as detected. (See Rule 19)

(v) The Register of Muster Roll for the Divisional and Sub Divisional Office shall be kept in the custody of the Divisional Accountant and Sub-divisional Clerk respectively but the Disbursing Officer will be responsible that these rules are observed.

4. The Muster Roll will remain valid during the month for which they are issued. If any form is not brought into use during the month it must be returned to the office of issue for the immediate re-issue under a fresh number. Some of the Muster Roll Forms issued to stations remote from headquarters will however remain valid for three months, and name of work will not be entered on them.

These are intended for use in the case of emergency, but no sooner they are brought into use then a report shall be made to the Divisional Officer concerned giving details of labour and the work on which employed.

5. One or more muster Rolls can be given for each work but these should never be prepared in duplicate. It is also permissible to keep one a Muster Roll for labourer and workmen employed upon several small works in cases in which the total unpaid wages may conveniently be recorded as relating only to the largest work in the group.

6. The employment of labourers and workmen on a Muster Roll should be planned in advance and request for the issue of the Muster Roll indicating the number of labours and workmen in different categories proposed to be employed submitted accordingly. The number of persons to be employed should be kept to the minimum and it has to be seen by the Sectional Officer in charge that their out-put is commensurate with the expenditure incurred on their wages.

7. The rates to be paid to such labourers and workmen will be the wages as prescribed in the schedule of rates.

8. The Sectional officer in charge of the work should mark the attendance in the Muster Roll daily. A working day consists of 8 hours. A labourer working for less than 8 hours but not less than half a day is allowed attendance which should be taken twice in a day, once at the commencement of work in the morning and after recess which should generally be 4 hours later. The attendance should be marked as indicated below. The attendance of the labourer at the beginning of the day should be indicated by a short slanting line and if the same labourer is also present in the afternoon another short line should be drawn in the opposite direction so as to form a cross.

A cross against a labourer indicates his full days attendance. A slanting short line indicates his presence in the morning and a slanting line in the opposite direction indicates his presence in the afternoon. No mark should be made in the morning against a labourer who is absent and if the same labourer is absent in the afternoon also he should be marked absent by the letter "A".

9. The Sub-divisional Officer/Divisional Officer should conduct surprise checks frequently to ensure that the labourers as indicated in the daily labour reports and Muster Rolls are actually employed and their out-put is commensurate with the expenditure incurred on them.

10. While marking attendance in the Muster Roll, father's name of the labourers and workmen and their addresses should invariably be mentioned. In the case of workers having no permanent residence the locality of their labour camp or village where they normally reside should be indicated.

11. The daily attendance and absence of labourers and fines if any inflicted on them should be recorded daily in Part I of the Muster Roll in such a way as -

(i) to facilitate the correct calculation of the net wages of each person for the period of payment;

(ii) to render it difficult to tamper with or to make unauthorised addition to or alteration in the entries once made; and

(iii) to facilitate the correct classification of the cost of labour, by works and sub-heads of work where necessary.

12. The labourers and workmen employed on Muster Roll should be paid, either on weekly or fortnightly basis and separate rolls should be prepared for each fortnight. The Sub-divisional officer may supervise payment when the total amount of Muster Roll exceeds Rs. 1,000/-

13. It should be ensured that the payment to the Muster Roll workers is made within 7 days of closing of the Muster Roll in respect of the Sub-divisions located at the Divisional Headquarters. In case of the Sub-

divisions outside Divisional Headquarters payment must be made within 15 days of closing of the-Muster Roll.

14. The thumb impressions of the labourers taken in the Muster Roll in acknowledgment of receipt of wages should be neat and well-marked. Persons in charge of taking thumb impressions should therefore be held personally responsible for taking neat marks.as lack of care in taking clear thumb impressions in Muster Rolls sometimes facilitates misappropriation of money. At the close of the Muster Roll, the following certificates should be recorded under the dated signature of the Section Officer or other officer authorised to make payment. Such certificates should also be recorded in the daily labour reports :

“Certified that the workers mentioned in the Muster Rolls were actually employed by me on Government work and they were actually paid on my identification in my presence”.

After closing a Muster Roll the Sectional Officer in charge of the work should complete all formalities regarding making entries in the measurement book, workout cost of the work done at the scheduled rates, etc. and submit the Muster Roll to the S.D.O. within two days. After the Muster Rolls have been closed it should be seen that the payment against it is made expeditiously. The Sub-divisional Office Clerk should take one day to check the Muster Roll arithmetically and one day should be taken by the S.D.O. to exercise his check.

15. If any wages remained unpaid, details thereof should be recorded in Part 11 of the Muster Roll (and then transfer to the Register of unpaid wages) before the memorandum at the foot of the Muster Roll is completed by the person who makes payment.

16. Wages remaining unpaid for 3 months should be reported to the Divisional Officer who will decide in each case whether the liability, as an amount available for payment should continue to be borne in the accounts of the work concerned as exhibited in the Sub divisional record.

17. In part III of the Muster Roll, work done by the labourers and workmen employed under Muster Roll should be recorded, where such work is susceptible of measurement. If the work is not susceptible of measurement, a remark to the effect should be recorded.

18. In exceptional cases of urgency, such as closing of breaches, flood and cyclone damage repairs, silt clearance of canals road and rock slips or other urgent maintenance and repairs where large number of labourers are employed casual for short period, payments or may be made on a casual labour Form No. 22 in which the names of labourers need not be given. In such cases payment should be made by the officer not below the rank of a Sub-divisional Officer.

The use of the Muster Roll or measurement book is not permissible in case of the labour employed in very exceptional cases on Form 22 or through a labour

contract who should be paid according to the number of labourers supplied by him at the rate mutually agreed.

These rates should include the contractor's commission charges. The daily labour report in such cases should be submitted daily to the higher officers, as in case of the Muster Rolls, to enable the latter to keep a check on the expenditure and to deal with the contractor's claim when received. To avoid disputes with the contractors, they should be asked to sign the daily labour reports in token of their acceptance and correctness.

19. The Superintending Engineer may sanction the write off of -

(i) A blank form of Muster Roll which may be missing or torn or have become useless for any reason.

(ii) Muster Rolls on which attendance of labourer has been entered but no payment has been made. Care should, however, be taken to Prevent the payments of lost Muster Rolls, should they subsequently be presented for payment.

(iii) If a Muster Roll is lost for whatever reasons the matter should be reported to the Divisional officer.

20. Loss of paid Muster Roll should however be treated in the same manner as in the case of loss of measurement book.

21. In the event of a current or completed Muster Roll being lost, payment to the labour engaged thereon cannot be made without the orders of the Divisional officer. A report should be sent to him explaining the circumstances under which the completed Muster Roll was lost. The payment of such Muster Roll should be made on the register of arrears Form Part II of Muster Roll after verification of facts with the daily labour reports and completion of Part III of the Muster Roll. The facts of the original Muster Roll having been lost and as a consequence this form having been adopted with necessary Government orders authorising the payment should be noted on the form.

22. Paid Muster Rolls which should be submitted to the Divisional Office with the Sub-divisional accounts should be checked under the supervision of the Divisional Accountant who will see that the relevant rules have been observed. The check of Muster Rolls with reference to the entries in the measurement books will be done to the extent of 50 per cent in the Sub-division Office and 50 per cent in the Division in case where payments are made by the Divisional Officer. As the arithmetical accuracy the re-check made in the Division Office may be limited to not less than 25 per cent of the Muster Rolls. They will be finally recorded in the Divisional Office. A Muster Roll should be checked with the daily reports and measurement books when received in the Divisional Office.

23. The object of daily labour reports are twofold. Firstly to keep the Divisional Officer or Sub-divisional Officer informed of the progress made with

different works in his Sub-division, since owing to a distance alone it may be days before he will be able to personally visit the work under his charge. The daily labour report apprises him of the number of men actually employed on the work and the approximate amount of work they have executed. Secondly he would be able to exercise some check over the number of men supposed to be employed on the work. This is effected by noting, when visiting the work the number of men actually employed on certain work or at certain places and comparing the results with daily reports for these works.

24. A labour report should be prepared for each work in duplicate, the original being retained by the subordinate in charge and the duplicate being sent to the Sub-divisional Officer or the Divisional Officer as may be directed. It should be written up each day after the number is taken.

**Note :** In the most of Muster Rolls combining the names of 15 persons or less, the preparation and submission of labour reports may be dispensed with.

25. Labour reports may be used where work is carried out departmentally and should be submitted either daily or weekly in the prescribed form as may be directed by the Divisional Officer. These reports show the number of each class employed each work or subhead. Discrepancies between labour reports and Muster Rolls should be investigated as soon as the letter are received, the former being received in the Divisional Office either daily or weekly -

(i) The Muster Roll is to be written up first the morning, when the labourers come for work. The daily report is then to be prepared by the subordinate in charge on return to this office in duplicate. Corrections found necessary can be intimated in the next daily report sent to the Divisional Office.

(ii) Hence the daily report to be of any value should be submitted daily and punctually, and if despatched by post, it should leave by the earliest post available.

(iii) The daily reports after scrutiny by the Divisional Officer should be handed over to the Divisional Accountant for check with the nominal Muster Roll, when that document received for payment.

## REGISTER OF MUSTER ROLL FORMS

Date of issue	Sl. No. of Muster Roll (outer sheet)	No of inner sheet	Name of work	Dated initials of issuing Officer «	Signature or reference to acknowledging Officer and his designation	Voucher No. and Date	Dated initials of Divisional Accountant or Sub-Divisional Clerk	Remarks (Date of return of unused forms and Nos assigned on re-issue should be noted in this column)
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1	2	3	4	5	6	7	8	9

**APPENDIX - XV**  
(Reference Paragraph 5.1.5)

**REVIEW OF MEASUREMENT BOOKS**

The Divisional Accountant will be required to make a percentage check of the entries recorded in each measurement book at least once a year under the supervision of the Divisional Officer with a view to-

- (i) To compare the books in use with Part I of the Register of Measurement books (C.P.W.A.F. 92) and to note necessary correction in the Register.
- (ii) To see that no original sheet is torn out of a book, nor any entry erased or disfigured and that the correctness made therein are initialled.
- (iii) To see that all entries are made in indelible ink.
- (iv) To check the accuracy of calculations and to ensure that the books are otherwise in order with reference, to the instruction contained in para 10.2.7. of the C.P.W.A. Code, Appendix No. II of the Code and any subsidiary rules framed thereunder.

(a) The Procedure to be observed will be as follows - (a) The Measurement Book in each Sub-division should be submitted by the Sub-divisional Office concerned so as to reach the Divisional Office by the date prescribed by the Divisional Officer. A register showing the dates of their receipt and return from and to the Sub-divisional Office should also be maintained in the Divisional Office by the Divisional Accountant in the following form

**PRO FORMA**

Sl. No.	Date of issue	Name of Officer to whom issue	Date of Receipt in the Divisional Office for	Date of return	Date of receipt in the Divisional Office for check	Date of return	Date of final return
1	2	3	4	5	6	7	8

--	--	--	--	--	--	--	--

(b) On receipt by the Divisional Office, of all measurement books the Divisional Officer should indicate in column 2 of the "Review Notes" in each measurement book, [referred to in (c) below] which of the calculations are to be test checked by the Divisional Accountant, Such check should not however, be less than ten per cent of the value of total measurements recorded in each book since the last review (excluding those which have already been checked fully under the supervision of the Divisional Accountant in the Divisional office in respect of payments passed and made by Divisional Officer) and should cover complete sets of measurements, Payments based on the entries reviewed should be traced into the various accounts and verified. Similarly, supplies or issues of materials should be traced into the various accounts, the contractor's ledger,, etc, and verified.

(c) The defects, discrepancies, etc., noticed should be communicated to the Sub-divisional Officer concerned and summarized in the following form in the measurement book which has been audited.

## REVIEW NOTES BY THE DIVISIONAL ACCOUNTANT

Pages reviewed generally	Calculation selected by the Divisional Officer for recheck		Defect discrepancies noticed	Dated initials of	
				Divisional Accountant	Divisional Officer
	Pages	Dated initials etc.			
1	2	3	4	5	6

(d) Measurement books completed and returned for record during the year should also be similarly examined prior to their final record, in the Divisional office.

(e) The Divisional Accountant must not retain measurement books longer than 10 days after receipt. He should submit the register prescribed by (a) above for the scrutiny of the Divisional Officer periodically.

(f) No measurement book will remain in use for longer period than two years. It must at the expiry of this period be returned for final record. But, if any book is then found to contain a large number of blank pages, it may be reissued by the Divisional Officer recording the fact in the register.

(g) On the occasion of transfer, Sub-divisional Officers will see that all measurement books in custody of relieved subordinate were acknowledged by the relieving subordinate. Similarly the Divisional Accountant will see that all measurement books in a sub-division are acknowledged by the relieving Sub-divisional Officer in his transfer papers.

## **APPENDIX - XVI**

(Reference - Paragraph 5.3.1)

### **SECURITY DEPOSITS OF SUBORDINATES**

1. Overseers when placed in charge of sections necessitating frequent handling of cash and/or store should furnish personal bonds in the prescribed form (See Annexure 1) towards security deposit as follows :

<b>Amount of cash and/or value of stores handled</b>	<b>Amount of personal bond Rs.</b>
Up to Rs. 1,000	100
Above Rs. 1,000 and up to Rs. 3,000	200
Above Rs. 3,000 and up to Rs. 5,000	250
Above Rs. 5,000 and up to Rs. 10,000	500
Above Rs. 10,000 and up to Rs. 20,000	1,600
Above Rs. 20,000 and up to Rs. 50,000	2,200
Above Rs. 50,000 and up to Rs. 10,00,000	6,000

2. Cashiers, Store-keepers and other subordinates in charge of cash and/or stores should be required to furnish security as follows :

<b>Amount of cash and/or value of stores handled</b>	<b>Amount of Cash security (Rs.)</b>	<b>Amount of Personal Security(Rs.)</b>
Up to Rs. 1,000	100	...
Above Rs. 1,000 & up to Rs. 3,000	200	...
Above Rs. 3,000 & up to Rs. 5,000	250	...
Above Rs. 5,000 & up to Rs. 10,000	500	...
Above Rs. 10,000 & up to Rs. 20,000	600	1000
Above Rs. 20,000 & up to Rs. 50,000	700	1500
Above Rs. 50,000 and up to Rs. 10,00,000	1000	5000

3. Cash security of Rs. 500 and upwards will be-recovered in monthly instalments of not less than Rs. 10 each and that below Rs. 500 in monthly instalments of not less than Rs. 5 each to enable recovery of the total cash security being made within a period of five years.

In addition to furnishing the security, the Govt, servant concerned is to execute a Security Bond in the prescribed form (See Annexure II).

**Note :** In filling short term vacancies a personal bond equivalent to the prescribed security should be obtained from the incumbent appointed to the post. But when the vacancy is for a fairly long period, the incumbent will be required to furnish security according to the scale mentioned above.

4. As regards the procedure for determining the basis on which the amount of security is to be fixed, the average transactions for one year in respect of cash and/or stores should be the criteria.

In respect of newly divisions the probable amount of cash and/ or stores to be handled during the first two years should be the criteria. The scale is to revised every five years.

5.

- (i) Work-charged establishment should not generally handle Government cash nor be in charge of Government stores or articles of tools and plant. In exceptional cases where the work-charged staff are required to handle cash and/ or are in charge of Govt, stores or articles of tools and plant they will be required to furnish a personal bond in the prescribed form.
- (ii) The amount of bond will be fixed by the Superintending Engineer of the circle concerned considering the value of cash or stores expected to be handled by the member of the work-charged staff-.
- (iii) The personal bond will be obtained from a responsible permanent Government servant or from a permanent resident of the locality of good financial position and standing to the satisfaction of the Superintending Engineer. This bond should not be obtained from any contractor or others connected with the execution of work for the Department.

## **ANNEXURE- 1**

### **PERSONAL BOND**

I know ..... A.B..... to be an honest man, and I agree to forfeit Rs.....in words Rupees.....) if called upon to do so, should he be proved to have embezzled Government money or found responsible for loss of Government money or failed within fifteen days of demand to credit it to Govt, or to account for the same for any cause whatever.

Witness -

Signature of surety

1 .....

2 .....

**Note :** The fact that the person signing the personal bond is substantial enough to stand as surety should be verified by Police before the bond is accepted and then after an interval of every five years.

## ANNEXURE - II

Know all men by these presents that we Shri ..... son of Shri..... (address) (Principal) and Shri .....etc. (First surety) and Shri ..... (Second surety) hereby bind ourselves jointly and severally to the Govt, of Odisha for the payment to them of sum of Rs .....

Whereas the above bounden Shri was on the..... appointed to and now holds and exercises the office of .....

And whereas by virtue of his appointment as such the said Shri ..... has, amongst other duties, the case and responsibility for the safe and proper handling and keeping in the places appointed for the custody of Government property and money and to.....

And whereas the said Shri ..... is bound, whenever called upon so to do, to show to his superior officer that the said property and money is at all times intact in the places aforesaid and is bound to keep true and faithful account of the said property and money.

And whereas it was a condition of his said appointment that the principal shall deposit cash security to the amount of Rs and personal security to the amount of Rs and accordingly he has paid Rs in cash and offers personal security to the extent of Rs (has agreed to pay the security by monthly instalment of Rs ) for the is charge of his duties in the said appointment and also for the purpose of securing and indemnifying the Governor his successors and assigns, against all loss and damage which he or they might suffer by reason of the said property and money or any part thereof being wasted, embezzled, stolen, misspent, lost dishonestly negligently or otherwise by himself.

And whereas the said Shri .... Shri..... (sureties) as his securities have entered into the above bond in the penal sum of Rs conditional for the due performance by him of the duties of the said office and of the other duties appertaining thereto or lawfully required of him and for the indemnity for the said Governor against loss from the acts or defaults of the said Shri . (Principal) that if the said Shri whilst he has held the post of ...always duly performed and fulfilled the said duties of the said office and the other duties aforesaid or if the said Shri (Principal) or Shri..... or Shri .....(sureties) shall indemnity the said

Governor from all and every loss or damage which during the time the said Governor from all and every loss or damage which during the same said Shri ..... has held, executed above written bond or obligation shall be void, otherwise the same shall be and remain in full force :

Provided always and it is hereby agreed and declared that neither of them said Shri..... and Shri ..... shall be at liberty to terminate their sharety ship except upon giving to the Governor six calendar months notice in writing of his or their intention to do so and their joint and several liability under the bond shall continue in respect of all omissions and defaults on the part of the said Shri..... until the expiration of the said period of six months :

Provided further and it is expressly agreed and declared between the parties hereto that notwithstanding the provisions of Section 133 of the Indian Contract Act or any other rule of Law or equity in that behalf any variance of the contract or terms or service of the Principal shall not operate as a discharge of sureties.

In witness to the above written bond and to all the terms and conditions herein before contained we have signed here under this .....day of .....

Signature of the

Principal sureties

1).....

1)

2).....

2)

## APPENDIX - XVII

# RULES REGULATING THE HIRING OF TOOLS PLANTS AND MACHINERY IN PUBLIC WORKS DEPARTMENT

1. The following rules shall govern the hire of tools plant and machinery to contractors, Govt. Departments, Local Bodies, etc.

### Notes :

- (i) The term "Tools" refers to articles like pick-axes, baskets, iron hammers, shovels, crow-bars, carpenter's or Blacksmith's or Fitter's tools.
- (ii) The tools and plant and machinery includes motor vehicles, tractors, Earth moving equipment, road rollers, tramlines, centrifugal Pump, pulsometers, gear driving pumps, hand or power cranes, pile drivers, single acting steam pile hammers and there equipment, trucks, locomotives and all types of wagons, compressors boring tools, Rockdrills, Stone, Crusher, Botching Plants, Concrete mixers, Petrol

engines, Mortar mills, Concrete buckers, ifupmers, will drilling machine sheep-foot Rollers, sand blast antifit, welding machine, Electric light plant, cable way, etc. and any other item classified as such by the Mechanical Engineer in charge.

2. Tools should not be hired out except in special circumstances as they are subject to very heavy wear and tear and can be easily obtained from the local market.

3. Plant and machinery are acquired primarily for Departmental work and when it can be hired out to contractors only when they are not required for Department work and when the same are required for bona fide use in Government work entrusted to them.

4. Plant and machinery can be let out to other Department, local bodies, private bodies and other Government only when it can be done without detriment to work of Public Works Department. In such cases hire charges will be leviable as indicated in Rule 28.

5. In addition to the hire charged payment under these, the hire should pay the following incidental charges

- (a) All charges incidental to the delivery of tools, plant and machinery at the stores, such as handing and packing at the stores;
- (b) Charges if any, for re-erecting the tools, plant and machinery at the stores, on return; and
- (c) The Cost of replacing the missing or broken parts of the tools, plant and machinery hired on or earring out repairs necessitated by any specific damage thereto.

6. Plant and machinery will be handed over to the hirer only at the place where they are stored by the Department and on completion of the work, they should be returned by the hirer at his own cost, at the same place or any nearer place as decided by the Divisional Officer. In no case, the department will undertake to convey the plant and machinery from the Departmental Stores to the place where the hirer wants them for use.

7. In case of electrical equipment hired out, it should be the responsibility of the hirer to make all arrangements for the supply of power to the equipment and observance of all rules and regulations issued by Govt, from time to time.

8. The hirer shall be responsible for the safe custody of plant and machinery and shall return them in the condition in which they have been taken over from the department except the normal wear and tear. The hirer shall also be responsible for all the damages caused to the said plant and machinery so long it was under his

custody including the loss or damage in transit until the same is taken over by the Department. The hirer shall be required to take insurance for third party risks where necessary. The liability of the hirer on account of loss or damage shall be determined by the Divisional Officer. In case of any dispute the decision of the Superintending Engineer, concerned shall be final, conclusive and binding on both the parties.

9. The hirer shall deposit 2 per cent of the capital cost of the plant and machinery in favour of the Divisional Officer or such sum as may be prescribed by the S.E. (but not less than 2 per cent) towards security deposit in shape of N.D.C., N.P.C. etc., or in any other form as approved by Government from time to time.

10.

- a) The plant and machinery hired should be inspected at the end of each working season or at shorter intervals according to circumstances by the Divisional Officer or his authorised representative, to ensure that they are taken proper care of. The hirer shall provide all facilities for the detailed inspection of the plant and machinery and he shall ensure compliance to all the instructions issued by the Inspecting Officer.
- b) The interval between, such inspections shall in no case exceed six months. The Divisional Officer should also see that plant and machinery are returned without any avoidable delay.
- c) The hirer shall arrange for periodical servicing and washing of the plant and machinery, as would be indicated in each case. In case of machinery use for concreting works, the hirer shall arrange to get the same cleaned and washed at the close of each operation.

11. The hire charges payable under these rules should be recovered in advance except in cases of contractors entrusted with the execution of works under contract, the recovery may be effected from the running bills.

12.

- a) In all cases, the period of hire shall count from the date of plant and machinery leaves the stores to the date they are returned thereto even though the same may not have been working for any cause whatsoever except for major break down to be certified by the Executive Engineer not arising on account of negligence of the party hiring the machine. The hirer should immediately intimate in writing to the Divisional Officer about the break down and the Divisional Officer or his authorised representative will inspect the plant or machinery immediately and record the fact in log book.
- b) The hirer shall arrange the programme of work according to the availability of the plant and machinery and no claims whatsoever will

be entertained from him for delay in the supply of machinery and equipments by the Department. No compensation shall be paid to the party hiring the plant, etc. for any break down and failure of any machine given on hire.

13. The hire charges shall be fixed so as to cover ownership cost of equipment, operating expenses and the cost of supervision.

**Note :** Ownership cost includes (a) depreciation and (b) interest charges per annum on the value of machinery Operating expenses includes (a) Element or repairs charges, (b) operating and maintenance labour, (c) petrol oil, lubricants (POL) and other consumable and (d) Sundry items, if any.

14. The calculation of hire charges on the above principles is indicated below:

- 1) **Ownership cost: (a) Depreciation :** 50 per cent of capital cost of the equipment divided by 40 per cent of the life and 40 per cent of the cost divided by the remaining 60 per cent of the life (10 per cent of the cost is earmarked towards slavage value. In case of nonrated equipments, depreciation at the prescribed percentage of the capital cost will be calculated).

**Notes :**

- I. Capital cost includes (a) acquisition cost including freight clearance charges, custom duty and incidental Charges, but excluding cost of initial spares purchased along with machinery (b) Transportation cost to be site of work (c) erection cost of equipment, (d) the cost of auxiliary equipment purchased new or second hand. In case of equipment, procured second hand the cost includes (a) transfer cost, (b) cost of dismantling at the earlier project, ( c ) transportation charges, (d)Cost Of re-erections, (e) cost of over hauls and repairs carried out after it is purchased, but before it is put to use, plus the cost of additional equipment.
- II. If additions or improvement are made to increase the utility or efficiency of the equipment, the Capital cost may be increased by the amount for such modifications.
- III. Depreciation on account of machinery and equipment is to be credited to the depreciation reserve account where such reserve is created.

(b) Interest charges - Interest on the cost of Machine per annum at the current rate approved by Government divided by the minimum life either in number of years or number of hours, the machine is expected to work during a year.

2) **Operation cost-**

- a) **Repair charges-** Cost of total repair charges during the life time divided by estimated life hours. In case of plant and

machinery where prescribed percentage of the capital cost is to be taken towards repair charges, the same should be adopted for determining repair charges.

- b) **Operation and maintenance labour**- Yearly expenses on labour divided by minimum number of hours the machine is expected to work during a year.
  - c) P.O.L Cost of annual consumption divided by minimum number of hours the machine is expected to work during the year.
  - d) **Sundry item**- Cost of annual consumption divided by minimum number of hours the machine is expected to work during the year.
- 3) **Supervision charges**- This may be levied at 10 per cent of the total charges per hour or per day as the case may be.

**Notes :**

- I. If the equipment is a tyred equipment, the hourly depreciation of tyres is to be calculated by dividing the cost by the estimated life in hours. Further repair charges of tyres are to be fixed at 15 per cent of the depreciation. The hourly cost of depreciation and repair charges of tyres and tubes will be recovered in addition to ownership and operating cost.
- II. Quantity and value account of spares purchased for a group of similar machinery etc. have to be maintained to watch receipt and utilisation. Similar account may also be maintained in respect of tyres and repairs expenditure thereon.

**Example :** Calculation of hire charges of a machine costing Rs. 1,00,000 with an estimated life of 10,000 hours and the repair charges during the life time being 100 per cent, operation and maintenance labour Rs. 2,000 per annum, cost of petrol oil and lubricants Rs. 4,000/- per annum, Sundry Rs. 400/- per annum and interest charge at 6 per cent annum.

(1) **Ownership Cost**

[(a) Depreciation per hour  $50.000/4000 + 40.000/6000$  = Rs. 19.16

(a) Interest charges per hours  $(100.000 \times 6) / (100 \times 2000)$  = Rs. 3.00

**(Substituted by Works Deptt. No. 26741., Dt. 31.10.1989)**

(2) **Operational cost**

(a) Repairs cost - Repairs charges  
per hour during life time  $100.00/10.00 =$  Rs. 10.00

(b)	Operation and maintenance labour (say Rs. 2000 per annum)	2000/2000 = Rs.1.00
(c)	P.O.L. (say Rs. 4000 per annum)	4000/2000 = Rs. 2.00
(d)	Sundry (say Rs. 400 per annum)	400/2000 = Rs. 0.20
		Total = Rs. 35.36

(3) Supervision Charges (10% of Rs. 35.36)= RS. 3.54

G. Total = Rs. 38.90

15. (i) Ordinarily the working period of a plant and machine may be taken as ten months in a year, the remaining two months being earmarked for necessary overhauling and repairs (a) The monthly hire charges may accordingly be reckoned as 1/10th of annual hire (b) and the hire charges per day at 1/20th of monthly rate, (c) and the hourly rate at 1/7th of daily hire charge, (ii) In cases where the estimated life of a plant and machine has been expressed in number of hours and the hire charges have been calculated on hourly basis ab initio (a) the daily working is limited to a shift 8 hours subject to overall 200 working hours in a month - five days in a month being availed of as holidays on account of Sundays (b) The working period less than four hours and up to four hours may be considered as a shift and more than four hours and up to eight hours, as a full shiftwork. The minimum hours to be charged in respect of hire on daily basis, weekly basis, monthly basis and yearly basis are 8 hours, 48 hours, 200 hours and 2000 hours, respectively.

16. (a) The life of machinery and equipment (s) in hours and years is given in Annexure -1.

- (b) The life of second hand machinery and equipment shall be determined by computing the residual life it had on the day of its earlier transfer and on the basis of cost of reconditioning the machine before it was put to use.
- (c) The life of tyres may be judiciously fixed taking into consideration the factors indicated Annexure II.

**Note :** Rate equipment is that for which records of service in terms of hours are maintained. Non-rated equipment is that for which no individual record of hours of service or cost of operation is maintained, the depreciation charges being assigned on percentage basis per month.

17. In cases where it is not convenient to recover the running charges and cost of services, of operating staff separately, the same should be included in the calculation of hire charges.

18. The hire rates should be reviewed and revised at least once in two years in keeping with the latest borrowing rate of Government and the average maintenance

charges of each class of machinery currently incurred.

19. A log book and a history sheet in the prescribed form should be maintained for each individual plant and machinery for keeping a complete record of the hours of daily work and the details of the periodic maintenance as is, necessary for the plant and machinery. The entries thus made shall be attested by the party hiring. In case of any dispute between the Departmental supervisor and the hirer in the matters connected thereof the decision of the Divisional Officer shall be final conclusive and binding on the hirer.

An extract of the log book in duplicate should be furnished by the subordinate on the 5th of every succeeding month to the Subdivisional Officers for assessing and recovering the current amount of hire charges from the party concerned. The Subdivisional Officer after necessary scrutiny of the log book extract, should take steps for recovering correct amount of hire charges at the prescribed rate.

20. Ordinarily no plant and machinery shall work for more than 8 hours a day inclusive of recess. In case of an urgent work, however, the Divisional Officer may at his discretion, allow the plant and machinery to work for more than the normal period of working hours. For working out hire charges for over-time, a period of half an hour and above will be treated as one hour and a period of less than half an hour will be ignored.

21. In case where the hirer is required to bear the running charges separately, fuel of approved type firewood, kerosine oil, etc. shall be arranged by the hirer. Failure to use the approved type of fuel would make the hirer liable for any damage that may be caused to the plant and machinery.

22. The hirer shall give the Divisional Officer, a requisition in writing applying for hire of plant and machinery and shall sign the agreement in prescribed form (*vide annexure X*).

23. The hirer shall maintain check and control reports in the prescribed form (*vide Annexure III to VIII*) which shall be produced when needed by the Divisional Officer his authorised representative during the period of inspection.

24. The plant and machinery, once issued shall not be returned by the hirer on account of lack of arrangement of labour and materials on the part of the hirer. The same will be returned only when, in the opinion of the Divisional Officer the work or part of the work for which the same was issued is complete.

25. Cost of plant and machinery lost or rendered unfit due to mishandling shall be made good to Government. Cost of repairing any damage to such plant and machinery due to rough use or careless handling shall be to the hirer's account. Such amounts, if not paid in, cash, shall be recovered along with hire charges from the dues that may be due or become due to the hirer for Government or out of fixed

deposit securities that may be pledged with Government or under Odisha Public Demand Recovery Act, 1962.

26. Hire of Small Tools In case of urgency small tools may be hired to a contractor/piece worker provided such tools are required for less than a week. In such case hire charges should be charged at the rate of 4 per cent of the original cost of the tools for the entire period.

27. Hire of Departmental Vehicles - The rules and procedure governing hire charges of departmental vehicles are laid down in Annexure - IX.

28. Hire of plant and machinery for private use - When plant and machinery are let out on hire to private parties or contractors for use on works other than Government works, the rate charged shall be 125 per cent or the hire rate charged for such plant or machinery.

## ANNEXURE -1

### PART - A

#### **LIFE AND REPAIR, PROVISION OF EQUIPMENT, PLANT/ MACHINERY, DEPLOYED IN IRRIGATION AND POWER PROJECTS**

Sl. No	Equipment		Life of Equipment		Repair provision percentage cost of equipme	Remarks
	Category	Capacity	Year s	Hours		
1	2	3	4	5	6	7
1	Excavations -					
	Shovela and Draglines	Upto 1.5 cu.yds	10	12,000	150	
		1.5 to 3.0 cu.yds	12	15,000	150	
		Above 3.0 cu.yds	15	25,000	150	
		2.5 cu.yds (Electric),	15	25,000	150	

		4 cu.yds and above(Electr	20	40,000	150	
	Walking Draglines	Bucket Wheeled Excavators	20	40,000	15,0	
	Dredger in Fresh Water	Hull	25		60	
		Machine	10		60	
	Barges	Hull	16		60	
		Machine	10		60	
	Tugs	Hull	16		60	
		Machine	10			
2	Dumpers -					
	Bottom Dumpers	Upto 20 T	8	10,000	140	
		20 T to 50 T	10	16,000	140	
		Above 50 T	12	20,000	140	
	Rear Dumpers					
		Upto 15 T	8	10,000	140	
		15 T to 35 T	10	12,000	140	
		Above 35 T	20	5,000 •	140	
		Up to 50 T				
		Above 50 T	15	20,000	140	
	Highway Dumpers					
3	Scrapers					
	A. Motorised -					
	Push	Upto 10 cu.yds	8	9,000	150	
	Loaded	Above 10 cu.yds	10	10,000	150	
	Elevating and Self- loading ...		10	10,000	150	
	B. Towed		12 .	15,000	75	
4	Tractors-					
	Crawler.	Upto 100 H.P.	8	9,000	200	
		Above 100 to 300 H.P.	10	12,000	240	
	Wheeled	Up to 75 H.P.	8	12,000	150	

		Above 75 H.P.	10	15,000	150	
5	Graders	...	10	12,000	150	
6	Loaders	...				
	Crawler	...	10	12,000	200	
	Wheeled	...	10	15,000	150	
	Belt loaders	...		20,000	70	
	Reclaimers' and Stackers ...		20	30,000	70	
7	Compactors -					
	Self-propelled Sheep's foot...		10	12,000	80	
	Rollers					
	Drawn Sheeps foot Rollers-		8	10,000	70	
	Vibratory Rollers-		8	8,000	150	
	Smooth drum		8	10,000	80	
	Smooth drum Vibratory-		8	8,000	150	
	Rollers.					
	Pneumatic tyred Rollers		-	10,000	80	
	Highspeed compactors-		10	16,000	100	
8	Water sprinkles.		10	16,000	100	
9	Equipment above 200 cu. yds./Hr.		16	20,000	100	
	Ganal Trimmer and Lining					
	Equipment above 200 cu. yds. Hr.		10	10,000	80	
10	Blast hole drills-					
	Core Drills		8	8,000	80	
	Wagon Drills		8	8,000	80	
	Tricone rotary		10	10,000	80	
11	Compressors -					
A.	Diesel Compressors					
	(i) Portable up to 300 cft.-		8	10,000	100	
	(ii) Portable above 300 cft.-		10	12,000	100	

B.	Electric					
	(i) Portable up to 300 eft.		10	16,000	80	
	(ii) Portable above 300 eft. -		12	20,000	' 80	
	(iii) Stationery		20	30,000	80	
12	Blowers		12	-	80	
13	Colling Plants					
	(i) Aggregate Colling Plant		20	40,000	75	
	(ii) Ice Plant		20	40,000	75	
14	Batching and Mixing plant -					
	(i) Cement handling, batching and Mixing Plant -		18	30,000	75	
	(ii) Transit Mixers		10	10,000	120	
	(iii) Agitating Cars		10	10,000	120	
	(iv) Portable Concrete Mixers		5	6,000	80	
15	Pumps-					
	(i) Diesel Engine driven above 10 H.P.		8	10,000	100	
	(ii) Electrical		12	20,000	70	
16	Well Points.		12	20,000	100	
17	Cranes -					
	(i) Mobile- (Pneumatic Wheeled) -					
	4 to 6 Tons		10	12,000	120	
	8 to 12 Tons		10	12,000	120	
	15 to 25 Tons		12	15,000	120	
	26 Tons and above		12	15,000	120	
	(ii) Crawler					
	Up to 3 Tons		10	12,000	120	
	4 to 10 Tons		10	12,000	120	

	Over to 10 Tons -		12	15,000	120	
	(iii) Tower Cranes		20	30,000	120	
	(iv) Truck		10	16,000	140	
18	Transport					
	A. HEAVY					
	(a) Trucks and Highway Dumpers					
	(i) Diesel up to 3 Tons		10	2,00,000	140	
	Diesel 3 to 5 Tons		10	2,00,000	140	
	5 Tons and above		...	...	...	
	(b) Tractor Trailer-					
	Up to 5 Tons		10	2,50,000	140	
	5 Tons to 10 Tons		10	2,50,000	140	
	10 Tons and above		12	20,000	140	
	B. Light Transport Vehicles-					
	(i) Jeeps		--	1,60,000	140	
	(ii) Station Wagon		--	1,60,000	140	
	(iii) Cars		--	1,60,000	140	
	(iv) Ambulance Cars		--	1,60,000	140	
	C. Arial Transport					
	(i) Ropeways		20	16,000	70	
	(ii) Cableways		20	16,000	70	
	D. Diesel					
	Electrical		10	16,000	120	
	Wagons		22	40,000	100	
	Rail Card		20	30,000	70	
19	Diesel Generating.Sets-					
	Up to 50 KV. -		10	20,000	100	
	Above 50 KV. -		15	30,000	120	

## PART -B

## PLANT/MACHINERY DEPLOYED ON ROADS & BUILDING PROJECTS

Sl. No.	Name of Machine	Working life in hours	Provision for repairs
1	2	3	4
1	Road Rollers (Britania-Road Marshal) 8-10 Tons capacity equipment.	18,000	150 Percent of the cost of equipment
2	Truck mounted water tankers of 1000 gallons capacity.	160,000 Kms.	Ditto
3	Tractor (40 - 50 H.P.)	12,000	Ditto
4	Air compressors 315 C.F.M.	10,000	
5	Air compressors 210 C.F.M.	10,000	Ditto
6	Tandem Road Rollers 4-6 Tons Capacity	1,000	Ditto
7	Trucks upto 5 Tons Capacity / Trucks above 5 Tons Capacity.	4000.000 Kms.	Ditto
8	Diesel driven pumping set 5 H.P.	10000 ( directly charged to works)	Ditto
9	Bitumen Bailers 250/300 Gallon (Directly charged capacity to works)	10000( directly charged to works)	Ditto
10	Diesel Generating set 15 K.W.	12,000	Ditto
11	Ordinary vibrator (Immersion)	8000 ( Charged ton works)	Ditto
12	Diesel driven pumping set 10 H.P. and above	12,000	Ditto
13	Diesel winches 3-5 Tons capacity	15,000	Ditto
14	Concrete Mixers 10/7 Cft.	8,000 (Charged to works)	Ditto
15	Stone crushes 16' x 9" size, 10/12 Tons/hr. capacity.	10000(Charged to works)	Ditto
16	Granulator 12" x 7" size 4/5 Tonnes per Hr. capacity.	10000 (Charged to works)	Ditto
17	Diamond core drilling machine -	12,000	Ditto
18	Road Rollers (Agri-d moore) 8-10 Tons.	18,000	Ditto

19	Tractor Dozer, Rubber-Tyred 140 H.P. and above	12,000	Ditto
20	Motor Grader 12 Ft. and above	15,000	Ditto
21	Grab dredging crane, Diesel operated (3/4 cyd. and 1 1/2 cyd.)	15,000	Ditto
22	Mobile Crane (5 tons)	10,000	Ditto
	Mobile Crane (10 tons and above)	12,000	Ditto
23	Motorized scraper 9-13 Cyd.	12,000	Ditto
24	Towed scraper 9-12 cyd.	15,000	Ditto
25	Pusher (crawler tractor) 108 HP	12,000	150 per cent of the capital cost
26	Soil Stabilizers 4" to 7ft.tons our capacity	12,000	
27	Bituminous Hot Mix Plant, 25	15,000	
28	Paver Finisher, 100 ton/hr. capacity.	15,000	
29	Chip spreaders capable of spreading 3/8" to 3/4" size chips	15,000	
30	Bitumen Pressure Distributors(1000 Gallons)	15,000	
31	Rear Dumpers 9/11 cyd.	10,000	
32	Bitumen mixers 8 -10 Tons Cap	10,000	
33	Mechanical brooms	10,000	
34	Pile driving equipment	15,000	

## LIFE OF SMALL ITEMS COST OF WHICH IS TO CHARGED TO WORKS

(Only when used Departmentally on central works)

Sl. No	Name of Machines	Working life in Hours	Provision for Repairs
1	Air Compressor 160 C.P.M. and below	8000 Hours	15 percent of the Capital Cost
2	Sheep foot Rollers	16000 Hrs.	
3	Compression Testing Machine	40000 Hrs	
4	Bitumen Storage Tank	15000 Hrs,	

## ANNEXURE -II

### FACTORS AFFECTING EARTHMOVER TYRE LIFE

<b>Group-I</b>	Maintenance includes inflation
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	Excellent	1.1
	Average	1
	Poor	0.7
	Very Bad	0.4
<b>Group-II</b>		Maximum Speeds
	15 K.M. per Hour	1.2
	30 K.M. per Hour	1
	45 K.M. per Hour	0.8
	60 K.M. per Hour	0.5
<b>Group-III</b>		Curves
	None	1.1
	Moderate	1
	Severe, Single Wheel	0.8
	Severe, Dual Wheel	0.7
	Severe, Tandom Wheel	0.6
<b>Group-IV</b>		Surface
	Dnoe, psvkrf, no road exposed earth	3.0
	Hard packed earth	1
	Soft earth or sand maintained	1
	Gravel road, well maintained	0.9
	Soft earth ,some rock	0.8
	Mud, ordinary	0.8
	Gravel Road, poorly maintained	0.7
	Mud, abrasive or with rock	0.5
	Blasted Rock	
	Soft coal	0.9
	Soft shale or limestone	0.7
	Granite, gneiss, trap, basalt hard Shale or limestone	0.6
	Slate or schist	0.4
	Lave, hard surface	0.3
	Obsidian, volcanic glass flint	0.1
	Black Top	

	clean wet	1.4
	cold weather	1.2
	Hot weather, 75 to 100 0F	0.8
	Very Hot Over 100 0F	0.5
<b>Group-V</b>		Loads
	Recommended by Tyre and Rim Asson.	
	Full Load	1
	50% under Load	1.2
	20% under Load	1.1
	10% over Load	1
	20% over Load	0.8
	40% over Load	0.5
<b>Group-VI</b>		Wheel Position
	Trailing	1.0
	Front (Non-driving)	0.9
	Driving Rear dump	0.8
	Rear dump tendom	0.7
	Bottom dump	0.7
	Scrapper, self- propeled	0.6
<b>Group-VII</b>		
	Level Firm surface	1.0
	6% maximum	0.9
	10% maximum	0.8
	15% maximum	0.7
	25% maximum	0.4
	Loose or slippery surface 6% maximum	0.6
	10% maximum	0.6
	15% maximum	0.4
<b>Group-VIII</b>		Miscellaneous conditions and combinations
	Favourable or counteracting	1.5
	None	1.0
	Unfavourable	0.8
	Very unfavourable	0.6

Following is an example showing how the tyre life would be worked out in relation to particular factors chosen from the above table, as applicable for a particular job, where the tyred equipment may be in use :-

Optimum tyre life 6000 Hours or 100,000K.M.

**Example**

To determine the tyre life with the following condition of working.

1	Maintenance, Average	1.0
	Speed 45 K.M. (	
2	Maximum)	0.8
3	Curbes, Moderate	1.0
	Surface, Soft Earth,	
4	Some Rock	0.8
5	Load, 20% Over Load	0.8
	Wheel Position, Driving	
6	Bottom Dump	0.7
	Grades, 10%	
7	Maximum firm surface	0.8
8	Misc. Condition None	1.0

Tyre Life : ( 6000 Hrs. or 100,000 K.M.)

$1.0 \times 0.8 \times 1.0 \times 0.8 \times 0.8 \times 0.7 \times 0.8 \times 1.0 = 1720 \text{ hrs. or } 29000 \text{ K.M.}$

**ANNEXURE - III**

**PREVENTIVE MAINTENANCE CONTROL REPORT**

UNIT NO.....

Type of Inspection Due	Due at (Hours)	Done at (Hours)	Unit Hours to Date					
			Jan.	Feb.	Mar.	Apr.	May.	June.

**ANNEXURE - IV**

**PREVENTIVE MAINTENANCE HOURS**

Name of machine, Excavator.

Unit No. ....

Total operating hours\* .....

Date .....

Check and correct, if necessary, using symbol (✓) if O.K. @ if repair of adjustment is made and (O) if repair is needed and not completed.

Work to be done

Before shift/one

Before shift/two

Engine-

1. Check oil level
2. Check radiator level
3. Check fuel oil level
4. Check water pump grease cup (1 turn)
5. Check water temperature
6. Check oil temperature
7. Check air cleaner and breather caps
8. Inspect fuel, oil and water level
9. Idle engine before starting (10 minutes)
10. Lube, all 8 hour grease points with wheel bearing grease
11. Lube open gears and sprockets with open gear comments
12. Check controls, clutches, brakes
13. Check dipper teeth
14. Inspect loose nuts and bolts.
15. Inspect oil leak in Hyd. system, etc., ,

Operator

Mechanic.....

Supervisor

**ANNEXURE -V**  
**PREVENTIVE MAINTENANCE - 100 HOURS**

1	Lubrication clean oil filter cap
	Change engine oil Change lube oil filter (elements)
	Check differential Lube (leave)
	Check rear axle planetaries (L.I.)
	Check differential lube (level)
	Check transmission lube (level)
	Check hydraulic oil (level)
	Clean and refill, hydraulic (tank breather)
	Grease clutch release (bearing)
	Grease tandem units cross (shaft)
	Grease brake anchor (pins)
2	Oil cane points
	Throttle linkage

	Clutch linkage
	Clutch air cylinder
	Emergency brake linkage
	Cob locks
	Cob door hinges Hood fasteners.
	Battery case fastener
	Brake Pedal valve wiper motor (air)
3	Engine lub system check
	All lines for locks
	Oil filter for locks
	Pan bolts for tightness
	Han belts for tightness
	Clean breather cap
4	Air cleaners
	Tighten hose clamps
	Clean central tube
	Check hoses and pipes for cracks or locks
5	Belts
	Check for wear frayed for cracked spots, adjust slack fan
	Compressor
	Generator
	Steering Booster, Tight crankshaft nut
6	Engine mounting Tighten: engine supports
	Fuel system check lines for leaks
	Check pump for leaks
	Check injector lines
	Fuel filters
8	Cooling system Check for leaks Hoses
	Water pump
	Oil cooler Water manifold
	Drain cocks
	Check anil freeze strength
	(a) Clutch check linkage for tightness Air cylinder stop
	Pedal clearance I free, (travel)
	(b) Convertor and Transmission trans, mounting bottles for (tightness) Convertor mounting bolts for (tightness)
	Oilliners for jacks
	Engine synchronization
	Convertor for locks

	Transmission clutches Gear shifts linkage for (tightness) convertor
	stall speed
10	Transmission
	Tighten
	Mounting bolts
	Power take off bolts
11	Drivelines
	Tighten companion flange bolts Tighten universal bearing bolts Check for loose universal
12	Rear axle and differential check and Tighten Differential, companion flange
	Nut carrier nuts
	Axle mounting bolts
	Clean and open differential breather
13	Wheels and tyres
	Tighten hub and wheel nuts
	Tighten driving flange bolts
	Check tyre pressure
	Check for cuts, bruises and breaks Check tyre matting
14	Springs and corque road, check and or tighten Check or tighten items Listondon (Check sheet)
15	Brakes
	Adjust front and rear brakes
16	Air system
	Air lines
	Tradle Valve
	Brake chamber
	Quick release valve
	Clutch air assist valve
	Air compressor
17	Emergency brake Check brake lining for wear adjust brake shoes Inspect the ratchet, Dawl and (Linkage) Check brake air assist.
18	Steering system Check for loose or bent tie rod (and drag link)
19	Electrical system
20	Batteries
	Check liquid level
	Check hydrometer reading
	Check connections
21	Gib

	Check adjust or replace
	Eighteen cab hold down (bolts)
22	(a) Instrumental panel
	Air pressure type and Governor operation Tachometer lubricating oil pressure (gauge)
	(b) Instrument panel (convertor units) check
23.	Accessories
	Check operation of the following accessories
	Windshield wiper, fire extinguisher, horn head and defroster
24.	Hydraulic system (Rear dump and Scrapper units only)
	Test hydraulic system
	Check visually for leaks Check hydraulic control
25.	Scrapper units Enjector return spring Cutting edges for weat sheaves Frayed or work cables
	Tighten
26.	Tailer units wheel wind for adjustment.
	Door stop - sheaves
	Frayed or worn cable
27.	Road test
	Engine Clutch
	Brakes Check Steering on Tractor Trailer units.

## ANNEXURE - VI

### PREVENTIVE MAINTENANCE 500 HOURS

Unit No.....Total operating hours..... Date.....

Check and correct, if necessary, the following items using the symbol (1) O.K. @ if repairs or adjustment is made, (o) if major repairs are needed, and not completed. List on reverse side of sheet explanation of repairs made or reasons why they were not completed.

1	Cleaning wash unit clean engine
2	Lubrication drain and refill Hydraulic transmission oil
	Clean transmission suction screen ( allision only)
	Replace fuel filter elements oil generator starter

3	Frame Examine for cracks inside and outside
4	Cab canopy or dash check condition of wiring
5	Electrical system
6	Engine ( Cummins)
	Clean fuel pump screen Tighten cylinder head bolts
	Adjust valves tighten manifold bolts
	Check blowby
	Inspect super changer for leaks
7	Engine ( G.M.C)
	Adjust valves
	Time injectors
	Position injector control rock
	Tighten cylinder head nuts clean air bolts
8	Wheel bearing front and trailer Adjust bearings
9	Front axle Check
	King pins and bushings spindle to axle clearance( T.D. and F.F.O. only) Toe in.
10	Steering system
	Check and adjust Bolts joints Front axle stops
10.(a)	Rear dump units (body)
	Examine and repair
	Moles and cracks
	Broken welds
	Loose or bent canopy
	Broken welds
10. (b)	Trailer units Check
	Holes and cracks Broken hang bolts Tighten wheel wind Mounting (Bolts)
10.(c )	Scrapper unit Check
	Holes and cracks Broken welds
11	Perform 100 Hrs P.M. Check
12	Additions.

## ANNEXURE VII

### Preventive Maintenance 1000 Hours

Unit on . . . . . Total operation hours . . . . . Date . . . . .

Check and correct, if necessary, the following items using the symbol (\*) O.K. @ if repairs or adjustment is made, (o) if major repairs are needed and not completed. List on reverse side of sheet explanation of repairs made or

reasons why they were not completed.

1. Lubricating Drain and Refill Differential Rear axle planetaries steering gear. Transmission and replace oil (filter element) change hydraulic oil and (filter) change wheel wing oil Grease slack adjuster Refill driver seat slack absorber oil slack upper busing.

2. Coaling system drain flush and refill remove and clean oil cooler

3. Hydraulic system check relief valve adjustment check steering booster relief, valve setting.

4. Air system check air compressor discharge valve for carbon and clean if necessary. Adjust air compressor (unloading valve)

Clean compressor ( oil supply and return lines) clean governor air strainer. Clean safety valve pipe of pressure.

5.

(a) Engine ( G.M.C.) inspect intake parts inspect piston rings inspect blower for wear and leave.

(b) Engine (Cumming) check crankshaft and ply clean injections, grease-water pump and fan hub.

6. Perform 500 Hours checks

7. Additions.

.....

## **Preventive Maintenance 2000 Hours**

Unit on . . . . . Total operation hours . . . . . Date . . . . .

Check and correct, if necessary, the following items using the symbol (IO) if O.K. @ if repairs or adjustment is made, (o) if major repairs are needed and not completed. List on reverse side of sheet explanation of repairs made or reasons why they were not completed

1. Electrical system

Check generator brushes and commutator

Tighten generator mounting check starter brushes and commutators

Tighten starter mounting tighten starter solenoid (hold down bolts) clean and adjust regular

2. Wheel bearings and brakes examine all brake linings checks (forwal)  
Repack wheel bearings inspect planetaries (unit with planetaries in wheels)
3. Steering system check steering column for alignment adjust steering  
gar-cum-thrust (bearings) adjust steering gear backlast
4. Perform 1000,500 and 100 Hour
5. Addition.

## **ANNEXURE VIII**

### **Preventive Maintenance 4000 Hours**

Unit on . . . . . Total operation hours . . . . . Date . . . . .

. .

Check and correct, if necessary, the following items using the symbol (\*)  
O.K. @ if repairs or adjustment is made, (o) if major repairs are needed and not  
completed. List on reverse side of sheet explanation of repairs made or reasons why  
they were not completed

1. Engine  
Re-condition engine Disassemble and inspect ( Clutch or converted and  
Transmission)
2. Differential and planetaries Disassemble and inspect (differential remove  
and Inspect ( Planetaries)
3. Air System  
Disassemble, clean and replace diapharagms or sects  
Brake chambers, quick release valve  
Check valve Tradel valve operation check air compressor
4. Performs 2000, 1000, 500 and 100 hour checks
5. Additions  
Time speed  
Time speed  
Time speed  
Mechanic

Mechanic

Master Mechanic

## ANNEXURE IX

### Principles governing the calculation of hire charges for staff Car, Jeep, Truck etc.

1. The hire charges of jeep, Trucks, Station Wagons, Pickup, staff Car etc, on kilometer basis should be determined by taking into account depreciation, taxes, fuel, lubricants, operation cost, repairs cost tyres and tubes cost of servicing etc.

i	Depreciation per K.M.	Cost of vehicles excluding tyres, life of the vehicles in terms of K.M.
ii	Taxes per K.M.	Taxes per year minimum yearly run
iii	Fuel per K.M.	Cost of one litre of fuel average run per litre.
iv	Lubricants per K.M.	Annual cost of lubricants minimum yearly run.
v	Operation cost per K.M.	Annual Expenditure on pay and allowances of operating staff minimum yearly run
vi	Repair provision	14% of the value of depreciation as at (i)
vii	Tyres and Tubes	Annual Expenditure on tyres and tubes including repairs expenditure of tyres and tubes. Minimum yearly run
viii	Cost of servicing	Annual expenditure on servicing. Minimum yearly run.

Note- The hire charges of an newly acquired vehicle shall be same as that a vehicle on service for a full year.

2. The hire charges of jeep, truck, etc on daily basis shall be determined by taking into account depreciation, maintenance and repairs and operation cost and taxes as detailed below. The hirer shall bear the fuel and lubricants.

i	Depreciation per annum	Cost of vehicles excluding cost of tyres.
		Life of vehicles in terms of year
ii	Repairs & Maintenance charges	14% (i) above
iii	Operation cost	Pay and allowances of the operating staff per annum

iv	Depreciation & repair of tyres and tubes	Annual expenditure on tyres including repairs of tyre and tubes
v	Taxes	M.V. Taxes per annum
vi	1/10 of (i) (ii) (iii) (iv) and (v) will be the hire charges per month	
vii	1/20th of (vi) will be the hire charges per day.	

3. The minimum life and yearly kilometre run of vehicles on plain/hilly project area are indicated below.

Description of Vehicles	Plain area		Hilly or project Area	
	Min. Life (in Years)	Min. Yearly K.M.	Minimum Life (in years)	Minimum Yearly K.M.
(1)	(2)	(3)	(4)	(5)
i. Car, Jeep, Station Wagons, Pick ups	10	20000	8	20000
(ii) Departmental Trucks other than T.M.B. Leyland Vehicles.	8	32000	8	30000
(iii) Departmental Truck				
(a) T.M.B. (5) Five Tons	10	40000	10	20000
(b) Seven (7 ) Tons	10	40000	10	20000
(iv) Leyland	10	40000	10	20000

4. The scale maintenance of motor vehicles laid down in P.D.Memo No. 38550, Codes 132/65 pt. (110) F. Dated 12.11.1965 and as revised from time to time should be followed in the matter of areas the scale may be increased by 20%.

5. The rate of hire charges on daily basis is for a period of 12 hours, when the vehicle is hired out for less than 12 hours, half of the rate for day shall be charged. Overtime allowance payable to the Driver/cleaner should be charged extra.

6. In case of the vehicles are detained beyond the period of hire, detention charges @ Rs.1.00 per hour or part, thereof in respect of jeeps, Land

Rovers, Staff Cars, Station Wagons, Pickups and @ Rs. 3 per hour or part thereof in respect of Truck are payable in addition to usual hire charges.

7. The following records shall be maintained separately for each vehicle.

- (a) **Log Book**- This shall be maintained as per form 'A' by the Driver of each individual vehicle, a copy of the same being retained with the Officer in-charge who will see to its proper check and maintenance. The Driver shall produce the log book once a week for incorporation of its entries in the counter part retained with the Officer in-charge. The front page of the log book shall contain the following information. Description of the vehicle, registration No. year of purchase, cost of the place where the vehicle is kept and the officer in whose charge the vehicle is kept.
- (b) **Stock Register**- A stock register as per form 'B' shall be maintained in respect of each vehicle containing description of each vehicle, the spare parts, accessories, tools and other equipments supplied from time to time and details of repairs done and replacements made in the vehicle. The first page of the stock register should contain the following information.

- 1) Description of the vehicles, make and model, Registration No. and Chasis No.

A vehicle should be checked by the Officer in-charge once a month to see that tools, equipments etc supplied to the vehicle are correct and are in existence. The certificate should be recorded in the stock register. The transactions of petrol need not be recorded in the stock register unless a stock of petrol is kept outside the vehicles.

Some pages of the Stock Register should be kept blank and should be used a history sheet in which the details of purchase, repairs spare parts used, servicing, replacement of tyres and tubes etc. should be recorded in chronological order and attested by the Officer in-charge of the vehicle.

- (c) **Hire Accounts Register**- This account shall be maintained in respect of each vehicle as per proforma 'C' which will show the detail of use of the vehicle by other departments or officers to whom the vehicle is lent on requisition only.

The above records are intended as a check on individual vehicle and shall be kept besides such other records or accounts as ordered to be maintained from time to time to show the total expenditure or income of the various government vehicles provided that in case of no duty journey performed during a month, a log book in respect of each vehicle should be closed at the end of the each month and a summary prepared in the log book showing details of the journeys performed during the month as per the details of heads indicated in the proforma 'A' for facility of audit.

8. Maintenance of the vehicles including periodical oiling greasing and washing the vehicle shall be the responsibility of the Driver attached to the vehicle. Expenditure caused as a result of negligence or carelessness of the Driver in maintaining the vehicles shall surcharged to the Driver himself.

9. The servicing of the vehicle should be made at regular intervals which should not be less than one month or more than three months at the discretion

of the Officer in-charge. He shall satisfy himself that this has been done properly.

10. In the event of any vehicle showing any appreciable fall in its kilometer per litre, performance at the end of the any month, the Officer-in-charge of the vehicle shall report to the Divisional Officer the reasons for deviation who shall investigate into the causes and order for the remedial measures for the rectification of the defects.

11. The vehicle shall normally be used by the officer in whose charge it is placed, for official work only. In case the vehicle is required by another officer of the some department/ division for official only the some can be spared under orders of the Divisional Officer.

12. Ordinarily government vehicles may not be spared on hire for private use, but in emergent cases requisite on for private use of vehicle shall be made to the Divisional Officer who shall order if the same can be spared without detriment to Government work.

## **ANNEXURE X**

### **Agreement for Hiring Government Plant and Machinery**

The agreement made the . . . . . day of . . . . . 20 . . . . . between the Governor of Orissa (hereinafter called the Government which expression shall where the context so admits include his successors in office and assignee) of one part and Shri . . . . . S/O . . . . . Village . . . . . P.S. . . . . . Dist. . . . . (hereinafter called the hirer which expression shall where the context so admits include his heirs/successors/legal administrators representatives and assignee) of the other part.

Whereas the hirer has applied to the Government for the hire of the plant and machinery described in the scheduled hereto for use on.....and has deposited with the Government the sum of Rs.....as security deposit for due performance and observance of the terms and conditions and stipulations herein contained and the Government has agreed to let the said hirer the plant and machinery as described in the scheduled as aforesaid.

NOW IT IS HEREBY AGREED AS FOLLOWS :-

2. The Government shall let to the Hirer and the Hirer shall take on hire from the said Government from the date hereof the Plant and Machinery which are specified in the Schedule hereto and in which are hereafter called

the said and machinery for a period of ..... Calendar month from this  
.....day of 20 . . . . .

3. The Hirer shall pay hire charges either in cash in advance on the first working day of each month or by recovery from his bill (s) due from Government at the rate of Rs. . . . . . per each complete month and at the rate of Rs ..... per diem for a fraction of a month calculated at 1/20th of the monthly rate limited to the maximum of the monthly rent, during the continuance of the hiring before the delivery of the said plant and machinery to the hirer leave. . . . . stores at . . . . . till they are returned to the Government.

If after the said plant and machinery has been taken delivery by the Hirer any alternation or improvement is made at the cost of the government the hires shall pay such enhanced monthly/daily rent as may be fixed by the Divisional Officer concerned under the rules with reference to the enhanced value of he said plant and machinery.

4. The Hirer shall not deploy the said plant and machinery on work other than that for which it has given on hire and lend or transfer the plant and machinery to any person or persons without the previous sanction in writing of said Government.
5. The hirer shall keep the said plant and machinery during the period of hire in good order and condition and make-good all damages caused to the said plant and machinery other than ordinary fair wear and tear due to a reasonable use of the same and shall tit the determination of the period of hiring pay to the Government the cost of replacing or repairing such of the said plant and machinery or parts thereof as may be broken, missing or damaged or lost during the continuance of the hiring. The cost of repairing damage will be that actually incurred for the purpose by the work shop at . . . . . including, the usual indirect and centage charge, while the cost of replacement will be either the original book value or the current market value whichever is higher.

It shall be lawful for the Government to reimburse the cost of replacing or

repairing as aforesaid from and out of the said deposit and the balance thereof shall be refundable to the Hirer on the fulfillment of the terms of this agreement. In the event of such loss, replacement or repairs, the hirer shall pay the balance amount in cash to the Divisional Officer on demand. If not paid in cash, the amount shall be recovered from the dues that may be due or become due to the Hirer from the Government or out of fixed deposit / securities that may be pledged with Government or under Orissa Public Demand Recovery Act, 1962 as the case may be.

6. All repairs due to fair wear and tear during the period of hire shall be borne by the Government. The decision of the Divisional Officer of the Division concerned, shall be final as to what repairs should be borne by the Government.

7. The hirer shall bear all the connected with packing, handling in the stores, conveyance and other incidental expense in connecting with the dispatch of the said plant and machinery from the stores and return thereto including freight charges, if any and also erecting and dismantling charges.

If during the period of hire it is found necessary to send the said plant and Machinery to the Public Workshops for repairs, all conveyance and incidental charges to and from shall borne by the Hirer.

8. It shall be lawful for officers authorized by the Divisional Officer at all reasonable times to inspect the State and condition of the said plant and machinery.

9. Officers authorizing by the government may, at any time by giving seven days notice in writing to the hirer, determine this agreement and may on the expiration of the said notice enter upon the premises where the said plant and machinery or any of them may then be and remove and carry away the same and the hirer shall not claim compensation for such action ( except there of the proportionate rent for the unexpired portion of the period for which rent has already has been recovered in advance).

10. Upon breach by the hirer of any of the stipulations in this agreement, the Government shall be at liberty without any previous notice to determine this

agreement and take possession at the said plant and machinery.

11. Upon the determination of this agreement, whether by efflux of time or otherwise, officers authorized by the Government shall be at liberty to enter any house, premises or place where the said plant and machinery have been lodged and may remove the carry away the said plant and machinery and for that purpose to do all things reasonable necessary for such removal without liability for and damage thereby caused and without prejudice to the rights of the Government, in respect of any rent or, sums of moneys accrued or accruing due from the hirer under this agreement.

Provided that in addition and without prejudice to the other rights and remedies of the Governor, the Government shall be entitled to recover any sum that may from time to time be due and payable by the hirer from the sums that may be due or become due to the hirer from government or out of fixed deposit/ securities that may be pledged without Government or under Orissa Public Demand Recovery Act, 1962.

IN WITNESSES WHERE OF .....acting on behalf of and by the order and direction of the government of Orissa . . . . . and year .....the hirer have herunto set their hands and scale the day and first above written.

**SCHEDULE**

**Description of Plant and Machinery Hired**

Witnesses	Serial	Name of the Plant and machinery	Rate of hire charge	Period of hire
1.				
2.				

Signed, sealed and delivered by the above named for and on behalf of the Governor of Oisha.  
Official Seal and Designation.

1  
2

Signed, sealed and delivered by the above named  
(Hirer)

## APPENDIX-XVIII

# Rules and Procedure for Verification Of Stores in the Public Works Divisions By the Store Verification organization

### 1. Introductory-

- (a) In Public Works Division attention has to be paid to inventory control. Inventories not only tie up available funds : which are scarce, they also cost a good dealt carry them with large funds tied up unnecessarily in surplus stores and stocks work are likely to be deployed for want of funds. Left to themselves inventories have a tendency to expand economic limits. Lack of control or inventories also lead to excessive consumption, obsolescent and stores. Reserve stock limits are therefore, prescribed each year for public Works Divisions to keep control over the procurement of stock.
- (b) The Divisional/Sub-divisional Officers are also required to verify the ground balances and certify them to audit. The principle behind this verification is to find out shortage in stock and to analyse the balance stock on hand with regard to its necessity and useful ness.
- (c) With the increase in the work load and big expansion of activities of Public WorksOrgnsisation, the inventories in the Divisions are also increasing and along with this the reserve stock limit is going up from year to year in many Divisions. It is therefore necessary to have an independent Organisation to undertake verification of stores from time to time to help the Divisional Officers to keep proper control over stores. Stores Verification Organisation have been created in some of the Administrative Department in charge of Public Works with an, Executive Engineer and component staff.
- (d) The main functions of this Organisation is to help the Divisional Officers to exercise greater control over their stores. This is achieved by-
  - (i) Physical verification of Stores.
  - (ii) Verification of stock and Tools and plant accounts.
  - (iii)Co-relating physical balances with Book balances.
  - (iv)Segregating surplus and unsurplus materials for display.
  - (v) Elimination of losses due to obsoldnce, pilferage and theft.
  - (vi)Review of reserve stock limit with reference to stock on, hand from time to time.
  - (vii) Identify unnecessary purchase.
  - (viii) Examining the method of stores, issue and security of stores.
  - (ix)Conducting surprise verification when necessary.
  - (x) Examining whether the issue rates have been properly worked out.
  - (xi)Examining whether sale proceeds of materials been recovered and properly adjusted.
  - (xii) Whether hire charges of machineries have been realized.

2. Organisation independent verification of stores will be taken up by the public works stores verification organisation which will be attached to the Department of the government in charge of Public Works. The organisation will be in charge of an Executive Engineer with such complementary staff as sanctioned from time to time. The Headquarters of the organisation will be at Bhubaneswar or at such other place as may be fixed by the Government in the Administrative Department.

3. **Programme of Works** – The Executive Engineer in charge of the organisation should draw up a programme of verification for the entire year to cover at least 30% of the Divisions under each Department or such number of Divisions as directed by the Secretary of the concerned Department before the commencement of the year. The programme should be drawn up in a register in form No.1 and approval of the Secretary of the Administrative Departmental obtained in consultation with F.A. cum-Deputy Secretary. The programme of verification of stores should be circulated well in advance to enable the concerned Divisions to keep their Accounts Registers ready in all respects for inspection by the Stores verification party. Besides the above programme, conducted by the organisation the surprise check of stores should be Department without as and when directed by the Secretary of the Department without prior notice or programme. The period of verification of Divisional Stores should be fixed on the basis of the Reserve stock limit, fixed for a Division, taking into account the time taken on the previous occasions, A copy of the annual programme should be circulated to the Superintending Engineers and Chief Engineers.

To enable the verification staff to establish their identify with divisional Officers, authority letter or cards the Divisional or sub-Officers, authority letters or cards in the following form should be issued by the Executive Engineer in charge of the organisation.

"This is to certify that Shri . . . . . of the..... Department is authorized to verify any stores and to have access to all books and records relating to stores in divisional/Sub-divisional andSectional Offices"

Signature of the Executive Engineer  
Stores Verification Organisation

4.

- (a) **Functions**- the physical verification of stores will cover all categories of stores under a Public Works Division viz (i) Stock, (ii) Tools and Plant (Both ordinary and special), (iii) Materials charged direct to work, (iv) materials under work shop accounts. This work should be entrusted to the technical staff under the supervision of an Assistant Engineer of the Organisation.
- (b) The work of checking and inspection of stores accounts should be carried on simultaneously by verifiers (Grade I and Grade II with a view to (i) examine the correctness of book balance withreference to various initial records relating to stores accounts, (ii) find out shortage if any on transfer of materials from another Division/Sub-Division on its abolition or amalgamation, (iii) scrutinize charge reports to find out if they disclose any loss of stores, (iv) indicate the person responsible for the loss of the stores, (v) see that the

excess of deficiencies if any, detected in course of any previous verification ( verification done by the Divisional Officer or by the Stores verification discrepancies found in the charge vapers, are investigated and accounted for and responsibility fixed in case of loss sustained by the Government, (vi) see that, stores accounts such as Bin Cards, returns and register are maintained and defects set right in accordance with the rules, (vii) see that annual verification of stores are regularly conducted by the Divisional Officer on the basis of up-to-date and reconciled balances, (viii) see that materials received from other Divisions, D.G.S & D. other transaction ae properly classified and accounted for, (ix) Test check of the issue of materials to other accounts and to the contractors, (x) Examine the steps taken for disposal of surplus and unserviceable materials, (xi) see whether the stock materials kept in the store are within the reserve stock limit, (xii) Review the action taken on previous verification reports.

5. Procedure to be followed in physical verification/inspection of store accounts and review.

### **A. Action in the Office of the Executive Engineer Store Verification Party**

- (i) At the beginning of the financial year the programme of verification should be communicated to all concerned indicating herein the date and period of verification (Form No. 1) and call for a list of book balance of stores in form No.2 in triplicate. For facility of verification as well as checking of accounts the verification should commence either in 2nd or 3rd week of a month. Except in any special case the programme of verification as fixed should not be postponed.
- (ii) The period of verification may be extended by the Executive Engineer, Store verification party to the extent of 25 per cent of the days stipulated in the programme provided that such extension does not affect the programme of other Divisions. The approval of the secretary of the Department should be obtained for extension beyond the above period.
- (iii) If the section-wise statement of stores (Form 2) go in triplicate are not received within the prescribed dates, i.e. 15 days before the commencement of verification the concerned Divisional Officer should be reminded to send the same and if he fails to do so the matter should be brought to the notice of the Secretary of the Department for necessary action.
- (iv) On receipt of the book balance from the Divisions concerned in form No.2 ( or

even when the same is not received within the stipulated time), the Executive Engineer, Stores verification should be issue a letter on authorization to his staff, selected for verification. Out of three copies of statement of book balance where received from the Division one copy should be handed over to the Supervisory head of the physical verification staff the second to the Supervisory head entrusted with checking the stores account and the third copy should be retained in a Guard file separate Guard Files be maintained for each Division.

- (v) The Executive Engineer, Stores Verification Part will watch the receipt of the weekly progress report in form No. 21 and 22 and the consolidated sectional/Sub-divisional verification report in Form No.7 from the staff engaged in verification of stores. On receipt of the consolidated reports (Form-7) the Executive Engineer should review the same. In case of important discrepancies or shortages noticed the concerned Divisional Officer should be requested to clarify the position within 10 days, if he fails to furnish reply within the time, the Executive Engineer, Stores verification Party may incorporate the item in the final report. These may also be reviewed by the Executive Engineer, Stores verification party during his inspection. The final report will be compiled on receipt on the final verification report from the party in Form No.23.
- (vi) The issue of the final verification report in respect of a Division and its disposal should be watched by the Executive Engineer, Stores verification party through the verification register (Form No.6)
- (vii) The compliance report should be obtained from the divisions concerned through regular correspondence. On receipt of the compliance reports these should be properly scrutinized and put up to the Executive Engineer along with verification register who will fix a date for review in consultation with F.A.-7-cum-Deputy Secretary.
- (viii) The purpose of review is to examine the compliance report of the Division with the original record with a view to finalise the objection, and fix responsibilities for the cases of loss sustained by the

Government, if any. At the time of issue of such review report, the Executive Engineer, Stores verification party shall initial the verification register.

(ix) The following register should be maintained in the Stores verification Organisation.

1. Register of programme for verification of stock (Form No.1)
2. Register of issue of Field Book (Form No.4)
3. Register of issue of implements and tools and plant to verification staff (Form No.5)
4. Register of verification of stores (Form No.6)

## **B. Action in the Division Concerned**

- (i) 15 days before the commencement of verification of stores and inspection of stores accounts as indicated in the programme, the concerned Divisional Officer should furnish section-wise book balance as it stood at the end of preceding month in respect of stock, tools and plants and site account in triplicate to the Executive Engineer, Store Verification Party to enable him to take up the verification work as per the programme. He should also furnish any other information required by the Stores verification Party from time to time promptly.
- (ii) The Divisional Officer should extend full co-operation for smooth working of the verification week. He should see that-
  - a) Stores are arranged on racks or in stacks, etc. in such a manner, so as to facilitate verification work quickly.
  - b) Items involving large stock are kept in package or in stacks of standard quantity, stock of one item, is, as far as possible, be kept in one location, stock and site account materials are not mixed together.
  - c) Identification tags showing complete nomenclature, size and other relevant information have been tagged with a sample of each item and maintained carefully.
  - d) Either the Store-Keeper or Sub-Assistant Engineer in charge of store is present at the time of verification to attend the queries made by the verification staff.

- e) Attestation is done or a certificate as and when required by the Stores Verification Party as per the procedure laid down hereinafter, is furnished by the store keeper explanation for the discrepant items is given Form No.6.
- f) During verification of stores, the receipt and issue of materials under verification is suspended as far as possible. In urgent cases, such transactions may take place but no materials should be brought into stock or taken out without knowledge of verification staff.
- g) The account records relating to stores are produced to the checking staff as and when required by them.

### **C. Physical Verification by The Stores Verification Party**

(i) The staff engaged in physical verification of stores should use the field books supplied to them ( in form.3) for recording detailed measurement of materials against the book balance reported by the concerned Division. They should satisfy themselves that none of the class or items of store under verification is lying in any obscure corner of the godown or yard any materials found in the yard for which no accounts are forthcoming should immediately be recorded in the field book.

At the end of detailed measurement of one item of store or class of small stores, certificate has to be obtained from the store keeper or Sub-Assistant Engineer in charge of stores to the effect that all stores pertaining to that particular item/ class have truly and correctly been presented for verification and duly verified by the verification staff and that all receipt and issues up to the date of verification for items/class have been included in the stores ledger and in the book balance.

(ii) The ground balances are required to be worked out on the date of starting the verification by educating the receipt and adding issues thereafter. This should be clearly indicated in the field book.

(iii) The staff working both for physical verification and checking the store accounts should submit progress reports to the

headquarters at the end of every week through their supervisor heads (Form 21 and 22)

(iv) Heavy accumulation of stores beyond requirements, loss due to improper and long storage, and unserviceable machineries and stores, should immediately be reported to the headquarters separately or through the progress report, by the Assistant Engineer in charge of the physical verification. On receipt of the same the Executive Engineer, Store Verification may inspect the stores or ask the concerned Divisional Officer for clarification.

(v) After completion of a Sectional/Sub divisional (both physical verification of store and inspection of store accounts) consolidated sectional verification report should be submitted to the headquarters under the signature of the Assistant Engineer in Form No.7. Similarly after completion Divisional Stores Verification reports in Form No.23 have to be submitted to the headquarters for preparation of final verification report.

Explanatory note for the discrepant items of store and for the defective maintenance of accounts should be obtained from the Sectional /Sub divisional/Divisional Officer before submitting the draft verification report to the headquarters.

(vi) The staff engaged in physical verification are required to point out the following :

- a) Discrepancy between book balance ( as reported by the division and subsequent additional transactions) to the starting date of verification and ground balance (Form No.71)
- b) Statement of materials unused for more than one year (Form No. 8).
- c) Materials not taken into any account (Form No.9)
- d) Unserviceable store and machineries (Form No.10).
- e) Preservation, of stores, safe custody and proper storage of materials against unnecessary deterioration from whether action or any other cause.

- f) Whether the godown floors are pukka
- g) Whether racks or other suitable engagements are provided for consumable stores and adequate arrangement exists for storage of materials like cement etc.
- h) Materials stacked, in stores yard, the godown such as steel, bitumen, Hume Pipe, C.I.Pipes S.W.Pipes, etc. are well protected and Choukidars appointed to watch the same
- i) Whether proper arrangements exist for looking the godown and Store Yard and for protection against fire.
- j) Whether issues are not made from fresh receipt instead of the materials received earlier and whether first in first out' system, is followed.

## **D. Inspection of Store Accounts**

- (i) The staff entrusted in checking the Store's account should workout the total receipt and issue on the date of verification so as to ascertain the book balance on the date of verification and furnish it to the physical verification staff as well as to the headquarter (Form No.22)
- (ii) The Supervisor-in-charge of checking of store accounts should see first as to whether Divisional balances agree with the Sub-divisional balances and similarly Sub Divisional balances agree with their respective sectional balances at any half year ending. If, the new system of store accounts has been introduced, he should check the period stores ledger balance with that of Bin Card balances. He should direct the verifiers to check the accounts from the stage of agreement of balances and to point out discrepancies, if any, in the book balance reported by the Division before the commencement of verification.
- (iii) If it is found that there is no agreement of book balances between Division/Sub division and Section, at any stage he should direct the verifiers to check the store account from the creation, of the Division after collecting the following information.

- a) Nos.of Subdivisions and Section bodily transferred from other Divisions and amalgamated with the present Division with dates.
  - b) In case of stores received on transfer, whether the balance has been transferred through accounts and have been taken as receipt in newly created Division after physical verification by the Officer concerned.
  - c) Whether continuous records are available.
  - d) Whether the entire monthly accounts of stores in respect of each section and Sub-divisional have been incorporated in Divisional monthly accounts in time.
  - e) Whether the usual physical verification of stores has been conducted by the Sub-Divisional Officer and Divisional Officer basing on the reconciles book balance and discrepancies settled.
  - f) Whether charge papers are available in all cases of transfer.
- (iv)While checking the Sectional accounts, the checking staff should note the transactions relating to transfer materials from one section to the other within the Sub Division and Division and check them at Sub Divisional and Divisional level to test the correctness of such transfer.
- (v) While checking the charge papers; it should be seen.
- (a) Whether all charge papers relating to transfer of stote are available as per the incumbency register.
  - (b) Whether the book balance noted in the charge papers agree-with the relevant register.
  - (c) Whether there is any discrepancy between book balance and ground balances shown in the charge papers.
  - (d) Whether timely action has been taken by the sub divisional and divisional offices to reconcile the discrepancy shown in the charge papers.
  - (e) Whether any discrepancy has been pointed out to the relieved officer within three months from the date of taking over. If so,

what action has been taken thereon.

(f) Whether the relieving officer has prepared the stores account on the basis of book balance or the ground balance.

(vi) Since, the omission of receipts, double issues adjustment of minus balances fictitious issues and arithmetical mistakes effect the book balance to a great extent these are required to be scrutinized while, checking the correctness of book balances.

(vii) Discrepancies pointed out in the previous verification (either by store verification party or the Divisional Officer) should be examined to see if these have been regularized subsequently.

(viii) The staff should maintain a daily diary which should be submitted to the headquarters along with the weekly progress report under the signature of their supervisory head. They are also required to submitted the sectional, Sub-Divisional and Divisional verification reports from time to time after completion.

In case of huge discrepancies and serious irregularities the supervisor in charge should personally examine the case are furnish a special report to the Executive Engineer, Stores Verification.

(ix) They are required to point out specifically the following discrepancies and irregularities, if any in the shape of statements with reference to the explanatory note in the report.

(a) Difference between the book balance reported by the Division and the corrected book balances arrived at by the stores verification party and its resultant loss or excess (Form No.11).

(b) Shortage on transfer of materials within Sub division and Divisions indicating names of officers connected with such shortage (Form No.12)

(c) Shortage in handing over charge indicating the name of officer handing over charge (Form No.13).

(d) Shortage on transfer of materials from stock to site

accounts or vice versa with names of officers connected with transactions (Form No.14).

- (e) Shortage due to omission of receipts and double issue indicating the names of the officers connected with transactions (Form No.15A and 15B)
- (f) Cases of cloded cement.
- (g) Statement showing the discrepancies between Divisional and Sub-Divisional book balancesus.46)
- (h) Statement of missing records (Form No.16).
- (i) Statement showing Sectional Sub Divisional monthly stores accounts (i) not incorporated in the divisional monthly accounts within 6 months and (ii) monthly accounts completely ignored from the divisional monthly account (From No.17)
- (j) Statement of items of stores showing minus balance and fictitious issues.
- (k) Outstanding T.D.D.G.S.D. bills, C.S.S. bills etc (Form No.19)
- (l) M.P.W.A. items pending recovery of the cost or awaiting adjustments (Form No.20).
- (m) List of cash of theft of stores.

**6. Process of Physical verification:** During verification special attention should be given to valuable, pilferage and fast moving materials. The verification party should be to verify the rupee items and leave the naya paise items as far as possible to the usual verification of the divisional Officer. The physical verification of entire stores should be undertaken wherever occasion demands-

- (i) The staff entrusted with the physical verification should personally counts weight or measure all items with the assistance of store Khalasis.
- (ii) After completion of one item or one class of small items they should take up next item for verification.
- (iii) Correctness of scales, etc. should be carefully tasted at last once during each day before weighment of any item.
- (iv) Stores should be verified in the presence of the store keeper or someone deputed on his behalf and his signature obtained along with the explanatory note against each discrepant items.

- (v) The unit taken for measurement at the time of purchase or receipt should be applied at the time of verification in order to avoid confusion.
- (vi) The verification staff should not waste time in counting large quantities of small articles when a fair result can be obtained in a shorter time by weight or measurements. In such case, 100 articles should be weighed and the weight of these stocks should then be taken as a sample counts when weigh should be weighed each item.
- (vii) Measurement and average weightment to arrive at the total approximate weight of stock or an article should be restored to only if there are heavy balance on hand. To arrive at average weight at least 2 percent in the case of iron and 10 percent in the case of other materials or stores should be weighed; such stocks should then be measured by length area for cubic contents.
- (viii) The method adopted in weightment or measurements in each case should be carefully recorded in the field book.
- (ix) In the case of valuable articles the whole stock should always be weighed, regardless of the stock balance.
- (x) the coal lying in uneven heaps, or in stacks, are required to be measured to find out the volume by length and width and various heights applying the formulas for computing the volume, and weight.
- (xi) In case of brick and cement, counting should be made in numbers after proper stacking.
- (xii) Incomplete count of weightment.

If it is not possible to furnish the count or weightment of an item during the day the stock of such counted or weighed portion of the materials should be kept quite separate from the unverified balance in the godown.

- (xiii) Tools and Plants, Special Tolls and Plants and heavy machinery.
  - (a) Tools and Plants articles with insignificant value such as notice board, name board, etc. may not a be verified. But a certificate from the stores keeper regarding condition of these small articles maybe obtained. Similarly a certificate also required in respect of small tools

and hand tools issued to the staff. The verifying staff should pay attention to the system in force for the supply, and custody and issue of above tools,

(b) In case of special tools and plants and heavy machinery verification should be made according to the description in accounts and inventories clearly specifying (i) Sl.No.(ii) Engine No.(iii) Chasis No. (iv) Model and type (v) Special work attachment (vi) Petrol driven or diesel driven (vii) Capacity and horse power. Necessary in regard to the condition of each and every machine certificate (i.e. serviceable, unserviceable, etc.) is to be obtained from the custodian. In case of salvaged machinery, the verifying unserviceable and staff should see from the records the period of service rendered by it. Premature un-serviceability of a machine should specifically be mentioned in the narrative reports.

**7. FINAL VERIFICATION REPORT:** The final verification report should contain the following information in a narrative form on the first page of the Report.

(i) Name of Division/Sub Division/Section, (i) Name of the Executive Engineer/Assistant Engineer/Sub-Assistant Engineer (iii) Name of the Executive Engineer, Stores Verification Party conducting verification (iv) Name of Store verifiers (v) Period of previous verification (vi) Period of present verification (vii) date of creation of Division Sub-Division and Section (viii) state of Store accounts (ix) compliance of previous verification reports.

## **8. INSPECTION BY THE EXECUTIVE ENGINEER, STORES VERIFICATION PARTY AND FINANCIAL ADVISER-CUM-DEPUTY SECRETARY**

In course of verification of store, the Executive Engineer, Stores Verification should inspect the working of his staff and discussed important discrepancies printed out by his staff with the Divisional Officer concerned and see if the discrepancies can be settled on the spot. The Final verification report may be issued to the concerned Division by the Executive Engineer, Stores Verification Party.

On receipt of the full compliance report from the Division, the Financial

Advisor-cum-Deputy Secretary or an Officer authorised by him and Executive Engineer, Stores Verification Party may jointly inspect the Division if considered necessary in order to fix final responsibility for losses and irregularity.

#### **AMENDMENT- 2005**

A committee constituted with the Financial Advisor of the Administrative Department or an Officer authorized by him and Superintending Engineer / Executive Engineer of the Officer of the E.I.C./Chief Engineer will jointly review the compliance report received from the Division on pending store verification party report and fix-up final responsibility for loss and irregularity.

**(Memo No. 10639 Dated 27.5.2005)**

#### **9. SCRUTINY OF VERIFICATION REGISTERS AND INSPECTION OF OFFICE OF THE EXECUTIVE ENGINEER, STORES VERIFICATION ORGANIZATION**

The financial Adviser-cum-Deputy Secretary will inspect the stores verification Organization once a year to ensure that:-

(i) Verification and inspection of store accounts are conducted according to the programme

(ii) Final verification reports are prepared and submitted to government in time.

To obtain the compliance report the matter has been properly and in case of delay, the fact has been duly brought to the notice of the Government.

(iii) The up-to-date information regarding non-settlement of iii(b) memos, relating to Director General of Supplies and Disposal bills, T.& D. items and cash settlement suspense bills has been obtained from the Deputy Accountant General, Orissa, Puri and the concerned Divisions have been properly contacted during the verification and review.

(iv) the various registers connected with verification of stores are properly maintained in the office of the Stores verification party.

(v) Other important matters etc.

**FORM No.1**

(See Rules 2 and 3)

Programme for physical verification of stores and inspection of Stores accounts by the Store Verification Party of . . . . . Department for the year .

Sl. No.	Name of Division	Period of last verification from to	Period fixed for verification during current year from to	Remarks.
1	2	3	4	5

**FORM No.2**

(See Rule 5 (b) (i))

Book balance furnished to stock verification party before 15 days of starting their verification

Name of Section/ Sub-division .....

Location of Store. ....

Date of last verification by S.V.P. ....

Date up to which has been worked out. ....

To be furnished in triplicate .....

Sl.No. as per register	Particular of Stores	Unit	Book Balance
1	2	3	4

Signature of Store-keeper

Or Sectional Officer

**FIELD BOOK ( Form No.3)**

(See Rule 5(c) (I) )

Name of Section/ Sub-division .....

Location of Store. ....

Name of article taken up for verification .....

Book balance reported earlier .....

Additional transaction ..... Total .....

Book balance standing on the date of verification.....

Date of Actual measurement	Details of measurement	Total balance as per measurement
1	2	3

Signature of S.A.E. Or Store-keeper

#### Form No.4

[See Rule 5-A-IX(2)]

#### Register of issue of field books

Sl.No	No.of Field book issued	No.of pages each contained	To whom issued	Date of issue	Signature of the person receiving the field book	Date of return	Remarks
1	2	3	4	5	6	7	8

**Note-** Date of issue and date of return is to be attested by the Executive Engineer.

#### Form No.5

[See Rule 5-A-IX(3)]

#### Register of issue of T&P to verification staff

Sl. No.	Particulars of issue	Reference to serial No and page of dead stock register	To whom issued	Date of issue	Signature of the person receiving the same	Date of return	Remarks
1	2	3	4	5	6	7	8

#### Form No.6 [Rule 5-A (VI)]

## Register of verification of Stores

Name of Division .....

Name of Executive Engineer in charge of the Division.....

Name of Sub division/Section verified with its Location	Name of SDO's/SAE's	Name of verifier	Date of verification / Period of verification	Important discrepancies	No. & date of verification report
(1)	(2)	(3)	(4)	(5)	(6)
Time fixed for compliance report	Signature of E.E./ S.A.E.	No. and date of compliance report	Date fixed for review	Signature of F.A.-cum-D.S.	Remarks
(7)	(8)	(9)	(10)	(11)	(12)

### Form No.7 [Rule 5-A (V)]

#### Consolidated verification Report for Section and Sub Division

Name of the Section or Sub Division .....

Name of the Officer in charge of the Stores.....

Name of the verifier .....

Sl. No	Name of the materials	Date of verification	Unit	Book Balances reported by the division	Transaction to the date of verification	
					Receipt	Issue
1	2	3	4	5	6	7
	Total Book Value	Total Groun	Discrepancies		Explanation of	Remarks

		d Balanc e	Shortag e	Excess	Sectional Officer/ Sub- Assistant Engineer	
	8	9	10	11	12	13

**Form No.8**

[See Rule 5-C-VI(b)]

**Statement showing the materials lying unused for more than one year**

Serial No	Name of stores found surplus	Ground Balance	Remarks by the Officer-in charge of stores
1	2	3	4

ASSISTANT ENGINEER  
Stores Verification Party

**Form No.9**

[See Rule 5-C-VI(c)]

**Statement showing the materials not taken into any account**

Sl. No	Name of Stores	Place	Month	Quantity or No.	Explanation of Sectional Officer or Store Keeper	Remarks by the Officer-in charge of stores
1	2	3	4	5	6	7

ASSISTANT ENGINEER  
Stores Verification Party

**Form No.10**

[See Rule 5-C-VI (d)]

**Statement showing the unserviceable Stores and Machineries**

Sl. No	Description of stores or machinery found unserviceable	Store requiring write of		Machinery requiring repair	Reasons for un-serviceability	Remarks by the Officer in charge of stores
		Date of purchase	Book value			
1	2	3	4	5	6	7

ASSISTANT ENGINEER  
Stores Verification Party

**Form No.11**

[See Rule 5-D-IX (a)]

**Statement showing the difference between the book balance reported by the Division and the connected book balance arrived by the Stores verification party (discrepancy items only)**

Sl. No	Name of materials	Book balance reported by the Division	Book balance arrived by the stores by the verification party	Difference		Reasons for difference
				Shortage	Excess	
1	2	3	4	5	6	7

Signature of Inspector of Stores  
Accountant /Divisional Accountant

**Form No.12**

[See Rule 5-D – IX (b)]

**Statement showing the shortage of Store on Transfer within a Sub**

**division/Division**

Name of Section.....

Name of Sub-Division.....

Sl. No	Particulars of stores issued	Date of issue	To whom issued	Quantity	Qty received by the corresponding Section /Sub-Division	Difference		Approximate value of difference`
						Shortage	Excess	
1	2	3	4	5	6	7	8	9

Signature of Inspector of Stores  
Accountant/Divisional Accountant

**Form No. 13**

[See Rule 5-D – IX ( c )]

**Statement showing the discrepancy in stores at the time of handing over charge**

Name of Section.....

Name of Sub-Division.....

Sl. No	Particulars of Stores handed over short or excess	Name of Relieved Officer	Name of Relieving Officer	Date of Handing Over of charges	Discrepancies		Approximate value of discrepancy		Remarks
					Short age	Exces s	Shortage	Excess	
1	2	3	4	5	6	7	8	9	10

Signature of Inspector of Stores  
Accountant/Divisional Accountant

**Form No.14**

[See Rule 5-D-IX (d)]

**Statement showing the shortage of material on Transfer from stock to site  
account or vice versa**

Name of Section.....

Sub division .....

Sl. No	Particular of materials in transfer stock to site or site stock	Date of transfer	Qty. transferred	Qty. reported in respective account	Discrepancies		Name of officer in charge of materials	Remarks
					Shortage	Excess		
1	2	3	4	5	6	7	8	9

Signature of Inspector of Stores  
Accountant/Divisional Accountant

**Form No. 15-A [See Rule 5-D-IX (e)]**

**STATEMENT SHOWING THE OMISSION OF RECEIPTS OF STOCK**

Name of Section/Sub division .....

Name of Sub Assistant Engineer/Sub-Divisional Officer.....

Sl. No.	Stock found to have been received through cash/ adjustment and credit notes		Stock actually taken as receipt in stock account with reference to monthly account	Difference between 3 and 4	Approximate value	Remarks
	Name of Material	Quality				
1	2	3	4	5	6	7

Signature of Inspector of Stores  
Accountant/Divisional Accountant

**Form No. 15-B**

[See Rule 5-D –IX (f)]

**STATEMENT SHOWING DOUBLE ISSUES OF STOCK**

Sl.	Name of the materials and its balance in the half yearly Regr. as on	Issues shown to works or other accounts initially	Reference to the monthly stock account in which the same issue has been accounted for	Quantity and value of stores accounted for on the second occasion	Remarks
1	2	3	4	5	6

Signature of Inspector of Stores  
Accountant/Divisional Accountant

**FORM NO. 16**

[SEE RULE 5-D-IX (G)]

**STATEMENT SHOWING THE DISCREPANCY BETWEEN DIVISIONAL AND SUB DIVISIONAL BOOK BALANCE**

Sl. No.	Particulars Stores	Half year/ years	Divisional book balance	Sub-divisional				Discrepancy (4-9)		
				A.	B.	C.	D.	Total	Shortage	Excess
1	2	3	4	5	6	7	8	9	10	11

Signature of Inspector of Stores Account/  
Divisional Accountant

**FORM No. 17**

[See Rule 5-D - IX (i)]

**STATEMENT SHOWING THE SECTIONAL AND SUB-DIVISIONAL ACCOUNT NOT INCORPORATED WITHIN SIX MONTHS OR COMPLETELY IGNORED**

SI. No.	Particulars of Sub-divisional/Sectional account not incorporated within six months	Sub-divisional Sectional account completely ignored	Reasons to be recorded by the Divisional Accountant of the Division with signature	Remarks
1	2	3	4	5

Signature of Inspector of Accounts/  
Divisional Accountant

**FORM No. 18**

[See Rule 5-D - IX (b)]

**STATEMENT SHOWING THE MISSING RECORDS RELATING TO STORES**

SI. No.	Particular of items	Amount outstanding for recovery	The month from which adjustment is awaited	Remarks by the Divisional Accountant with signature
1	2	3	4	5

Signature of Inspector of Accounts/  
Divisional Accountant

**FORM No. 19**

[See Rule 5-D - IX (k)]

**STATEMENT SHOWING THE OUTSTANDING T.D. ITEMS, G.D.S. BILLS, C.S.S. BILLS ETC. FOR ADJUSTMENT**

SI. No.	Particular outstanding dues	Amount	Remarks by the Divisional Accountant with signature
1	2	3	4

	•		
--	---	--	--

Signature of Inspector of Accounts/  
Divisional Accountant

**FORM No. 20**

[See Rule 5-D - IX (L)]

**STATEMENT SHOWING THE COST OF STORES IN M.P.W.A.**

Sl. No.	Particular of items	Amount outstanding for recovery	The month from which adjustment is awaited	Remarks by the Divisional Accountant with signature
1	2	3	4	5

Signature of Inspector of Stores Account/  
Divisional Accountant

**FORM No. 21**

[See Rule 5-A (V) & 5-C (III)]

**PROGRESS REPORT ON PHYSICAL VERIFICATION OF STORES FOR THE  
WEEK ENDING**

Name of Divisional/Subdivisional/Sectional Store.....

Name of Sub-Assistant Engineer conducting  
the Physical Verification.....

Item No.	Name of article	Units	Book balance reported	Receipt and issue up to date of verification	Total	Date of counting
1	2	3	4	5	6	7
Counted balance	Conditions of articles	Difference		Explanation given by Store-Keeper	Remarks	
		Shortage	Excess			
8	9	10	11	12	13	

Signature of Sub-Assistant Engineer

**Note :** Compare the book balance between column 6 of this form with column 8 of Form 22 as checking of ground balance and accounts balance are to be taken up simultaneously and furnish reasons for the discrepancy

**FORM No. 22**

[See Rule 5-A (V) and 5-C (111)]

**PROGRESS REPORT ON CHECKING OF CORRECTNESS OF BOOK BALANCE  
AS REPORTED BY THE DIVISION FOR THE WEEK ENDING**

Name of Divisional/Sub-divisional/

Sectional Accounts.....

Name of verification checking the account.....

Item No.	Name of articles	Unit	Book Balance reported by the Divison	The Period from which accounts are checked	Subsidiary accounts checked if any
1	2	3	4	5	6
Date of Checking	Correct book in Balance arrived at shortage		Difference between 4 & 8		Remarks
			shortage	excess	
7	8	• 9	10	11	

Signature of the Verifier

**FORM No. 23**

[See Rule 5-A (V)]

**FINAL VERIFICATION REPORT OF SECTION/ SUB-DIVISION/DIVISION**

Particulars of	Divisional book	Correct book balance has	Verified ground	Difference in the book balance 3-2 or 2-3	Difference in the verified book & ground balance 3-4

stores	balance as on ....	arrived at by the S.V.P.	balance	Shor tage	Exc ess	Shor tage	Exc ess
1	2	3	4	5	6	7	8

Signature of the Assistant Engineer

**Note:**

- (i) The column (3) will be finally incorporated on the basis of book balance arrived at as per Form No. 7.
- (ii) A report bringing out serious irregularities, if any, should be depended to this return.

**(ANNEXURE)**

(Incorporated by Works Deptt. O.M. No. 13708., Dt. 30.5.1988)

**DUTIES AND FUNCTIONS OF S. E. SVP**

**A. Compilation of store Accounts of Divisions :**

- (i) To inspect timely preparation of Bio Card and posting of P.S.L. of the Division located at places to which he proceeds on tour in connection with stores verification works or otherwise.
- (ii) To report to Government from time to time regarding up-to-date compilation of store accounts.
- (iii) Reporting cases of defaults in compilation of stores accounts for fixation of responsibility.

**B. Store Verification :**

- (i) To discuss and finalise the drafts of SVP reports pertaining to the Divisions.
- (ii) To control and supervise verification work conducted by the parties.
- (iii) To put up final draft verification report through F.A.-cum-joint Secretary to Government, for approval of Secretary of the concerned Engineering Deptt.
- (iv) To take up reconciliation on the basis of compliances furnished by the Divisions jointly with F.A. cum-joint Secretary.

C. **Supervision and control of S.V.P. Staff: Superintending Engineer,** S.V.P. will be the head of the S.V.P. controlling the staff posted to that Organisation as was being done by the Executive Engineer, S.V.P. higher to before upgradation basis attending to the routine matters in S.V.P. Section of concerned Engineering Deptt.

## **APPENDIX – XIX**

### **RULES FOR SANCTION OF SURPLUS AND UNSERVICEABLE STORES**

These rules shall be observed by the departmental officers while conducting departmental auctions for disposal of surplus and unserviceable stores which are not required by the Department. Before any material is put to public auction sanction of the appropriate authority should be obtained in the form of a Survey report.

Rule -

(1) Wide publicity shall be given in all cases of auction of surplus and unserviceable stores, the reserve price of which exceeds Rs. 500. In case of stores, the reserve price of which exceed Rs. 500 but not more than Rs. 2,500 advertisement should be inserted 30 days ahead of the date fixed for auction sale in the Odisha Gazette, and also be published in one local news paper (daily) through the Home (Public Relation) Department or through such other agency as may be prescribed by Government on two consecutive issues when the reserve price of the stores is more than Rs. 2,500 such advertisement should be published in one Oriya and one English news paper (daily) having wide circulation on two consecutive issues.

Note : In case of stores the reserve price of which does not exceed Rs. 500 the auction sale notice should be sent, 15 days ahead of the scheduled date of auction to all Local Officers for displaying the same on their notice boards. Besides local publicity is to be given by beat of drums.

(2) Auction notices should invariably be endorsed to Subdivisions for prominent display on the notice boards and also at a prominent place at the site of auction. Copies of auction notices should also be sent to important district office of the locality for pasting them on the Notice Board.

(3) Auction notices should clearly indicate the value and brief description of materials proposed to be disposed of by auction, place and time of inspection of the stores by intending bidders, conditions of auction earnest money to be deposited and the time, date and place fixed for auction. It is also necessary to draw a set of detailed conditions depending on the materials proposed to be disposed off and also the locality in which the same is stored so that bidders may not prefer any claim due

to misunderstanding or incorrect wording provided in the contract documents. Detailed conditions of auction sale should be approved by the authority competent to accept the Bid before the auction sale notice is issued.

#### Inspection -

(4) The materials to be auctioned should be properly store and stacked to enable proper inspection by the prospective bidders excepting When the sale is on "as is where is basis".

#### Bidding -

(5) Any person who desires to bid in an auction is required to register his name with the officer issuing the same notice at least one day before the date of the auction and deposit the required amount of auction money as indicated in the sale notice which is usually at the rate [of 5% (five per cent) of the reserve price. This deposit will be returned on application to the unsuccessful bidders after the close of the auction.

(Substituted by Works Deptt. No. 24650 Dt. 1.10.1993)

(6) No person shall be allowed to bid an auction on behalf of another person unless he holds a written Authority from such other person or such person is present at th6 auction.

#### Supervision -

(7) Auction shall be conducted in the presence of the S.D.O. The Sectional Officer under whose supervision material has remained under custody will render all possible help in connection with the auction. He should also be present at the time of Auction. In case of auction of stores the reserve price of which is more than Rs. 2,500 the auction will be supervised by the Divisional Officer concerned. If the value of stores exceeds Rs, 10,000 it should, be supervised by the Superintending Engineer concerned.

#### Deposit of bid money rule -

(8) At the fall of the hammer the highest bidder will be required to deposit in cash an amount which together with the deposit of 15% (five per cent) made by him earlier under Rule (5) will amount to 12% of the bid money, as earnest money deposit. The Supervising Officer shall have the discretion to demand more than 25% of the bid money up to the full amount of the bid if considered necessary by him. Balance of the value shall be paid by the buyer to the Divisional Officer or his representative after acceptance of the bid within the time limits prescribed below -

- (i) In case of bid which do not exceed Rs. 500 within 24 hours of the receipt of the notice of acceptance of the bid.
- (ii) In case of bid which exceeds Rs. 500. within 7 days of receipt of acceptance of the bid.
- (iii) Extension of time for a further period of fifteen days for the deposit of balance money, if applied for may be granted by the Officer competent to accept the bid.

(9) In case of bidder's failure to deposit earnest money as demanded under Rule 8 with the fall of hammer, the caution money of 1 percent deposited by the

bidder under Rule 5 shall stand forfeited. Similarly failure to deposit the balance amount of bid money within the prescribed time will entail forfeiture of the earnest money deposited by the bidder under Rule 8. In these cases the materials should be re-auctioned. The names of the defaulting bidders shall be intimated to the Chief Engineer's office for circulation to other Divisions so that such bidders are debarred from bidding in future.

#### **Acceptance of bid -**

(10) The acceptance of the bid by the competent authority must be conveyed in writing to the bidders as far as possible within 5 days from the date of auction. In case the bid is to be accepted by the S.E. or C.E. it shall be conveyed within 10 or 15 days respectively.

(11) The competent authority vested with powers to accept bids, under Rule 18 reserve the right not accept the highest or all bid. The bid can be rejected without assigning any reason to the bidder concerned but the accepting authority must record in writing his reasons for not accepting the same.

#### **Removal of auctioned material -**

(12) As far as possible auctioned material must be removed by the bidder within 7 days from the date of depositing the full value of bid. The time for removal may be suitably extended by the authority competent to accept the bids taking into consideration, the bulk of materials to be removed.

(13) As soon as the full amount of bid money is paid by the buyer he would acquire his lien on auctioned store etc. and it will be his responsibility to look after such stores at his own expense and the Department will not be responsible for any damage done by the way of pilferage, or any other unforeseen calamity and no claim on this account shall be entertained.

(14) The materials will be removed from the site in the presence of the bidder himself or agent duly authorized by him in writing, on his behalf.

#### **Record of Bids -**

(15) The Officers who supervises the conduct of auction will maintain in his own handwriting a complete record of all bids offered by different bidders.

(16) The scroll of bids will indicate the full description of the materials, reserve price, site date and time of auction and will be signed by the supervising officer and at least two witnesses at the conclusion of the auction.

(17) The bid sheet in duplicate should be signed simultaneously by the purchaser and supervising officer. The Supervising Officer should send an immediate report about the auction to the next higher authority.

#### **Power to accept bids -**

(18)

(i) The following powers shall be exercised by the Public Works Officers in accepting the bid amount provided that the highest bid amount is not below the reserve price fixed.

Monetary limit of the reserve price	The authority competent to accept the bid
Up to Rs. 10,000	Divisional Officer
Above Rs. 10,000	Superintending Engineer
But below Rs. 50,000	-do-
Rs. 50,000 and above	Chief Engineer

(ii) When the bid amount is not less than 90 percent of the reserve/up set price the authorities competent to accept the bids would be as follows-

Monetary limit of the reserve price	The authority competent to accept the bid
Up to Rs. 10,000	Superintending Engineer
Above Rs. 10,000 but below Rs. 50,000	Chief Engineer
Rs. 50,000 and above	Government in Administrative Department with concurrence of Finance Department.

(iii) When the bid amount is less than 90 percent of the reserve price the authority empowered to conform the bid under Rule 18(ii) may, if he considers necessary, reject the highest bid and direct the officer conducting the auction to call for sealed tenders. If the highest tendered amount is equal to or higher than the bid money, the materials may be sold to the highest tenderer. In case the highest offer received by sealed tender is less than the old money, the reserve price should be revised with the approval of the next higher authority and stores disposed of by public auction or call of sealed tenders. In case of stores where the reserve price is 500 or less, the Superintending Engineer will exercise full powers to accept the bid in all cases.

(19) The Divisional Officer concerned shall personally fix the reserve price of the articles proposed to be auctioned as indicated in the survey report, it should be fixed on the basis of book value of the articles minus depreciation plus 10 percent towards supervision charges. If the book value of a particular item of stores is not available, the corresponding market price should be the basis to determine the book value from which depreciation will be deducted and Supervision charges will be added to arrive at the reserve price. In case of unserviceable stores, the salvage value should be the reserve price for auction.

**Note-** The 'book value' means the value at which such materials are sold in the market (See paras 2.1.1.(28) & 7.2-35 of C.P.W.A. Code). When the present book value cannot be determined with reference to the market price, the book value as entered in the Register may form the basis for determining

reserve price.

(20) In case of disposal of surplus stores in Projects Stores Division prior approval of the Chief Engineer should be obtained before taking steps for the disposal of surplus stores by public auction.

**[based on G.O. Works Deptt letter No. codes, AP-29/74-7804 dated 31.3.1975 &No 10247 dated 24.4.1975]**

Bid list for auction (To be prepared in  
Sale Survey report duplicate by Carbon Process)  
sanctioned in  
Order No  
Date  
Name of the Subdivision  
Name of the Division

Place of auctioned .....

Date and time of auction.....

Particulars of stores put to auction	Weight and quality	Reserve price
---	--------------------	---------------

Name and address of the Bidder	Amount of auction money deposited under Rule 5	Amount of bids 1st ,2nd ,3rd , 4th , 5th ..... and so on	Signature of the Bidders
--------------------------------------	---	---	-----------------------------

The highest bid of Shri.....  
for an amount of.....  
(Rupees .....)  
is accepted/recommended for acceptance.

Signature and Designation of the  
Officer holding the Auction.

To

The Governor of Odisha

Sir,

I/We have read the notice for auction sale of .....storesto be conducted by ..... at ..... on ..... and the conditions of the sale.

A sum of Rs ..... (Rupees ) is herebytendered in cash as auction money.

In the event of my/our bid being accepted I/We do hereby undertake to deposit earnest money as demanded immediately after the close of the auction.

On acceptance of the bid I/we do hereby undertake- to pay the balance of the final bid money within (i) 24 hours of the receipt of notice of acceptance of bid if the bid amount is Rs. 500 and below (ii) within seven days of the receipt of notice of acceptance of bid if the amount is more than Rs. 500.

In the event of my/our not depositing the balance of the final bid money within the time prescribed I/we do hereby agree that Government shall, without prejudice to any other right or remedy, be at liberty to forfeit the earnest money absolutely.

Signature .....

Date.....

**Address of the intending bidder**

### **Conditions of sale**

1. No person shall be allowed to bid on behalf of another person unless he holds written authority from such other person or such person is present at the auction.
2. The officer holding the auction shall fix the amount at which the auction shall be started and the lowest amount by which the bid shall advance.
3. The officer-holding the auction shall have the power to close the auction at any bid.
4. After closure, all bidders taking part in the auction or such of them as may be required by the officer holding the auction, shall sign or make thumb impression on the bid list.
5. Any bid accepted by competent authority shall be binding on the bidder. The competent authority shall not be bound to accept the higher or any bid.
6. No contract shall be complete until the competent authority has passed an order accepting the bid and the bidder shall have no right to work under the contract until such order is passed.
7. As far as possible auctioned material must be removed by the bidder within 7 days from the date of acceptance of the bid. Extension of time applied for, however, may be granted by the authority competent to accept the bid. The material will however be removed after payment of the bid money in full.
8. As soon as the full amount of the bid money is paid by the buyer he would

acquire his lien on the auctioned stores, and it will be his responsibility to look after such stores at his own expense and the Government will not be responsible for any damage done by way of pilferage and any other unforeseen calamities and no claim on this account should be entertained.

9. The materials shall be removed from the site in the presence of the bidder, himself or his authorised agent. In case the materials are not lifted within the prescribed period ground rent at the rate of 1 per cent of the bid amount for each day of delay will be charged. In the event of the ground rent recoverable from the purchaser exceeding the sale price deposited, the purchaser will cease to have any lien of the auctioned stores.. The amount deposited towards sale price will be adjusted towards the ground rent and the stores will remain the absolute property of Government.

(Add special conditions if any)

I accept the bid of..... (Rupees ..... ) as per the bid list.

**For and on behalf of the Governor of Odisha**

**Signature of the competent authority**

**(Name and designation)**

**DRAFT**

**AUCTION SALE NOTICE**

**GOVERNMENT OF ODISHA**

..... Department,

..... Division

Notice is hereby given that the materials as specified below will be sold by public auction "As is where is basis" in the premises of..... on ..... at.....

1. Intending bidders may in spite the materials at ..... within office working hours one week before the date of auction.
2. Intending bidders are required to register their names with the officer issuing the call notice at least one day before the date of auction to obtain the letter of offer and conditions of sale.
3. Intending bidders are required to deposit Rs as caution money to participate in the auction. The highest bidder will be required to pay in cash an amount which together with caution money will work out to 25 per cent of the bid money as earnest money. Higher percentages are to be paid if demanded by the officer supervising the auction. The balance amount of bid money is to be paid within such time as has been specified in the letter of offer. Failure to deposit the required amount of caution money and the balance amount of bid money will entail forfeiture of caution money and earnest money respectively.

4. The accepting authority of the bid reserves the right to accept or reject the highest or any bid without assigning any reason whatsoever.
5. Description of materials.

Name and Designation of Authority  
issuing the Sale Notice

## **APPENDIX – XX**

### **[Reference Paragraph 5.6]**

### **System of accounts for the Workshop**

#### **General:-**

1. The rules contained in Vol-I of this Code, paragraph 5.6.1, 5.6.2 and 5.6.3 and Central Public Works Accounts Code paragraphs 13.5.1 to 14.3.2, are generally applicable to the Workshop Estimates-
2. For every job there must be an estimate of cost (Providing for all charges including the prescribed percentages for indirect charges) sanctioned by competent authority and accepted by the intending party (see also paragraph 5.6 of O.P.W.D. Code Vol-II), The amount to be recovered from the intending party will, however be based on actual cost, though the authorized limit of cost, which the officer in charge of the workshop may incur without further authority, is that shown in the accepted estimate. If the execution of a job for another division or department is likely to extend beyond one financial year, the limit of the cost which may be incurred in each financial year should also be settled beforehand.
3. Jobs costing Rs 150 or less may be estimated in lump but a detailed estimate must be drawn up for all jobs in excess of this figure Muster-roll, time sheet and Acquaintance roll Form No. W.A.P.W.D.(Adopted local Form A.
4.
  - (1) This form is a combined muster roll, time sheet and acquaintance roll. It is divided into three sheets, each sheet provide for the entries of ten days.
  - (2) the form will be maintained by the time keeper and made over to the office as each sheet of ten days is complete. When it reaches the office the rates of pay and arithmetical calculations will be checked and it will be filed with the other sheets for the month. When the muster roll for the month is complete the Sub divisional Officer will sign it and send it to the Divisional Office for check, and the record of pay order by Executive Engineer. The

disbursement of pay will take place in the presence of the Executive Engineer or the Sub Divisional Officer after the workshop hours. A separate register should be maintained for un-disbursed wages

(3) With regard to the responsibility of the time keeper to see that no found takes place in connection with tokens, the Foreman should exercise a surprise check every day on the attendance of men actually at work with the tokens which may also be verified by the Sub divisional Officer and Executive Engineer as frequently as possible.

(4) Twice a day the muster-roll will be handed to the Foreman who will check the entries, with the work tickets issued to men.

### **Overtime muster-roll, local form b-**

5. Overtime will be entered in the daily muster roll by noting the number of hours in red ink in the column provided for afternoon attendance. The overtime worked will also be noted in the man's work ticket in the column provided under initials of the foremen.

### **Overtime order local form-c**

6.

(1) Overtime will only be admitted on the define order of the Foreman countersigned by the re- Sub divisional Officer.

(2) The order will be made out by the workshop clerk under the direction of the Foremen signed by the latter and countersigned by the Sub Divisional Officer on the same day.

(3) Overtime orders will from the authority for the entries in the overtime muster roll and will be filed with them.

### **Command labour order. local form d-**

7.

(1) Command books are to be maintained into which the names of men sent on command will be entered: also details if any advance, made and the rate of wages to be paid to them. Hour and date of departure and return should also be noted.

(2) These books are to be signed by the Sub Divisional Officer as authorizing the men's departure.

(3) The men take with them a muster-roll and the command books which they will hand over to the officer or subordinate in charge of the works to which

they have been sent. Daily reports of these men are prepared by the subordinate in charge and sent to his own. Sub Divisional Officer who initials them. The token number of the labourers should invariably be noted in the command book, so that the rate of that taken can be checked in the divisional Officer, while passing the command muster-roll. The rate may also be entered in words as an additional precaution, in the command book.

(4) When the job is finished and the men are sent back to the shop the muster and the daily reports are sent by post to the Sub divisional Officer, Workshops, who compiles them and submit to the Executive Engineer for ape order with the general workshops muster roll.

(5)

(a) It is of great importance to ensure checking of all muster roll at one time by the Divisional Office, lest one man be included in two muster rolls by error.

(b) In the event of men being away on command for over the month the passed muster roll is sent back to the Sub Divisional Officer employing them for payment. Register of workshop orders form No. W-4, P.W.D. (adopted).  
Local Form

8.

(1) No work may be undertaken without the authority of the Sub divisional Officer or competent authority recorded in writing

(2) When this authority has been given the work should be regarded in the workshop order register and given a number, the numbers being consecutive for each year

(3) The register will be maintained in the office under the direction of the Sub Divisional Officer, who will attest the entry of each work when the order is recorded and again when the order is completed

(4) The estimated cost of the order will be entered in red ink under the column 'Value' and on completion of the work the actual cost will be recorded in black ink.

### **Work order local form-f**

9.

(1) No work may be put in hand without the written orders of the Sub Divisional Officer-in- charge of the workshops.

(2) These orders will be recorded in the form "Work order"

(3) The "Work order" should be prepared in triplicate under the Sub Divisional Officer's direction and signed by him, one copy to be issued to the Foreman as authority to commence work, and the second copy to the Store-keeper for issue of stores, and the third retained in the office for future reference. Note of in section of the finished job in form F will be completed by the Sub Divisional Officer before the article is taken over by the Store-keeper

(4) On completion of the work, the work order will be signed and completed by the Foreman, signed by the Store keeper or party receiving it in acknowledgement of having received the articles and then returned to the Sub divisional Officer and filed in the office in serial order with previous work orders

### **Work ticket local form g-**

10.

(1) The work ticket is a record of labour hours and cost of each individual workman engaged on a job. It serves as a means of exercising control over the occupation of men employed in the shops and the correct allocation of labour cost.

(2) A separate work ticket should be made for each man (both skilled and unskilled by the workshop clerk under the direction the Foreman).

(3) Each work ticket will last for ten days in order to fit in which the periods into which the muster roll is divided. On completion of the work tickets they will be signed by the Foreman and to the office where they will be checked and tallied with rolls.

(4) The workshop clerk will be responsible for maintaining work tickets under the direction of the Foreman and he will initial every entry made in the column provided for the purpose.

(5) Work tickets will be issued to the man by the workshop clerk as they enter the shops for each shift and again collected by them at the end of each shift.

(6) Work tickets will be subject to scrutiny by the Foreman during the progress of work and he should initial each ticket on inspection in the column provided. This column is also intended for record of any orders regarding fines, extra hours etc.

(7) Over time hours worked will be recorded on work tickets in the same way as ordinary time

(8) No workman will be allowed to leave the workshop premises during the working hours without presenting at the gate a "Gate Pass" signed by the foreman.

## **W.S. form no.82 (new)-**

10-A. the existing workshop Form No.82 (New) with an additional column for 'estimated Cost"should be maintained which is running compilation against such work order showing-

(1) On one side of the form labour payments posted from work tickets and time sheets as regard hours and from the muster roll as regards. These entries are to be posted daily.

(2) On the reverse of the form-

(a) Materials issued from stock, posted monthly from the monthly account of stores issued from stock

(b) Contractor cash payments posted monthly from cash book

(c) general percentage charge posted monthly according to the class of work

### **Abstract of work expenditure local form-**

11.

(1) This register is designed to summaries the monthly totals under the different heads

I. Labour

II Materials

III Cash

IV Percentage charge to cover general and indirect charges

(2) Works should be grouped in this register under the different heads-

1. Irrigation works

2. Castings

3. Wood Work

4. Command Labour

5. Other Works

6. Structural works

7. Sale of stores

8. Labour only when materials are supplied from outside in order that the receipts on account of the varying percentage charges under these heads for general and indirect charges may readily be ascertained for comparison at the end of the year with the actual charges on this account.

(3) At the end of this year a summary of 12 month's expenditure should be made in order to bring out the annual totals

### **Indent and Invoice for stock. form no. w-5(adopted) local form k**

12.

(1) All stores required by the workshop from the general stores will be obtained on requisition on local Form K (Stores indent)

(2) This form which contains three parts will be written up and disposed of as follows-

The counterfoil and the indent (Part 1 and 2) will be made out by the workshop clerk and signed by the foreman as stores are required. The indent and invoice (Part 2 and 3) will be torn off the counterfoil and sent to the Store-keeper. The Store-keeper will fill in the invoice Part (3) detach it from the indent (Part 2) and send it to the Foreman with the stores supplied, after obtaining on the indent a receipt from the person sent to receive the stores. On receipt of the materials, the foreman will check the invoice, sign it and submit it to the office after making any corrections that may be necessary on the counterfoil. The Store keeper will send the indent (Part 2) to the office after signing it and filling in the actual material supplied and entering in C.P.W.A. form No.3 On receipt of both the invoice and indent form in office, they will be checked one with the other. The rates will also be filled in and the value allocated and on completion they will be signed by the Divisional Officer. The invoice portion will then be returned to the Store-keeper for entry in his store accounts and record in his office.

(3) Each indent for stores must specify the work order numbers to which it relates to enable a proper allocation being made in the accounts/

(4) Each form ( the counterfoil indent and invoice being regarded as one form) must be numbered serially

### **Return of stores to stock local form L**

13.

(1) On completion of a job all stores that were obtained from the Store-keeper for that job and have not been used must be returned to the storekeeper at once under cover of this form

(2) This form, which is divided into three parts, will be written up and disposed of in exactly the same way as the stores indent form local Form K

(3) All materials thus returned to stores must be credited in the register of works

expenditure against the particular job concerned just as all issues charged daily.

14.

(1) the form will be used by the Store-keeper to cover the dispatch of articles to their destination on receipt from the workshop.

(2) On the completion of a job the articles will be handed over to the Store-keeper by the Foreman. His signature being taken on the work order before it is submitted to the Sub Divisional Officer

(3) The articles will then be forwarded under cover of a workshop warrant, which will be receipted and returned by the person to whom the articles are supplied. On return of the warrant it will be filled with the counterfeits of the form.

(4) The amount to be charged on account of the value of a job will be regulated in accordance with rule 2 ante.

### **Timber manufactures-local form N-**

15.

(1) This register, which is in the nature of a manufacture account when sawing operations are conducted, is designed to record the results of sawing operations.

(2) As logs are received from the store for sawing, they will be entered in this register and all sawn timber on completion will be transferred to stock.

(3) All wastage timbers will be accumulated and disposed of periodically under the order of the office in charge of the workshop.

### **Register of Timber. Form W.S. No.17 (Adopted) Local Form O**

16.

(1) A separate stock account will be maintained of all timber in the form provided each log being separately measured and numbered

(2) This stock account which is subsidiary to the main stock accounts of the workshop will be maintained by the Store-keeper.

17. The following percentage will be levied on time to a value of labour and materials, account of general and indirect charges in the case of all Department of government, Public Bodies and private persons. These should be examined from time to time and revised if necessary.

Indirect Charges					
Nature of Works		General interest charges	Depreciation and Maintenance		Establishment pensionary charges
			Building	Machinery	
1		2	3	4	5
(1)	Irrigation, Navigation and Structural Work	15	7	6	12
(1A)	Private bodies	15	7	6	17
(2)	Casting	5	4	4	12
(3)	Wood work for Buildings	5	4	4	12
(4)	Command Labour	-	-	-	12
(5)	Supply of Stores( In Godown)	3	4	-	

**Note-** Profit at a uniform rate of 5 percent will be added for all items of work done on behalf of Public Bodies and private persons

### **Financial accounts-**

8.(1) The following Annual Financial Accounts will be compiled and submitted to the Accountant general by the 1st of September each year and the Accountant General after reviewing the account the financial working will submit to the State Government a report on the financial working of the workshop (Paragraph 14.3.2 and 14.3.1 of Central Public Works.

### **Account code-**

1. Black Account list of Buildings
2. Machinery and Plant
3. Establishment Charges
4. Repairs to Buildings
5. Repairs to Machinery and Plant
6. Abstract of charges and outturn under
  - (a) Works of P.W.D.
  - (b) Works for other departments
  - (c) Works for public bodies and private persons
7. Profit and Loss Account
8. Balance Sheet

9. Capital Account

10. Outturn Account

(2) These accounts will be written up in the manner indicated in specimen forms below –

(Where tools are supplied a suitable extra charge will be made)

(A) **CAPITAL ACCOUNT**

**I. Buildings**

Rs. P.

value as per last Capital Account

Additions during the year

Less Depreciations @ 1/2 per cent

Less Depreciations on additions @ 1/2 the above rate

**II. Machinery and Plant**

Value as per last Capital Account

Less Depreciation @ 5 per cent\*

Additions during the year

Less Depreciation @ 1/2 the above rate

**(Subject to alteration on report from local officers with reference to the anticipated life of machineries)**

**III. Stock**

Rs. P.

Value as per last Capital Account

Add or deduct - Additions or subtraction

during the year...

**IV. Balance unadjusted of the workshop suspense account** \_\_\_\_\_

Total

**(B) OUTTURN ACCOUNT**

Class of Work	Labour	Materials	Cash expenditure	General and indirect charges
1	2	3	4	5
1	Irrigation work		.....	
2	Castings		.....	
3	Wood work		.....	
4	Command labour		.....	
5	All other workers		.....	
6	Structural works		.....	
7	Sale of Stock		.....	
8	On labour only when materials are supplied from outside		.....	

2. (These figures will be obtained from the annual summary of the abstract of workers expenditure).

**(C) PROFIT AND LOSS ACCOUNT**

	<b>Dr.</b>		<b>Cr</b>	
	Rs.	P.		Rs. P
1.	Interest on Capital-			
	(a) Buildings @ .....			
	(b) Machinery and Plant @ .....		Recovery of general and indirect charges as per outturn account.	
	(c) Stock @			
	(d) Workshop suspense balance.....			
2.	Maintenance charges-			
	Buildings Machinery and plant (including Engine Charges to be separately shown)			
3.	<b>Depreciation-Buildings-</b>			

	<b>Account asdeducted in the Capital Account</b>			
4.	<b>General Establishment charges.</b>			
5.	<b>Contribution for leave and pensionary charges at 21 percent on the amount mentioned under item 4.</b>			
6.	Contribution for Audit and Account establishment 1 percent, as per para.14.3.1. of C.P.W.A. code	Balance Loss		
7.	Balance Profit			
	(These figures will be obtained from the annual summary of the abstract of works expenditure).			

**Note 1 :** With regard to the General Establishment charges on the value of work done in the workshops the instructions laid down in paragraph 14.3.1 of C.P. W.A. Code should be followed but for the levy of leave and pensionary charges vide Government of India (Deptt. of Industries and Labour) letter No. A.I. 14, dated the 13th January 1926.

Note 2 : As regards details of establishment to be taken into account, the following procedure may be adopted :

- (a) The entire cost of the establishment which is exclusively on the workshops should be charged.
- (b) The cost of the establishment which is partly employed on the workshops and the supervision charges on. a certain percentage may be fixe d by the State Government on the basis of the time devoted by the establishment and the supervising officer or the amount of work done by them for the workshops.

Note 3 : Interest should be calculated on the capital expenditure incurred under the following heads at the rates noted against each

- (a) Buildings at 3.5% percent on the capital expenditure Incurred up to the, 31st December 1921 and at 6 percent on the cost incurred after it.
- (b) Machinery and Plant as above:
- (c) Stock |
- (d) Workshop suspense | at 6 percent

In, all the above cases interest should be calculated on the outstanding balance at

the end of the previous year plus half the net outlay during the year under consideration.

### **Analysis of indirect charges**

19. For the purpose of comparing the actual cost of general and indirect charges with the recoveries effected on the percentage basis, an account will be submitted in the following form with the annual financial accounts.

#### **EXPLANATION :**

**Recoveries** - The figures obtained from the Profit and Loss Account will be distributed pro rata according to the total cost of work done (labour, materials and cash expenditure) under each class of work shown in the account (excluding items 4 and 7); the cost of work done being taken from the annual analysis of the abstract of work expenditure.

**Indirect Charges** - The figures under this head will be taken from the Profit and Loss Account (items 1, 2) (excluding engine charges already taken above 3.4.5 and 6). The gross figures on indirect charges thus arrived at will in the first instance be distributed pro rata according to the total cost of work done, obtained as shown above under general charges from the abstract of works expenditure. The distribution thus obtained will again be subdivided in the proportion shown in the analysis of the percentage for indirect charges, e.g. irrigation works indirect charges 15 distributed in the following proportions

Proportions -

1.	Supervision	.....	5
2.	Rent of machinery	.....	5
3.	Depreciation of machinery	.....	1
4.	Rent of workshop buildings	.....	2
5.	Profit	.....	2
	Total		15

### **Workshop Suspense-local form P**

20.

(1) All direct outlay on the jobs executed and on other operations of the workshops will be passed through the suspense head "Workshop Suspense" which will be opened as a sub-head of the minor head "Suspense" under.

Major Head 'XVII-Irrigation, Navigation, Embankment and Drainage Works for which capital accounts are kept Deduct Working expenses'.

(2) The transaction of the month will be separately recorded under each

work orders or operation, the debits from the register of works expenditure and the credits from the transfer entry register on the adjustment of the cost or value of completed works.

(3) Percentage charges levied to cover general and indirect charges will not be debited to Workshop suspense. Realization on this account will be credited to revenue as described in paragraph 14.2.1 of C.P.W.A Code.

(4) For further detailed instructions in regard to the maintenance of the workshop suspense account, see paragraphs 13.5.1-13.5.4 and Chapter XIII of C.P.W.A Code.

### **Monthly accounts to be submitted to the audit office**

21.

(1) A copy of the work shop submitted to audit monthly supported by schedule dockets detailing the expenditure on each work order with the required vouchers as prescribed in paragraph 22.4.2. of C.P.W.A Code.

(2) All expenditure not directly debit able to work shop suspense (vide paragraph 14.2.2.C.P.W.A Code) should be compiled for audit in the manner prescribed in paragraph 22.4.2 C.P.W.A Code and the rules in force for the compilation of the monthly accounts of Divisional Offices.

## **APPENDIX – XXI**

### **Rules for Destruction of Accounts records including correspondences**

#### **(In Public Works Offices and Officers subordinate thereto)**

Subject to any general or special orders that may be issued by the Government from time to time those contained in appendix-19 of O.G.F.R. Vol.II, no Government records connected with accounts including correspondences thereof shall be destroyed except in accordance with provision detailed below-

1. The following shall on no account be destroyed.
  - (i) Records connected with expenditure on project, schemes, or works not completed.
  - (ii) Orders and sanctions of a permanent character until revised.
  - (iii) Records connected with accounts which have not been finally settled.

(iv) Records pertaining to matters which are either under arbitration or pending in a Court of Law until 3 years after final judgment.

(v) Records which are known to be required in connection with the settlement of outstanding objections are not destroyed until the objection thereon are settled.

2. Before the destruction of any record, a list of records proposed to be destroyed should be sent in duplicate by the head of the office to the next higher authority for his approval. Further a list of such records pertaining to accounts audited by the Accountant-General should be forwarded to him for his concurrence in their destruction before the records are destroyed.

3. The following shall be preserved for not less than the period specified against them.

### **Record to be permanently Retained**

1. Administration Reports (one copy for each year to be retained)
2. Award Statement
3. Budget estimates (one copy for each year to be retained)
4. Capital and Revenue Accounts
5. Circular of Departmental Officers and the Accountant General
6. Closure of canals correspondence thereto
7. Correspondence and other papers (such as estimates, plans, reports, specifications, construction details etc.) connected with projects.
8. Estimates for original works
9. Finance Accounts-One printed copy of each year
10. Important Government order
11. Lead Register
12. Measurement Books-Standard
13. Metrological reports
14. Register of buildings, bridges, culverts, irrigation, tanks, dam, etc.
15. Register of sanction to estimates
16. Register of Plan
17. Register of measurement books
18. Rain gauge Register and Flood discharge Register
19. Register of securities

20. Register of incumbencies
21. Register of destruction of officer records
22. Standard estimates and type designs
23. Register of land

### **Records to be Periodically Destroyed Description of Records**

			Period of preservation in terms of years
1.	Abstract of stock Receipt/Issue	-	10
2.	Accident to life and property by injury, fire etc.	-	5
3.	Account correspondence regarding refund of deposit	-	10
4.	Account correspondence with Sub Divisional Officers	-	10
5.	Account of receipts and issue of T & P	-	10
6.	Account Returns-Miscellaneous	-	10
7.	Advice of transfer credits/debit and acceptance thereof	-	10
8.	Advice slip	-	3
9.	A.G.'s Inspection Report	-	10
10.	A.G.'s objection statement on salary and Travelling Allowance	-	5
11.	A.G.'s report of dates of dispatch and receipt of monthly accounts, etc. of E.E's	-	2
12.	Annual certificate of balance	-	2
13.	Annual Report on the works and conduct of Divisional Accountant	-	One year after retirement or date whichever is earlier
14.	Annual return of tools and plants	-	5

15.	Annual Inspection Reports of Treasury Building by the E.E.	-	2
16.	Annual list of T & P available for transfer	-	2
17.	Application for reappropriation of Budget grant	-	2
18.	Application for letter of credit	-	1
19.	Application for tenders	-	1
20.	Application for sanction to the closing canals	-	2
21.	Assessment files	-	10
22.	Auction lists with correspondence	-	3
23.	Audit slip accompanying bills sent for payment	-	10
24.	Office copies of Audit Notes	-	1
25.	Bin Card (F-8)	-	5
26.	Bond and Agreement	-	3 years after finalisation of Contractor's account
27.	Accounts of Receipts, Issue and Balance of materials compared with estimated requirements	-	3
28.	Cash Book of Division and Sub-divisions	-	20
29.	Cash Abstract Book	-	10
30.	Casual Labour Roll	-	10
31.	Certificate of calculation of fair rent	-	2
32.	Physical Balance Certificate	-	10
33.	Certificate of fairness of Municipal Tax	-	2
34.	Claim Book	-	One year after payment of claim
35.	Comparative statement of tender	-	5

36.	Completion reports and certificate for original works	-	10
37.	Completion reports and certificate for repairs and petty works	-	5
38.	Consolidated Treasury Receipt	-	10
39.	Contractor's ledger	-	10
40.	Contract papers	-	5 (after payment of final bills)
41.	Correspondence on loss or theft of Government cash/stores	-	3 (After completion of Proceedings)
42.	Count certificates of stock and T. & P.	-	5
43.	Count certificate of materials at site of works	-	5
44.	Classified abstract of expenditure	-	10
45.	Correspondence relating to advance to contractors and staff	-	(after the advance is fully recovered)
46.	Correspondence relating to Land Acquisition	-	5
47.	Correspondence relating to famine works after accounts are adjusted	-	5
48.	Correspondence relating to Ferries	-	5
49.	Correspondence regarding purchases and acquisition of land	-	5
50.	Correspondence relating to arrears of wages of labourers etc.	-	5
51.	Demand statement for realisation of water taxes	-	5
52.	Divisional Officer's report on scrutiny of Accounts	-	5

53.	Estimate for special repairs	-	3
54.	Estimate for ordinary repairs	-	1
55.	Estimate for Tools and Plants	-	5
56.	Executive Engineers circular (Accounts Branch)	-	5
57.	Extra items statement not provided for in the tender	-	5
58.	Field Book	-	To be destroyed under the orders of the S.E.
59.	First and final bill	-	10
60.	Final and Running Bill	-	10
61.	Form of sending cheques	-	1
62.	Goods received sheet (F & A)	-	10
63.	Goods or deals (Routine)	-	10
64.	Hand Receipt	-	10
65.	Hand Receipt for tools and Plant lent to contractors	-	(One year after finalisation of accounts)
66.	Half yearly balance return of stock (F – 11)	-	5
67.	Half yearly Register of Stock (F – 12)	-	5
68.	Imprest Cash Accounts	-	10
69.	Indent for stationery, Forms, official publications	-	2
70.	Indent ordering to supply articles to Sub-division	-	5
71.	Indent for stores	-	10
72.	Indenture for secured advances	-	10
73.	Inspection note on works	-	3
74.	Inspection report of E.E. and Divisional	-	5

	Accountant		
75.	Inspection report of S.E.	-	5
76.	Lease of land, building etc.	-	One year after the period of lease expiry
77.	Letter for submission of monthly accounts	-	1
78.	Letter for submission of acquaintance roll for work charge establishment	-	1
79.	Level Book	-	Not to be destroyed Without permission of S.E.
80.	List of monthly Sub-divisional Accounts	-	10
81.	List of accounts submitted to audit	-	10
82.	Log Books	-	5
83.	Memorandum of Review of Register etc.	-	5
84.	Memorandum of PWD receipts and charges	-	10
85.	Memorandum forwarding to previous letters etc.	-	1
86.	Monthly progress report of all works	-	5
87.	Monthly return of Revenue realised	-	10
88.	Monthly list of completed works	-	2
89.	Monthly return of discharge of canals	-	10
90.	Muster Roll	-	10
91.	Measurement Books	-	May be destroyed after ten years from the date of final record in the Divisional Office
92.	Note Book	-	10
93.	Notice calling for tender	-	5
94.	Notices of closing canals	-	5

95.	Office copies of objection item statements	-	3
96.	Office copies of monthly accounts	-	10
97.	Outturn statement of manufacture	-	10
98.	Office Order Books	-	1
99.	Pay bill of work charged Estt.	-	10
100.	Personal security Bond	-	One year after discharges of liability
101.	Post card form of information to gazetted officers regarding proposed recovery of rent and other charges from them for a particular month	-	1
102.	Petty works requisition account	-	5
103.	P.W. Cheques (counter foil)	-	5
104.	Prices stores ledger	-	10
105.	Register of _____ = Bills	-	10
106.	Registers of allotments for repairs and petty new works	-	3
107.	Registers of indents for stores etc.	-	10
108.	Registers of daily cash balance found in the cash chest	-	3
109.	Register of security received and disposal thereof	-	12
110.	Register of appropriation	-	3
111.	Register of rent-Buildings	-	3
112.	Register of Revenue	-	10
113.	Register showing recovery of hire charges etc. of the T. and P. lent to contractors	-	5
114.	Register of stock (Receipt/issue)	-	5
115.	Register of T. and P.	-	5
116.	Register of Manufacture	-	10

117.	Register of Bin Card	-	5
118.	Register of works (Major and Minor)	-	10
119.	Register of Adjustments	-	10
120.	Register of transfer awaited for the year	-	5
121.	Register of sanctions to fixed charges	-	5
122.	Register of Miscellaneous Sanctions	-	5
123.	Register of Divisional Accountant's audit objections	-	5
124.	Register of interest bearing securities	-	10
125.	Register of contracts	-	10
126.	Register of Muster Rolls	-	10
127.	Register of Rain fall	-	To be preserved until the returns have been printed and received elsewhere
128.	Register of tender received	-	5
129.	Register of unpaid wages,	-	5
130.	Remission of Revenue	-	5
131.	Receipt books (counter foil)	-	3
132.	Requisition for cheque & receipt books	-	2
133.	Register to refund – of revenue	-	5
134.	Register of review of measurement books	-	3
135.	Register of receipts, issue and Balances of materials at site compared with estimated requirements	-	5
136.	Register of clearance of suspense head materials	-	10
137.	Reports of Sub Divisional Officer Transfer	-	5
138.	Reports of Sectional Officer Transfer	-	5
139.	Reports of Transfer of E.E.	-	5

140.	Reports of the state of accounts	-	1
141.	Report on verification of stores/unused materials/ unserviceable stores	-	10
142.	Return of surplus stores	-	5
143.	Return of major and minor works Repair and T. & P.	-	3
144.	Road metal rate books	-	10
145.	Register of purchase	-	5
146.	Register of M.W.A.	-	5
147.	Register of deposit	-	5
148.	Register of purchase orders (prescribed in W. and T. Department Letter No. 8984, dated 29.2.1968)	-	5
149.	Sale accounts and survey reports	-	5
150.	Sanction to the execution of works, sanction to sale, purchase and demolition of permanent assets	-	5
151.	Sectional Officer's monthly progress report	-	1
152.	Schedule of deposit	-	10
153.	Schedule of purpose	-	10
154.	Schedule of Miscellaneous Work Advances	-	10
155.	Schedule of works expenditure	-	10
156.	Schedule of monthly settlement with Treasury	-	10
157.	Schedule dockets	-	10
158.	Schedule dockets for percentage recoveries	-	10
159.	Schedule of deposit works	-	10
160.	Schedule to Takavi works	-	10
161.	Schedule of Rates	-	10

162.	Statement of showing works for which estimate have been sanctioned but which have not been put in hand	-	5
163.	Statement of work in progress not provided for in the Budget	-	2
164.	Schedule of Debit to stock	-	10
165.	Stock Account	-	10
166.	Schedule of debit and credit to miscellaneous head of account	-	10
167.	Schedule of remittances	-	10
168.	Statement showing the materials avail for transfer	-	5
169.	Statement of receipt and issues and balances of Road metals	-	5
170.	Statement showing the materials transferred to stock from the works	-	10
171.	Statement showing the expenditure incurred on minor works	-	3
172.	Statement of tents recoverable from pay bill	-	5
173.	Statement showing excess over estimates and allotments, etc.	-	5
174.	Transfer entry order book	-	10
175.	Transfer report of relief of a Divisional Accountant	-	3
176.	Treasury Remittance Book	-	3
177.	Visitors Book	-	3
178.	Work Slip	-	3
179.	Work Abstract	-	10
180.	Form of sending cheques for payment to contractor	-	10

**(Based on G.O. No. Codes- AP-5/73- 16377(7), dated 29.05.1973)**

**APPENDIX –XXII**  
**[Reference paragraph 6.2.3]**  
**ORISSA RAJ BHAVAN**

**I. Rules relating to the official Residence of the Governor of Orissa.**

1. The governor of Orissa has two official residences, namely Raj Bhavans at Bhubaneswar and Puri.

**Note-** The term "Official residence" includes the staff quarters and other buildings appurtenant thereto and gardens thereof. A list of buildings which form part of the Governor's official residences in Orissa is given in the Annexure-A.

2. Under the General Order No. 15-13/47-Apptt. (Sp)-Public, dated the 16th January, 1950, issued by the Government of India, Ministry of Home Affairs, in pursuance of clause (b) of paragraph 7 of the Government of India (Governor's Allowances and Privileges) Order, 1950 the amount of expenditure incurred on the maintenance improvement, renewal or replacement of the official residence of the governor of Orissa shall not in any one year exceed the following amounts, except with the special order of president, which must be obtained in advance:-

Improvement	...	Rs.
Maintenance	...	6,500
Gardens	...	6,900
Electricity	...	19,500
Water	...	6,400
Taxes	...	4,500
Repairs	...	25,500
Total	...	72,300

Provided that the Governor may, without exceeding the maximum specified above viz., Rs.

72,300 re-appropriate, whenever necessary from or to one sub-head to or from another sub-head.

3. The Secretary to the Governor will obtain and communicate to all concerned the Governor's sanction to re-appropriation of funds between the different sub-heads in respect of the official residences of the Governor, Distribution of funds to individual works within the same sub-head and

re- appropriation of funds between different works within the same sub-head will be made by Secretary of the Governor.

4. Raj Bhavan of Bhubsneawar and Puri will be under the executive charge of the respective Executive Engineers of the Works Department (Civil, Electrical and Public Health Divisions) under the Chief Engineer (Roads and Buildings) and wholer the executive charge of the respective Executive Engineer of the Housing and Urban Development Department in respect of external Public Health Works and Sanitary installations under the Chief Engineer, Public Health, but the gardens will be in direct charge of the Secretary to the Governor. The Executive Engineer will be disbursing officer in respect of works in their charge. The Secretary to the Governor will be the drawing and disbursing officer in respect of the gardens and for payment of Municipal Taxes of Raj Bhavan and connected buildings.

(Substituted by No. 23150 dated 10.10.1985)

5. For the purpose of the budget, the Divisional Officers concerned will be the estimating officers expect in respect of the Raj Bhavan Gardens. The Secretary to the Governor will be the Controlling officer and Works Department will be the Administrative Department. The charge will be classified under the Major-head [Demand No. 7283-Housing-charged © Government Residential Buildings as indicated below.

(i) In charge of Civil Officers-Expenditure relating to the Raj Bhavan gardens

(ii) In charge of Public Works Officers Expenditure relating to Buildings, Taxes, Electricity, Internal Water-Supply and Sanitary Installations.

6. The following procedure should be followed in connection with original works.

(a) On receipt of requisition from the Secretary to the Governor the Executive Engineer concerned should submit through the P.W.D. Officer, who is competent to give technical sanction, necessary plants and estimates to the secretary to the governor. The letter will accord administrative approval after obtaining the concurrence of the Finance Department and the approval of the governor and allot funds out of the sanctioned budget grants, and communicate the same to the Executive Engineer concerned, who will execute the works and payments for them and also to the Accountant General.

(b) No work shall ordinary be taken up or any liability incurred unless an estimate has been sanctioned and necessary funds have been allotted by the Secretary to governor. If in any case, whether on grounds of urgency or otherwise, it is considered necessary that a work should be taken up in anticipation of administrative approval and allotment of funds the Executive Engineer to take up the work, mention that necessary funds are available for the purpose and that the written approval of the Finance Minister through the Finance Department has been obtained for taking up the work in anticipation of preliminaries. The Executive Engineer should take steps to see that necessary administrative approval and technical sanction to estimate are accorded within 3 months from the date of starting the work.

7. In the case of special or annual repairs, where formal administrative approval is not necessary the estimates should be submitted by the respective Executive Engineers through the P.W.D. Officers competent to give technical sanction to the Secretary to the governor for his counter signature in token of his approval and return with allotment of necessary funds.

8. No authority will accord technical sanction to an estimate in excess of the amounts administratively approved for the work wither in the first instance when sanctioning the detailed estimate or subsequently when dealing with a revised estimate. Whenever any excess is anticipated on a work either as a result of any change in specification or quotation of higher rates by the contractor or any other factor, the Executive Engineer concerned should immediately report the matter to the Secretary to the governor and obtain the necessary additional funds from him. No liability should be incurred without first obtaining funds or an assurance from the Secretary to the Governor to the effect that funds are available and will be allotted. The Executive Engineers should give the earliest possible intimation to the Secretary to the governor of all anticipated saving so that the amounts may be utilized on other works. As any excess over the maximum monetary limit will require the sanction of the president (vide rule 2 above) the Executive Engineer concerned will be responsible to ensure that there is no excess over the allotment placed at his disposal.

9. A completion report should be prepared by the Executive Engineer concerned in respect of each work as soon as it is completed and sent to the Secretary to the Governor through the Audit Office.

10. As required under Rule 87 of the Budget Manual, a progress report

showing the allotment and expenditure with necessary details in regard to each work in his charge should be prepared every month by the Executive Engineer concerned and submitted to the Secretary to the Governor of actual will be the responsibility of the Secretary to the governor who will also be responsible for furnishing necessary explanation for variations in the Appropriation Accounts.

11. No departmental charges on account of establishment and tools and plant will be levied on original works and repairs in respect of the governor's official residences and appurtenances executed by the respective Executive Engineers.

12. In the second week of April every year, the Executive Engineers concerned will send to the Secretary to the governor the annual maintenance and repair estimates and a statement showing the funds required by them for expenditure during the year. This statement should include amounts required for completion of any work in progress from the previous financial year, liabilities, if any, carried from the previous year, amounts of the annual repair estimates to be executed during the year and amounts of any special repair work or original work, requisitioned by the Secretary to the governor or considered necessary from the technical point of view. On receipt of the statement, the Secretary to the Governor will obtain the governor's orders for the distribution of grants for the year.

13. The following charges in connections with provision and maintenance of tennis courts in Raj Bhavans will be met from the grant under the sub-head "Buildings"

1. Construction of the court and the building of retaining walls, where necessary
2. Surfacing of the court with bajri, grass, cement, etc and its repairs.
3. Provision of posts and wire netting for the purpose of enclosing the court, and fixed posts, for suspending law-tennis nets.
4. Provision of fixtures and appurtenances for hanging screens

Expenditure connected with the provision of screens and nets will be met from the Governor's contract Allowance.

## **II. Rules relating to buildings occupied by the Secretariat staff of the Governor.**

14.

- 1) the produce indicated in the preceding section will be followed in respect of the buildings occupied by the Secretariat staff of the

governor at Bhubaneswar and Puri which are attached to Raj Bhavan, Bhubaneswar and Puri but do not actually form appurtenance thereof, with the exception that unlike the official residence, there is no fixed monetary limit

- 2) Charges will be classified as indicated below; 259- Public Works- Expenditure on buildings occupied by the Secretariat staff of the governor- charged.
- 3) A list of buildings which are treated as building occupied by the Secretariat staff of the Governor, Orissa, is given in the Annexure-B.

## **ANNEXURE – A**

Buildings which form part of Governor's official residences in Odisha

### **I. At Bhubaneswar –**

- (i) Raj Bhavan including the Guest Wings
- (ii) Guest Annexe
- (iii) Gate Office, Reception Office, Garages, Truck Garage, Garage, Workshop, Tent and Furniture Godown, Garage Godown.
- (iv) Raj Bhavan Compound wall and gates Two ADC's quarters (4R-1 and 4R-2)

### **II. At Puri-**

- (i) Raj Bhavan
- (ii) Annexe
- (iii) Raj Bhavan Power House Two A.D.C's residence (Staff Houses Nos.7&8).

## **ANNEXURE – B**

Building which are treated as building occupied by the Secretariat staff of the Governor, Odisha

### **I. At Bhubaneswar -**

1. Administrative Block
2. Residence of the Secretary to the Governor
3. Dispensary
4. Medical Office quarters
5. 4R quarter No. 3
6. Dormitory
7. Main and Special Guard Barracks
8. Dhobi Khana and IR quarter attached to Dhobi Khana including compound wall of Dhobi Khana
9. 3R quarters No. 1 to 13
10. 3RJB quarters No. 1 to 17
11. IVR quarters No. 1 to 2
12. 2RA quarters No. 1 to 45

13. 2RA (Revised) quarters No. 1 to 2
14. 2Ra (Revised) quarters No. 1 to 7
15. IIR (Old type) quarters No. 1 to 8
16. IR quarters No. 1 to 34
17. IR quarters (Order lines) No. 1 to 8
18. IR (Old type) quarters No. 1 to 6

## **II. At Puri –**

1. Secretary to Governor's residence (Staff House No. 1)
2. Sargent Major's quarters (Staff House No. 2)
3. R.W.D. Overseer's quarter (Staff House No. 3)
4. USG/ASG's residence (Staff House No. 4)
5. Guest wing of USG/ASG's residence (Staff House No. 5)
6. Doctor's quarter (Staff House No. 6)
7. PAS. Quarter (near Ram Krishana Mission Library) Staff quarter No. 1
8. Sub-Inspector's quarter (Staff quarter No. 2)
9. Two old press buildings-in the compound of Secretary to the Governor's residence converted into staff quarters No. 3 and 4.
10. 2nd Assistant's quarter (Staff quarter No. 5)
11. 3rd Assistant's quarter (Staff quarter No. 6)
12. Post master's quarter (Staff quarter No. 7)
13. Garage Supervisor's quarter (Staff quarter No. 8)
14. Staff quarters No. 9 to 25 viz., Dafadar's quarters House Bearer's quarters, House Khalasi quarters, Tend Tindal's quarters, Dhobi's quarter, two roomed quarters near Officers Club (3 blocks), one roomed quarters near Officers club (3 blocks) Ayah's quarters, Power Housing Driver's quarters and Stables quarters (four blocks).
15. Barracks (used by single persons) staff Barracks Nos. 1 to 7 viz. Police Barracks near Officer's Club. Police Barrack near the main gate, Garage Block Barrack, Electric Mistry's Barracks and Sweepers Barracks.
16. Office Block.

### **GOVERNMENT INSTRUCTIONS**

#### **Office Building Pani Panchayat**

Pani Panchayat Office Building can be constructed with a cost of Rs. 50,000/- (Fifty thousand).

The upper limit of Pani Panchayat building should not exceed Rs. 3 Lakh subject to the condition that-

- a) Concerned Pani Panchayat will provided land free of cost of the cost of the land.
- b) The execution of work relating to Pani Panchayat will be made by Pani

Panchayat or as per the MLALAD Scheme guidelines issued by a government in P&C. Department from time to time and subject to such other conditions as would be prescribed by Water Resources Department.

The above amendment may please be brought to the notice of all concerned at the district level.

The amendment comes into force with effect from the date of issue.

## **APPENDIX XXIII**

(Reference Para 6.2.3)

### **PART-A**

## **Scales of Electrical Fittings to Government Residential Buildings**

Sl. No.	Designation	Wiring	Light	Fans	Power Plug	Ordinary Plug	Remarks
1	2	3	4	5	6	7	8
1.	Residences of the Ministers, Speaker of the Odisha Legislative Assembly and Chief Justice and Judges of the High Court.	Concealed in drawing and dining room otherwise at C.T.S	To be provided as per accommodation available		Special light fittings in drawing, dining and ante-rooms.		
2.	Senior Officers residences, member Board of Revenue, secretaries to Government.	Ditto	40	10 2	One each living room		

	Deputy Secretary to Government. and Heads of Department District Magistrate						
3.	Senior Officers residence Under – Secretaries and other first class officers including Addl. District Magistrate and Sub- divisional Officer	Ditto	25	6	2	6	
4.	Junior Officer residences Class I and other Officers	CTS	25	4	1	4	
5.	Senior Non-gazette staff or gazette staff	CTS	15	3	1	3	
6.	Non- gazette staff	CTS	12	2	1	3	
7.	Non- gazette staff	CTS	8	1	1	2	
8.	Non – gazette staff	CTS	8	-	1	2	
9.	All clerical staff	CTS	8	-	1	2	
10.	Skilled men	CTS	8	1	2	2	
11.	Class IV Government. servant, Peons, orderliness, unskilled	CTS	8	-	-	-	

Wiring may be on casing cad capping or on cleats, if the building is not a State owned one.

## APPENDIX XXIV

## Scales of Water Supply and Sanitary Installation Fittings in Different Types of Residential Buildings in New Capital , Orissa, Bhubaneswar

Sl. No	Type of quarters	No.of bath rooms	India n water closet	Europ ean water closet	Anglo Indian water closet	Wash and basin	Sink plan	Glass shelf
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	M.L.A.quarter	1	1	-	-	-	-	-
2	Type VIII Chief Minister's residence	2	1	1	1	3	2	2
3	Type VIII (Fan type)	3	3	2	-	4	1	3
4	Type VIII Senior Gazetted Officer quarter	3	3	2	-	4	1	3
5	Type VIII old Bungalow	3	3	1	-	3	1	3
6	Type VIII double storied	3	2	3	-	4	1	3
7	Type VII single storied	2	3	-	-	2	1	2
8	Type VII double storied	2	3	1	-	2	1	2
9	Type VI-C	2	2	-	-	1	-	-
10	Type VI double storied	2	2	1	-	1	-	-
11	Type VI-B	2	2	-	-	1	-	-
12	Type VI (revised)	2	3	-	-	1	-	-
13	Type VI/2 previously occupied by C.M.	2	2	1	-	2	-	-
14	Type V-C in Unit-III	1	1	-	-	1	-	-
15	Type V in Unit-I and Unit-II	1	1	-	-	1	-	-
16	Type IV-A in Unit-I	1	1	-	-	1	-	-
17	Type IV in Unit II(Twing)	1	1	-	-	1	-	-
18	Type IV in Unit-II	1	1	-	-	1	-	-
19	Type IV-B in Unit-I & III	1	1	-	-	1	-	-

Sl. No	Type of quarters	Mirror	Towel Rail	Board for sink	Showers	Taps	Plastic screen	Soap holder	Bath tube 6"long
(1)	(2)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1	M.L.A. quarter	-	-	-	-	-	-	-	-
2	Type VIII Chief Minister's residence	-	1	1	5	-	-	-	-
3	Type VIII (Fan type)	2	4	4	4	2	1	-	1
4	Type VIII Senior Gazetted Officer quarter	4	4	2	3	7	3	4	-
5	Type VIII old Bungalow		3	4	-	3	8	3	3
6	Type VIII double storied		3	3	2	2	6	2	9
7	Type VII single storied		3	4	2	3	8	2	4
8	Type VII double storied	2	2	2	3	6	-	-	-
9	Type VI-C	1	1	2	2	7	-	-	-
10	Type VI double storied	1	1	-	1	6	-	-	-
11	Type VI-B	1	1	-	1	6	-	-	-
12	Type VI (revised)	1	1	-	1	6	-	-	-
13	Type VI/2 previously occupied by C.M.	1	1	-	2	5	-	-	-
14	Type V-C in Unit-III	2	2	-	2	8	2	2	1
15	Type V in Unit-I and Unit-II	-	-	-	-	4	-	-	-
16	Type IV-A in Unit-I	-	-	-	-	4	-	-	-
17	Type IV in Unit II(Twing)	-	-	-	-	4	-	-	-
18	Type IV in Unit-II	-	-	-	-	4	-	-	-
19	Type IV-B in Unit-I & III	-	-	-	-	3	-	-	-

## APPENDIX XXV

### AMISSIBLE OUTLAY OR RESIDENTIAL BUILDINGS

The plinth area of different types of buildings which would be constructed in the state and the monetary ceiling or each type of residential building would be as mentioned below.

Sl. No.	Type of quarters	Plinth areas in sft.	Civil	Electrical	P.H.	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Rs.	Rs.	Rs.	Rs.
1	B type D/S...	2522	133332	14820	190300	167452
2	C type T/S...	11855	83159	9010	12500	104669
3	C type D/S...	1853	86270	9360	12650	108280
4	C type S/S...	1778	98566	10460	13400	122434
5	CR type T/S...	1249	56688	6153	9780	72821
6	CR type D/S...	1261	59464	6370	9740	75574
7	CR type S/S with court yard	1205	63919	6630	10130	80679
8	CR type Rural with Court yard	12.05	63919	6630	10130	80679
9	D type T/S...	982	47313	5113	6950	59376
10	D type D/S...	982	48719	5265	7030	61014
11	D type S/S. With Court yard	900	52438	5336	7620	65424
12	D type Rural with Court yard	900	52438	5366	7620	651424
13	E type T/S...	655	32592	3488	4060	40140
14	E type D/S...	655	34064	3672	4500	42236
15	E type S/S with court yard	600	35882	3578	4540	44000
16	E type Rural with Court yard	600	35882	3578	4540	44000
17	F type T/S...	424	23860	2513	3240	29613

18	F type D/S...	424	25898	2749	3440	32087
19	F type S/S with court yard	366	26841	2587	3520	32948
20	F type Rural with Court yard	366	24841	2587	3520	32948

It has been decided by government that the revised monetary ceiling shall not be applicable in case of new construction of D.E. and F type single storied quarters. Where works have been started or contractual commitments made in view of the facts that a type design for construction of single storied low cost residential buildings with chapter specification has already been approved by government in this Department G.O. No. 20937 dated 21st September 1981.

While preparing plan and estimate for construction of residential buildings the following provisions should be kept in view.

1. The estimated cost of different types of residential buildings should not exceed the monetary ceiling fixed for such types of buildings in ordinary soil. Extra cost up to 15 percent where ever necessary however be provided in the estimate for bad nature of soil.
2. Provision for bad nature of soil should be shown in the estimate as a separate item and should be countersigned by the Chief Engineer Buildings. The Superintending Engineers will countersign the estimates containing provision against precautionary measures for bad nature of soil up to the amount for which they are empowered to accord technical sanction.
3. An increase of 10 percent extra over and above the fixed monetary ceiling may be taken in to account while preparing plan and estimate only in difficult areas where it would be found that it would not be possible to complete the residential buildings as per the fixed ceiling.
4. The monetary ceiling of different types of buildings includes the provision of contingency and work charged establishment and no further provision on these accounts is admissible.
5. The monetary ceiling of different types of residential buildings does not include, prorate charges.
6. No modification to the type designs should be made during execution without prior approval of government.

As regards single storied low cost residential buildings with cheaper specification

in the State would be as follows:-

Sl. No.	Type of quarters	Plinth areas in sft.	Civil	Electrical	P.H.	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	D type single storied RCC roof with cheaper specification & compound wall	900	36,000	5,366	5,366	46,732
2	D type single storied A.C.sheet roof with cheaper specification & compound wall	900	33,200	5,366	5,366	43,932
3	D type S/S Nuria tile roof with cheaper specification & compound wall	900	32,564	5,366	5,366	43,296
4	E type S/S RCC roof with cheaper specification & compound wall	600	22,500	3,578	3,579	29,656
5	E type S/S A.C.sheet roof with cheaper specification & compound wall	600	21,360	3,578	3,579	28,516
6	E type S/S Nuria tile roof with cheaper specification & compound wall	600	20,618	3,578	3,578	27,774
7	F type S/S RCC flat roof with cheaper specification & compound wall	366	17,002	2,587	2,587	22,176
8	F type S/S A.C.sheet roof with cheaper specification & compound wall	366	16,712	2,587	2,587	21,586
9	F type S/S Ranigania tile roof with cheaper specification & compound wall	366	16,293	2,587	2,587	21,461
10	F type S/S Nuria tile roof with cheaper specification &	366	16,202	2,587	2,587	21,376

	compound wall					
11	F type S/S Nuria tile roof with cheaper specification & mud mortar in tribal areas & compound wall	366	14,000	2,587	2,587	19,174

It has been decided by government that while preparing plan and estimate for construction of low cost residential buildings the following provisions should be kept in view :-

1. The estimated cost of different types of low cost residential buildings should not exceed the monetary ceiling fixed for such types of buildings;
2. The monetary ceiling of different types of low cost buildings includes the provision of contingency and work charged establishment and no further provision on these accounts is admissible.
3. The monetary ceiling of different type of low cost residential buildings does not include prorated charges.
4. No modification to the type designs should be made during execution without prior approval of Government.

## **APPENDIX- XXVI**

### **PROCEDURE FOR LEASE OF SAIRATS**

1. Each Sub Divisional Officer shall maintain a Register of Sairats (Such as fruits bearing trees, the place where fishery rights can be let, where grass can be sold and any other source of regular miscellaneous revenue) in his jurisdiction duly classified according to the nature of the sairats in the prescribed form (Enclosed).

2. The control of all such revenue, including the collection of it shall remain with the officer-in-charge of the Subdivision acting under the instruction of the Divisional Officer.

3. The rights in fruit trees, in fishery, in cutting grass, etc. shall usually be disposed of annually by public auction well in advance of the working season, 15 days previous notice of the date and place of auction being publicly given. The terms of lease should be available for inspection by the intending bidders. In leases where the average annual income of the proceedings 3 years of a particular Sairat

exceeds Rs. 2,500 auction sale notice shall be published in two issues of a widely circulated locality daily. In other cases, the auction sale may be advertised by causing the notice of sale to be exhibited on the notice boards of the important offices of the locality and by beat of drums.

The proposal for reserve price shall be initiated by the Divisional Officer at ten percent over and above the average income of Sairat for the preceding three years or for any shorter period for which information is available. In the absence of any such information, the Divisional Officer shall suggest a reasonable amount taking the local conditions into consideration, to the **Superintending Engineer**, who shall determine the reserve price. The reserve price thus determined shall form the basis for deciding the authority to conduct a particular sale under Rule 6. In all cases the reserve price should be fixed by an authority higher than the Officer competent to conduct the auction.

4. Any Person, who desires to bid in the auction, is required to register his name with the officer issuing the auction notice at least one day before the date of the auction and deposit the required amount as earnest money. As soon as the earnest money is deposited a copy of the approved condition of sale duly signed by the Divisional Officer should be issued to the intending bidder and his acknowledgment obtained. The earnest money shall be fixed at 5% of the reserve price. The **Superintending Engineer** is competent to fix a lower or higher amount in special cases after recording his reason for the same. These deposits shall be returned on application to the unsuccessful bidder after the close of the auction.

5. No person shall be allowed to bid in an auction on behalf of any other person unless he holds a power of attorney from such other person or such other person is present at the auction.

6.

(i) Auction shall be conducted by the Sub Divisional Officer if the Sairat is worth Rs. 1,000/5,000 and should be confirmed by Divisional Officer.

(ii) Sairats above Rs. 1,000 and upto Rs. 10,000 may be auctioned by the Divisional Officer to be confirmed by the **Superintending Engineer**.

(iii) Sairats worth Rs. 50,000 and above should be auctioned by the **Superintending Engineer** to be confirmed by the Chief Engineer.

(iv) While recommending any bid the auctioning authority should indicate in the antecedents and solvency of the bidder.

**Notes:** Clause 6 - Auction of Sairat – Sairat worth of Rs, 50,000 and above is to be auctioned by SE-EE has no power to conduct the auction.

7. At the fall of the hammer the highest bidder shall deposit in cash an amount which together with the earnest money will cover 25% of the bid money. If he fails to deposit the amount the earnest money deposited by him shall be forfeit by the auctioning authority and the offer of the next highest bidder shall be considered provided the bid is acceptable otherwise. If the next highest offer is not acceptable, steps should be taken to reduce the Sairats.

8. The balance of the amount shall be deposited by the bidder on receipt of a intimation from the officer conducting the auction that his bid has been accepted, within the time limits prescribed below:

- (i) where the bid amount does not exceed Rs. 500 within 7 days of the receipt of the notice of acceptance of the bid.
- (ii) where the bid amount exceeds Rs. 500 within 7 days of the receipt of the acceptance of the bid.
- (iii) the office confirming the bid shall have the discretion to fix suitable installments, not exceeding four, for Payment of bid money whenever the amount of bid money exceeds Rs. 2,500. The first installment shall be payable within seven days from the date of intimation of acceptance of the bid.

9. On confirmation of the sale by the competent authority, the successful bidder should deposit the amount as per Rule 8 and execute necessary agreement (Duly stamped) in the prescribed form within a week. Failure to deposit the whole amount of bid money or the first installment of bid money when so linked will entail forfeiture of earnest money at the disposal of auctioning authority. Similarly, if the successful bidder fails to execute the agreement within the time fixed amount of deposits at the disposal of auctioning authority shall stand forfeited and auction should be conducted afresh.

10. In case of default in the payment of the second and subsequent installment on the dates fixed a notice should be served on the lessee by the Divisional Officer intimating the lessee that he is liable to pay interest on the amount of arrear at 9 percent per annum and if the arrear installment together with the interest due is not paid within 30 days of the receipt of the notice, the lease shall stand terminated and auction should be conducted afresh.

The amount of security (25 per cent) should then be adjusted towards the arrear installment plus interest and the balance including consequential loss, if any, on-account of reauction of sairat shall be recovered from the lessee under the Odisha Public Demand Recovery Act of 1962.

11. The acceptance of the bid must be conveyed in writing by registered post with A.D. to bidder as far as possible within. 15 days from the date of auction.

12. It is not incumbent on the confirming authority to outright accept the highest bid. The bid can be rejected without assigning any reason to the bidder concerned. But the Officer, confirming the auction must record in writing his reasons for not accepting the same.

13. The Officer conducting the auction shall maintain in his own hand a complete record of bids of all bids offered by different bidders. The bid register will indicate the full description of the sairat, reserve price, site, date and time of auction. The bid register should be signed simultaneously by the highest bidder and the Officer conducting the auction.

14. As soon as possible after the auction, the Competent Officer, who is required to confirm the bid.

15. In case of bids below the reserve price the authority competent to accept the bid may accept bids up to 20 per cent below the reserve price. When the bid amount falls short by more than 20 per cent auction should be conducted afresh. If there is no improvement in the subsequent auction, orders of Government in the Administrative Department should be obtained before confirming the sale.

16. No lease should be given for a period exceeding **one season** without prior approval of Government in the Administrative Department.

17. Each Divisional Officer shall maintain a consolidated register of Sairats under his Division and furnish an extract thereof to the Chief Engineer through the **Superintending Engineer** by the end of June each year. In case there are no Sairat, a nil return should be sent.

A consolidated return for all the Divisions should be sent by the Chief Engineer to Government each year by the end of July. The return should be sent in the form prescribed for the Register of Sairat S.D.

## **ANNUAL LEASE REGISTER OF SAIRATS**

SI. No.	Nature of Sairats	Location	Annual average or income or preceding <sup>3 years</sup>	Preserve price last auction	Date	Date of present auction	Amount of the auction	Name of the lease	Period of lease	Date and number of lease deed	Receipt, No. and date with which the amount, was deposited	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

## NOTICE FOR LICENSING GRAZING AREA, FISHERY AND USUFRUCT OF TREES, ETC.

Notice is hereby given that the right of..... in the sources described in the annexed schedule, in the annexed schedule for a period..... from ..... will be sold in public auction by the ..... at..... on the day of ..... at O' clock subject to the conditions hereinafter set forth.

Divisional Officer/  
Signature of Sub Divisional Officer

Name of the Division/Sub Division

### CONDITIONS OF SALE

1. Any person or body intending to bid must deposit a sum of Rs..... as earnest money with the auctioning officer on the working

day immediately proceeding the date of sale, such of the persons as have not complied with this conditions will not be permitted to bid at the auction.

2. No one will be allowed to bid for another person unless he holds a power of attorney from him and produces the same for the inspection of the selling officer when demanded by him.

3. The sale will ordinarily be knocked down in favour of the highest bidder but the right is reserved to the officer confirming the sale to reject any bid without assigning any reason therefor.

4. The earnest money deposited by unsuccessful bidders will be returned to them at the close of the sale and that of the successful bidder will be treated in the manner laid down in clause 7 below.

5. The Sale will not be considered as completed unless it is confirmed by the authority who reserves the right to refuse to confirm the sale without assigning any reasons therefor and an agreement executed.

6. The successful bidder will not be permitted to do any act under the lease until the sale is confirmed by the competent authority and until, conditions 7 & 8 below are fulfilled.

7. Immediately at the fall of hammer the successful bidder shall deposit on the spot a sum equal to 25 per cent of the bid amount (Including the earnest money already deposited),

8. The successful bidder shall within one week of the date of receipt of the order of confirmation by the competent authority pay the balance amount of 75 per cent if the bid-amount does not exceed **Rs. 500** and within fourteen days if the same exceeds **Rs. 500** and execute at his own cost an agreement (Duly stamped) in the prescribes form within a week from the date of deposit of the bid amount. The payment of bid amount in installment is not ordinarily permissible unless otherwise ordered by the confirming authority.

9.

(a) Failure to deposit 25 per cent of bid amount (including earnest money) after the bid is accepted would entail forfeiture of earnest money.

(b) Failure to deposit the balance amount of bid money or the first installment of the bid money when so fixed will entail forfeiture of earnest money of 25 per cent at the disposal of auctioning authority-

(c) Similarly, failure to enter into agreement after deposit of the balance of 75 per cent of the bid amount would entail forfeiture of the entire deposit at the disposal of auctioning authority.

10. The confirming authority may at his discretion fix suitable installments not exceeding four for the payment of total bid amount in case when the bid amount exceeds Rs. 2,500. The first installment shall be payable within seven days from the date of receipt of intimation of the acceptance of the bid & and the second and third installments are payable on the dates fixed. The security deposit of 25 per cent will be adjusted towards the last installment. Interest of 9 percent annul shall be payable in the event of failure to pay the installment on the dates annum.

11. The lease will stand terminated if the arrear installment along with interest due is not paid within thirty days from the due dates.

12. The auctioning authority has power to reduction the Sairat after termination of the lease and recovers the consequential loss, in addition to the arrear and interest due up to the date of reduction under the Public Demand Recovery Act.

13. The conditions mentioned above are intended solely for the benefit of the Government of Orissa with a view to safeguard their interest and so and omission on the part of the Officers acting on behalf of the Government to enforce them strictly and any indulgence or concession that may be granted to the lessee with or without notice shall not affect the rights of the Government to enforce them. The conditions against the lessee and shall not afford the lessee a right to plead such omissions indulgence or concession as a bar to any action that may be brought by the Government in respect thereof.

## **FORM OF LICENSE FOR FRUIT BEARING TREE**

THIS DEED of License made the .....day of.....between the Governor of Odisha (Hereinafter called the licensor) of the one part and Shri ..... son of..... residence of village/ town.....Rs.....Dist..... (hereinafter called 'the licensee' of the other part:

Whereas the public auction held on ..... at the licensee's bid of Rs..... for right to gather and sell the fruits of the fruit- bearing trees at in the district of .....(the details of which have been specified in the schedule appended hereto) has been accepted by the licensor.

**NOW THIS DEED WITNESSES AS FOLLOWS :-**

1.

(a) That the licensee has paid the full amount of bid after the bid was over/or has deposited Rs..... as part payment of the bid amount and agreed to pay the balance of the dues in installments as follows:

Due date of payment	Amount in rupees.
---------------------	-------------------

(b) the Licensee shall have the right to collect and enjoy the fruits for the period from .....to.

2. That if any amount either on account of the above bid money or any penalty or interest falls due from him the licensor shall have the power to recover the same under the Odisha Public Demands Recovery Act, 1962 as arrears of land revenue.

3.

(a) That the payment of bid money in installment should be made on or before the due date fixed. Interest at the rate of 9% per annum shall be payable in the event of failure to pay the installment on the due date

(b) The licensee shall pay the arrear installment along with interest thereon within 30 days from the due date of the installment. In the event of nonpayment the license shall stand cancelled and re-auction shall be conducted.

Consequential loss if any, on account of such re-auction to the arrear and interest due therein up to the date of re-sale shall be recovered from the licensee under the Odisha Public Demand Recovery Act, 1962 as arrears of land revenue.

(c) The security deposit amounting to 25 per cent of the bid money (including earnest money of 5%) made at the fate of the hammer may be adjusted towards the last installment, unless the licensee has defaulted in the payment of the installments or is guilty of break of any conditions.

4. The Divisional Officer shall have the power on behalf of the licensor to re-enter and take possession of the whole or a portion of fruit bearing trees as is considered necessary in the public interest before the expiry of the term of the license and he shall not claim granted to him for the said occupation.

5. That he shall protect the boundary demarcation stone or post or any other electric, telegraphic or telephonic post that might be in the land on which the fruit bearing trees have been grown.

6. That he shall protect the fruit bearing trees as well as the lands on which the trees stand from any illegal encroachment.

7. That the licensee shall not be entitled to cut down the branches or of trees or tree nor shall he take the timber of any fallen or dead trees without the previous permission of the Divisional Officer in writing.

8. That the licensee shall not sublet his right except with the previous permission in writing of Divisional Officer.

9. That the licensee shall not use the fruits and the trees in any manner which will cause any inconvenience to the public using the roads or the land on which the trees stand.

10. That the licensee shall have no claim for remission or refund of the bid money for destruction of fruits by natural calamity except on the grounds specified in clause 4 above.

11. That on breach of any of the conditions 5,6,7,8 and 9 mentioned above by the licensee or any of his servants or representatives, the Divisional Officer shall have the right to revoke the agreement and reject the license forthwith and to take possession, and at his desertion to impose a penalty as he may deem proper.

12. That the licensor reserves to himself the right to cancel the license at any time if it is considered necessary in the interest of Government and a refund of bid money may be claimed by the licensee for the unexpired period of license in proportion to total paid for the whole year, provided that the cancellation is not caused by infringement of conditions of the licensee by the license. In the event of such a cancellation, the licensee has no right to claim any compensation for the loss of his profit or otherwise.

IN WITNESS WHEREOF the Divisional Officer acting for and for behalf of the Governor of Odisha and..... the licensee have hereunto set their hands the..... date of 20 ..... first above written.

Witnesses

Signature of licensor on behalf,  
Of the Governor of Odisha

1.

2.  
Witnesses  
1.  
2.  
Particular

Signature of Licensee

Schedule  
Location

## FORM OF LICENSING FOR FISHERY RIGHTS

THIS LICENCE made this the.....day of..... 20..... between the Governor of Odisha (hereinafter called 'the licensor' (on the one part and ..... son of..... aged years, caste ..... profession..... residing in village ..... P.S. ....in the district of..... (hereinafter called the licensee) of the other part;

AND WHEREAS the licensee at the public auction held on has offered a bid of Rs..... for the fishery rights in the river/tank/canal/or Nainjori/weir/stream (the details of which have been specified in the schedule appended hereto), which has been accepted by the licensor;

NOW, THEREFORE, in consideration of the payment of a sum of Rs..... payable by the licensee and in consideration of the covenants and terms mentioned in this deed the licensor hereby permits the licensee to fish in the aforesaid for the period from..... to on the terms and conditions specified below namely:

1. That he has deposited the full amount of bid immediately after the bid was over/or has deposited Rs..... as part payment of the bid amount and agrees to pay the balance of the premium in instalment as follows:

Due date of payment

Amount in rupees.

2. That if any amount either on account of the above fees including interest if any penalty if imposed on the licensee by licensor remains unpaid by the licensee, the Divisional Officer of the district of .....(hereinafter called the Divisional Officer) shall have the power to recover the same from him under the Odisha Public Demands Recovery Act, 1962.  
(That he shall remain bound to pay the stipulated amount of bid money till the right of enjoyment of the fisher) is resettled with him or any other person).

3.

(a) That the payment of bid money in installment should be made on or before the due date fixed. Interest at the rate of 9% per annum shall be payable in the event of failure to pay the installment on the due date.

(b) That the licensee shall pay the arrear installment along with interest thereon within 30 days from the due date of the installment. In the event of nonpayment, the license shall stand cancelled and reduction shall be conducted.

Consequential loss if any, on account of such re-auction in addition to the arrear and interest thereon due up to the date of resale shall be recovered from the licensee under the Odisha Public Demand Recovery Act, 1962.

(c) That the security deposit amounting to 25% of the bid money (including earnest money of 5%) made at the fall of the hammer will be adjusted towards the last installment, unless the license has defaulted in the payment of the instalments.

4. That he shall the embankment of the river/tank/wier/canal or Nainjori from destruction or encroachment and shall repair the same this own cost and shall see that the water is not in any way spoiled.
5. That the licensee shall not use stake nets or cross dams of any description.
6. That the license shall not use draw nets within 100 feet of masonry works or injure masonry pitching or earth work in any way.
7. That the licensee shall not cause obstruction to navigation in any way.
8. That the licensor does not guarantee to supply water below the weir at any time of the year.
9. That he shall not act in a manner which will cause any inconvenience to the public in using the water, for bathing, drinking or such other purposes as may be decided by the Divisional Officer.
10. That the licensee shall have no claim for remission or refund of the bid money for failure of rainfall or usual closure of canal/river/tank/Nainjori/wier/stream.
11. That on breach of any of the conditions above mentioned by the licensee or any of his agents/ servants, the Divisional Officer shall have the right after giving at

least a week's notice in writing to cancel this license, to reject the licensee forthwith to repenter and take Khas possession and to forfeit the whole or such parts of the bid money already paid or to impose any penalty as he may deem proper and also to resettle the fishery with anybody else as he may think proper.

12. That the licensor reserves to himself the right to cancel license at any time if it is considered necessary in the interest of Government and a refund of bid money may be claimed by the licensee for the unexpired period of the license in proportion to total rent paid for the whole year, provided that the cancellation is not caused by the infringement of conditions of the license by the licensee. In the event of such a cancellation the licensee has no right to claim any compensation for the loss of his profit of otherwise.

IN WITNESSES WHEREOF the Divisional Officer acting on behalf of the Governor of Odisha and..... the licensee has hereunto set their hands the..... day and ..... year respectively mentioned under the signatures.

Witness

- 1.
- 2.

Witness

- 1.
- 2.

Signature of the  
On behalf of the Governor of Odisha

Signature of Licensee

## **SCHEDULE**

### **FORM OF LICENSE FOR FERRY GHAT**

This license made on..... day of .....20..... between the DO of the ..... Division in the district of .....representing the Governor of Odisha (hereinafter called the licensor) of the one part and Shri..... son of.....aged.....year.....caste.....profession ..... residing in village...../town..... /P.S. ....etc., in the district of (hereinafter called the licensee) of the other part.

Whereas the licensee at public auction held on.....at has offered a bid of Rs..... for the license of the ferry ghat at..... P.S..... in the district of..... as the ..... which

has been accepted by the licensor and has deposited the full amount/or part of the bid with the lessor;

Now, therefore, in consideration of a sum of Rs.....payable by the licensee and in consideration of the covenants and terms mentioned in the deed the licensor hereby grants to the licensee above named ferry ghat for a period of ..... year from .....to.....on the terms and conditions specified below, namely:

1. The licensee has paid the full amount of the bid/part of the bid amount after bid was over and shall pay Rs..... towards the balance of the bid money in installment as follows

Due Date of payment	Amount of rupees
---------------------	------------------

2. The licensee shall provide all the boats and ply them at the said ghat for hire either personally or/and through agents.
3. The licensee shall collect tolls according to the schedule of rates appended hereto or as may be direct by the Divisional Officer of the district..... (hereinafter called the Divisional Officer)
4. The licensee shall engage adequate number of boats and boatmen so as to ferry men, goods, and animals at regular intervals for 5 A.M. to 8 P.M. every day.
5. The boats shall be maintained by the licensee in perfect good condition.
6. The licensee shall abide by the direction of the Divisional Officer or his authorised Officer issued from time to time in regard to matter not specifically provided for herein.
7. (a) That the payment of bid money in installment should be made on or before the due date fixed. Interest at the rate of 9% per annum shall be payable in the event of failure to pay the installment on the due date.  
(b) That the licensee shall pay the arrear installment along with interest thereon within 30 days from the due date of the installment. In the event of non-payment the license shall stand terminated and re-auction shall be conducted. Consequential loss, if any, on account of such re-auction in addition to the arrear and interest due up to the date of resale shall be recovered from the licensee under the Odisha Public Demand Recovery Act, 1962.  
(c) That the security deposit amounting to 25 percent of the bid money (including earnest money of 5 percent) made at the fall of hammer will be adjusted towards the last installment unless the licensee had defaulted in the payment of installments.
8. That for contravention of any of the conditions mentioned above the licensor shall be competent to impose a suitable penalty of the district of from time to time and to cancel the license and take such further steps as would necessary and. consistent with the convenience of the public.
9. That the licensor reserves to himself the right to cancel the license at the time if it is considered necessary in the interest of Government and a refund of bid

money may be claimed by the licensee for the unexpired period of the license in production to total paid for the whole year provided that the cancellation is not caused by the infringement of conditions of the license by the licensee. In the event of such a cancellation has no right to claim any compensation for the loss of his profit or otherwise.

In witness whereof the parties hereto has signed this on the dates respectively mentioned under their signatures.

Signature of.....

On behalf of the Governor

of Odisha

Witness

1.

2.

Witness

The Licensee

1.

2.

## **SCHEDULE**

### **APPENDIX –XXVII**

## **INSTRUCTION REGARDING STORAGE, TRANSPORT AND USE OF EXPLOSIVES**

1. The rules to regulate the possession, sale, etc. of explosives are laid down in the Explosives, Rules 1940, published by the Government of India, Department of Labour, with their notification No. M, 1217 (1), dated the 30th November 1940.
2. Four ordinary blasting purposes only Gunpowder, Gelignite, Gelatine, Detonators, Detonating Fuse and Safety Fuse may be kept in a licensed magazine built for the purpose, in conformity with the Explosive Rules, 1940.
3. The purpose and use of high explosives other than the Nitro compounds commonly used for blasting purposes require the prior Sanction of the Chief Engineer.
4. Explosive should always be stored in a 'Licensed' magazine (licensed under Explosive Rules, 1940). An explosives magazine is an isolated building comprising of a main room and lobby of at least 5' (152 cm) wide and detonator room (specimen plan of which is given in detail in the. Explosive Manual which is a Government of India, (priced publication). The Divisional Officer desiring to store

explosives should submit, in the first instance, the following documents, the Chief Inspector of Explosives in India, Nagpur through the Zonal inspectorate of explosives under the Department of Explosives, Government of India.

- (a) An application in form 'C' showing therein the kinds and quantities of explosives, duly filled in and signed;
- (b) A signed statement in form 'D' (distance form);
- (c) Six copies each of site and construction plan of the magazine drawn to scale, in ink on thick durable paper preferably in ferro paper. Site plan should show the position of the magazine relating to all the 'protected work' described in form 'D' construction plan should show all the details given in the specification.
- (d) A treasury receipt in original should also be enclosed showing a credit under the Central Head of account "**XXI-Misc. Department receipt under Explosives Act -Other Collections**", the amount of which will be intimated to him by the Explosives Department on receipt of the Application form 'C' from him.

5.

- (a) The dimensions of the magazine should be so kept as to provide a floor space of 2 sq. metres per thousand Kg. of explosives and the floor of the magazine should be plastered smooth with cement, a magazine building should be constructed of brick masonry.
- (b) The Nitro-compound, Gunpowder, Detonating Fuse and Safety Fuse may be stored in the same room. But Safety Fuse should normally be stored in a "recess", separately built in the lobby as shown in the 'type' plan. The detonators should be stored always in a separate room or annexe, exclusively meant for them. Detonators should never be stored along with other explosives. The detonator annexe masonry wall should not be less than 60 cm. wide masonry wall and 152 cm. of air space intervenes between any detonator annexe and the main magazine room and there should not be any direct communication with or a doorway leading to the main magazine or lobby.
- (c) Precaution caps and safety carriages should not be stored in a High Explosives magazine, Caps may be kept in a proper place as per Arms Rules.

6.

- (a) Where explosives have, to be kept away from the main magazine, portable magazines of approved type (approved by Chief Inspector of Explosives) shall be installed, as detailed below.

(b) *Portable Magazines* - For carrying out site work such as blasting in connection with some project work. Explosives Department has approved use of portable steel magazines fabricated by some manufacturers, viz. M/s. Industrial Explosives Ltd., Nagpur and M/s. Narendra and Co., Dehradun of capacity not exceeding 225 Kg. of nitro-compound explosives or 2,500 Nos. electric detonators under the following conditions:-

- (i) The duration of licence for these portable magazines will not, normally, exceed 6 months at any one place.
- (ii) The ground lying within 15metres of the magazine should be surrounded by barbed wire fencing.
- (iii) The magazines should be protected from weather by a shade of tarpaulin or any other suitable material.
- (iv) The magazine should be kept under guard 'day and night' and in accordance with the directions of the District Authority.
- (v) The portable magazine must not be shifted from one place, to another without 'Written prior' approval of the C.I.E.

## **USE OF EXPLOSIVES**

A licence to possess explosives does not authorise use of explosives for carrying out blasting. A licence in form 'N' of the Explosive Rules is to be obtained from the District Authority for carrying out blasting at the site in question. A separate licence in form "N" is required to be obtained for each location of blasting. It should also be noted that possession of a licence in form 'N' does not authorise possession of explosive unless a separate licence for the purpose is obtained.

## **TRANSPORT OF EXPLOSIVES**

- (1) Explosives cannot be transported, even in small quantities, in any private car, taxi, jeep, lorry bus or any other mechanically propelled vehicle is not of a type approved by the C.I.E.
- (2) Up to 1,000 Kgs. of explosives can be carried in a non-mechanically propelled vehicle, like animal draws cart under the escort.
- (3) Mechanically propelled vehicle for transport of explosives should confirm to the specification to be supplied by the Explosives Department and finally approved by them.
- (4) Transport of small quantity of explosives in specially approved transport boxes are sometimes allowed by the C.I.E. subject to some stipulated conditions, for which C.I.E. in India should be contracted.

- (5) Under no condition should explosives left unused at the close of each day be left in the explosives van or transport boxes (specially approved by the C.I.E.). All unused explosives should be brought back at the close of each day to the licensed magazine and kept there. Normally blasting operations should not be carried out at places beyond 30-40 Kms. of a storage magazine from which supplies of explosives are drawn each day. In case one wishes to operate over a wider area it is advisable that they should have a central magazine of adequate capacity and a number of field magazines (portable magazines) scattered over the area which serves the area lying within 30-40 Kms. around it. It is also advisable to provide explosives van-which should be built on jeep chasis for carrying explosives from central magazine to the field magazines. It should, however, be noted that transport of detonators, along with any other explosives in the same van is strictly prohibited.
- (6) A licence in form 'G' of the Explosives Rules, 1940 for the transport of explosives from one area to another even in the same district should be obtained from the concerned District Authority by submitting a simple application giving therein the name of the place from and to which explosives are to be transported together **with a fee of Rs. 5.**
- (7) Every consignment of explosives transported under a licence in form 'G' has to be covered by a form 'H' pass issued by the holder of the transport licence as detailed in the Explosives manual.
- (c) *The* quantity of explosives to be stored in a portable magazine must not exceed the prescribed explosives limit of the portable magazine.

7.

- (a) *Registers* for main or portable magazines will be maintained by the S.D.O. or P.W.D. Sub-ordinate in charge showing
- (1) the stock in hand of explosives;
  - (2) the amount issued and the date of issue;
  - (3) the name of the contractor or workmen to whom the explosives has been issue and the work for which the same is issued.
  - (4) the balance in hand after each issue to be recorded. Each transaction will be initialed and dated by the S.D.O. or P.W.D. subordinate in charge. Entries in the register must be made daily immediately after each transaction.
- (b) *Any* explosives not used during the day's work shall be returned to the magazine or portable magazine by the officer-in-charge before leaving the work.

8. Before issuing any explosives the S.D.O. or P.W.D. subordinate in-charge of the work shall, if the locality of the operation is within easy distance, satisfy himself personally or by a reliable agent (short firer) of the number of holes, the depth of each hole and the number and quantity of explosives actually necessary, record the same and limit the supply accordingly. For distant localities, the number of holes proposed to be made must be ascertained and supplies made accordingly. Number of holes per blasting should be restricted as per condition 4 of the 'N' from licence (licence for carrying out blasting) granted by the District Authority.
9. The maximum quantities of explosive issue at one time will be regulated as follows according to the distance of the place of work from the magazine:
  - (a) Within a radius of 8 kilometers for one day's use
  - (b) Within a radius of 8 kilometers for two day's use
  - (c) Beyond 8 Kms. for one week's use
  - (d) Over 32 Kms. for such period as may be allowed the E. E. subject to a maximum of one month's consumption.
10.
  - (a) The locks of the magazines and detonator annexe and also of the portable magazines mentioned in Rule 6 shall be such that they cannot be opened by the same key.
  - (b) The keys must never leave the custody of the S.D.O. or P.W.D. subordinate in charges who must be present to unlock and lock the doors when any explosives are issued or returned.
  - (c) The duplicate keys must remain locked up in the divisional safe and must only be removed therefrom when the original keys is lost or for any other good reason within the approval of the E. E. When the original key of a block is lost the existing lock should immediately be replaced by a new lock.
11. In case where it is necessary to ensure contractors with explosives they must possess of magazines licensed under the Explosives Rules, 1940 and keep a register in the form mentioned in Rule 7 and so report at the close of each operation the number of charges exploded, the number unexploded, if any, and to carry in writing that they have no balance, in hand. Before being entrusted with explosive contractors will be required to sign a declaration to the effect that they will give a full and true account of the explosives issued to them and the quantity used, the number of charges exploded, the number unexploded and the balance in hand at the close of each particular, operation and that they will render themselves liable to punishment, unless such balance is returned to the P.W.D. subordinate in charge immediately after the close of each operation. They

must also be made to understand the explosive are allowed to be kept only by persons duly licensed to possess them and that unless they hold a licence and comply with the conditions thereof they render themselves liable to criminal prosecution.

12.

(a) The **EE**, will personally inspect and check the register mentioned in Rules 7 and 11 above at frequent intervals; these inspections being as far as possible in the nature of surprise checks. Any irregularities found are to be immediately reported to the **S.E.**

(b) SEs will also bring to notice any irregularities and make suggestions for their prevention or removal.

(c) be made by the **EE**-

(i) For magazine at Divisional and Sub-divisional headquarters stations once every six months.

(ii) For explosives kept in portable magazines, vide Rules 6 and 7-Every time he inspects a work in progress on which explosives are being used.

13. Explosives and register of explosives should be always open to inspection by the District Magistrate and the Superintendent of Police and Officers of Explosives Department, Government of India, and other officers authorised under Rule 106 of the Explosives Rule, 1940.

14. A copy of the general rules to be observed in magazine is given in Annexure 1.

15. A copy of the precautions to be taken in using explosives is given in Annexure 2.

## **ANNEXURE - 1**

### ***GENERAL RULES TO BE OBSERVED IN EXPLOSIVES MAGAZINES***

1. The magazines must be at all times kept scrupulously clean.
2. No unauthorised person is at any time, to be admitted into the magazines.
3. The licenses of person in charge of the magazine are to take care that the magazine is well and securely locked.
4. The magazine is on no account to be opened during or on the approach of, a thunderstorm, and no person should remain in the vicinity of the magazine during such storm.

5. Magazine shoes without nails must be kept at all times in the magazine and a wood tub or cement trough, about one foot high and eighteen inches in diameter, filled with water is to be fixed near the entrance doors of the magazine.
6. Any one wearing shoes, on entering the magazine, must put on the magazine shoes provided for the purpose, and be careful:
  - (a) not to put their feet on the clean floor unless they have on the magazine shoes;
  - (b) not to allow the magazine shoes to touch the ground outside the clean floor; and
  - (c) not to allow any dirt or grit to fall on the clean floor.
7. Anyone with bare feet will, before entering the magazine dip his feet in the water kept in the water pit or cement trough provided at the entrance of the magazine and then step direct from the tub over the barrier on the clean floor inside the magazine building.
8. A brush or broom is to be kept in the lobby of the magazine for cleaning out the magazine on each occasion it is opened for the receipt, delivery or inspection of explosives.
9. Neither lights nor smoking are to be allowed inside or near the magazine.
10. No person, having any matches or article of iron on him is to be allowed to enter the magazine.
11. Oiled cotton rags and waster and any articles liable to spontaneous ignition must not be taken into the magazine.
12. No tools or implements other than those of copper, brass, gunmetal or wood are to be allowed inside the magazine. Tools must, only be used with great gentleness and care.
13. Boxes of explosives are not to be thrown down or dragged, along the floor and should be stacked on wooden trestles. Where there were white ants, the legs of the trestles should rest in shallow copper, lead or brass containing D.D.T. Benzene, Hexa Chloride or Creosote.
14. Empty boxes or any loose packing materials are not to be kept in the magazine.
15. The following are to be hung up in the lobby of the magazines:
  - (a) A copy of these rules

- (b) A copy of the licence
- (c) Certificate showing the last date of testing of the lightning conductors.

## **ANNEXURE -2**

### ***PRECAUTIONS TO BE TAKEN IN USING EXPLOSIVE***

#### **I. THE SHORT FIRER**

- (a) Any person in charge of shot firing, hereafter mentioned as the authorised short firer, shall show to the owner or manager of the working that he understands the rules herewith laid down and the authorised short firer shall be held responsible for any accident that may occur.
- (b) He shall be authorised in writing by the owner or manager of the working.

#### **II. SHORT PREPARING ROOM (PRIMING STATION)**

In the case of quarries or prospects only:

- (a) If charges are not prepared by a special short prepare then, the authorised shot firer shall himself prepare them.
- (b) The fittings of fuse to detonators and detonators to cartridges shall be done in small clean room also called priming station constructed of aluminium or cement asbestos sheets in which no other persons than the special short papers referred to or authorised shot firers shall be allowed. This priming station shall not be located within 60 metres from the blasting site or within 15 metres of any track, road or powers cable. Man limit should not exceed 4 at any one time.
- (c) There should be no unwarranted accumulation of explosives in this station.
- (d) Priming station shall be kept locked when unattended.
- (e) The special short preparer shall show to the owner or manager of the working that he understands his duties and the rule herewith laid down, and he shall be duly authorised in writing by the owner or manager.

#### **III. TRANSPORT OF EXPLOSIVES TO THE PRIMING STATION**

- (a) Transport of explosives from the magazine to the priming station shall not be done, except, in day light and in the original wooden packing case. The quantity of explosives transported at and one time to the site of blasting shall not exceed the actual quantity required for use for one round of shots.

The explosives shall be transported to the site of blasting not more than 15 minutes before commencement of charging of the holes.

- (b) Explosives shall be transported from the magazine to the priming station or the site of blasting as head load by human agency or animal back properly manned.
- (c) Cartridges shall not be carried from the magazine to the short preparing room in the same receptacles as the detonators separate carrying receptacles for each type of explosives shall be provided. A receptacle shall consist of a secure case, canister or bag.
- (d) In the quarries not more than 2.5 Kg. of explosives shall be served from the short preparing room to each authorised shot fired.

#### **IV. SHORT PREPARING**

- (a) Sawdust shall be cleared from the inside of the detonator; this can be done by tapping the open end gently. No hard substance or metallic rods or wire shall be inserted into the detonator.
- (b) The safety fuse shall be cut squarely across and after insetting in the detonator it shall be fixed by means of the nippers only.
- (c) The explosive cartridge shall be opened at one end and a suitable hole for receiving the detonator shall be made with a copper, wooden or bone, pricker. The detonator shall be inserted into this hole so that the detonator is completely encased in the blasting cartridge and so secured that in loading no tension will be brought on the wire or on fuse at the point of entry into the detonator.
- (d) The safety fuse just above the detonator shall be securely tied in position in the cartridge.
- (e) Only waterproof fuse shall be used in wet or dam holes.
- (f) If there is water present or if the borehole be damp, the junction of the fuse and detonator shall be made water tight by means of a stiff bituminous compound.

#### **V. CHARGING THE HOLE**

- (a) Bore holes shall be of such a size that cartridge can easily pass down them. All debris shall be cleared from inside a borehole before cartridges are inserted.
- (b) Boreholes shall be charged by or under the direct supervision of an authorised shot fired.

- (c) Only wooden tamping rods or wooden tapping rods provided with a smooth copper head on non-sparking alloy shall be used in charging holes. The tamping rods shall not be pointed but shall be cylindrical throughout.
- (d) One cartridge at a time shall be inserted and gently pressed home with the tamping rod.
- (e) No smoking or steam locomotive shall be allowed near the place where short firing is being carried out during the time allotted to loading and short firing.

## **VI. WARNING TO BE GIVEN BEFORE FIRING A BLAST**

Immediately before firing a blast due warning shall be given by whistle, bugle or gong and the authorised shot firer shall see that all persons occupied at work on other groups of holes in the vicinity have retired to safety.

## **VII. FIRING A BLAST**

In the case where shots are fired by safety fuse the safety fuses of the charged holes shall be lighted by the authorised shot firer in the case where shots are fixed electrically -

- (a) The exploder shall not be connected to the shot firing table until the warning above has been given and all persons have retired to safety.
- (b) The authorised shot firer himself only connect the exploder to the short firing table, and fire the blast.
- (c) He shall, if he requires to leave the exploder, whether during or after a blast disconnect the exploder from the short firing table and remove it to a place of safety.

**N.B.** - All the conditions of 'N' from license should be rigidly followed while blasting.

## **VIII. INSPECTION AFTER THE BLAST**

- (a) After the blast the unauthorised short firer shall carefully inspect work and satisfy himself that all charged holes have been exploded.
- (b) In case of misfire, no one shall approach for at least half an hour when firing electrically, when the authorised short firer shall first examine the same and at once work a red cross over the hole thus.

## **IX. PROCEDURE IN CASE OF MISFIRE**

- (a) No person shall disturb/rack out a hole that has once been charged on attempt to withdraw charge either before firing or after a misfire or deepen or tamper with holes or sockets left after blasting.
- (b) When a misfire occurs a portion of the tamping may be sludged out with compressed air and water or water only under pressure, but no kind of tool shall be used for this purpose and the hole shall thereafter be reprimed and fired or alternatively and preferably.
- (c) A new hole be drilled not less than 12 inches from misfired hole and care shall be taken that the new hole is drilled in such a direction that there is no danger of touching the unexploded charge. This new hole shall be bored in the presence of the authorised short firer and fired.
- (d) The authorised short firer shall be present during operations undertaken for the removal of debris liable to contain unexploded explosive near the misfired hole. A careful search amongst the debris shall be made for cartridges and detonators.

## **X. REPORT ON MISFIRED HOLES**

- (a) The authorised short firer shall at once report to the officer or manager cases of misfire, the cause of same and what steps were taken in connection therewith.
- (b) If a misfire has been found to be due to defective, fuse, detonators or explosive, special notice shall be sent to the office so that the whole quantity or box from, which the defective articles were taken, can be inspected.

## **XI. NOTIFICATION OF MISFIRES TO ONCOMING SHOT FIRER**

In the case of quarries, before leaving his work the authorised short firer shall inform the authorised shot firer of the next shift relieving him of any case of misfire and shall point out/marked the position of the Red Cross denoting same, also stating what action, if any, he has taken in the matter.

## **EXPLOSIVES DO'S AND DON'TS, INSTRUCTIONS AND WARNINGS FOR CONSUMERS - TRANSPORTING, STORING HANDLING AND USING GUNPOWDER, HIGH EXPLOSIVES AND DETONATORS**

## **PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES**

The prevention of accidents in the use of explosives is a result of careful planning and observance of the best known practices. The explosives user must remember that he is dealing with a powerful force and that various devices and methods have been developed to assist him in directing the force. He should realise that this force, if misdirected, may either kill or injured both him and his fellow workers and also property may be damaged.

## WARNING

All explosives are dangerous and must be handled and used with care either by or under the direction of competent experienced persons. It is the responsibility of all persons who handle explosives to know and to follow all approved safety procedures.

It is obviously impossible to include warnings for approved methods for every conceivable situation. A list of suggestion to aid in avoiding the more common causes of accidents is set forth here.

## DEFINITIONS

1. The term 'Explosives' as used herein includes any or all the explosives listed in the list of Authorised Explosives, published by the Chief Inspector of Explosives in India, from time to time, in the Gazette of India.
2. The term 'detonator' used herein means both plain and electric detonator.
3. The term 'primer' as used herein means and a cartridge of explosive in combination with a plain or electric detonator.

### A. TRANSPORT OF EXPLOSIVES

DO's	DON'Ts
Do obey all Union, State, Union Territory and local laws and regulation.	Don't transport any other material with explosives packages.
Do see that any mechanically propelled vehicle used in transporting explosives has been approved by the Explosives Department.	Don't allow smoking or unauthorised or unnecessary persons in the vehicle.
Do load and unload explosives very carefully. Never throw or drop explosive packages from vehicle.	Don't conduct any operation of loading, unloading and handling of explosives between sunset and sunrise.
Do see that detonators of any kind (ordinary or electric) are not transported in the same vehicle	Don't drive the containing explosive through populated and built up

with any other kind of explosives.	areas markets, etc. without specific sanction of the competent authority and never park it near such places.
Do see that repairs to a vehicle are not undertaken with explosives therein.	Don't refuel the vehicle with the load of explosive in.
Do see the explosives packages not in open carts are covered with tarpaulin.	

## B. STORAGE OF EXPLOSIVES

DO's	DON'Ts
Do store explosives in accordance with Union, State, Union Territory or Local Laws and regulations.	Don't smoke or have matches, or any source of fire or flame in or near the magazine.
Do store explosives in a Magazine hence under the Explosives Rules.	Don't allow grass, brush, weeds or empty boxes to accumulate within 25 feet of the magazine.
Do see that the different kinds of explosives in the magazine are stored strictly in accordance with the condition of licence. Never keep detonators with any other explosives.	Don't use the tools and implements made of iron or sparking materials for opening the explosives cases.
Do see that deteriorated or date expired explosives are not disturbed or used. The Manufacturer or the Explosives Department should be consult without losing any time for their disposal.	Don't open explosives in the magazine. Don't open magazine between sunset and sunrise.
Do see that primed or misfired cartridges are not kept in the magazine. The misfired explosives should be destroyed on the same day by an experienced blaster operating the blasting.	Don't keep magazine unguarded at any time.
Do enter all receipts and issues of explosives in the stock register but never keep the stock register inside the magazine.	Don't allow children, intoxicated or unauthorised person in or near the magazine.
Do keep the Magazine interior and floor always clean, neat and tidy and free from dirt.	Don't stock explosives packages haphazardly on floor Keep old stock separately and use it first and take care in stocking nitro compound explosives so that marks can always be read without moving any package.

	Don't issue fresh stock until old stock is exhausted.
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### C. USE OF EXPLOSIVE

DO's	DON'Ts
Do replace or close the cover of explosives case or package after using.	Don't use iron, steel or other sparking metal tools to open explosives cases.
Do follow all mining regulations if that place of use comes under Mines Act.	Don't smoke or have matches or any source of fire or flame when explosives are being handled or used.
	Don't carry explosives in the pockets of your clothing or elsewhere on your person.
	Don't insert anything but fuse in, the open end of a plain detonator.
	Don't strikes tamper with, or attempt to remove or investigate the contents of plain or electric detonator or try to pull the wires out of an electric detonator or safety fuse from a plain detonator.
	Don't allow children or intoxicated unauthorised or unnecessary persons to be present where explosives are being handed or used.
	Don't handle, use or be near explosives during the approach or progress of any electrical storm. Retire to a place of safety.
	Don't use explosives or accessory equipment that obviously deteriorated or damaged.
	Don't try to soften handed explosives cartridges by heating over fire by rolling them on ground or hard surface.
	Don't break an explosive cartridge.

### D. PREPARATION OF THE PRIMER

DO's	DON'Ts
Do make up primers in accordance with proved and established methods. Make sure that the detonator shall is completely encased in the cartridge and so secured that is loading no tension will be placed on the wire of fuse at point of entry into the detonator. When side priming a heavy wall or heavy weight cartridge, wrap adhesive tape around the hole punched in the cartridge so that the detonator, cannot come out.	Don't make op primers in a magazine, or near excessive quantities of explosive, or in excess of immediate needs,
	<b>Don't</b> force a detonator into cartridges. Insert the detonator into a hole made in the cartridge with a punch (non-ferrous alloy) suitable for the purpose.

## E. BEFORE AND AFTER FIRING

DO's	DON'Ts
<b>Take all action carefully.</b>	<b>Don't</b> fire a blast without a positive signal from the person in charge, who has made certain that all surplus explosives are in safe place, that all person and vehicles are at a safe distance or under sufficient cover, and that adequate warning has been given.
	<b>Don't</b> return to the area of any blast until the smoke and fumes from the blast have been dissipated.
	<b>Don't</b> attempt to investigate a misfire too soon. Follow recognised rules and regulations or if no rules and regulations are in effect wait at least 30 minutes.
	<b>Don't</b> drill, bore or pick out charge of explosive that has misfired. Misfires should be handled only by or under the direction of a competent and experienced person.

## F. DISPOSAL OF EXPLOSIVES

DO's	DON'Ts
Do dispose of or destroy explosives in strict accordance with approved methods. Consult the manufacturer or the department of explosives, for the disposal of the same.	Don't leave explosives empty cartridges, boxes liners other material used in the packing of explosive lying around where children or unauthorised persons or livestock can get at them.
	<b>Don't</b> allow any wood paper or any other materials employed in packing explosives to be burnt in a stove, fire place, or other confined space or to be used for any purpose. Such materials should be destroyed by burning at an isolated location out of doors and no person should be within 100 feet from the place of burning.

## APPENDIX- XXVIII

# RULES FOR OCCUPATION OF INSPECTION BUNGALOWS OF DEPARTMENTS IN CHARGE OF PUBLIC WORKS

### 1. Short title:

- a. These rules may be called the "Rules for Occupation of Inspection Bungalow in-charge of Public Works Department."
- b. These shall come into force at once.

### 2. Definition : In these rules unless the context otherwise requires -

- a. **"Inspection Bungalow"** means a Bungalow primarily meant for occupation of inspecting officers of Public Works Department and includes a Rest-shed under management of an officer in Charge of Public Works.
- b. "Competent Authority" with reference to any Bungalow means:
  - i. The Divisional Officer, if respect of I. B.s/Rest on of the concerned.
  - ii. The **Superintending Engineers** in respect of the following Inspection Bungalows:

Puri

Gopalpur

Bhubaneswar

Berhampur

c. 'Day' means 24 hours between 7 A.M. of a date and 7 A.M. of the next date.

**3. Purpose of Inspection Bungalows:** Inspection Bungalows/Rest sheds are maintained with the primary object of providing accommodation to officers in charge of Public Works while supervising work and travelling on duty. They have prior right to occupy these Bungalows.

*Note: Officers below the rank of Sub Divisional Officers are not entitled to occupy these Bungalows without the written permission of the Divisional Officers in each case.*

**4. Exclusive occupation by Governor** - The Governor and the Chief Minister of Odisha have the exclusive right of occupation of Inspection Bungalow. On receipt of notice of exclusive occupation of either the Governor or the Chief Minister, the competent Authority shall cancel reservation, if any, made for the corresponding period in favour of another person and inform him forthwith of the fact.

**5.**

a. **Other persons entitled to occupy Bungalow:** Other Gazetted Officers of State Government, Government Pleader, Public Prosecutors, Other Law Officers of Government, Members of Parliament, Members of Legislative Assembly of State in the Indian Union or Union Territories, Commissioner of Income Tax, Odisha Post Master General, Odisha, General Manager, Telecommunication, Odisha, Circle, Bhubaneswar, Divisional Manager, South Eastern Railway, Chairman, Paradeep Port Trust, Chief Administrate of Dandakaranya Project, Deputy Director General, N.C.C., Odisha, joint Secretaries and Officers equivalent of higher rank in the GOI, AG, Odisha, Collector of Excise and Customs, While touring within the State on official duties, Chairman and Vice-Chairman of Panchayat Samities,. While touring, within their areas, officers and section officers of the office of AG, Odisha and other persons travelling on duty, as may be decided by Government from time to time, are entitled to occupy I.Bs free of rent, subject-to these rules.

**(Substituted by Works Deptt No. 20220 Dated 4.8.87)**

**Notes:**

(i) Chief Justice & Judge of Odisha High Court, Lokpal, Ministers of the State Government, Advocate General, Chairman and Members of Odisha

Public Service. Commission, Vice Chancellors of the Universities and State Guests are also entitled to occupy the Inspection Bungalows on rent free basis.

**(Substituted by Works Deptt No. 20220 Dated 4.8.87)**

- (ii) Whenever alternative facilities are available at a station for officers of other Department, they may not ordinarily be allowed to occupy Bungalows and rest sheds maintained by the Department in charge of public works.
  - b. Officers of State Government and Gazetted Officers of Government of India other than those mentioned in Rule-5(a) above, may be provided accommodation on rent free basis on payment of only service and electric charges subject to availability of accommodation and prior claims of persons enumerated in rule 4 and 5(a).
6. **Accommodation in the Bungalows to the non-entitled persons -** Accommodation in the Inspection Bungalows and Rest sheds is not usually available for the general public but they may occupy the Bungalows provided accommodation is not required by the persons entitled to occupy them.

**Explanation -** General public means and includes all other persons than those specified in rule 4 and 5 of this rule.

**(Substituted by Works Deptt No. 20220 Dated 4.8.87)**

7. **Person suffering from infections or contagious disease, not entitled to occupy the Inspection Bungalows:** No person suffering from infections or contagious disease may occupy any Bungalow.
8. **Control and reservation of accommodation:**

(a)

- (i) Control of accommodation in the Inspection Bungalows/Rest sheds rests with the Divisional Officer in charge of Bungalows except Puri, Gopalpur, Bhubaneswar and Berhampur for which the **Superintending Engineer** concerned is the authority for reserving accommodation. Persons requiring accommodation are advised to obtain reservation in advance from the Divisional Officer or the **Superintending Engineer** concerned as the case may be. Proof of reservation is indicated by production of the Divisional Officer or the **Superintending Engineer** orders, a copy of which is also pasted on the Bungalow Notice Board.

- (ii) Ordinarily one suit of rooms will be reserved for each visitor.

(b)

- (i) Officer of the Department-in-charge of Public Works have priority of reservation and occupation, at all time of Inspection Bungalows/Rest-sheds and thereafter reservation of accommodation for Gazetted Officers of other Departments of Government and for other entitled persons shall ordinarily be made in priority of receipt of request and if received at the same time, in seniority of rank.

**Exception:** Ministers and other High Officials will have priority in the matter of occupation and are entitled to .occupy two suits.

- (ii) The **Superintending Engineer**/Divisional Officer authorised to reserve accommodation has the right to cancel the reservation without assigning any reason. He should, however and intimation to the Officer concerned by telegram at the earliest opportunity.

9. **Right of occupation** - Any person occupying more than one room, whether reserved or not is required to vacate the other rooms if required by any entitled person.

10. **No. of persons permissible for occupation of a Bungalow:** Parties of more than five persons are not allowed to occupy a Bungalow without the previous permission of the Divisional Officer or the **Superintending Engineer** as the case may be. Such permission will only be given when the whole Bungalow can be reserved for the party.

11. **Circumstance under which reservation once made can be cancelled:**

- (i) When reservation of accommodation has not been made, preference of occupation is to be given to Officers of the Departments in charge of Public Works, on duty, then to the senior ranking gazetted Officer of other Department of Government and then to other entitled persons. All entitled persons shall have preference over Members of the general public.
- (ii) Whenever an Inspection Bungalow/Rest-shed in occupied without, reservation, it shall be vacated when asked for on the above preference, within six hours as between officers of Government and as between other entitled persons, and within three hours for members of the general public in favour of entitled persons. Exercise of this preference should be made with caution and consideration and not between 6 P.M. and 7 A.M.
- (iii) Any member of the general public who has not obtained reservation of accommodation in an Inspection Bungalow/Rest-shed will be required to vacate after 24 hours' notice by and in favour of any other member of the general public who has obtained reservation.

(iv) Any person who occupies a suit in a Bungalow when reserved for any other person shall subject to Rules 3 to 5, vacate immediately, if accommodation is required by the Officer or person who has a reservation order.

**12. Period of stay:** No Officer of Government other than Officer charge of Public Works on duty shall occupy a Bungalow/Rest-shed for a period exceeding ten days and in case of other persons for more than 7 days, without permission from the **Superintending Engineer**. An Officer of the Department in charge of Public Works may occupy a Bungalow up to a period, not exceeding fifteen days when on duty. Where a Bungalow is required for occupation for a period exceeding fifteen days orders of Government are required. No private person is allowed to LB. for a period more than seven days.

**13. Manner of use of Inspection Bungalow:**

(i) Inspection Bungalows, and their verandahs or compounds are not meant to be used as Court, Kutcheries, or for any purpose involving the gathering of tenants, etc. If for any special reason a Government Officer requires to do so, permission, in writing must first be obtained either from the **Superintending Engineer** or from the Divisional Officer concerned.

(ii) Convening or holding any political conferences or meetings within the Presents of any Inspection Bungalow is prohibited.

**14. Visitor's book:** A visitor's book is kept in each Bungalow. Every person is required to enter his name and designation legibly together with the date and time of arrival immediately on arrival. The date and time of departure should be given at the time of departure under his signature.

**15. Rate of Rent:**

(a)

(i) Rent shall be charged for occupation of the following Inspection Bungalows at the rate of Rs. 12 per suite per day or fraction thereof exceeding 3 hours to the member of the general public. (1) Puri, (2) Bhubaneswar, (3) Konark, (4) Barkul, (5) Berharhpur, (6) Gopalpur, (7) Cuttack, (8) Angul, (9) Balangir, (10) Bhawanipatna, (11) Sambalpur, (12) Bhadrak. In respect of other Inspection Bungalows/Rest-sheds rent is payable at the rate of Rs.10 per day, or fraction thereof exceeding three hours by the members of the general public.

**(Substituted by Works Deptt. No. 20220 Dated 4.8.87)**

(ii) In both the above cases rent at half the above rates will be payable for a stay not exceeding three hours.

(iii) When two persons share a room the rate of rent should be half of the prescribed rent.

**Note:**

(1) For the purpose of calculation, a day shall be taken as a period of 24 hours commencing from 7 A.M. of a date to 7 A.M. of next day and fraction beyond that, over 3 hours shall be taken as one complete day and under .3 hours as half a day.

(2) When a Government servant entitled, to occupy an Inspection Bungalow/Rest-shed free of rent when on duty occupies a suite, of rooms in the Inspection Bungalow/Rest shed, while not on duty, he should pay rent at half the rates payable by general public for such occupation. If the period of stay exceeds ten days, rent should be paid at full rates.

(3) The ex-legislatures of the Odisha Legislative Assembly and the Ex-M.Ps. of Odisha should pay rent at half the rates payable by general public for occupation in I.Bs/Rest sheds of the P.W.D, If the period of stay exceeds 10 (TEN) days rent, should be paid at full rates, applicable to general public for such occupation.

**(Inserted by works Deptt. No. 23595 dated 15.9.89)**

(b) An entitled person while on duty is not required to pay Bungalow rent for self, his wife and children below twelve years of age; if they accompany him. If the entitled person is not on duty, the rent for self, his wife and children (above twelve years) shall be recovered as per note (2) of sub rule (a).

**16. Rate of Electric charges** - Where Bungalows are fitted with electric lights and fans the main switch thereof will be in charges of Choukidar. The occupants desirous of using electricity will inform the Choukidar as soon as they occupy the Bungalow. The .rent for consumption of correct will be as follows.

(a) From the 15<sup>th</sup> March to the 15<sup>th</sup> November at the rate of Rs. 1.50 per day of twenty four hours or part of a day in excess of three hours.

(b) From the 16<sup>th</sup> November to the 14<sup>th</sup> March, Rs. 0.75 per day for twenty four hours or for part of a day in excess of three hours.

(c) If the period of stay does not exceed three hours, then half of the above will be charged. At the time of leaving the Bungalow, the Choukidar will switch off the electric supply to the suit of rooms occupied by the visitor.

(d) Whenever Air Coolers are fixed to any suite in an Inspection Bungalow additional service charges at the rate of Rs. 5 per day for non-entitled persons and Rs. 2.50 for entitled persons is payable in addition.

**17. Rate of service charges:** All persons occupying the Inspection Bungalows/Rest-sheds are required to keep the Bungalow and the crockery, utensil, etc., clean and if they have no servants With them for so arranging, the Bungalow Choukidar should be paid Rs. 0.50 per day of fraction thereof for doing the work.

**18. Fee for pitching tents in the compound of the Bungalow and use of garage:**

(a) All persons whether occupying a Bungalow/Rest-shed or not but using the compound for pitching, tents shall be subject to the Bungalow rules. Priority of use of kitchens, out-houses and utensils shall rest with the occupants of the Bungalow.

(b) All non-entitled persons occupying the Bungalow/Rest-shed and also using the compound for pitching tents shall pay a fee of Rs. 5 for every period of 24 hours or part thereof in addition to the Bungalow rent payable by them.

(c) A fee of Rs. 5 per day or fraction thereof will be charged from non-entitled persons for garaging a car in the absence of the owner.

**19. Recovery of rent for non-occupation:** Persons who do not intend to occupy accommodation reserved for them in an Inspection Bungalow/Rest-shed are liable to pay charges at the rate of Rs. 1 per day, unless, the reservation is cancelled by intimation in writing to the reserving authority 24 hours in advance. In case of private persons full rent shall be charged and recovered.

**20. Manner of payment of rent, service charges, etc.:**

(a) Rent recoverable under Rule 14 should be paid to the Choukidar in advance immediately on Arrival failing which occupation of the Bungalow shall be refused. Payment of rent in advance may be made day to day or in a lump sum for the entire, period, of occupation noted in the Visitor's book under rule-14. If in case the Bungalow is vacated earlier voluntarily or otherwise the amount paid in excess of the rent due for the period of actual occupation shall be refunded by the Choukidar and on such refund the Bungalow should be vacated immediately.

(b) Rent payable by entitled Government servants occupying Inspection Bungalow/Rest shed when not on duty should be paid to the Choukidar at the rates prescribed in Rule 15 be).

- (c) If the occupant vacates Bungalow/Rest-shed temporarily but leaves any room locked he should be charged rent for this period as if he was in occupation.
- (d) All charges paid to Chowkidar on account of Bungalow rent; electric charges or for replacement of breakages or loss must be clearly recorded in the Visitor's Book before departure. A complaint book is also maintained for recording all complaints of occupants. Any laxity on the part of the Chowkidar or Watcher may be noted in the said book.
21. **Valuation of articles:** A list showing the Valuation of each article in each Bungalow is on view. The recorded price of any article damaged, broken or lost by the occupant or his servants should be at the rates shown in the list to the Bungalow Choukidar or Watcher and recorded the Visitor's Book.
22. **Responsibility for loss to occupant's property:** Government accept no responsibility for loss or damage to any property of the occupants of Bungalows or Rest sheds.
23. **List of Bungalows and Rest-shed:** A list of Inspection Bungalows and Rest-shed is given in the Annexure.

## **APPENDIX- XXIX**

### **PROCEDURE IN RESPECT OF LITIGATION INVOLVING THE STATE GOVERNMENT**

#### **A**

(1) Whenever a notice under Section 80 of the C.P.C. is received by the concerned Officer, he should forward all relevant papers with a statement of facts along with the opinion of the local Government Pleader to the Advocate General. The Advocate-General will indicate the line of defense both on question of fact and law and return the same to the officer. Thereafter, the reply will be drafted and issued by the Government Pleader in accordance with the indications given by the Advocate-General.

(2) When summons in a suit is received, the concerned Government Pleader will draft the written statement in accordance with the line of defence indicated by the Advocate-General as mentioned above. If there has been any change of events of minor character in between the Section 80 Notice and the preparation of the written statement, then he can prepare the pleading with suitable modification. In case of major change of events where he thinks that the line of defence requires a

change, he should refer the case again to the Advocate General, who will suggest the line of defence, in the light of such change. Thereafter the Government Pleader will draft the pleading and send it the Legal Remembrances for formal approval. It is hereby made perfectly clear that by giving formal approval, the Legal Remembrance does not take the responsibility of settling the pleading. The sole responsibility of drafting the pleading in accordance with the line of defence indicated by the Advocate-General will rest on the Government Pleader. In case of amendment of written statement of minor and formal character, the same may be effected by him but cases requiring major change should only be done in consultation with the Advocate-General.

(3) Similarly in the case of drafting the complaints, the relevant papers with the opinion of the Government Pleader should be forwarded to the Advocate-General, who will indicate the line of action. Thereafter the Government Pleader will draft complaint in accordance with the suggestion and send it to the Legal Remembrancer for formal approval which will never mean that the Legal Remembrancer takes the responsibility in settling the complaint. The responsibility of drafting the complaint in accordance with the Advocate-General's suggestion will rest on the Government Pleader. The amendment of complaint will be done in the same manner as in the case of amendment of written statements mentioned above.

(4) Proposal for preferring civil appeals should be sent by the District Magistrate with his own views and with the opinion of the Government Pleader to the Advocate General. The Advocate-General shall forward the case with his opinion to Government. The decision of Government will be communicated to the appropriate level for necessary action.

(5) In cases of criminal appeal or revision, the proposal shall be forwarded, by the District Magistrate with the opinion of the Public Prosecutor to the Advocate-General, who after examining the case, will convey his opinion to the Government. The decision of the Government will be communicated to the appropriate level for taking necessary action.

(6) In suits of the value of Rs. 20,000 and above the pleading will be settled by the Advocate-General. The pleadings will be sent to the Legal Remembrancer for formal approval which; as aforesaid, will never mean any responsibility for the correctness of the stand taken therein.

(7) The functions of the Advocate-General as mentioned above may be discharged by him or he may cause it to be done under his guidance through the other Law Officers such as Government Advocate and the Standing Counsels.

(8) The Assistant Government Pleaders and the Special Public Prosecutors may indicate proposals for preferring appeals or revisions in respect of cases conducted

by them, but they will move through District Magistrate of the district. The Assistant Government Pleaders may discharge the same functions as the Government Pleader of the district in respect of pleadings and Section 80 notices arising within the respective Subdivisions. In those cases; the District Magistrate shall, if he considers the case to be exceptionally important and complicated, obtain the opinion of the Government Pleader before forwarding the matter to the Advocate-General.

(9) The District-Magistrate will keep the Revenue Divisional Commissioner informed regarding the correspondence with the Advocate-General and in important matters also the Board of Revenue when the District Magistrate so things fit.

**[Law Department Circular No. 7599 (86) L.R., dated the 2nd August 1967 addressed to all Department of Government and all Heads of Department.]**

## **B**

### **EXTRACTS FROM THE ODISHA LAW OFFICER'S RULES, 1971**

#### **PART I - GENERAL**

1.

(1) These rules may be called "The Odisha Law Officer's Rules, 1971."

(2) They shall extend to the whole of the State of Odisha.

(3) They shall apply to the following Law Officer, namely :

- (a) Government Pleader and Public Prosecutor.
- (b) Associate Lawyer, Special Counsel, Junior Counsel and State Defence Counsel.

## **PART II**

### **DUTIES OF LAW OFFICERS**

**Duties of Law Officers.** It is the duty of a Law Officer :

- (a) to appear on behalf of Government in and suit, appeal or other civil proceedings; and to appear in any suit or civil proceedings; and to appear in any suit or civil proceeding which involves interest of the Government wherein any Government Officer or any other persons is a party, when so direct by the Legal Remembrancer;
- (b) to advise the Government, the Board of Revenue, the Heads of Departments, the District Collectors and other District Officers, not only in respect of any proceedings, whether civil or criminal, which he has to conduct on behalf of the Government or on behalf of any Government Officer, but also on all legal matters concerning Government business of any kind, which, may be referred to him;

- (c) to receive processes issued by a Civil Court against the State Government
- (d) to conduct the prosecution in every trial before the Court of Session. For that purpose he shall, at the earliest, examine the record and site that any defect, such as the omission to summon a necessary witness if possible, remedied before the date fixed for trial in the Court of Session;
- (e) to appear for the prosecution at the hearing before the Session Court of any appeal against and conviction or application for revision of a sentence, or order (not be in lone of discharge or acquittal) against which no appeal lies, when notice of such appeal is given, to the Officer appointed by the State Government under Section 422 of the Code of Criminal Procedure 1898 or when he is directed by the Sessions Judge or the District Magistrate to so appear;
- (f) when so required by the Legal Remembrancer; to conduct prosecution in any trial before a Magistrate;
- (g) to defend Officers against criminal prosecutions, when so directed by the Legal Remembrancer;
- (h) to appear, when so directed by a District Judge, in support of an order imposing a fine on or directing the arrest of a witness under the provisions of the Code of Civil Procedure, 1908 and appealed against to the District Court;
- (i) to appear, when so directed by any Court in any proceeding under Section 476 or 478 of the Code of Criminal Procedure, 1898;
- (j) to appear, when so directed by the District Collector, in applications made under Section 10 of the Guardians and Award Act, 1890;
- (k) to advise Government as to the expediency of appealing against any adverse judgment or order of the Court in a case in which he had appeared;
- (l) to appear in inquiries into applications by parties to sue in form a pauperis or to prefer pauper appeals.
- (m) to report to the District Collector the result of civil suits, appeals and other civil proceedings conducted by him in any Court;
- (n) in criminal cases, where the accused person is a Government servant, to intimate the Head, of the Department to whom the said Government servant is subordinate about the final order passed by the Court immediately after the said order is passed;

- (o) to assist the Advocate General or the Government Advocate or the Standing Counsel in the High Court whenever required by any of them in respect of any case which he has conducted in the lower Court;
- (p) to appear on behalf of the State Government in all revenue cases and in appeals arising therefrom;
- (q) to perform on behalf State Government such duties of a legal character as they may be directed to perform by State Government;
- (r) to ensure that there is no delay on his part either in giving opinions on matters referred to him or in sending to the State Government or to any officer of the State Government the drafts of pleading and counter affidavits prepared by him for approval.
- (s) to submit statements and returns as required under the rules for the time being in force;
- (t) to maintain registers and accounts as required under the rules for the time being in force;
- (u) to take back from the Court all exhibits filed on behalf of Government and forward the same to the Collector or other Officer concerned;
- (v) to prepare and revise tenders conveyances, leases security and indemnity bonds contracts, etc. for the several departments of the State Government and to draw up plaint written statements, memorandum of appeal, petitions and affidavits in civil suits and appeals in which the Government is concerned;
- (w) to appear in appeals preferred against Municipal Assessment of Government buildings in cases referred to the Court by the Collector under Section 18 of the Land Acquisition Act, 1894;
- (x) to give advice on the notices under Section 10 of the Code of Civil Procedure, 1908;
- (y) to maintain accounts of all receipts and disbursements in connection with his duties in the form of daybook, with such subsidiary ledgers as would make it possible to ascertain without difficulty the whole of the charges connected with each case.

### **Limitations of the Office:**

- (a) a Law Officer shall not hold any brief against Government, or advise, appear or act in any case against Government or give advice to private parties in

cases in which he is likely to be called upon to advise Government or any Government Officer;

- (b) act or appear on behalf of a plaintiff in any suit in which the plaintiff has applied for permission to use in form a pauperize until till application for permission to sue in for permission to sue in forma pauperize has been decided by the Court;
- (c) undertake the defence of any person or appear against the Government in any criminal proceeding except in the cases outside his jurisdiction where the Legal Remembrancer may grant him permission to appear against Government on the specific condition that the work relating to the Government cases in the Courts, in the district which may be jurisdiction does not suffer;
- (d) appear for the defence in cases in which he might have accepted briefs prior to his appointment unless permission is obtained from the Collector;
- (e) accept any engagement or free from private parties in which he appears on behalf of the Government;
- (f) communicate directly or indirectly to any documents or information which, has come to his possession in the course of his duties, unless permission is obtained from the Legal Remembrancer.

**Duties of Associate Lawyers:** An Associate Lawyer shall conduct such cases and perform such duties only as are entrusted to him by a Law Officer.

## **APPENDIX – XXX**

### **IMPORTANT POINTS TO BE SEEN DURING SCRUTINY OF M.B.'S BILLS, NOMINAL MUSTER ROLL, ETC.**

#### **MEASUREMENT BOOK**

1. Certificate as to the number of pages the measurement book contains exist.
2. Correct issue to subordinate
3. Date of first entry and last entry
4. Proper indexing

5. Name of work, location of works, agreement or supply order No, Authority, date of measurement, description of the work measured, fully narrated. Date of commencement and completion correctly noted.
6. Measurement in indelible ink
7. Corrections attested.
8. Cancellation of measurement has been duly attested and suitably explained.
9. Overwriting and erasure and prohibited and substituted by fresh ones.
10. Dated signature after each set of measurement.
11. Check measurement item checked and initialled. Whether the check measurement is up to the prescribed percentage.
12. Contractor's acceptance of measurement without claim obtained.
13. Check measurement proforma filled in.
14. After receipt back from Division Office Sub divisional Officer to verify the correction made and report, discrepancies if any found.
15. Blank pages are not left. If inadvertently left the reasons thereof has been recorded and countersigned by the Sub Divisional Officer
16. Reference to cash book voucher number and date in which the last payment was made has been indicated in the abstract page of the particular payment
17. Reference to last set of measurements recorded has been indicated by the Officer taking the measurements,
18. Pay order duly signed and dated
19. Thumb marks have been duly attested.
20. Contractor's signature in any other language is translated into English
21. Memorandum of payment (Abstract of payment) properly completed.
22. Dated initial of the checking clerk recorded.

## **BILL**

1. The bills are in the proper form and are submitted in duplicate/ triplicate and are signed by the proper person or his duly authorized agent. the signature should be verified with reference to signature in the agreement or tender or to other documents in this regard to see that the bill is submitted by the person competent to do so.
2. Name of work name of the contractor or suppliers. Reference to agreement or supply order number, serial number of bill, reference to previous payment are indicated.
3. Item of work, unit and rates as per supply order or agreement are indicated.
4. Value of work since previous bill correctly worked out.
5. Advance payment and secured advance correctly worked out.
6. Details of recoveries noted.
7. Materials statement showing up-to-date issues, consumptions, recoveries in enclosed, in case of issue of departmental materials to works
8. Part I, II & III and full particular as per the prescribed forms and all columns of memorandum of payment correctly filled in.

9. Pass order for Gross and pay order for cheque amount only.
10. In respect of payment on supplier's bill proper classification recorded on the body of the bill where necessary with reference to purchase register item to facilitate quick adjustment.
11. Certificate of verification of materials and the head of account to which the cost is debatable has been recorded on the body of the bill.
12. Name of the work is in accordance with sanctioned estimate in figure.
13. Pay order expressed in words and figures.
14. The sum total of all the items in the bill works up to total.
15. Total amount of bill correctly expressed in words and figures.
16.
  - (a) Quantities and amount as entered in the measurement book agree with the quantities and amount exhibited in the bill.
  - (b) At least 50 percent of the entries in the M.B. have been checked by the Sub Divisional Officer arithmetically in cases where bills are sent to Divisional Officer for check and payment.
  - (c) Necessary certificate in support of payment of sales tax has been furnished along with bill.
17.
  - (a) Detailed measurements scored out by a diagonal red ink line after a bill is prepared for a work of supplies made.
  - (b) Reference to voucher number and date made in red ink on the abstract of measurement after the payment is made
18. Actual measurements for the advance payment made, taken at the earliest opportunity and lump sum payment made in shape of advance adjusted against these measurements.
19.
  - (a) Indenture in form 31 executed for the secured advances given to the contractor for the imperishable materials brought to site.
  - (b) Bank guarantee/Insurance guarantee or other securities required if any furnished.
  - (c) Advance adjusted as the materials are used in construction and the items of work in which they are used are billed for on the basis of actual measurements.
  - (d) Adequate safeguard has been taken to prevent loss of Government money.
20.
  - (a) Extra item of work and extension of time sanctioned by Competent Authority.
  - (b) Reasons for delay in taking measurements and for scrutiny of bills explained.

21. For works above values Rs. 5.00 Lakh in Civil Works and work value above Rs. 1.00 Lakh in Electrical/ P.H. Works, the J.E.s & A.E.s will be required to submit bill for each ongoing work on 20th or next working day of every month to the concerned E.E. . The E.E. on receipt of the bill , will take steps for payment of the same by 30th or the next working day during the month. The E.E. in charge of the Division will furnish a certificate to the Chief Engineer with copy to the concerned SE that the bills for all ongoing months have been paid failing action will be initiated against the erring officer.

**(Added Vide WD O.M. No. 12366/W, Dated 08.11.2013)**

## **NOMINAL MUSTER ROLL**

1. Name of work and the period for which Nominal Muster Roll issued.
2. Daily attendance checked by the Sectional Officer in charge and test checked by higher officers.
3. Details of work done. If suspect able of measurement indicate profit and loss as compared to estimated cost on the body of Nominal Muster Roll.
4. Unpaid wages column filled in when required.
5. Daily labour reports duly signed by Sectional Officer are received in the Subdivision regularly.
6. Prompt closing and payment.
7. 50 per cent check of Muster Rolls with reference to the entries in the Measurement Book has been done in cases where payments are to be made in Division Office.
8. Separate Musser Rolls are prepared for each period of Payment Muster Roll are not prepared in duplicate.
9. No attempt has been made to temper with the original entries.

## **WORK CHARGED BILLS**

1. Engagement against proper sanction only.
2. Proper classification of the bill
3. Normally the bill cannot be prepared before last working day of the month. The bill is payable on 1st working day of the succeeding month.
4. Pass order from Gross pay order for net, (Recovery supported by schedule).
5. The up-to-date expenditure on work-charged establishment is within the provisions made in the sanctioned estimate.
6. Name and claims of the establishment concerned including absentees to be shown in the bill.

7. Names are to be grouped by works.

## **REFUND OF DEPOSIT**

1. Six months after completion of work provided, the final bill has been paid.
2. The balance appearing in the schedule of deposit is refundable to proper payee only.
3. Certificate to the effect that the fact of refund is noted in the schedule of deposit, cash book and adjustment register.
4. Payment on valid order of competent authority in proper form.

## **CASH BOOK**

1. Certificate regarding the number of pages the book contains exists on the first page of the cash book.
2. Entries strictly in chronological order.
3. Classification correctly indicated.
4. Receipt in form III invariably granted for all cash receipts and for other recoveries whenever demanded.
5. All entries are attested.
6. Monthly totals are correctly worked out by responsible subordinate other than the cashier maintaining the book.
7. Certificate as to the closing balance is recorded by the Divisional Officer at the end of each month.
8. Surprise check of cash balance is carried out according to rules in force.

## **APPENDIX – XXXI**

### **YARDSTICK FOR CREATION OF A DIVISION, CIRCLE AND DESIGN OF ORGANIZATION**

**Definition-** “Work load” will mean the sum total of –

- (a) The allotment available for original works
- (b) Repair grants calculated in the manner indicated below
- (c) The average expenditure of preceding three years in respect of deposit works excluding departmental charges, and
- (c) Seventy-five percent of the average expenditure during the preceding three years in respect of restoration work.

The average expenditure during this period on work-charged staff shall first be calculated. It shall then be multiplied by three and, to this amount, times the average expenditure on work charged staff should be added.

**Exception-** the maintenance and repair grants received for irrigation works should be excluded while determining the 'Work-load'

**Norms-** The following are the norms for yearly work-load different Divisions.

		(Rupees in Lakh)
1.	Work-load of R&B Division	*100
2	Work-load of Irrigation Division (Including Irrigation Maintenance Division)	*120
3	N.H.Division	*120
4	Work-load of Rural Engineering Division	85
5	Work-load of P.H.Engineering division	85
	(Substituted by Works Deptt O.M. 5114 dated 25.2.81)	
6	Work-load of general Public Health division(Undertaking internal P.H.Installation)	30
7	General Electrical Division (Undertaking internal Electrical Installation)	30
8	Work-load of Mechanical Division ( On the basis of cost of machinery and equipment)	180
9	Work-load of Investigation Division	
(a)	For R&B, N.H.P. & R.E.O. and P.H. Engineering Works	150
(b)	Irrigation and electrical	On non-Yardstick basis

**Note-** The estimated cost of the project and the period during which the investigation is to be completed will form the basis for determining the work-load norms of the Investigation division.

**\*(Substituted by Works Department O.M. No. 5114 Dated 25.02.81)**

10.Arbitration and claim cases-One Division each for Works Department and Irrigation and Power Department and a Division each for Rural Development and Urban Development Department on non- yardstick basis.

11. The number of divisions determined on the basis of work-load norms fixed for different departments be increased by 5 percent in respect of each Organisation under the respective administrative department to attend the multifarious miscellaneous work.
12. The total expenditure on the entertainment of staff may be such that the overall establishment expenditure from the level of Division Office to the level to circle Office, Chief Engineer's Office Design Organisation is within the prescribed prorate percentage of works outlay as worked out from time to time.
13. Creation of Circle-A Circle may normally comprise of four to six Divisions.
14. Creation of post of C.E.- There may be normally one Chief Engineer for each branch of Engineering as its functional head and he may be assisted by each number of Additional Chief Engineer depending on the work-load.
15. Composition of Division-Normally one Division may comprise four Sub-divisions and one Sub- division of four section-D.

**Note-** The work-load norms may be reviewed quarterly or at such time as may be decided by government to effect revision of the yardstick.

## APPENDIX – XXXII

### RULES FOR CONDEMNATION OF DEPARTMENTAL MOTOR VEHICLES AND THEIR DISPOSAL

- (1) The question of condemnation of motor vehicles in the government offices is to be taken up only when the vehicles have outlived their utility or are not fit for economic repair.
- (2) The authorities competent to order condemnation are as follow:-

(i)	Secretary to Government	In respect of vehicles in the Secretariat and in the Subordinate or attached officers not under a head of Department
(ii)	Heads of Departments	In respect of vehicles in the Office of Head of Departments in the subordinate Offices

- (3) The power should be exercised in respect of following types of vehicles provided they have completed the minimum life period as well as the kilometers run as indicated below :

Sl.No	Type of vehicles	Minimum life	Minimum kilometers run
(1)	(2)	(3)	(4)

1	Cars, Jeeps, Station Wagons, Pick-up Vans	10 years	2,00,000 Kms
2	Departmental Trucks (Other than T.M.B. and Leyland vehicles)	8 Years	2,50,000 Kms
3	Departmental Trucks (T.M.B. Vehicles) vehicles	10 years	3,50,000 Kms
4	Departmental Trucks Leyland vehicles)	10 years	4,00,000 Kms

Whether the conditions specified in this rule are not satisfied, the matter should be referred to Finance Department.

(4) Before condemning a vehicle the Officer-in-charge of the vehicle should furnish the following information as far as possible to the Motor Vehicle Inspector any other technical Officer of the department nor below the rank of Class-II having degree in Mechanical Engineering and with their recommendation submit the proposal for condemnation to the Secretary to Government or the Head, of the Department concerned, as the case may be-

- (i) Number and type of the vehicle
- (ii) Year of purchase
- (iii) Cost of price
- (iv) Period of Service rendered
- (v) Kilometers run
- (vi) Amount spent on repairs and the kilometers run during the last three years.
- (vii) Whether engine was overhauled damage to the vehicle and if so, when
- (viii) Whether there was any major damage to the vehicle and if so, when
- (ix) Present condition of the vehicle

(5) The competent authority as mentioned in Rule 2, after consideration of the recommendations should fix the approximate minimum price of the vehicle in case it is condemned

(6) After final orders are passed by the competent authority for condemnation of the vehicle, publicity is to be given at least in two newspapers of the State not less than one month before the actual date of auction. Provisions should be made in the advertisement for inspection of the vehicle by the intending bidders at least one week prior to the date of auction. The bidding is to be conducted by a Class I Officer to be authorized by the competent authority in each case.

(7)

- a) On completion of the auction bid is to be confirmed by the officer conducting the auction, in respect of all vehicles are the bid does not fall below the price fixed, by the competent authority where the bid amount is less than the price fixed, the head of the Department or Secretary to government, as the case may be may confirm the bid at his discretion within 15 days from the date of auction.

b) The officer who conducts the auction shall record complete information in his own hand about all bids offered.

(8)

a) The highest bidder should deposit earnest money not less than 25% of the total bid amount on the spot and pay the balance within a period not exceeding 15 days from the date he is intimated that his bid has been confirmed. The acceptance of the bid by the competent authority must be conveyed in writing to the bidder. If the bidder does not make full payment of the bid amount within the specified time, the earnest money deposited by him will be forfeited and the vehicle sold by fresh auction. The vehicle should be made over to the bidder only after full payment is made. The sale proceeds shall be deposited into the Treasury under the appropriate head of account of the concerned department.

b) The auctioned vehicle must be removed from the site by the bidder within 7 days from the date of depositing the full value of the bid money. But it will be the responsibility of the bidder to look after the vehicle at his own expense and the Department will not be responsible for any damage done by way of pilferage or otherwise and no claim on this account shall be entertained.

c) In case the vehicle is not lifted within the prescribed time limit, ground rent of the rate of 10% of the bid amount for each day of delay will be charged. In case the ground rent exceeds the sale price deposited, the purchaser will cease to have any right on the auctioned vehicle. The amount deposited towards sale price will be adjusted towards the ground rent and the vehicle will become the absolute property of Government and disposed of by fresh auction.

(9) It should be made clear in the notice while advertising the sale of vehicles by auction that the competent authority reserves the right not to accept the highest or any bid without assigning any reason thereof.

(10) In all cases where is considered necessary to purchase a new vehicle in place of the old one, all such proposals should lie, submitted to the competent authority only after condemnation of the old vehicle is decided upon. The new vehicle, if sanctioned, shall not be purchased until the old vehicle is disposed of and the sale proceeds are credited into Government Treasury.

## **APPENDIX –XXXIII**

### **DEPARTMENTAL EXECUTION OF WORK**

The powers of according permission for execution of works departmentally shall be as follows:-

Estimated cost of the works		Authority competent to accord permission
1	Works costing up to Rs. 10.00 Lakhs	Superintending Engineer concerned.
2	Works costing above Rs. 10.00 Lakhs up to Rs. 20.00 Lakhs	Chief Engineer concerned
3	Works costing above Rs. 20.00 lakhs up to 50.00 lakhs	Administrative Department
4	Works costing more than Rs. 50.00 lakhs	Finance Department

**(Memo No. 8097 dated 29.08.2005)**

Other terms and conditions issued in this respect vide Finance Department Office Memorandum No. 30375 dated 1.8.1995 holds goods.

i) All original works costing up to Rs. 1.00 lakh and all repair works without any monetary limit shall be executed departmentally. These may however, be no objection to execute original work exceeding Rs. 1.00 lakh departmentally with a view to ensuring quality, cost reduction and expeditions execution. In case where it is not expedient to execute any original work costing Rs. 1.00 lakh or any repair work, departmentally and contractors are to be engaged on such execution through invitation of tender, prior approval of the Chief Engineer should be obtained to the deviation supported by adequate justification. A list of cases of departmental execution of work shall be furnished quarterly by the Chief Engineer to the concerned Administrative Department and Works Department. The Works Department shall take up a review at the end of each financial year on the reports received from the Chief Engineer to safe-guard the aim and objective of the revised procedure and the economic aspects.

ii) There shall be a committee of S.Es in each district to be constituted by works Department consisting of one S.E. each from R&B, N.H. and Projects, P.H. and Irrigation wing having their jurisdiction over that district. The committee shall at the beginning of each financial year review the local rates of labour or different categories conveyance and materials like stone products, brick, wood materials and etc., which are not ordinarily available in the stock of the Division but are required to be procure for use on work to be executed departmentally by calling for tender or quotation, as the case may be, for a fair assessment of reasonable rates, if it

is considered that the rates provided for in the current schedule of rates for such items of labour, materials and conveyance are unworkable and the prevailing local market rates are higher. In case of upward assessment of rates by the committee, it shall be workable after the same is accepted by the Chief Engineer concerned.

iii) The estimate for the works to be executed departmentally shall be prepared on a realistic basis as per the sanctioned schedule of rates/rates fixed by the Committee of S.E.s, referred to in para (ii) above which shall be technically sanctioned and administratively approved by the competent authority under the relevant codal provision before taking up actual execution.

**(Inserted by O.M.No. 26178-Code-M-11/86 dated 14.10.1987)**

iv) In addition to the existing codal available to the executive Engineer an Assistant Engineer in the matter of payment of cheque, time following financial powers may be exercised by Executive Engineer, Assistant Engineer and Sectional Officer to make cash payment for petty purchase of materials other than those available in the Store for execution of departmental works to meet the urgent and emergent needs.

Executive Engineer Rs. 1000/-	Assistant Engineer Rs.500/-	Sectional Officer Rs. 100/-
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For Payment to labourers engaged on N.M.R./Piece rate and petty local purchase of materials not readily available in departmental stores on obtaining local quotations.

**Note:** Steps would be taken to purchase materials for stock/store as per requirement for use on departmentally execution on tender or quotation the prescribed manner. Only petty purchases shall be made to meet emergent needs.

v) Unemployed Graduate Engineers and Diploma Holders of the State shall be engaged in supervision survey investigation etc. of departmental execution of works under the direction of departmental Engineers and their pay and allowances shall be provided for in the estimates in each case.

## **APPENDIX- XXXIV**

# **CODAL PROVISIONS FOR BLACKLISTING CONTRACTORS**

- A. The Chief Engineer of a department may blacklist a contractor with the approval of concerned Administrative Department on the following grounds:
- (a) Misbehaviour/threatening of departmental and supervisory officers during execution of work/tendering process.
  - (b) Involvement in any sort of tender fixing.
  - (c) Constant non-achievement of milestones on insufficient and imaginary grounds and non-adherence to quality specifications despite being pointed out.
  - (d) Persistent and intentional violation of important conditions of contract.
  - (e) Security consideration of the State i.e., any action that jeopardizes the security of the State.
  - (f) Submission of false/fabricated/forged documents for consideration of a tender.
  - (g) Non submission of Additional Performance Security (APS) within stipulated period in pursuance to Works Department Office memorandum No 14299/W dtd.03 10.2017.

**(inserted vide WD O.M. No. 14402 Dated 06.10.2017)**

The Divisional Officer shall report to the Chief Engineer if in his opinion any of the above wrong has/ have been committed by any contractor. On receipt of such a report from the Divisional Officer the Chief Engineer shall make due enquiry and if considered necessary, issue show cause notice to the concerned contractor who in turn shall furnish his reply, if any, within a fortnight from the date of receipt of the show cause notice. Therefore, if the Chief Engineer is satisfied that there is sufficient ground, he shall blacklist the concerned contractor with the approval of the Administrative Department. After issue of the order of blacklisting of the said contractor, the Chief Engineer shall intimate to all Chief Engineers of other Administrative Departments, the Registering Authority as provided under Rule 4 of PWD Contractor's Registration Rules, 1967 and Department of Information & Technology for publication in web site of State Government.

- B. The registration certificate of blacklisted contractor shall remain automatically suspended while allowing him to complete all his ongoing work(s) unless otherwise rescinded by the competent authority on grounds of breach of conditions of agreement.
- C. The name(s) of partners and allied concerns of the blacklisted contractors shall also be communicated to all concerned. Care shall be taken to see that the contractor blacklisted and his partners do not transact any business with Government under a different name or title.
- D. Once the blacklisting order is issued it shall not be revoked ordinarily unless:
  - (i) On review in later date, the Chief Engineer is of the opinion that there is sufficient justification to revoke the order of blacklisting, or
  - (ii) In respect of the same offense, the accused has been honourably acquitted by court of law.

The concerned Chief Engineer will obtain order from the concerned Administrative Department before revoking the order of blacklisting. The order of revocation shall also be communicated to all concerned.

- E. The Chief Engineer and Administrative Department shall maintain a list of blacklisted contractor. Updated list of blacklisted contractors shall be communicated to all concerned by the Chief Engineers on a quarterly basis.
- F. Checklist as per Annexure-I, shall be furnished by the concerned Chief Engineer for blacklisting the contractor.
- G. Checklist as per Annexure-II, shall be furnished by the concerned Chief Engineer for revoking blacklisting order.

**Explanation:**

- (i) Action taken under this rule shall be in addition to any action taken under Rule 11 of PWD Contractor's Registration Rules, 1967 (Appendix-VIII of OPWD Code, Vol.-II). On revocation of order of blacklisting, registration certificate of the contractor shall valid automatically, if not otherwise become invalid which shall be recorded in the registration certificate by the revoking authority.
- (ii) The ground mentioned above for blacklisting of contractor shall be deemed to be deleted from the grounds for cancellation/suspension of registration certificate U/R-11(a) of PWD Contractor's Registration Rules, 1967 (Appendix-VIII of OPWD Code, Vol.-II).

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**Annexure-I**

**CHECKLIST FOR BLACKLISTING OR CONTRACTORS**

1. Name and address of contractors...
2. Class of contractor and registration number...
3. Status (individual, partner, company)...
4. Validity of Registration certificate...
5. Registering Authority...
6. Name and address of Divisional Officer who initiated the proposal for blacklisting...
7. Specific ground/reasons of blacklisting.
8. Detailed report of the Officer recommending for blacklisting.
9. Date of number of the correspondence, if any with the contractor on above ground (copy to be enclosed).
10. Date of receipt of reply to above notices (copy to be enclosed).
11. Date and number of show cause notice issued (copy to be enclosed).
12. Date of receipt of reply to show cause notice (copy to be enclosed).
13. Comments of the Superintending Engineer/Next Higher Officer on the reporting/ Recommending Officer.

14. Views of Chief Engineer concerned who finally recommended the Government for blacklisting the contractor.

## **Annexure-II**

### **CHECKLIST FOR BLACKLISTING OF CONTRACTORS**

1. Name and address of blacklisted contractor.
2. Name of the authority passing the order of the blacklisting (here enclosed the copy of blacklisting order).
3. Date of receipt of application of the contractor for revocation of blacklisting order with name and address.
4. Name and address of receiving authority.
5. Reasons for revocation mentioned in the application.
6. Recommendation of the Executive Engineer/Superintending Engineer/Chief Engineer or any other Officer (Department wise).
7. Specific ground of recommending the revocation of blacklisting order.
8. Report on performance of the contractor in the ongoing works, which were executed by him/them during/after the period of blacklisting.
9. Performance report of the contractor during relevant period in connection to execution of works under any Central Government/other State Government/State Public Undertakings etc.