

Padala Rama Reddi's

**The
Andhra Pradesh
Public
Works
Department
Code**

**8th
Edition**

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THE
ANDRA PRADESH

PUBLIC WORKS DEPARTMENT CODE

By

Padala Rama Reddi
Padla Srinivasa Reddi
Advocates

With a **Foreword By**
Hon'ble Justice Alladi Kuppaswami
Chief Justice(Retd.), High Court of A.P..

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General Contents

<i>Title Pages</i>	<i>1</i>
<i>General Content's</i>	<i>3</i>
<i>Foreword</i>	<i>5</i>
<i>Preface</i>	<i>6</i>
<i>Authors' Note</i>	<i>7</i>
<i>Authors' Note to Sixth Edition</i>	<i>9</i>
<i>Detailed Contents</i>	<i>14</i>
<i>The Andra Pradesh Public Works Department Code</i>	<i>25</i>
<i>Appendices to the A.P. Public Works Department Code</i>	<i>226</i>
<i>Executive Instructions</i>	<i>344</i>
<i>Subject Index to the A. P. Public Works Department Code</i>	<i>735</i>

G.V.CHALAPATHI RAO
I . A. A. S

Accountant General,(Retd.)
Andhra Pradesh, Hyderabad.

PREFACE

The three publications viz., The Andhra Pradesh Public Works Department Code, The Andhra Pradesh Public Works Accounts Code and The Andhra Pradesh Detailed Standard Specifications edited by Shri Padala Rama Reddi meet the long felt need of the large number of people who use these as reference books- The official publications of the Government of Andhra Pradesh having been out of print and with the intensification of expenditure on various public works including Major River Valley Projects, the publication of these three essential reference books is commendable. The inclusion in these publications of the decisions on a number of legal cases which act as case-law for the guidance of both the Government, Engineers and the Contractors as also the incorporation of a large number of Circulars, Rules, Notifications, etc., not readily available otherwise, form a very useful part thereof- The Authors deserve special commendation for incorporating the latest list of public works major heads of account which have come into operation only with effect from 1st April, 1974.

G.V. CHALAPATHI RAO

The Andhra Pradesh Public Works Department Code is an indispensable book to all the Engineering Departments and this fact is testified by the quick moving of this book which has now reached its 8th Edition. It is needless to say that from edition to edition this book has been growing in size and information

Engineering departments which consisted of three branches, namely— the Public Works Department, the Irrigation Department and the Roads and Buildings Department, is now vastly diversified into various branches due to the multifarious activities of the Government and other autonomous bodies. For each body, there is a separate engineering branch. For example the Panchayat Raj Engineering Department, the Municipal Engineering Department, the Water Works and Drainage Board, the Housing Board, the Tirumala-Tirupathi Devasthanams, the R.T.C. the Electricity Board, the Police Housing Board, etc., are all autonomous bodies having their own engineering service.

The works undertaken by these bodies run into chores of rupees and therefore it requires a proper streamlining. But there seems to be a doubt whether the Andhra Pradesh Public Works Department Code, the Andhra Pradesh Detailed Standard Specifications, and the Andhra Pradesh Public Works Accounts Code and the Public Works Department Code apply to all these Organizations. The doubt is as a result of lack of instructions by the Government that these Codes have evolved to govern all these engineering branches of public bodies whether Government or autonomous and that they should be invariably followed by all such engineering branches. It may be added that there is no other code either for these bodies to follow and therefore the inevitability has to be realized and instructions issued accordingly by the Government to all engineering branches under their control is as also to all the autonomous bodies controlled by them. The Andhra Pradesh Public Works Department Code, is a Code which had its humble beginnings

During the British period when the Public Works are at a low key and consequently the law did not develop as it is today. The Imperial regime evolved a Code more on the principle of the supremacy of the Sovereign at the expense of the Contractors and therefore after Independence, the Contractors have challenged many of the provisions of the Code which are onerous. The Courts have declared some of the Preliminary Specifications as invalid. It is

Needless to say that the Preliminary Specifications in the Andhra Pradesh Detailed Standard Specifications embody the contractual relationship between the Government and the Contractors and these specifications being non-statutory, they are amenable to the provisions of the Contract Act as also the various decisions of the Courts of law in regard to works Contracts.

It is therefore necessary for the Government to review the Preliminary Specifications and bring them in accord with the provisions of Indian Contract Act and the various decisions of the Courts of law.

We have given the all the latest instructions and orders issued in relation to the tenders in Part 2 of this book. The Government is yet to issue necessary amendments to the Code to that effect. It is therefore necessary for the Government to review the various provisions and bring them in accord with the latest instructions and orders issued and the various decisions of the Courts of law.

It can be said without any fear of contradiction that this book is comprehensive on the subject and will be of immense use, both to the engineers and to the Contractors.

We express our thanks to Mr.Surya Rao, Relangi,M.Lit,L.L.M; PGDIRPM;

PGDRP Advocate, Hyderabad, for his .whole hearted co-operation to bring out this Edition neatly and in time. We also express our thanks Ms. Sabiha Begum,(B.Com.) for the assistance extended for typing and computer type-setting.

We also express our thanks to staff of the printing press and binders for their whole hearted co-operation to bring out this Edition.

This improved Edition, it is hoped, will be of great use to the learned Engineers, Administrators, Contractors, Hon'ble Courts, -learned Advocates and all others who are concerned with the subject of Engineering/We hope this book will be received with the same warmth with which the earlier editions were received.

13th May, 2003

Hyderabad.

Padala Rama Reddi

Padala Srinivasa Reddi

TO 6th EDITION

It is with a deep sense of gratitude that I bring out the fifth edition of this book. Ever since the publication of the first edition, this book has been received by the Engineering Personnel, Contractors and Advocates and encouraged by the same, I have been constantly revising and publishing enlarged editions.

By the turn of the century by which time the British power consolidated itself, Government contracts gradually came into being. Though the British Government was not entirely dedicated to the development of the country, it must be said to its credit that it has definitely initiated programmes the development, no doubt in a small measure, and in some cases, from the point of view of its own interests. Certain projects particularly those relating to Railways remain as land marks in the development of the country. The Government contracts and the law relating thereto however did not develop to any significant extent during the British rule. It is however significant to note that Section 175 of the Government of India Act, 1935, contains provisions similar to Article 299 of the Constitution in relation to Government contracts. It can therefore be said that the law relating to the Government contracts started even from the times of the Government of India Act, 1935.

With the advent of Independence, there has been a phenomenal boost to the developmental activities in the country and the Congress Government wedded to all round development has initiated projects of major importance in a massive scale throughout the length and breadth of the country. Though there are a number of Government Engineering Departments like P.W.D., Irrigation, etc., the officials thereof can only draw the plans, settle the technical issues and get the necessary sanctions from the Government. But the actual execution of the work cannot be undertaken by the departmental officials. This work is usually entrusted to professional Contractors, These Contractors are generally those who have been doing the work of the Government or the local bodies for quite sometime and acquired sufficient experience and taken the execution of Government works as a profession.

Dealings with these Contractors are inevitable for the execution of Governmental works and the works of the local bodies. In view of the large number of works and a larger number of Contractors competing among themselves, the assignment of the Government works to the Contractors requires to be regularized along channels of equality keeping in view the efficiency and quickness of execution.

Non-statutory in Nature:—In order to provide for the guidelines and to ensure a proper and equitable method of giving Government contracts, the

Departmental Codes make a number of provisions. These provisions are all non-statutory in nature and are intended to guide the officials.

It is necessary to mention here that the Government contracts are like any other Contracts between private parties. The Madras High Court held that the Contract Act does not treat the Government on any special footing for purposes of contract or formation thereof or for its enforceability, *Michael Udayar vs Periyasami*, A.I.R 1967, Mad. 449. Therefore, the instructions which are contained in the Departmental Codes are only for the guidance of the officials and they can never prevail over the provisions of the Contract Act which alone govern the Government Contracts like any other contracts,

The only distinction, if any, between a Government contract and a contract between two parties is that the Government contract must satisfy the provisions of Article 299(1) of the Constitution which provides for the execution of a Contract on behalf of the Government by a person who is authorised to do so. This aspect has been dealt with in a separate chapter. In view of this, the general principles of the Contract Act are of prime importance and a knowledge thereof is essential both to the official and to the Contractors in order to understand, though not thoroughly, at least to the extent necessary, the nature of legal relationship that emerges between them and the consequences thereof. With a view to satisfy this requirement, without which this book, in the opinion of the Author, cannot be complete, a chapter is added dealing with the general principles of law relating to contracts.

At the same time, the author would like to point out that the law relating to contracts is a highly developed technical affair and what is intended in this book is not to give a thorough treatment to the subject but only to bring about the essential aspects in order to provide a working knowledge both to the officials and to the Contractors and to help them avoid any costly pit-fall in their moves.

Law relating to Tenders is a part relating to Contracts:

The law relating to tenders is nothing but an off-shoot of the law relating to contracts itself. When a tender notice is published in the news paper and the Contractor submits his tender which is accepted by the Government it results in a contract. But this apparently simple process of a contract emerging through the tenders has again developed into a highly complicated branch of law relating to contracts- The law relating to tenders though a part of the law relating to contracts itself has been given a special treatment in this book not merely because it has made an independent growth by itself but essentially because the Government works are always executed by calling for tenders.

In recent times several questions relating to these tenders have been carried right upto the Supreme Court. The question whether a lowest tender can be rejected by Government has been the subject matter of litigation in various Courts.

The earlier view has been that the Government have an absolute right to accept or reject the lowest tender (**AIR 1974, Kerala 23**). A somewhat similar view was taken by the Supreme Court also in certain subsequent decisions. But this view is no longer correct. In *Ramana vs. International Airport Authority*, AIR 1979, S.C. 1628, the Supreme Court ruled that the public authority cannot exercise its discretion arbitrarily in the matter of giving contracts to a party at its own sweet will and pleasure. In view of this decision, the selection of a Contractor after tenders are received is no longer a matter of discretion. It has to be done keeping in view various aspects. Similarly, withdrawal of tenders, collusive tendering and various other aspects relating to tenders have been dealt, with in a separate chapter relating to the law of tenders.

As has already been pointed out Government contracts can no longer be regarded as a charity to be given to the Contractors in whom the Government or somebody in the Government are interested. Contractors belong to a profession which falls within the umbrage of Article 19 (1) (g) of the Constitution. In view of this, for the effective enjoyment of this Fundamental Right to profession it is necessary for the Government to observe the principles of equality enshrined in Article 14 strictly, in giving Government contracts, subject however, to certain conditions relating to efficiency and experience of the individual Contractors. This law relating to the equality of opportunity in the matter of Government contracts as grown in recent times indeed keeping the pace with the growth in the number of Government contracts itself. This subject has therefore been treated separately in a Chapter.

So far as the technical aspects are concerned, the Andhra Pradesh Detailed Standard Specifications (popularly known as A.P.D.S.S.) is the authority which the Contractors have to invariably follow. They have no option. It is the master's prerogative to prescribe the designs, technical aspects and other details and it is the Contractor's duty to honestly observe these technical aspects in all their details. But so far as the law is concerned the Contract Act, the Constitution and other laws prevail and not the Departmental Codes or the A.P.D.S.S.

In respect of disputes that arise between the Contractors and the Government, a clause for arbitration is provided in the A.P.D.S.S. itself. Arbitration is another branch of law which has gained importance and in order to enable the Contractors and the Engineers to have a general idea of this law, a Chapter on Arbitration also has been added in the A.P.D.S.S.

The author has made every effort to cover every aspect relating to Government contracts and has a justifiable feeling that this Book serves the needs of the Government officials. Contractors and the Advocates equally well. Several executive instructions which have a bearing on the subject have also been added in this Book which will definitely contribute to its value as these instructions are not generally available either to the officials or to the Contractors readily.

The Andhra Pradesh Detailed Standard Specifications previously known as Madras Detailed Standard Specifications (M.D.S.S.), deals with the preliminary specifications and specifications for all types of works, river conservancy, road works, etc.

Since the M.D.S.S. became completely outmoded, the same has been repealed by the A.P.D.S.S., which has been designed afresh on the basis of the Indian Standard Specifications. The A.P.D.S.S contains Preliminary Specifications also and it may be pointed out here that these Preliminary Specifications are substantially the same as those contained in the M.D.S.S. In fact, these Preliminary Specifications were framed by the Madras State long time back when the Government works were few and far between during pre-independence days, when the law relating to the contractual relationship with the Government did not develop well. Now this branch of law has grown as a result of spurt in Government contracts and the consequential spurt in litigation too on various issues, which have been carried upto the Supreme Court. These matters have been discussed in various chapters in the earlier pages of A.P.D.S.S. under the heading "General Principles of Engineering Contracts" and they give a comprehensive picture of the law as it obtains today. As the Preliminary Specifications deal with the relationship between the Contractor and the Government and various other issues like the quality of materials to be used, progress and quality of work, etc., they have to be revised keeping in view the law declared by the Supreme Court and the various high Courts. It would be highly desirable if the Government attempts such a revision, in order to avoid litigation on settled points of law.

The Andhra Pradesh Standard Schedule of Rates and Standard Data contain the Standard Schedule of Rates and Standard Data relating to buildings, water supply, plumbing, sanitary fittings, drains and sewerage including appurtenant works and roads and culverts.

The A.P.D.S.S. were originally published by Government of Madras in the year 1922 and ever since various editions thereof have been published. Governments of Andhra Pradesh have also adopted the same for their use and these codes along with A.P.D.S.S till continue to guide the Engineering Department and the Contractors.

It may also be pointed out incidentally that a Government Order issued by the Engineering Department, on any particular matter will apply to other Engineering Departments also, unless a different Government Order is issued on the same matter in respect of the other Department.

I have been indebted to Hon'ble the Chief Justice of Andhra Pradesh Sri Alladi Kuppaswami (Retired), for the valuable foreword His Lordship has given to this book. Coming as it does from a brilliant jewel of the judiciary; the foreword is a special benediction to this book. I consider it my fortune in having got the foreword from his Lordship, to whom I express my wholehearted thanks.

I am also deeply grateful to Sri G.V. Cchalapathi Rao, I.A.A.S., former Senior Deputy Accountant General of Andra Pradesh, Hyderabad, who is a reputed authority on Audit and Accounts for having given his valuable preface and suggestions for modifications to this book.

My friend SriD.Vignasacharyulu, Executive Engineer, Tirupathi Devasthanams, Tirupathi, has voluntarily associated himself with the revision of these Engineering Codes and has minutely gone through every page examining the contents, in the backdrop of his rich experience and engineering knowledge. I express my profound gratitude for his valuable suggestions, which have greatly contributed to the improvement of this edition.

Sri K.Satyanarayana Murthy, Deputy Executive Engineer, Central Designs Organisation, Govt. of Andhra Pradesh has voluntarily helped me in procuring the old Govt. executive instructions, which are rarely available. They are incorporated in the A. P. Public Works Department Code. I express my heartfelt thanks for his invaluable services.

This improved Edition, it is hoped, will be of great use to the learned Engineers, Administrators, Contractors, Hon'ble Courts, learned Advocates and all others who are concerned with Engineering Contracts. I hope this book will be received with the same warmth with which the earlier editions were received.

Padasa Rama Reddi Hyderabad

13th June, 1984

THE ANDRA PRADESH

PUBLIC WORKS DEPARTMENT CODE CONTENTS

Part One

	<i>Para No.</i>	
CHAPTER I - ESTABLISHMENT AND ORGANISATION OF THE DEPARTMENT		
A.		Introductory
1		
B. Organization and Functions of the Public Works Department	2-4	
C. Recruitment of Officers, Scales of Pay, Allowances, Advances, Leave, Etc-	5	
D. Duties of Officers of the Public Works Department—		
I. Chief Engineer	6-12	
II. Superintending Engineer	13-23	
III. Superintendent of Works	24	
IV. Executive Engineer -	25-48	
V. Sub-divisional Officer	49	
VI. Divisional Accountant	50	
E. Compensation for Loss of Property	51	
F. Service under Zilla Parishads, Etc.	52-53	
G. Employment of Temporary and Workcharged Establishment—		
I. Temporary Establishment	54-57	
II. Work-Charged Establishment	58-59	
III. Miscellaneous Rules relating to Workcharged Establishment	60-62	
H. Police and Other Guards	63-64	
L. Medical Establishment—		
I. General	65-66	
II. Pay and Allowances of Medical Establishment	67	
III. Transfer of Civil Assistant Surgeons	68	
IV. Leave, Retirement and Resignations of Civil Assistant Surgeons	69	
V. Removal of Civil Assistant Surgeons		70
J. Miscellaneous Rules—		
I. Personal		
II. Publication of Rules and Notice		
III. Anonymous Communications	71-73	
IV. Procedure in regard to Law Suits	74	
V. Stationery and Forms	75	
	76-77	
	78-83	

	Para No.
VI. Destruction of Official Records	
VII. Recording of Plans and Drawings	84
VIII. General Rules of Office Procedure	85
IX. Periodical Returns	86
CHAPTER- II WORKS	87
A. Classification of the Operations of the Public Works Department	88-94
B. Works Entrusted to Departments Other than the Public Works Department—	
I- Forest Department	95
II, Excise Department	96
III. Petty Construction and Repairs	97
IV. Public Works executed by Civil Officers acting as Public Works Disbursers	98
C. Administrative Approval and Technical Sanction	99-103
D. Demands by Civil Officers—	
I, General	104
II. Petty Original Works costing Rs. 2,500/- or less	108
III. Procedure in regard to Original Works costing more Than Rs. 2,500/-	109
IV. Procedure in regard to Repairs	110
V. Limitation of Sanction	111
E. Preparation of Estimates—	
I. General	112-121
II. Original Works—	
(a) Civil Buildings	122-
125	
(b) Roads	126-130
(c) Town-Supply Project	131-132
III. Repairs—	
(a) General	133-146
(b) Lump-sum Repairs Estimates	147
(c) Special Repairs	148
IV. Roads	149
F. Contracts—	
I. Methods of Execution of Works	150
II. Contract Documents and Enforcement	151-153
III. Tenders	154-156
Note: —the latest orders of the Government are printed under the Chapter 'Tenders' in Part II of this book,	
IV. Forms of security for performance of contracts	157
V. Custody of Accepted Tenders and other Contract Documents -Authority competent to give certified copies of Tenders and Agreements	158
VI. Officers Empowered to Execute Contracts & Rules on Contracts	159-161

<i>Para No.</i>	
n. Fixtures and furniture—	
(a) Fixtures	229
(b) Furniture	230-233
III. Purchases, Sale and Transfer of Government Buildings—	
(a) Purchase of Buildings	234
(b) Sale and Dismantlement of Buildings	238
(c) Transfer of Buildings	239
IV. Hire of Office Accommodation for Officers of the Public Works Department	240-242;
V. Renting of Buildings	243-248
VI. Custody of vacant Government Buildings	249
VII- Taxes	250-251
VIII. Remission of Municipal Tax for vacant Buildings and for Buildings wholly or partly demolished	252
VIII-A- Taxes on New Buildings	253
IX. Sanitary and Water-Supply Installation	254
X. Electrical and Sanitary Works	255-256
XI. Buildings of Historical Interest	257-258
XII. Use of Government Buildings by Auxiliary Forces	259
XIII- Inspection of Public Buildings	260
XIV. Registers and Plans of Buildings—	
(a) Register of Buildings	261
(b) Plans of Buildings	262
B. Residences for Government Officials	263
C. Construction, Acquisition or Leasing of Residences for Government Officials—	
I. General	264-267
II. Classification of Residential Buildings	268-269
D. Miscellaneous	270-282
E. Upkeep of the compounds attached to public buildings	283-284
F. Inspection Bungalows	285
G. Ryots' Sheds	288
H. Hostels	289

CHAPTER IV -

MISCELLANEOUS RULES REGARDING OFFICE WORKS, EXCLUDING ACCOUNTS PROCEDURES

A. A. Initial Records of Accounts—	
I. Muster Rolls	290
II. Measurement Books	291
III. Progress Reports of Works	292-
[DCODE—2]	296
	297

	<i>Para No</i>
B. Custody of Cash-1, General	.298
II. Precautions to be observed for cashing or remitting of Government money from one Officer to another	299
C.	300-302
Cashiers General Security Deposits (Subordinates)	303
—	
I. General Acquisition of Stores	304-306
D. Stores—	
II. (a) Purchase of Stores	307-312
(b) Indents	313-321
I. (c) Purchase from Government Workshops	322
II. (d) Manufacture Reserve of Stock Stock-	323
taking Famine Tools Disposal of Stores—	324
(a) Loss of Stores	325-327
III. (b) Sale of Stores Hire of Tools and Plant	328
IV. Mathematical Instruments Insurance of	
V. Government Property	329-330
VI. Departmental Revenue—	331-339
E. VII. I. Sale of usufruct of trees, etc.	340-341
VIII. II. Rents of buildings and lands	342
IX. III. Navigation Revenue	343
IV. Rents and Freights of Boats and other Floating Plant	
V. Public Works Department Toll-Gates	344-346
Miscellaneous—	347
F. I. Maintenance of Ferry Boats	348
II. Bridge over Irrigation Canals and Channels	349
III. Supply of Medicines	350
IV. Store KeepersG. Rules for Divisional Workshops	
H. Transfers of Charges—	351
I. General	352
II. Executive Engineers and Sub-divisional Officers	353
III. Other Officers	354
	355-357
	358-359
	360-365
	366

	<i>Para No.</i>
CHAPTER V - SPECIAL RULES FOR IRRIGATION, NAVIGATION. EMBANKMENT AND DRAINAGE WORKS	367-369
A. Introductory	370-372
B. Works For which capital and revenue accounts are kept—	373
I. Production and Unproductive Works - Definitions	374
II. Conditions relating to Productive Works	375-377
III. Unproductive Works	
IV. Classification	378-379
V. Principles for determining what expenditure is chargeable to Capital and what to Revenue	380-381
IV. When Capital and Revenue Accounts should be kept	382
C. Works for which only revenue accounts are kept	383
D. Works for which neither capital nor revenue accounts are kept	384
E. Minor irrigation works irrigation less than 200 acres	385-388
F. Investigation of New Irrigation Schemes	389
G. Debit of expenditure on investigations	390-392
H. Preparation of projects - irrigation works—	
I. General	393
II. Particular instructions as regard Storage Projects m. Irrigation Projects affecting Indian Sites	394
IV. Embankment	395
V. Project Estimates	396
VI. Sanction to Projects	397-
VII. Closure of Construction Estimate	398
VIII. Completion Reports	399-
IX. Capital expenditure after closure of construction estimate before submission of completion report	400 401-
X. Expenditure after the approval of completion report	402
XI. Rules governing the submission of estimates for and the construction of Irrigation Works, the cost of which exceeds the powers of sanction of State Government	403
CHAPTER VI - POWERS OF SANCTION	404-105
A. Powers of Government—	
I. Fundamental Conditions	406
II. Reports of probable excesses	
III. Revised State Expenditure	
IV. Transferred Expenditure	
V. Famine Relief Works	407-409
VI. Powers of Re-appropriation	410
	411
	412
	413
	414

	<i>Para No.</i>
B. Powers of Chief Engineer	415--416
C. Powers of Superintending Engineer—	417
I. Roads and Buildings—	418
A. Original Works	418-A-119
B. Repairs	420
C. Tools and Plant	421
II. Irrigation Works	422
III. Photographic and Charges	423
IV. Contracts	424
V. Stores	425
VI. Powers of Re-appropriation	426
VII. Miscellaneous Powers	427
D. Power of Executive Engineers—	
I. Roads and Buildings—	
A. Original Works	428
B. Repairs —	429 429-A
C. Tools and Plant	430
II. Irrigation Works	431
III. Contracts	432
IV. Stores	433
V. Powers of Re-appropriation	434
VI. Miscellaneous Powers	435
E- Electrical Engineer's powers of sanction	436
F. Powers of Sub-Divisional Officers	437
G; Powers of Assistant Superintendent, Public Works Workshops, Hyderabad, Seethanagaram and the Junior Superintendent incharge of the workshops at Dowlaiswaram	438
H. Powers of Civil Officers—	
I. Accord Administrative approval—	
A. Original works other than Residential Buildings and electrical works	439
B. Residential Buildings	440-441
C. Electrical Works	442
D. Powers of the Military Secretary to His Excellency •the Governor	443
II. To accord Technical Sanction	444
III. To pass excess over estimates	445
IV. Contracts and agreements	446
V. Stores	

APPENDICES

Appendix No.	Subject	Page No.
I	Agency Transaction - Central Works	
226		
I-A	Rules for the Preparation of Estimates for Military Defence Works carried out through the agency of the Public Works Department	241
II	Contracts and Agreements involving Liabilities on the part Of the State	243
III	Statement showing the different classes of Deeds, Contracis and other instruments which may be executed by the Public Works Department and the authorities empowered to execute them	246
IV	[Deleted]	
V	Instructions regarding the Testing of Stores Purchased in India	251
VI	Rules for the occupation of Inspection Bungalows	252
VII	Agreement for Hiring Government Tools and Plant	261
VIII	Agreement for Deposit Works (Irrigation)	263
IX	[Deleted]	
X	Sale Notice for Lease of Grass and Usufruct of Trees, etc.	264
XI	Procedure to be followed in the case of Emergent Works	284
XII	Sanitation of Camps and Mazdoors lines, measures to be adopted for preserving the health of the workers	286
XIII	Form of Agreement for Adoption in cases in which Government Buildings are leased out to private individuals	294
XIII-A	Form of Agreement for adoption in cases in which Buildings belonging to Private Parties or Local bodies are leased by Government for occupation by (heir Officers or Offices	296
XIII-B	Form of order of grant of all kinds of Government lands in charge of the Public Works Department for temporary occupation for agricultural purposes	298
XID-C	Form of Order of Grant of all kinds of Government Lands in charge of the Public Works Department for Temporary Occupation for Non-Agricultural purposes	302
XIV	[Not Printed]	
XV	Destruction of Records	306
XI	[Omitted]	

**Appendix
No.****Subjec**

XVII Rules Regulating the Payment of Bonus to Contractors

XVIII *[Deleted]*

XIX Rules regarding the relation of Public Works Officers to
Collectors of Districts and other Local Heads of Departments

XX Rules for the Construction and Maintenance of Zilla Parishad and
Panchayat Samithis and Municipal Roads on Canal and Channel banks

XXI Ordinary Fire Rules for Government Buildings (Non-Residential) XXH

Standard Scale of Electrical Fittings for Court Houses, etc.

XXIII Standard Scale of Electrical Fittings for Government Residences

XXIV Instructions

Part Two

Executive Instructions

Section Subjec	page. No	No.
1. Arbitration Awards		344
2. Rules relating to Registration of Contractors		351
3. Blacklisting of Contractors		366
4. Advances to Contractors		366
5. Procedure for fixation of Hire Charges		368
6. Authority to declare Machinery as Surplus - Principles stated	370	
7. Purchase of Materials and Machinery - Forms of Purchase Order	379	
8. Training of Junior Engineers and Supervisors		390
9. Sales Tax and Income Tax Clearance Certificates		408
10. Delegation of Powers		410
11. Tenders		447
12. Hiring of Departmental Machinery		500
13. Irrigation Projects - Criteria for sanction		503
14. Tools & Plant		503
15. Rules relating to Purchase of Machinery & Stores		505
16. Award of Works on Nomination		509
17. Labour Importation		511
18. Administrative Approval and Technical Sanction		515
19. Deposits and Securities for Performance of Contracts		517
20. Splitting of Works in Judicious manner		541
21. Supply of materials to Contractors		542
22. Open Classification System - Trial Trench or Cross Thandoo System	544	
23. Maintenance of Roads		545
24. Fixation of Rates for Supplemental Items and New Items of Work	556	
25. Wastage of Steel - Taking Back by Government		564
26. Measurement of Earth Work •	565	
27. National Highways		567
28. Sanction of Staff for Maintenance of Works - Yardsticks of Workload	605	
29. Seignorage Charges		606
30. Minimum number of Check Measurements		607
31. Agreement - Levy of Stamp Duty		610
32. Revised Estimates		612

33.	Estimate Amount and Tender Percentage - Rounding of Figures	618
34.	Maintenance of Machinery - Estimates	619
35.	Engineering Degree - A.M.I.E.	622
36.	Water Regulation Rules Pertaining to Irrigation in Godavari Deltas	622
37.	Register for Component Works, Bridges & for Lands Acquired by PWD	631
38.	Supplemental Agreements - Who has to accept	637
39.	Piecework Agreements - Scope of	641
40.	Amount to be withheld at payment of final Bill	645
41.	Employment of Technical persons by Contractors	646
42.	Entering into K2 agreements pending Acceptance of LS Agreements	647
43.	Ambiguity in Agreement Clauses - Clarity in expression	648
44.	Agricultural Market Committees - Execution of Works	648
45.	Delegation of enhanced Powers of Chief Engineer of Public Health	and
	Municipal Engineering and to his Subordinates	653
RELATING TO MUNICIPALITIES		
46.	Remissions to Contractors and Lessees	657
47.	Check Measurement of Works Rules, 1972	658
48.	Municipalities (Tender) Rules, 1967	660
49.	Municipalities (Municipal Works) Rules, 1967	669
50.	Municipalities (Registration of Contractors) Rules, 1978	680
51.	Rules relating to Construction etc. of Bridges, Culverts, etc.	683
52.	Municipal Corporation of Hyderabad Tender Rules, 1970	684
RELATING TO GRAM PANCHAYATS/MANDALS/ZILLA PARISHADS		
53.	Streamlining the Tendering Procedure - Panchayat Raj Department	692
54.	Formation of Ayacutdar Committees	695
55.	Estimates of Gram Panchayat Works	696
56.	Civil Works in Gram Panchayats - Administrative Sanction	697
57.	Technical Sanction Powers - Panchayat Raj Engineers	698
58.	Gram Panchayat Works - Tender Costs	701
59.	Invitation and Acceptance of Tenders - MPPs & ZPPs	701
60.	Powers of sanctioning works and schemes undertaken by MPP	715
61.	Rules relating to the Construction of Bridges, Culverts, Drains, etc.	718
MISCELLANEOUS		
62.	Guidelines on erection of Statues on roads	719
63.	e-PROCUREMENT	721
64.	e-PROCUREMENT	723
65.	e-PROCUREMENT	728
66.	Registration of Contractors and Tender Rules - Amendments	729
SUBJECT INDEX to Part I		735

Part I

THE ANDHRA PRADESH

PUBLIC WORKS DEPARTMENT CODE 25

CHAPTER 1

Establishment and Organisation of the Department

A - INTRODUCTORY

1. This Code is intended to define the scope of the administrative and executive functions of the officers of the Irrigation, Drainage, Roads and Buildings, Public Health & Panchayat Raj Engineering Departments. It does not deal with questions of pension or leave, nor with the detailed procedure to be followed in connection with the Public Works Department Accounts, The Rules contained in the Fundamental Rules and Subsidiary Rules thereto, and the Pension Rules (including Wound and Injury Pension Rules in the Civil Service Regulations) are applicable to the Public Works Department. Rules in the A.P. Financial and Accounts Code, relating to classes of transactions which occur in the Public Works Department as well as in Civil Departments are binding upon the Public Works Department except in so far as they may be overridden by express provisions in this Code or in the A.P. Public Works Accounts Code, The detailed procedure to be adopted in accounting of transactions authorised by this Code is laid down in the A.P. Public Works Accounts Code.

B - ORGANISATION AND FUNCTIONS OF THE PUBLIC WORKS DEPARTMENT

2. Since independence and with the launching of plans, public expenditure have been mounting on a scale which has few parallels in the whole world. Government is increasingly assuming new functions and undertaking a wide variety of activities designed to respond to emerging social and economic needs. The phenomenal increase in Government activities will be evident from the fact that the Central and State budgets which were a mere Rs. 900 crores in 1950-51 are now well over Rs. 11,000 crores. According to increased functions of Public Works are broadly divided into Irrigation and Power, Roads and Buildings, Public Health, Panchayat Raj Engineering and Electricity Department.

Each Department is headed by a Minister and the Executive Head of the Department is the Chief Engineer. The functions of the various departments mainly include construction of minor, medium and multipurpose river projects, construction and maintenance of non-residential and residential buildings and roads and bridges, public health, sanitation and water supply, rural development, construction of power projects and supply of power and execution of works on behalf of Central Government.

3. [Omitted]

4. Besides the functions described above, the Public Works Departments has as the agent of the Government of India, to execute public works on behalf of the Central Government debitable to Central Revenue, See Appendix I.

C - RECRUITMENT OF OFFICERS, SCALES OF PAY, ALLOWANCES, ADVANCES, LEAVE, ETC.

5. The Rules relating to Recruitment of Officers and Scales of Pay and Allowances admissible to them are contained in Manual of Appointments and Allowances of the Gazetted Officers. The Rules governing the Grant of Advances of various kinds are contained in A.P. Financial Code. Vol. I. The Leave Rules are contained in the Fundamental Rules and Subsidiary Rules thereunder,

The President of India has in exercise of powers conferred by clauses I and II of Article 371-D of the Constitution of India made the A.P. Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 1975, providing among other things, for the organization of Local Cadres in respect of posts under the Government of Andhra Pradesh for the allotment of persons holding such posts to the local cadre to be so organized.

The above order has come into force on 18-10-1975 and applies to the whole of the State of Andhra Pradesh.

The entire State is divided into seven zones. The cadre up to Assistant Engineer is a Zonal cadre and the cadres from Executive Engineer is a State cadre.

D - DUTIES OF OFFICERS OF THE PUBLIC WORKS DEPARTMENT

1. Chief Engineer

6. There are several Chief Engineers in Irrigation Department; Chief Engineer, General and Major Irrigation ; Chief Engineer, Medium Irrigation ; Chief Engineer, Minor irrigation ; Chief Engineer, Nagarjuna Sagar Right Canals ; Chief Engineer, Nagarjuna Sagar Left Canals; Chief Engineer, Pochampad Project; Chief Engineer, Srisailem Project, etc.

There are two Chief Engineers in Roads and Buildings Department. Chief Engineer, Roads and Buildings (Administration), and Chief Engineer, National Highways.

Chief Engineer, Roads and Buildings is responsible for execution of works on State Highways, residential and non-residential buildings, quality control and administration of the entire department. Chief Engineer, National Highways is responsible for execution of works on National Highways and all Central sponsored schemes.

Each Chief Engineer is a responsible professional adviser to Government on all matters relating to his branch. It is the duty of the Chief Engineer (General) and Chief Engineer, Roads and Buildings (Administration) to recommend to the State Government removals, transfers and postings of Superintending and Executive Engineers- They are empowered to transfer Asst. Engineers from one circle of superintendence to another.

Superintending Engineer in Irrigation and Power Departments are empowered to transfer Asst. Engineers from one division to another within the circle.

The Dr- Chief Engineer, Roads and Buildings and Administration is empowered to appoint Junior Engineers and Supervisors, to promote to the category of Assistant Engineers and also promotion to the category of Supervisors from the Category of Draughtsmen,

The Chief Engineer, Incharge of Administration has powers to make temporary transfers of subordinates in special cases between the services of executive, lower

Subordinates and draughtsmen and to grant them officiating pay in such cases. Permanent transfers from one service to other should not be made without obtaining the prior sanction of Government.

8. The Chief Engineer will exercise a concurrent control, with the Audit Officer, over the duties of the Officers of the department in connection with the maintenance of accounts; will give all legitimate support to the Audit Officer in enforcing strict attention to the regulations concerning the disbursement of money, the custody of stores and the submission of accounts. He will have no authority over the Audit Officer in regard to audit matters, but will have a claim on him for assistance and advice in matters relating to accounts and finance. At the same time the Chief Engineer should arrange that the Audit Officer is kept fully cognizant of all proceedings and proposals, to enable the latter to fulfill his functions.

9. The Chief Engineer will prepare, annually, the portion of the budget estimates relating to the works under his control, and as soon as possible after the close of each year, prepare a report of the progress made during that period on the public works under his charge, giving a brief but clear account of the operations of the department. The general supervision and the control of the assessment of such irrigation and navigation revenue as are collected in the Public Works Department will rest with the Chief Engineer, who should frame the necessary estimates and watch the progress of realizations during the year.

10. It will be the duty of the Chief Engineer to see that the budget allotments of the year are fully expended, in so far as is consistent with general economy. He will be responsible for ensuring that the money which is not likely to be needed during the year is promptly surrendered, so as to allow of its appropriation for other purposes by the proper authority. (See Chapter V of the A.P. Public Works Accounts Code)

11. When any military works are placed under the administration of the Public Works Department, questions relating to military details will be referred by the Chief Engineer to the General Officers, Commanding Divisions or Brigades. A Chief Engineer may correspond direct with the heads of departments on all matters relating to details of buildings or works appertaining to those departments.

12. Each Chief Engineer is responsible for all important structural designs and controls the Central Designing Offices managed by the Consulting Architects, the Sanitary Engineer and the Technical Section. Responsibility for the technical features of all designs rests with the Office of their origin.

II. Superintending Engineer

13. The administrative unit of the department is the circle, in charge of a Superintending Engineer, who is responsible to the Chief Engineer for the administration and general professional control of public works in charge of officers of the department within his circle.

14. It is the duty of the Superintending Engineer to inspect the important works in his circle, to satisfy himself that the system of management is efficient and economical, that regulations, works, stock and accounts are strictly observed, and that the executive and administrative work of the circle is satisfactorily performed.

Whenever large construction work is sanctioned in a circle for which no special staff is allowed, the Superintending Engineer may, with view to avoid delay, detach one or two subordinates from within his circle for some definite period and put them to the work in

Question, in other words, here should be some elasticity in the sectional and sub-divisional charges and the Superintending Engineer should not hesitate to call upon the service of one or two officers under him for such special work. They should freely resort to these methods in order to accelerate construction work.

15. It will be his duty to watch and control the rates paid for work and he may require an Executive Engineer, to report to him such details of expenditure as he may desire.

16. It is his duty to satisfy himself that the staff employed is actually necessary and adequate, and that the Divisional and Sub-divisional Officers attend personally to their primary accounts. He will inspect each Divisional Office once a year and report thereon to the Chief Engineer.

17. The Audit Officer and Superintending Engineer should assist each other in rendering the management of departmental accounts as perfect as possible. To this end, during his inspections of divisional offices, the Superintending Engineer will examine the divisional registers and other accounts and measurement books, the mode of preparation of estimates, contractors' accounts and agreements, the system of recording plans and papers and office work generally. He is expected to communicate freely and personally with Executive Engineers and to advise them in the performance of their duties.

18. Superintending Engineers are empowered to transfer and post Assistant Engineers and Subordinate Engineers within their circles. The Chief Engineer, Roads and Buildings (Administration) is empowered to transfer Asst. Engineers from one circle to another and within the circle, and the Superintending Engineer has no power to transfer an Asst. Engineer. In the case of office and petty establishments borne on divisional scales, it should be seen that these scales are not exceeded without proper authority. It will also be their duty to recommend removals and transfers of Executive Engineers, Assistant Engineers and Subordinate Engineers from their own circles.

19. All reports on Engineers and Subordinate establishments will be noted on by the Superintending Engineer before submission to the Chief Engineer.

He will bring to the notice of the Chief Engineer cases of incompetence or disqualification for public duties. In like manner he will bring prominently forward all instances of extraordinary zeal and ability. He will also have power to appoint, dismiss and control the lower subordinates, the drawing and the ministerial staff of the circle, the inferior servants of his office, and the work charged establishments on scales of pay where the maximum does not exceed Rs. 320, per mensem provided for in sanctioned estimates. Appeals will lie from any order of punishment passed by a Superintending Engineer to the Chief Engineer-

The Government ordered that the monetary limits in Paras 19, 41 and 59 of this Code refer to basic pay only. (G.O.Ms, No. 289. P.W.D.. dated 14-3-1959)

20. The Superintending Engineer should generally prepare designs and save detailed plans and estimates prepared in his office for all original works improvements likely to cost more than Rs. 1, 00,000. In the case of estimates for improvements to existing structures amounting to over Rs. 1, 00,000 where the Superintending Engineer could not undertake the preparation of estimates without being supplied by the Executive Engineer with an amount of data which would make it more convenient if the latter himself prepared [the plans and estimates in question, the Executive Engineer should prepare them- The

Superintending Engineer will be responsible for the engineering features of all designs prepared by him. His Personal Assistant will be responsible for the calculations and for the accuracy of the rates,

When submitting to the Chief Engineer any report, design or estimate he will invariably state his own opinion and recommendations.

21. The Superintending Engineer should generally supervise and control the correct assessment and realization of such revenue as is assessed or collected in the Public Works Department ~ *vide* Paragraph 254, A.P. Public Works Accounts Code,

22. A Superintending Engineer is authorised to correspond direct with any of the local authorities, civil or military, within his circle. He will address General Officers, Commanding Divisions or Brigadiers through their Staff Officers and all other officers direct.

23. Under the Rules framed under the District Municipalities Act the Superintending Engineers have statutory powers to inspect municipal works other than road works in their respective jurisdiction. No additional emoluments may be received for these duties.

111. Superintendent of Works

24. For any particular work or series of works, so large to form a single executive charge, but requiring the entire energies of an Engineer for their efficient supervision, a Superintendent of Works (with Executive Engineers under him) may be appointed. A Superintendent of Works will exercise the powers laid down for Superintending Engineers.

IV. Executive Engineer

25. The executive unit of the department is the division, in charge of an Executive Engineer, who is responsible to the Superintending Engineer for the execution and management of all works within his division.

26. An Executive Engineer can receive positive orders only from his own departmental superiors, the head of the administration, or other civil officers duly authorised, except in the case of works considered urgent by an Officer commanding a station, who can, in the circumstances explained in Army Regulations, India, issue an order to the Executive Engineer for the execution of the work.

27. The Executive Engineer is responsible that proper measures are taken to preserve all the buildings and works in his division, and to prevent encroachment on Government lands in his charge. He must keep accurate plans of all Government or other Government lands borne on the Public Works Department registers and ensure that his subordinates are acquainted with the boundaries.

28. The Executive Engineer should insist on periodical inspections of all vacant lands in charge (i.e., lands which were acquired or set apart for particular objects and which are still unoccupied, the particular objects not having been fulfilled and lands appertaining to Government Buildings which are not enclosed by compound walls or fences) being made by his subordinates in proper time with a view to prevent encroachment thereon. So far as lands pertaining to Public Works Department, channels, canals, drains, tanks, tank-beds, road beams and to other P.W.D., irrigation and road works are concerned, encroachments thereon will be guarded against by the subordinates of the Revenue Department.

All lands should be demarcated, wherever it has not been done, and this work should be carried out by the subordinates of the P.W.D- in consultation with the Officers of the Revenue Department.

29. Every Executive Engineer should immediately report to the Chief Engineer through the Superintending Engineer and the Collector of [the] district, any serious loss of immovable property, caused by any accident or unusual occurrence as required by Paragraph 72-A of the A.P. Financial Code, Vol. I - *vide* also Paragraphs 192-194.

30. Executive Engineers may transfer upper or lower subordinates (other than sub-divisional officer) from one station to another within their respective divisions without reference to superior authority. The transfers will be reported in the ordinary course to the Superintending Engineer.

31. An Executive Engineer is prohibited from commencing any work or expending any public funds, without the sanction of competent authority or from making any other than trifling deviations from sanctioned designs in the course of execution, except in case of emergency.

32. Immediately on a work being finished, it will be the duty of the Executive Engineer to close the accounts of it and to prepare the completion report if required by the Rules in Paragraph 216.

33. The Executive Engineer will submit his accounts punctually to the Audit Office under the rules in force and will exercise efficient control over his Divisional Accountant. The Executive Engineer is responsible for the correctness of the original record of cash and stores, receipts and expenditure and for the submission of complete vouchers- The Divisional Accountant is responsible for the compilation of the accounts from the data supplied to him-

34. The Executive Engineer is responsible that the accounts of his division are not allowed to fall into arrears, but if arrears or confusion arises which in his opinion cannot be cleared without the assistance of the Accountant-General, he should at once apply for such assistance.

35. • The Executive Engineer has a right to seek the advice of the Accountant-General in all matters connected with the accounts of his division or the application of Financial Rules and Orders concerning which there may be any doubt- It will usually be desirable, however, that he should first obtain the advice of the Divisional Accountant who is specially trained for this duty, and this should be done in writing in all cases of importance.

36. The Executive Engineer is primarily responsible for reporting without delay, supported, if necessary, by a workslip, the probability of any excess over estimates, all important liabilities not brought to account being noted and for the prompt revision of estimates when necessary.

Note 1:-The Executive Engineer need not submit workslips in cases in which he has power to pass finally excesses over estimates but should sanction workslips and keep them on record-

Note 2 r-Workslips and agreements after completion are purposeless.

Note 3 -The provisions of the above Paragraph will be relaxed in the case of the famine relief works, but this does not relieve officers from the responsibility of obtaining the necessary sanction to a revised estimate and additional appropriation as soon as they can foresee how far an estimate is likely to be exceeded.

37. The Executive Engineer is responsible for the detailed assessment of such revenue as is collected through the P.W.D. within his division, and will maintain such records and accounts for the purpose as may be prescribed - *vide* Chapter IX, A-P-P.W, Accounts Code.

38. The Executive Engineer is responsible that the surveying and mathematical instruments in his division are properly cared, and will report on their condition to the Superintending Engineer at the end of each working season. Any injury to the instruments due to neglect or carelessness should be made good at the expense of the officer or subordinate responsible for the damage,

39. The Executive Engineer is responsible for the purchase (subject to the provisions of the Store Rules - Appendix 15 to the A.P. Fin. Code, Vol. II) manufacture, care and disposal of all stores in, or required for, his division - A.P-P.W.A. Code, Paragraphs 177 and 178.

40. The Executive Engineer may dispose of temporary building or structures required for and charged to works - *vide* Paragraph 236.

41. The Executive Engineer will appoint or dismiss and generally control all the inferior and petty establishments authorised for his division, and The work-charged establishments on Rs. 160 and below per mensem provided for in sanctioned estimates, (G.O-Ms. No. 88, P. & D, dated 1-2-1975)

He may fill up acting and temporary vacancies of clerks in the last grade and of tracers in his division and grant leave (other than special disability leave) to temporary, acting and permanent clerks, tracers and draughtsmen. He should, however, report the appointments made and the leave granted to the Superintending Engineer immediately. Appeals will lie from any order of punishment passed by an Executive Engineer to the Superintending Engineer.

42. It will be the duty of the Executive Engineer to furnish Treasury and Sub-treasury Officers after due inspection with the certificate prescribed in Art, 2(b) of the Resource Manual, as to security of strong rooms -used or proposed to be used for the storage of coin.

43. The Executive Engineer will be required to inspect report on and suggest measures for the protection of historical monuments or buildings of architectural interest, which appears likely to fall into decay.

In the case of monuments, which have been declared "Protected" under the Ancient Monuments Preservation Act of 1904 or buildings under the care of the Archaeological Department the Executive Engineer should arrange in consultation with the Superintendent, Archaeological Survey, for a joint inspection, when the former is specially called upon by the latter to decide upon any important repairs that may be required. The cost of such inspection will be borne by the Central Government.

44. The Executive Engineer is the ex-officio the professional adviser of all departments of Government and local bodies within the limits of his charge; and it will be incumbent on him to see that no undue formalities are allowed to interfere with the performance of this duty.

45. The Executive Engineer is responsible for the engineering features of designs and the rate in estimates prepared or sanctioned by him.

37. The Executive Engineer is responsible for the detailed assessment of such revenue as is collected through the P.W.D. within his division, and will maintain such records and accounts for the purpose as may be prescribed - *vide* Chapter IX, A-P-P.W, Accounts Code.

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44. The Executive Engineer is the ex-officio the professional adviser of all departments of Government and local bodies within the limits of his charge; and it will be incumbent on him to see that no undue formalities are allowed to interfere with the performance of this duty.

45. The Executive Engineer is responsible for the engineering features of designs and the rate in estimates prepared or sanctioned by him.

53. Officers wholly employed on Local Fund Works which are carried out under the orders of the Chief Engineer, and those required to work, in connection with Local Fund Works in addition to their regular duties, when the latter is not detrimental to the public service, will be wholly subject to the Departmental Rules. No such officer may receive any additional emoluments in connection with Local Fund Works except as provided in Fundamental Rule 47.

G - EMPLOYMENT OF TEMPORARY AND WORK-CHARGED ESTABLISHMENT

1. Temporary Establishment

54. In order to meet the demand for extra supervision arising from time to time, as well as to provide for the contraction as well as the expansion of staff as the volume of work diminishes, or increases, the permanent establishment may be supplemented by temporary establishments to the necessary extent. Temporary establishment will include such non-permanent establishment, no matter under what titles employed, as entertained for the general purposes of a division or sub-division or for the purpose of the general supervision as distinct from the actual execution of a work or works. The specific sanction of Government is necessary for the creation of temporary appointments as distinct from work-charged establishment, except as provided in Paragraph 55.

55. (a) *Temporary establishments engaged to provide for the normal work of the department, i.e., in temporary territorial divisions or sub-divisions* :—These may be regarded as quasi-permanent and integral parts of the territorial organizations and will be sanctioned on that basis. Provision will be made for them in the budget and it will not then be necessary to obtain renewal of sanction every year-

(b) *Temporary establishments employed on the investigation and execution of projects and works with which the territorial organisations are unable to cope* :—Standing sanction should be obtained for these for the period required for their completion. Fresh sanction will not be required except for alterations in the sanctioned scale or for extensions of the sanctioned period.

(c) Establishment of a purely temporary nature required for short periods:—

The prior sanction of Government should be obtained except where they are required to meet sudden emergencies such as floods, cyclone, etc. In such emergencies the Chief Engineers, Superintending Engineers or Executive Engineers are empowered to entertain in anticipation of sanction subordinate officers and petty establishments on the minimum rates of pay. The Executive Engineers or Superintending Engineers should report at once to their immediate superior authority what has been found necessary, and regular proposals for the establishments so employed should be submitted by the Chief Engineer to Government for sanction within a month,

56. Superintending and Executive Engineers may sanction within the budget provision out of contingent allotments the following temporary establishments for offices under their control:-

Watchmen, gardeners, lascars and conservancy staff on a pay as fixed by the Collector the actual pay being carefully determined by local circumstances.

(Vote 1 :-A)1 persons engaged on temporary establishment must be required to sign the declaration indicated in Paragraph 57. Petty establishments and establishments whose

Pay is charged to works under Paragraph 58 are exempted from submitting temporary service declarations,

Note 2:—The entertainment of gardeners at Government expense for public residences is forbidden except with the sanction of Government, Superintending Engineers may, however, sanction the entertainment of gardeners in the case of unoccupied residences to look after the buildings and the gardens. A certificate should be recorded by the officer drawing the gardener's pay on the connected bill, that the residence concerned was unoccupied during the period of employment. The pay of these gardeners is chargeable to repair estimates, see Paragraph 13S. The limit of pay fixed in this Paragraph applies also to gardeners, watchmen and sweepers borne on the Work Establishment.

57. Temporary officers have no claim to pension, or to any absentee allowances beyond those conditionally given to temporary employees under Fundamental Rule 103. If they are engaged for a special work, their engagement lasts only for the period during which the work lasts. If dismissed, otherwise, than for the serious misconduct before the completion of the work they will be entitled to a month's notice, or a month's pay in lieu of notice; but otherwise, with or without notice, their engagement terminates when the work ends. If they desire to resign their appointments, they will be required to give a month's notice of their intention to do so or forfeit a month's pay in lieu of such notice. These conditions should be clearly explained to the men employed and a written declaration obtained from them that the terms have been clearly understood by them.

Note;—No agreements of temporary service under this Paragraph should be taken from men selected for Class I of A.P. Engineering Subordinate Service after 26th July, 1932.

II. Work-Charged Establishment

38. Works establishment will include such establishment as is employed upon the actual execution, as distinct from the general supervision, of a specific work or of sub-works of a specific project or upon the subordinate supervision of departmental labor, stores and machinery in connection with such a work or sub-works; when employees borne on the temporary establishment are employed on work of this nature their pay should, for the time being, be charged direct to the work.

Note 1 —Provided the general principles of the Rules in Paragraphs 54 and 58 are not infringed, the Chief Engineer and Superintending Engineer are empowered. In consultation with the Audit Officer, to classify as "works" or "temporary" classes of establishment not covered by these definitions, to waive the Rule which prescribes that works establishment must be employed upon a specific work and to determine, in such cases, the proportion in which the cost of such establishments shall be allowed between the works concerned.

Note 2:—It is irregular to classify the following classes of establishment under the above rule as work-charged establishment :—

(i) River Conservancies Inspectors,	When their pay is Rs. 20 and upwards
(ii) Channel Superintendents,	-Do-
(iii) Embankment Superintendents,	-Do.
(iv) Conservancy Superintendents,	-Do-.
(v) Survey Lascars,	-Do.-

(vi) Survey Maistry, -Do.-

(vii) Wharf Superintendents, and

(viii) Other staff intended for general
Purposes and not properly classifiable as
work-charged establishment.

Note 3 : ~ Survey mazdoors- and lascars employed on the investigation of execution of irrigation works whether on a monthly pay or on daily wages will be deemed to be work-charged establishments for purposes of this Paragraph.

The above establishments should be dealt with under Paragraph 54 head of this Code.

59. The Superintending Engineers and Executive Engineers may sanction the entertainment of work-charged establishment on scales of pay where the maximum does not exceed Rs. 320 and Rs. 160 per month respectively, for each person, so employed on receiving necessary orders for starting any cost work the sanctioned estimate of which provides for the cost of such establishment. The Chief Engineer shall be the authority for appointment to the supervisory categories. The cost of works establishment must be shown as a separate sub-head of the estimate. (G.O.Ms. No- 88, PWD., dated 1-2-

111. Miscellaneous Rules relating to Work-charged Establishment

60. When labourers and artificers are unavoidably brought from a distance, they may be paid wages for the days of journey to and from the site of work, provided they join the work with quick despatch. At the discretion of the Executive Engineer *bonafide* travelling expenses may be paid. These charges must be debited to the estimate of the work.

Note :- Lascars borne on "works" establishment may be paid, for journeys beyond five miles from headquarters, actual expenses, subject to the limit of daily allowance for similar officers of the provincial establishment, in addition to travelling expenses.

61. Advances of pay and travelling allowance may be granted to the following establishment; by the officers noted against them :—

(1) (a) Labourers and artificers of Public General Superintendent, Public Works Works-shops proceeding to Works-shops, Hyderabad & Executive stations outside their jurisdiction on Engineer incharge of Dowlaishwaram business connected with the shops and Seethanagaram Workshops. (b) Steamer drivers, steamer crew and (G.O. Ms.No. 1566, P.W. (Y) Dept., dated 17-9-1970)

(2) In special cases, the drivers of road- Executive Engineers, rollers and motor drivers when they have to travel beyond their ordinary jurisdiction.

All such advances must be recovered before the men are allowed to return to their work in the shops or from the pay of the men for the month concerned.

62. Member of the work-charged establishments are not entitled to any pension or to leave salary or travelling or other allowances except in the following cases :-

(a) Wound and other extraordinary pension gratuities are in certain cases admissible in accordance with the rules in Part VI of the Civil Service Regulations-

(b) For journey performed—

(1) Within the jurisdiction of local Government or to and from a district or Foreign State or settlement adjoining the Division in which the establishment working, and

(2) in the interest of the work on which the men are employed, the Divisional Officer may allow the T.A. and D.A. of their grade in accordance with the Andhra Pradesh Travelling Allowance Rules. (G.O.Ms.No. 1305. P.W.D., DI, 18--6-fi6)

Note -The grant of daily allowance to the monthly paid work-charged establishments of the Public Works Workshops will be regulated with reference to rates of daily allowance under the A-P. Travelling Allowance Rules, subject to a minimum rate of daily allowance of 0.36 P-

(c) Grain Compensation Allowance is admissible under the Subsidiary Rules under Fundamental Rule 44 to men who are drawings rates of pay which have been fixed with reference to normal circumstances.

(1) This Rule is not intended to interfere with the discretion of the Sub-divisional Officer to grant short casual leave on full or on reduced wages subject to such general rules regarding the grant of casual leave to ordinary establishments-

(2) This Rule does not apply to members of temporary establishment whose pay is charged to works under Paragraph 58 of this Code. The leave salaries, travelling and other allowances of such establishment are regulated by the Rules applicable to temporary establishments.

Note 1 :-The Executive Engineer, Krishna Central Division, is permitted to pay the work-charged establishment at the Division and in the Vijay Wada Work-shops overtime allowance whenever it is necessary to demand overtime work of them.

Note 2:-The General Superintendent, Public Works Workshops, is authorised to grant to the

monthly paid-checkers and the mechanical staff of the works establishment an allowance of one-eighth of a day's pay for every hour of overtime worked by them, .

Note 3 :-The Electrical Engineer, P.W.D., is authorised to pay the work-charged establishment of the electrical division overtime allowance whenever it is necessary to demand overtime work of them.

Note 4:-The Executive Engineer, Godavari Head Works Division is permitted to pay the work-charged establishment in Dowfalswaram Workshops overtime allowances whenever they are required to work overtime.

Note 5 :-The Executive Engineer is authorised to pay members of the work-charged establishment of Government Houses, Andhra Pradesh overtime allowance whenever they are required to work overtime.

(3) (i) The Rules for the Grant of Concession to Government servants who have been bitten by rabid animals and who have to proceed to the District Headquarters Hospitals, or the General Hospitals, A.P., for treatment shall be applicable to work-charged establishment of the Public Works Department.

(ii) The maximum leave admissible to a member of the work-charged establishment to whom the concession is extended will be casual leave up to one month, if no substitute is appointed and leave without allowance if a substitute is appointed. Any leave in excess of one month should be treated as leave without allowance-

H - POLICE AND OTHER GUARDS

63. When marching or in camp on public duty, officers are allowed a guard for the protection of public property. Such guards are supplied without charge by the Police Department, and application for them should be made to the Superintendent of Police by the officer requiring them, unless he be an Assistant Engineer or Subordinate Engineer, when the application should be made by the Executive Engineer. Such guards will not, however, be supplied unless the officer travelling is in charge of Government money or valuable Government property, -or unless the country is disturbed.

64. In all cases, where, through the inability of the Police Department to supply a guard from the regular Police Force, special guards have to be entertained, the sanction of the State Government will be necessary. Officers may, however, in urgent cases, entertain the guard in anticipation of sanction, reporting their action at once to higher authority- The services of such extra guards should be dispensed with directly when they are no longer required.

I - MEDICAL ESTABLISHMENT

I. General

65. The requirements of the department will, as a Rule, be met from the Civil Assistant Surgeon of the Medical Department of the State.

66. Civil Assistant Surgeons will be allowed as part of the Public Works Establishment, and furnished with medicines at the public expenses wherever any large body of workmen is collected together. Sanction to their appointment must be obtained under the usual Rules regarding increases of establishment and applications for the services of individuals to fill sanctioned appointments will be made through Superintending Engineers to the Director of Medical Services.

II. Pay and Allowances of Medical Establishment

67. A Civil Assistant Surgeon employed in the department is entitled to the pay he was drawing in the time-scale of pay of his class at the time of his transfer and to the usual annual increments which will be sanctioned by the Administrative Medical Officer. He will also be entitled to draw the special pay or compensatory allowance, if any, that may be attached to his new appointment.

to provide for the contraction as well as the expansion of staff as the volume of work 68. On the transfer of a Civil Assistant Surgeon from civil employment for duty in the Public Works Department, the following documents should be forwarded for custody to the officer under whom he is to be employed until he is transferred elsewhere :-

- (1) Service Register with the leave account and the leave sheet
- (2) Extract from the Orders of Transfer.
- (3) Last Pay Certificate-
- (4) Transfer Confidential Report, IV. Leave, Retirement and Resignations of Civil

Assistant Surgeons

69. Application for leave, retirement or resignation, as well as casualty reports and invaliding papers, should be forwarded to the Administrative Medical Officer.

V. Removal of Civil Assistant Surgeons

70. Whenever it is thought desirable to remove a Civil Assistant Surgeon from the P.W.D., the reason for so doing should be reported confidentially to the Director of Medical Services who will take such further action as may be considered necessary in accordance with the Rules regulating the procedure to be observed in such cases.

J - MISCELLANEOUS RULES

I. Personal

71. Officers of the Andhra Pradesh Engineering Service are liable to serve in any part of the State of Andhra Pradesh.

72. Persons employed in the department "shall have no personal pecuniary interest, directly or indirectly, in the construction of any public work, or in the manufacture, supply or sale of building materials. They are further subject to the Rules laid down in "The Government Servants' Conduct Rules".

73. Every member of the department, whether civil or military, must consider that his pay, for time being, or as defined in any agreement, is his sole legal remuneration; and that the receipt of commission, or any consideration, directly or indirectly on account of any business or transaction in which he may be concerned on behalf of Government, is prohibited. Every officer of Government is bound to report to his departmental superior **any infringement of this Rule which may come to his knowledge — See also Paragraph 53.**

Note 1 :-An exception is, however, allowed in cases of arbitration as follows :-

- (1) An officer shall not act as arbitrator in any case without the sanction of his immediate superior or unless he be directed so to act by a Court having authority to appoint an arbitrator.
- (2) No public officer shall act as an arbitrator in any case which is likely to come before him in any shape in virtue of any judicial or executive officer which he may be holding.
- (3) If an officer acts as arbitrator at the private request of disputants, he shall accept no fees except as provided in Fundamental Rules 46 and 47.
- (4) If he acts by appointment of a Court of Law, he may accept such fees as the Court may fix.

Note 2:-There is also no objection to an officer of the department competing for any prize offered by a Municipality for preparing for it any designs or estimates, and to his receiving the award if he competes successfully.

Note 3:-An officer of the department, called upon by a Court to act as a commission to give reliable information on certain technical points of engineering, may comply with the request unless debarred by the operation of clause (2) of Note 1 above. If he accepts the commission, he may retain such fees as are fixed by the Court.

Note 4 :-Fees to be levied from Co-operative Buildings Societies/or the grant of certificates under Rule 7 of the Rules Annexed to O.O. Ms. No. 512, Development, dated 11th April, 1923, that the instalments of State loans made to the societies have been properly utilized:—*When the certificate is obtained from an officer of the P.W.D., the fee payable by the society should be calculated at 1% per cent of the estimated cost of the work done up to the date of inspection. If and when subsequent inspections*

lake place, the further fee to be paid should be 1/4 per cent of the estimated value of the work done since the date of the last inspection. Two-fifths of the fee thus recovered from a society will be paid to the inspecting officer as fees, the rest being credited to Government.

Note 5:-In the case of inspection and valuation by the P.W.D., of buildings constructed by the Co-operative Societies, contemplated in Rule 12 of the Rules for the grant of loans to Co-operative Building Societies issued with G.O.Ms. No. 512, Development, dated 11th April, 1923, as modified in G.O. No. 2019, Development, dated 28th November, 1927, no fee is recoverable.

Note 6 *'-Fee to be levied from Grant-in-aid educational institutions for issue of a certificate of reasonableness of rent'.*—In the case of private buildings occupied by educational institutions which are aided from State funds, certificates of reasonableness of rent will be issued by the P.W.D. Officers and the fees payable therefor will be calculated at the following rates :-

- (a) Ten per cent of the monthly rental recommended by the P.W.D. as reasonable, subject to a minimum of Rs. 60/- (Rupees sixty only) in each case.
- (b) For renewal of the above certificates, a fee of Rs. 3d/- (Rupees thirty only) **shall be collected in each case.**

Note 7 -in the case of private buildings occupied by the Central Government Departments for locating their Officers, no fee need be levied for the issue of certificates of reasonableness of rent by the P.W.D. Officers of the State Government.
(G.O.Ms.No, 450, P.W.D., Dt. 25-3-1968)

Note 8 :-For issue of valuation certificate by the PWD (Roads and Buildings) Officers to a local body or Public Institution in respect of private buildings, a fee at 1/100th of the value of the building should be collected.

(Memo. No- 83-Y/68/9, PWD, dated 25-1--1969)

Note 9 *'-Valuation of private property for Government purposes for the issue of valuation certificate :—*

The first valuation of any private property for Government purposes will be done by the Assistant Engineer (Roads and Buildings) and the same will be checked by the Executive Engineer (Roads & Buildings) who will thereupon issue the valuation certificate- The Officers who make the assessment will be held responsible for its accuracy.
(Memo. No. 2428-Y/68-4, PWD, dated 24-2-1969)

Note 10 -When the Government Employees are required by the Government to produce the valuation certificates, no centage charges shall be collected by Roads & Buildings Department. (G.O. Ms. No. 367, T.R. & B., dated 27-4-1976)

II. Publication of Rules and Notice

74. Drafts of Rules, Regulations and Notifications having the force of law and affecting the outside public should, before issue under any Act, or in cases, where the previous approval or sanction of the President is necessary, before submission to the Government of India, be published with a view to ascertaining whether any valid objections can be taken thereto. A similar course should be adopted in the case of Rules or Notifications affecting the outside public intended to be issued not under any Act or Regulation but as Executive Orders.

When drafts of any Rules, Regulations or Notifications of the foregoing classes are submitted for the sanction of the President it should invariably be stated whether they have been published and the result of publication described. If they have not been published, the reasons for non-publication should be fully explained.

III. Anonymous Communications

75. No anonymous communication regarding the conduct of any Government officer shall be acted upon without the permission of the State Government, except in so far as to endeavour to remove any apparently well-founded causes of complaint which do not affect the character of individuals. With the above exception, every complaint by or against any person in the department must be received and enquired into by his superior officer.

IV. Procedure in regard to Law Suits

76. When any officer or subordinate in the department is personally sued in only Civil Court, by parties claiming from him wages or money arising out of transactions in which he is concerned only in his official capacity and *bonafide* on behalf of Government, it will be necessary that he defends the suit by pleading that Government should be made the defendant as the party really interested. But when the suit is for damages in respect of an alleged wrongful act of a Government officer, the party aggrieved may, as a general rule, bring the suit against such officer, and it would be no defence for the officer sued to contend that Government ought to be the defendant. The plaintiff may legally contend that he has a right to look to the party by whose act he has been aggrieved, whether he could or could not have sued that party's principal. The distinction is between suits on contracts and suits for wrongs. In cases of the latter kind, it will remain with Government to determine whether it would be just and proper that the defence should be carried on at the expense of Government. This course should ordinarily be adopted only in cases where there is no reasonable doubt of the innocence of the defendant. When, on the other hand, there is *prima facie* evidence that he has acted improperly, he should be left to conduct his own defence, the question of Government contributing towards the cost of the defence being subsequently considered. Whatever be the nature of the case, failure to defend the suit, or to reply to the plaint in person or by the counsel as the case may require, will render the officer or subordinate personally responsible.

For Rules regarding the head of debits of law charges incurred on the execution of works - *vide* Paragraph 486 of the A.P.P.W. Accounts Code.

77. An officer, receiving a summons to produce official documents in a Court of law, should, provided the documents be specified, produce them to the Court unless they are unpublished official records relating to any affairs of State, when he must refer to the officer at the head of his department.

*In Circular Memorandum GAD (Service-C) No. 3230/65-2, dated 8-1-66, quoting the observation of Hon'ble Justice Jaganmohan Reddy in Contempt Case No. 11/65 of the High Court of Andhra Pradesh—.....- it was stated :

"It is not necessary for a Government employee, who is required to do or omit to do something by an order of a Court, to consult or obtain instructions from his official superiors before complying with the Court's order in accordance with its tenor and purport and no disciplinary action shall be taken by a Government employee against subordinate for his failure to seek or obtain instructions from official superiors

before employing with any such order of a court. Any instructions by any Government complying requiring the subordinates to seek instructions from or obtain the approval of a superior officer before complying with an order of Court shall be revoked immediately, Any Government employee who refuses to comply with an order of a Court without a valid excuse is liable to be punished for Contempt of Court".

V. Stationery and Forms

78. Stationery is supplied by the Director of Stationery, Andhra Pradesh. Officers other than those to whom power has been delegated, are prohibited from obtaining elsewhere articles which can be procured from the Stationery Officer except under orders of Government in each case.

79. All the Executive Public Works Department Forms are kept in stock by the Director of Stationery, A.P. The Chief Engineer may make changes in them except in the following cases which require the approval of the Government of India:-

Public Works Department, Form 155 (old number) — Forecast of financial prospects of Irrigation Works.

New completion Report Forms - Irrigation Works (Schedules A to E).

80. All the Public Works Accounts Forms are standardized and sent for printing to the Director, Government Press, A.P. by the Accountant General. The forms will be dispatched by Director of Stationery to the officers concerned.

81. Indents for forms and returns will be submitted annually by Chief and Superintending Engineers direct to the Director of Stationery for compliance. The Forms will be dispatched to intending officers direct,

Note :-The Rules in the Printing Manual and Chapter XII of the Andhra Pradesh Stationery Manual are to be observed in intending for Forms.

82. All officers entrusted with a supply of Stationary and Forms for their official use will take proper precautions to keep them in the custody of responsible and trustworthy person and to maintain a record of the receipts, issues and balances. Stock should be verified annually and the certificate of verification recorded in the register of stationery over the signature of a gazetted or other responsible officer,

83. Forms of deeds and other documents ordinarily required by the department will be settled by the Law Officers of the Government, and furnished through the Chief Engineer to whom all applications on such matters should be addressed.

VI. Destruction of Official Records

84. The various records of the circle and divisional officers included in Appendix XV may be destroyed after the periods specified therein unless, in any case, as records has been specially ordered to be kept for a longer period. As regards records not included in the appendix, the sanction of the Superintending Engineer or of the Accountant-General in the case of accounts records should be applied for annually in the month of January. In ordering the destruction of such records, great care should be exercised that it is confined to such as are valueless (*vide* also Paragraph 590 of the A.P. Public Works Accounts Code), but the following should, on no account, be destroyed :-

(1) Records in connection with expenditure which is within the statute of limitation.

(2) Records in connection with expenditure on works not completed, although beyond the period of limitation.

(3) Records of experiments and observations.

(4) Records in connection with claims to service and personal matters connected with persons in the service.

VII. Recording of Plans and Drawings

85. An Executive Engineer must keep on record in his office the following plans, or such of them as are required in his division:--

Copies of all standard plans of buildings.

Complete plans, sections and elevations of every building under his charge, whether military or civil, as actually constructed, any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

Plans of roads under his charge showing the quarries whence metal is obtained. Detailed drawings including foundations, where practicable, of all bridges and other works in the division as actually constructed, any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

VIII. General Rules of Office Procedure

86. No officer should correspond direct with an authority superior to the officer under whom he is immediately serving, or which the State Government or to the Government of India, out of the regular course, except in a case of extreme emergency, in which case he must send copies of his communications to his immediate superior together with a statement of his reasons for the direct correspondence.

86-A. No officer or subordinate of the department may except with the previous permission of the authority to which he is immediately subordinate, seek an interview with any officer in respect of any matter affecting him personally as a Government servant. The previous permission of the head of the department should be obtained through the proper channel in the case of an interview with a Member of Government or with a Secretary to Government.

Every application for appointment or for promotion shall be submitted through the proper channel.

K. Periodical Returns

87. With regard to periodical returns not prescribed by the Government of India, Government of A.P. or the Auditor-General, Officers to whom such returns are submitted should institute, at convenient intervals of time an examination into the necessity for each return, with a view to the discontinuance of any that may be found to be no longer necessary.

CHAPTER II WORKS

A - CLASSIFICATION OF THE OPERATIONS OF THE PUBLIC WORKS DEPARTMENT

88. The operations of the department are divided primarily into two classes— 'original works' and 'repairs' or 'maintenance'.

89. Original works include all new constructions, whether of entirely new works or of additions and alterations to existing works, except as hereinafter provided: also all repairs to newly purchased or previously abandoned buildings required rendering them usable.

90. In the case of irrigation works the minor head "extensions and improvements" includes all works which either increase the efficiency of a system or work or its scope of action by an extension of or addition to it. The circumstances in which irrigation expenditure Can be charged to revenue under "306". Minor Irrigation—Extensions and Improvements" are explained in Paragraph 379.

91. The term 'repairs' or 'maintenance' includes all operations, except the foregoing required to maintain in proper condition, or to replace the wear and tear of buildings and works in ordinary use.

92. There are certain operations of the PWD which fail under both the categories of 'original works' and 'repairs', i.e., operations which are of the nature of both, e.g., substitution of a terraced for tiled roofing, substitution of steel beams for damaged teak ones, dismantling and extending a veranda, etc. The classifications and treatment of such mixed estimates for the purpose of this Code will be determined by the principles in Para 93, *Vide* in this connection Explanatory Note 26(3) and (4) in Appendix 4 to Andhra Pradesh Public Works Account Code also.

93. When a portion of an existing structure is to be dismantled for the reason that it is structurally unsound, and is to be replaced by a work which is not in material essential the same as the work dismantled e.g., thatched roof replaced by tiled roof, or by an addition, e.g., an extension of a building, the mixed work shall, for the purpose of determining the authority competent to sanction it, be treated as an original work- In the estimate and in the accounts, the following points should, however, be observed—

(a) If the new work costs more than the original cost of the work which it replaces, the whole cost should be first taken to original work but eventually the difference should be charged under 'original works' and the costs of dismantled portion under 'repairs'. The costs of the dismantled portion should be taken as its original cost of construction plus the cost of any additions subsequently made, or where this is not known, its estimated cost.

(b) If the new work does not cost more than the original cost of the dismantled portion, the difference between the two will be written off the capital accounts where they are kept, and the entire cost of the new work charged under repairs.

Note 1 :- If an existing structure dismantled for the reason that it is structurally unsound is replaced by work which is in material essentials the same as the work dismantled, the work is strictly of the nature of repairs unless it falls under the last clause of Para 89. If a work is dismantled and replaced, not because it is structurally unsound but

Purely because of administrative reasons, the entire operation will be treated as an original work, and the whole cost debited to original works, the cost of the dismantled work being written off the 'capital accounts'. The cost of dismantlement in either case should be charged to repairs.

Note 2 :- The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

Illustration:- The cost of replacement of palmary rafters by Karimarudu or of bamboo hurdling by teakwood reapers or of lime plastering by cement plastering should not be added to the capital cost of a building. The cost of deepening a well in order to restore the normal water-supply should not be added to the capital cost of a building but the cost of replacement of country tiles by Mangalore this, and of replacing a mud compound wall by a wall of brick in mortar plastered with cement and replacement of a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of this Paragraph.

94. When an entire structure is reconstructed owing to the occurrence of fire, flood, earthquake, abnormal storm or other calamity or owing to wear and tear, the work should be treated as an original work and the cost of reconstruction as capital cost. On completion, the Government will decide what amount should be written off the original capital cost.

B - WORKS ENTRUSTED TO DEPARTMENTS OTHER THAN THE PUBLIC WORKS DEPARTMENT

I. Forest Department

95. The Forest Department is empowered to execute its own works whenever it is desirable to do so, instead of entrusting them to the agency of the P.W.D. owing to the special circumstances in which they are executed in out-of-the-way localities, or owing to certain peculiarities with which Forest officers are better acquainted than those of the P.W.D. The Forest Department has also got special engineering staff. Such works are provided for in the Forest Department budget and the detailed Rules regarding the preparation of plans and estimates and the maintenance of accounts are contained in the Forest Department Code. Works for which the agency of the Public Works Department is more suitable are executed by it in the usual manner in accordance with the Rules in this Code and the Andhra Pradesh Public Works Accounts Code out of funds provided in the P.W.D. estimates.

II. Excise Department

96. A procedure similar to the one prevailing in the Forest Department is in force in the Excise Department also. The works are, however, generally of such a nature as do not require the employment of skilled labour or professional supervision. Such works are provided for in the Excise Department budget and the detailed Rules regarding their execution and accounts are contained in the departmental manuals concerned. Works which the P.W.D. are called upon to execute are charged to the P.W.D. and are dealt with in accordance with the Rules-in-Code and the Andhra Pradesh Public Works Accounts Code.

96~A. (a) The acceptance of agreements by Civil Departments for original works requiring technical skill and which do not relate to petty construction and repair works shall be governed by the following limits :

(1) Where the Civil Departments (i.e., departments other than the P.W.D.)-employ technically qualified Engineer of the rank of the Executive Engineers of the P.W.D. upto a maximum limit of Rs. 25,000 in the case of works for which estimates are sanctioned by higher authorities and upto Rs. 10,000 in other cases;

(2) Where the Civil Departments employ technically qualified Engineers of the rank of Assistant Engineer of the P.W.D. upto Rs. 2,500.

(b) The arbitrators in the case of disputes arising out of such agreements shall be the Superintending Engineers of the P.W.D. in the respective areas in cases falling under (1) above and the Executive Engineers of the P.W.D. in whose area of jurisdiction the work lies in respect of cases coming under (2) above.

(c) The instructions in this Paragraph will not apply to the Forest Department Works and the Works relating to Irrigation and Navigation under the Revenue Department.

111. Petty Construction and Repairs

97. The following works in connection with State Buildings are assigned to the departments using or requiring such buildings:-

Works of petty construction and repairs of all Government Buildings borne in the registers of P.W.D. (R&B) except the following :

[1. Annual white and colourwashing and work of unskilled nature in respect of non-residential buildings of Prisons Department.

2. Conservation works of Archaeology and Museum Department.

3. Maintenance works of Buildings belonging to Forest Department.

4. Repairs and Maintenance Works of Residential Buildings of Port Department]

[Subs. by Memo.No. 1388/B1-2/84-3, Tr. &B. Dept., Dt 1-4-1985]

The following are the Rules and Conditions governing the execution of such works by the departments concerned :-

(I) the construction of petty buildings and the execution of ordinary repairs to all civil buildings upto a limit of Rs. 5,000 shall ordinarily be undertaken by the departments using or requiring them, out of the funds placed at their disposal in the civil budget.

Note 1:-The construction of new rain gauge pillars and the maintenance of rain gauges shall be undertaken by the departments for which they are intended, from funds allotted in the budgets of the respective departments. The officers of those departments may however at their discretion seek the advice of the P.W.D. officers.

Note 2:-When a building is occupied by more than one department, the 'department' for the purpose of the above Rule will be Revenue Department if it be one of the occupants, and if not, the Government department occupying the major portion of the building, to be decided in each case by the Superintending Engineer concerned- Petty internal repairs may, however, be carried out by, and at the cost of, the occupying department.

Note 3 :-(i) In the case of works relating to Magistrate offices which are located in the same building as the Taluka office, the Revenue Department shall be deemed to be in charge of the whole building; administrative approval to such works shall be accorded by the officers of that department upto the limit of their powers, the expenditure being met from funds provided under "District Administration".

(ii) Works relating to Sub-Magistrates' offices which are located separate or detached buildings, even though situated in the same compound with other buildings shall be deemed to be in charge of the Judicial Department; administrative approval to the proposal shall be accorded by that department up to the limit of their powers, the expenditure being met from funds provided under the head "Administration of Justice",

(2) When the works described in Rule (1) above involves structural alterations and additions to buildings in charge of the P.W.D., Civil officers should obtain the concurrence of the Executive Engineer to such alterations and additions and should also communicate to the Executive Engineer the actual cost incurred so that capital accounts of the buildings may be correctly maintained. While giving his concurrence to the proposals of Civil officers, the Executive Engineer should consider whether the work will require technical advice of a skilled nature or professional supervision and if so inform such officers that the necessary technical advice or assistance will be given by the P.W.D. officers during the course of construction and that ("or This purpose, timely intimation should be given of the date of commencement of the work.

(3) When the works undertaken by Civil Officers do not involve structural alterations or additions to buildings in charge of the P.W.D., such officers should not requisition the services of officers of the P.W.D. unless in their opinion the works require technical advice of a skilled nature or professional supervision. The reasons for their reaching this opinion should in every case be communicated to the P.W.D. officer whose assistance is requisitioned. If, however, the P.W.D. officer is of opinion that the work does not require such skilled advice or professional supervision, he may return the requisition with full reasons for his opinion.

Note .—All petty works of the Fisheries Department which require technical advice of a skilled nature and professional supervision should be executed by the P.W.D. irrespective of the cost of such works.

(4) In the case of a building occupied partly by a district or taluk office along with one or more Government offices, the cost of the annual repairs should not exceed 1 % per cent or any other rate that may have been sanctioned on the capital cost of the building.

(5) Rules (1) to (4) above do not apply to the following buildings the maintenance and repairs of which, irrespective of the cost, devolve on the P.W.D. :-

(i) All buildings in the Capital town [excluding certain City State Hospital - vide Note (I) under clause (ii) below - the Penitentiary and the Government Press, to which Rules (1) to (4) apply, subject in the case of the Government Press to a limit of Rs. 100];

(ii) Medical Colleges and Government Hospitals in Andhra Pradesh.

Note 1 :-The Superintendents of the Government Hospitals mentioned below and the Principal, School of Indian Medicine, A.P. may however carry out departmentally in each year up to the limit specified against each urgent petty works and repairs such as those noted below which require no technical skill or supervision by the officers of the P.W.D. :-

1. Renewing broken tiles and stopping leakages in the roof.
2. Renewing broken glass-panes of doors and windows.
3. Whitewashing in patches wherever dirty,

4. Repairing chimneys.
5. Renewing hooks, hasps and staples and hinges.
6. Painting portions of doors and windows wherever dirty-
7. Repairing floors.
8. Repairing fly-proof fittings.
9. Graveling pathways here and there to prevent water stagnating.
10. Repairs and renewals of a minor nature to the water closet system.
11. Leakages in gas and water pipes.
12. Minor repairs to drains.

All petty construction and repairs not of an urgent nature will continue to be executed by P.W.D. as now.

13. Petty electrical works (the cost of petty electrical works executed at a time should not exceed Rs. 50 :

Provided however the Principals of Government Medical Colleges, the Superintendents of the Government Hospitals to which such colleges are attached may obtain estimates from the connected Section Officers of the P.W.D.

Note 2 :-The Principals of the Government Medical Colleges and the Superintendents of (1) Osmania General Hospital, Hyderabad, (2) Gandhi Hospital, Secunderabad, (3) Government Malemity Hospital, Hyderabad, (4) Niloufer Hospital, Hyderabad, (5) Government Mental Hospital, Hyderabad, (6) Sarojim Devi Hospital, Hyderabad (7) Cancer Hospital, Hyderabad, (8) Hospital for Diseases of Chest and T.B., Irrumurna, Hyderabad, (9) Fever Hospital of Hyderabad, (10) Government General Hospiial, Guntur, (11) Government General Hospital, Kurnool, (12) King George Hospital, Visakhapatnam, (13) Government Mental Hospital, Waltair. (14) Government Victoria Hospiial, Visakhapatnarn, (15) Government General Hospital, Kaklnada may also obtain direct from the concerned P.W-D. Section Officer, estimates for petty construction work and petty repairs of an urgent and essential nature, such as those noted above for each group of buildings detailed below for amounts not exceeding those noted against them at a time.

Hospital Buildings Rs. 1-.000

College Buildings Rs. 1,000

Hostel Buildings Rs. 1,000

These works may be sanctioned by the competent officer of the Medical Department and executed without reference to the P.W.D. higher authorities. Copies of all such estimates should however, be sent to the concerned Executive Engineers.]

[G.O.MS. No. 2264, PWD, Dt. 15-9-1959]

(iii) AH official residences;

Note 1 :-Quarters of Sub-Inspectors of Police, Sergeants and Head Constables not situated in the capital town, or following under exception (v) below, may, however be mentioned by the Police Department.

Note 2 :-Quarters provided for employees in inferior service and for compounder in ihe Veterinary Department not situated in the capital town may be maintained by the

Departments concerned of Government Engineering Colleges in the State are empowered to carry departmentally upto a limit of Rs. 5,000/- all general, petty construction and repairs works in respect of the buildings and fixtures of the college including Hospitals but Engineering residences attached to the Colleges. The Executive Engineer should be consulted in case of doubt.

Note 3:- Gazetted Officers occupying Government residences are empowered to execute urgent petty repairs such as the replacements of window-panes or stoppage of all subject to an upper limit of Rs. 20 annually (the actual amount being fixed by the heads of department concerned) when Roads & Buildings Department Officers are not immediately available to arrange for such repairs being done. The expenditure should be reported to the Roads & Buildings Department Officer concerned as soon as it is incurred so that he may check measure the work done as soon as he returns;

To headquarters or visits the station as the case may be.

In such cases the money required for expenditure should be advanced by the Gazetted Officer from their permanent advances and recouped from the Roads & Buildings Department, Section Officers concerned who will debit the expenditure to 283 Housing C. Government residential buildings - Maintenance and repairs.

(iv) Buildings in which offices of the departments of the Central Government of official residences are located along with one or more other Government offices;

(v) Buildings which have been specially placed in charge of the P.W.D. for maintenance and repairs, viz.,

All hostels attached to Government Educational Institutions borne on the P.W.D. register of buildings, except the hostels attached to the Agriculture College, Bapatia, (vide Note below).

Note:- The Principal of the Agricultural College at Bapatia is empowered to carry on departmentally upto a limit of Rs- 1,000 per annum all general petty construction and repairs works in respect of the buildings and fixtures of the hostels attached to this college. The Executive Engineer should be consulted in cases of doubt.

(vi) Provincial buildings which are occupied wholly by the departments of the Central Government and for which rent is recoverable.

IV. Public Works executed by Civil Officers acting as Public Works Disbursers

98. The administration of all public works other than those assigned to the departments concerned under Paragraphs 95 to 97 above falls within the functions of the Public Works Department, but even such works may, by a mutual understanding between the P.W.D. and the department concerned, be executed by the latter on behalf of the former, the charges being debitable to the Public Works grants. In actual practice the system is confined mainly to— (1) Agency Tracts, (2) the Industries, and (3) the Agricultural Departments. In the case of (1) the arrangement is necessary on account of the inadequacy of the P.W.D. staff which is widely scattered and in the case of (2) and (3) the presence of departmental engineering staff renders the arrangements advantageous to both departments.

Note 1:— The heads of offices of the Agricultural Department are authorised to carry out, as Public Works Disbursers, ordinary and special repairs to residential buildings of the department borne on the registers of the Public Works Department subject to the following conditions —

- (i) that the services of the Engineering staff of the Agricultural Department are secured when necessary;
- (ii) a statement is furnished to the Executive Engineers concerned from time to time showing the actual expenditure incurred on special repairs which would increase the capital value of the buildings so as to enable the Executive Engineers to regulate the rents of the buildings; and
- (iii) The heads of offices of the Agricultural Department should also forward to the Executive Engineers concerned—
 - (a) a statement, after the close of the official year, of actual expenditure incurred on ordinary and special repairs to such buildings to enable the latter to prepare the capital and revenue accounts of residences; and
 - (b) an annual statement of the amounts spent by them on each building whether on ordinary or special repairs to enable the Roads and Buildings Department to keep a check on the amount and also to see that the buildings are not neglected for years together.

Note 2 :-The Rules relating to minor irrigation works in charge of civil officers will be found in Paragraph 284,

Note 3:-The system should not be adopted in the case of jail works costing over Rs. 5,000 which should be carried out by the Roads and Buildings Department. When, however, such works are executed by the contract system, jail labour should be employed by the contractors on all unskilled work connected with the contract as far as possible. Therefore when tenders are called for the work, it should be stipulated in the tender notice that the contractor should employ jail labour on all unskilled items of work connected with the contract. If such labour is available with the Jail Department and that jail labour is supplied, will be charged for at the rate of [x x x x] per man per day. A similar procedure should be adopted in regard to jail works executed departmentally by the Roads and Buildings Departments. In cases in which jail labour is not employed on a work for the reasons that the Jail Department is not able to supply it, a written statement from the Jail Superintendent to that effect should be obtained and recorded by the Roads and Buildings Department Officers.

C - ADMINISTRATIVE APPROVAL AND TECHNICAL SANCTION

99. For every work proposed to be carried out, except petty works and repairs the cost of which does not exceed Rs. 2,500/- a detailed estimate must be prepared by the P.W.D. for the sanction of competent authority; this sanction is known as the technical sanction to the estimate. Except where definite provision is made in this Code to the contrary, such sanction can only be accorded by Government or, where powers have been delegated to them, by officers of that department. Sanction accorded to the construction of work by any other department of Government is merely an administrative approval of the work, which is in effect an order to the P.W.D. to execute a certain specified work for the department at a stated cost. (G.O.Ms, No. 50, P-W.D., Dt 17-1-1966)

100. It is waste of public money to prepare detailed plans and estimates for schemes for which the provisions of funds is unlikely to be made, and for this reason, in complying with requests from other departments for approximate estimates and preliminary plans for the purpose of administrative approval, only sketch plans and statements of probable costs (based in the case of buildings on cubic foot or plinth area rates) should be furnished by

[DCODE—4]

the P.W-D. On receipt of these, the requisitioning officer should take steps for obtaining the necessary administrative approval,

Note 1 ;-No approximate estimate is necessary when the total cost of a work is less than Rs. 5,000- In such cases a detailed estimate should be prepared in the first instance, provided the Executive Engineer is satisfied that the proposed work is necessary and is likely to be sanctioned.

Note 2:-Approximate estimates should be accompanied by a preliminary report, and such preliminary plans, information as to site, etc., as may be necessary to fully elucidate the proposals,

Note 3:-In the case of hospital schemes costing Rs. 50, 000/- or more the following special procedure should be followed. Before approximate estimate and preliminary plans for such schemes are submitted to Government they will be scrutinized by a Committee consisting of the Superintendent, the Consulting Architect to Government, an officer of the Medical Department to be selected by the Superintendent and an Executive Engineer who has had considerable experience of the construction of buildings to be selected by the Chief Engineer. If the scheme relates to a mufassal hospital and persona] inspection by a committee is considered necessary, the members of the committee visiting the site may draw travelling allowance. The plans should then be scrutinized by the Chief Engineer.

101. The estimates which are submitted to Government for administrative approval or to be sanctioned by the competent authorities should give the approximate financial break up of the component parts and administrative sanction shall mention the financial break up, in respect of all such component parts also, to ensure that the amounts are not spent in excess of the administrative sanction for the component parts beyond the permissible limits subject to the provisions of Para 417 (c) of A-P.P.W. 'D' Code.

(G.O.Ms, No, 1845, P, W. (Y) Dept, Dt. 14-12-1971)

Note:-A similar procedure will be applicable for works required for the Public Works Department except that both the administrative approval and technical sanction will be accorded in the same department.

102. On the receipt of administrative approval to works costing below Rs. 50,000, the P.W.D- should prepare detailed estimates and plans and after the professional authorities are satisfied that the proposals are structurally sound, the counter signature of the Head of the Department or of the local Head of the Department who applied for the execution of the work should be obtained to the plans and estimates in token of approval for Technical sanction should then be accorded.

In the case of works costing Rs. 50,000/- and above, the procedure indicated below should be observed. As soon as possible after administrative approval is obtained to any: such building scheme, detailed plans and estimates should be prepared with lump-sum i provision for electrical and sanitary fittings. When the detailed plans are ready in a rough shape the Consulting Architect to Government should consult the Head of the Department who should in his turn obtain the advice of and circulate the plans to, experienced officers of his department. The Head of the Department should also consider specifically such points as layout and orientation of the buildings on the site with an eye on sanitation, water and electric supplies and the suitability and economy of arrangement of the building. The Consulting Architect to Government should ascertain the exact requirements from the Head 'of Department and incorporate them in the building plans which are then to be countersigned. Such approved plans countersigned by the Head of the Department should not be altered

subsequently without the sanction of Government. As soon as the plans have been countersigned, the Executive Engineer should immediately proceed to obtain technical sanction communicating at the same time copies of the certified plans to the Electrical Engineer (General) and in cases in which the Sanitary Engineer has to be consulted, to the Sanitary Engineer also for further guidance in the preparation of detailed plans and estimates for electrical and sanitary installations—*vide* also Paragraph 255 of this Code.

(i) If in the preparation of detailed technical estimates, it is found that the cost will exceed the amount administratively approved by more than the limits prescribed by the Government, from time to time for this purpose, viz., for sanctioning technical estimates in excess of administrative approval, revised administrative approval must be obtained before the technical sanction can be accorded. (G.O.Ms, No, 242, PWU., Dt. 11-2-1966)

[(ii) Revised administrative approval should also be obtained if the expenditure incurred has exceeded or is likely to exceed the amount of original administrative approval and the technical sanction by more than the limits prescribed by the Government from time to time when material developments of deviations occur], (Subs. G.O.Ms.No. 1582, PWD, (Y), Dt. 18-9-1970)

Explanation to Para 102:—According to the orders issued in G.O.Ms-No. 242, PWD, dated 11-2-1966 amending Para 102 of the A.P.P-W.D. Code, among other things, revised administrative approval should be obtained if the expenditure incurred exceeds the amount of technical sanction by more than the limits prescribed by the Government from time to time for passing such excesses by the appropriate authority. The Accountant General, Andhra Pradesh has sought clarification whether revised administrative approval is necessary even if the expenditure incurred is less than the original amount administratively approved, if it exceeds the amount of the technical sanction by more than the limits prescribed for passing such excesses by appropriate authority.

A question also has arisen whether the revised estimates should be compared with original administrative sanction or the original technical sanction.

The Government have carefully examined the above two issues. According to Para 102 of the A.P.P.W.D. Code as amended in the Government Order referred to above, revised administrative approval is necessary if the expenditure incurred exceeds the amount of technical sanctions i.e., original technical sanction. But the officers could revise the technical estimate, if the works are not completed for any amount within the amount of administrative sanction plus such excess upto which they are competent to accord technical sanction. Obtaining revised estimate in such a case becomes purposeless. Since the officers are empowered to pass excesses during execution over the technically sanctioned estimates, the Government consider that revised administrative approval should be obtained if the expenditure incurred has exceeded or is likely to exceed the amount of original administrative approval and the technical sanction by more than the limits prescribed by Government from time to time. Accordingly, the amendment to Para 102 of the A.P.P-W.D. Code is issued.

The Chief Engineers are informed that the revised estimate should be compared with both the original administrative approval and the original technical sanction for the purpose of determining the necessity to obtain revised administrative approval. For the purpose of determining the necessity to obtain revised technical estimate as indicated under Para 214 of the A.P.P.W.D. Code, the comparison should be with the original technical standing only.

103. In the case of Civil Works in charge of civil officers acting as Public Works Distributors under Paragraph 98, the estimate should be prepared by them in the forms adopted in the P.W.D., together with the plans, where necessary and the necessary technical sanction of competent authority in the P.W.D. should be obtained. Standard designs should be adopted, as far as possible, with such modifications as local or other circumstances may necessitate.

D - DEMANDS BY CIVIL OFFICERS I.

General

104. The procedure in this section is applicable only in the case of works carried out by the P.W.D. and does not hold good in the case of works carried out by the other departments—*vide* Paragraphs 95 to 98.

105. Applications for new buildings and for additions or alterations to existing buildings should be made by the officer of the department concerned, in communication with the Executive Engineer. It is the duty of the Executive Engineer, while giving due weight to the opinions of the department concerned, to oppose any application for work of the real necessity for which he is not satisfied, whenever he is unable to recommend & execution of a work, he should explain his objection to the officer concerned, and if he fails to convince him, he should refer the matter to the Superintending Engineer. The actual execution of works asked for by civil officers, must in every case, be dependent on funds being available.

106. The local head of a Civil Department may call upon the Executive Engineer to report on proposals for additions or alterations to the buildings in his use and to state the probable cost; but Executive Engineers cannot be required, except by their departmental superiors, to prepare the detailed designs and estimates necessary for technical sanction.

107. Proposals for frequent additions and alterations present a real obstacle to rapid progress and Executive Engineers must satisfy themselves that the alterations demanded by an administrative department are necessary and will not prove a source of serious delay. The Executive Engineer should refuse to consider proposals for alterations if he is not satisfied as to the necessity of the alterations but he should forward a brief but clear statement of his reasons for his refusal to the Superintending Engineer as well as to the administrative authority concerned.

II. Petty Original Works costing Rs. 2, 500/- or less

108. In cases in which such works are not executed by Civil Departments under the provisions of Paragraphs 93 to 97, but are required to be carried out by the P.W.D., a requisition should be made in Public Works Account Code Form 32 (C.F. No. 145), by the officer requiring the work. The Executive Engineer will record on the requisition what work should be done (applying the principles of the two foregoing Paragraphs), an estimate of the probable cost, and his sanction to the estimate. After acceptance of the estimate by the requisitioning officer, the Public Works Department will take necessary action to provide funds and to sanction the execution of the work.

(Amended by O.O. Ms. No. 50, PWD, dated 17-1-196Q)

Note :- Lump-sum grants for minor works are allotted to circles for distribution by the Superintending Engineer; generally, these grants are redistributed to divisions all at once, in such cases the Divisional Officer will sanction execution of the work.

III. Procedure in regard to Original Works costing more than Rs. 2,500/-

109. If the work be likely to cost more than Rs. 2,500/- the procedure described in Paragraphs 99 to 102 regarding administrative approval and technical sanction should be followed.
(G.O.Ms. No. 50, PWD, dated 17-1-1966)

IV. Procedure in regard to Repairs

110. The procedure to be followed in the case of repairs is as follows:—

(i) The requisition will be made by the civil officer concerned in Public Works Accounts Code, Form 32 (C.F. No 145).

(ii) On receiving the requisition, the Executive Engineer will first satisfy himself as to the propriety of the work, and that there is sufficient provision in the budget grant under the proper sub-head of 'Repairs'.

(iii) The Executive Engineer may then order the immediate execution of the work, without the preparation of a detailed estimate, provided that the cost is not likely to exceed Rs. 2,500/-.

(iv) Should the budget grant under the particular sub-head be insufficient to meet the outlay, reference must be made to the Superintending Engineer.

(v) When the approximate estimate exceeds Rs- 2,500/- a detailed estimate must be framed and sanctioned by the authority competent to accord technical sanction.

Attention is invited to Paragraphs 144 and 147-

V. Limitation of Sanction

111. Nothing in these Rules is to be construed into a permission to an officer, to carry out in portions any group of works or alterations or to make purchases of which the cost in the aggregate would exceed what they are empowered to sanction under the Rules.

E - PREPARATION OF ESTIMATES**1. General**

112. The papers to be submitted with the project for a work will consist of a report, a specification and a detailed statement of measurements, quantities and rates, with an abstract showing the total estimated cost in rupees only of each item. These documents form what is called the estimate in the sense of this Code. The form of the abstract will depend on the method proposed for the execution of the work. If it is intended to purchase or supply materials and to employ labour for construction separately (whether by contract or departmental agency), the abstract of the estimate should be so framed as to show separately for each distinct item of artificer's work (1) the cost and quantity of "labour", and (2) the cost of materials. But if this is not the case, e.g., when any item of work is to be executed by contract and it is proposed to contract for the completed items of work, the abstract of the estimate may show merely the quantity and cost of each item of work. In the case of a project consisting of several works, the report may be a single document for all the work and likewise the specification, but details of measurements and abstracts may conveniently be prepared for each work, supplemented by a general abstract bringing the whole together, in the case of estimates for 'Repairs or 'Maintenance', only the specification and the detailed statement of measurements and quantities with the abstract will ordinarily

explain any peculiarities which require elucidation including where necessary, the reasons for adoption of the estimated project or design preference to others.

113. To facilitate the preparation of estimates, a schedule of rates of each kind of work commonly executed should be prepared annually in each district, and the rates entered in an estimate should generally agree with the schedule rates, but where from any cause these are considered not sufficient, or in excess, a detailed statement must be given in the data sheet showing the manner in which the rate used in the estimate is arrived at.

[G.O.Ms. 606, P.W.D., Dt. 26-3-1W6]

114. In the case of materials supplied departmentally, the rates allowed to the contractor should not allow any profit on the cost of materials.

115. When an extra percentage is allowed on account of special local conditions such as in the case of out-of-the-way tank restoration scheme works, it should be so stated in a note at the end of the data statements accompanying schedules of rates, and this extra percentage should not be described as contractor's profit.

116. The schedule of rates should be prepared on the basis of rates prevailing in the locality, and as it is used for the important purpose of preparing estimates and is also used as a guide in settling rates in contract agreements, necessary analysis of the rates for each description of work and the varying conditions thereof should be given as far as practicable.,

In working out the rates for the tenders to be accepted for works in the division, during the twelve months preceding the date on which their preparation is due to begin, any tendency of the rates and prices to rise or fall should be taken into account- When rates and prices are changing rapidly the Superintending Engineer should issue orders at any time. that a certain percentage should be added to or deducted from all the rates or from certain specified rates or from rates for certain specified classes of items, e.g., for materials or for labour. In the data accompanying the schedule of rates for works, the contractor's profit should not be added as a separate item.

117. [In the estimates for works provision may be made at the following rates for petty supervision and contingencies :—

1. Estimates upto Rs. 10,000/- 5%
2. Estimates from Rs. 10,000/- 4% subject to a minimum of Rs. 500, to one lakh.
3. Estimates from Rs. 1 lakh to Rs. 4,000/- 3% subject to a minimum of Rs. 100 lakhs.
4. Estimates above Rs. 100 lakhs. 2 1/4% subject to a minimum of lakhs.Rs. 3 lakhs.

All incidental expenditure which can be foreseen such as compensation for or cost of land, sheds for workmen and stores, should be separately provided for in the estimates, The provision for contingencies should not be diverted to any new work or repair which is not provided for in the estimate and of which the cost exceeds Rs. 2,500. with out the sanction of the Superintending Engineer *vide* also Para 428 (c). The provision for petty supervision should in no case be diverted to meet expenditure on other items of work. A provision of 1 percent of the estimated cost may also be made towards handling charges in the estimates for purchase of machinery.

Note:-The percentage of the provision for petty supervision and contingencies to be provided for in the working estimates should be determined with reference to the cost to the big projects of which the working estimate forms a part. The same percentage of P.S. charges as provided in the original estimate may be adopted in the revised estimate also], [Subs, by G.O. Ms, No. 987, PWD, Dt. 18-7-1972]

The orders issued in the G.O. Ms. No. 1329, P.W.D., dated 21-6-1963 are deemed to have been modified to the above extent-

Explanation H :—Orders were issued in the G.O.Ms. No. 1329, P.W.D., Dt. 21-6-1963, prescribing a scale for petty supervision and contingencies in the estimates for works of the Public Works Department (Irrigation Branch and Roads and Buildings), these orders were extended to the Electricity Department also. The Accountant General, Andhra Pradesh suggested that if the orders are to be made permanent, the *minima* prescribed in respect of works of the Nagarjuna Sagar and Srisailem Projects may be kept in view while amending the A.P.P.W.- 'D' Code, The Chief Engineer (Major Irrigation & General) has proposed, with reference to a decision of the Committee of Chief Engineers that in addition to the *minima*, provision of 5 percent in the estimates costing upto Rs. 10,000 prescribed in respect of works of the Nagarjuna Sagar and Srisailem Project may be adopted in the Public Works Department (Irrigation Branch) and (Roads and Buildings) as against 4 percent prescribed in the G.O. first read above.

After careful consideration, the Government approved the proposal of the Chief Engineer (Major Irrigation & General). The consequential amendment to Para 117 of the A.P.P.W. 'D' Code is issued.

117-A. In the estimates for major works, provision upto 2 percent of the estimated cost of the works portion may ordinarily be made for "unforeseen works". When found necessary, this provision may be utilized for new items of works which are required by the administrative authority and which are essential for the fulfillment of the precise object for which the estimate for the main work is intended. The working estimates for such works will be sanctioned by the Executive Engineer upto a limit of Rs- 2,500/- for each item by the Superintending Engineer beyond this limit - vide Paragraphs 417(g) and 428(f).

(G.O.Ms. No, 987, PWD (Y), Dt. 18-7-1972)

117-B. Provision of 1 percent should be made towards audit charges in the estimates for irrigation projects for which capital and revenue accounts are maintained.

(G.O.Ms. No, 726, PWD (Y), Dept, Dt. 27-3-1964)

118. The Rules regulating the inclusion in estimates of the approximate cost of establishment and tools plant will be found, in respect of irrigation projects, in Paragraph 396 below and in respect of other works, in Rule 19 of Appendix 7 of the A.P. Public Works Accounts Code.

119. Estimate for works in which it is intended to use prison labour will, as in the case of free labour, provide for the full marked value of the work to be done, but a note of the reduction, if any, to be effected thereby should be made at the foot of the abstract of the estimate - see Paragraph 488 of the A.P. Public Works Accounts Code.

120. Important structural designs should, as far as possible, be prepared in the Chief Engineer's Office together with the schedule of quantities, and the remaining designing work of importance should be concentrated in the Superintending Engineer's Offices, the executive offices being left to deal only with designs for the alterations of existing building and less important new works. The responsibility for the technical features of a design lies with the office of origin. Local officers will be responsible, however, for settling locally,

questions connected with the foundations and other similar matter. Subordinate officer should always bring to the notice of their higher authorities any unsuitability or technical defect in a design,

121. All Government servants should treat the rate and the amount of cost entered against each item in an estimate and the abstract showing the total estimated cost of a work or part of a work as strictly confidential. No information concerning them may be communicated on any account to any contractor, piece-worker or prospective tenders

11. Original Works (a) Civil Buildings

122. The site of every building should, if possible, be definitely settled before the detailed designs and estimates are prepared. Local authorities must be consulted in all cases as to the site. In the case of works or buildings which are intended to be erected in the neighborhood of any fort or cantonment, the matter should, in the first instance, be referred to the local Military Works officer for an expression of his opinion from a military point of view, and then submitted to the Government of India in the Defence Department for concurrence, and when such concurrence has been obtained, no deviation is permissible without previous reference to that department.

123. Rules regarding Zones of Defence Works will be found in Army Regulation India, Special attention is drawn to the restrictions on the construction of buildings, alteration of ground level and collection of materials in such zones; and to the prohibition of the transfer of State land in zones without the sanction of the Government of India. For further particulars - *vide* Appendix I-A.

124. Powder magazines should be provided with lightning conductors as directed in the Code of Instructions for the guidance of Public Works officers in the subject. A. conductors and their connections with the earth should be inspected and tested periodically under the rules laid down in that Code, by the Public Works Department officers, a report of each such inspection being submitted to the Superintending Engineer.

125. Design for the coach-houses attached to residential buildings should include provision for a motor pit with a wooden covering and a window. The coach-house should be capable of being used either for a carriage or a car.

(b) Roads

126. No road, bridge, ferry, tunnel, ropeway or causeway declared by the President to be of military importance, may be abandoned, or allowed to fall out of repair, without the prior sanction of the Government of India.

127. Projects for roads when submitted to the Government of India for sanction should be accompanied by the following documents, viz.—

- (i) Report, including a brief note on the proposed gradients.
- (ii) Abstract estimate of cost.
- (iii) Index map.
- (iv) Plans of important works only.

The documents numbered (i) to (iii) above should be either duplicate or copies as they are required for purposes of record by the Government of India, and will not be

returned with the orders on the project- Detailed estimates and sanctions are not required with such projects when being dealt with by the Government of India and need not be submitted,

128. Estimate for new lines of road should include the cost of all dwelling and inspection houses To be built along them for the accommodation of inspecting officers, subordinates and others; and the reports prefacing the estimates for such works must be full and informative, clearly showing the necessity for the road, its termini, the class of road proposed, facilities for future maintenance, and the type and volume of traffic anticipated, etc,

129. 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 it should be given and if it failed, the reasons; the kind of bridge now proposed, the reasons for the amount of waterway allowed, the height of roadway above the highflood level and headway allowed for boats, if any, the nature and size of snags, if any, the drainage of the stream - whether flat or hilly, the velocity of current in rainy and dry weather, liability to sudden floods, whether the stream is used for floating out timber, and if so, how the nature of bed and banks, whether the banks are liable to erosion, whether the stream is navigated and if so, by what types of vessels, the highest flood level, maximum and normal, and the nature of materials available within reasonable distance.

Whenever it is proposed to construct or modify a bridge, culvert, dam, diversion or other work, which might affect any railway line in the vicinity, the Railway Administration should be consulted in regard to the adequacy of the waterways etc., provided in the proposals. Where there is disagreement, the matter should be referred to the Chief Engineer, Roads and Buildings Department through the Superintending Engineer concerned. The decision of the Chief Engineer should be final.

130. In addition to the actual bridge plans the following plans should accompany an estimate for a new bridge:-

A plan of the stream for 2 kilometers above and below the proposed crossing with connected cross sections, at every quarter of a half-kilometer (or oftener, if necessary) a cross-section of the stream at the proposed showing the general level of the country on either bank as well as that of bridge site road approaches; the various water levels; the depth at which good foundation is available and its nature.

[A Register of bridges has to be maintained in Form No. XV (b) separately for National Highways and for State Roads taking the Division as a unit. Posting of the bridge register should be commenced from the starting mileage of the road in the division. Not more than one bridge should be noted in a page. The name of the road and the starting and ending mileage in that division should be written neatly on the cover page of Register]. [G.O.Ms. No. 913, PWD(Y), Dt. 21-6-1973]

(c) Town-Supply Project

131. For town-supply projects, the nature and quantity of the existing water-supply 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 to the area and population to be supplied, as well as the estimated daily allowance in gallons per head of population, the quality of the water and whether requiring treatment or not.

132. 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. The annual cost of maintenance should be estimated and calculations in support of the dimensions and discharges of pipes should be supplied.

III. Repairs

(a) General

133. 'Repairs' may be divided into two classes : 'ordinary' and 'special'. Ordinary repairs include-

- (i) those which, as a matter of regulation, are carried out periodically and which are usually of the same quantity from time to time, such as the painting or whitewashing of a building, or a new coating of metal on a road;
- (ii) other occasional petty repairs which may become necessary from time to time, and which may have to be carried out between the times of periodical repairs;
- (iii) In respect of irrigation works all operations required to maintain in proper condition, the works, as they are, i.e., to standards laid down already.

134. (i) Special repairs are other than ordinary repairs, i.e., they are repairs which are not periodical or frequent, e.g., re-roofing a building, replacing of beams, renewal of flooring, etc. whenever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Paragraph 93 for classifying the work should be observed.

(ii) In respect of irrigation works, special repairs include all operations required to maintain the work in a better condition, i.e., to an improved standard by using material of a more permanent or lasting nature without increasing the efficiency or scope of the system, e.g., cement plastering or pointing in place of ordinary plastering or pointing, plastering in place of pointing, roughstone masonry in place of dry stone packing, revetment to tank bunds at sites of breaches and low margins of rivers at places where they are eroded, grouting new'y the surface of the aprons and revetments, lengthening of aprons and revetments to protect erosions noticed in beds and margins of rivers, canals and channels. Whenever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Paragraph 379(c) for classifying the works should be observed.

[(iii) In respect of works undertaken by the Roads & Buildings department "Special Repairs" include all operations of road embankments, eroded margins of road, and approaches to bridges, e.g., improvements to revetments of road embankments, restoring the eroded margins of a road or protecting them with revetment etc.. vide also instructions in the exceptions to Rules 4 and 5 under Explanatory Note 26 of Appendix 4 to A.P.P.W. Accounts Code, Whenever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Para 93 of the A.P.P.W. D, Code for classifying the works should be observed]. [Added by G.O.Ms, No. 171, PWD, Dt, 23-5-1963]

135. **Ordinary repairs:**—Except in the cases contemplated in Paragraph 147, a Separate estimate should be prepared annually for all anticipated ordinary repairs of each building at work or group of works during the working year, as detailed in the budget.

136. An ordinary repair estimate lapse on the last day of the financial year in the case of roads and buildings. In the case of irrigation works, however, separate working years have been laid down as shown below in order that the estimates may be prepared in

the slack season, and that the end of the financial year may not interfere with the working season of the department :-

Circle	Division	Date
1. Wallair	All divisions	31st January
2. Dowlaishwaram	All divisions	30th November
3. Vijay Wada and other Circles	All divisions	31st March

Note (i) :— The annual maintenance estimates of River Conservancy Works of the Krishna river will be closed on the 31st January, those of the Krishna anicut and the floating plant of the Krishna Delta system on the 31 st December and those of the floating plant of the Godavari Delta system on the 31st March. The annual maintenance estimates for the Buckingham Canal Division will be closed on the 31st July.

Note (ii) :— In future all sanctioned estimates for deposit works whether original works or repairs, will continue to be in force till the work is completed or unless the estimate is operated upon for five years, whichever is less-

Note (iii) :— If any annual maintenance and repair work, the accounts of which have under this Paragraph to be closed on the 31st March, is executed under the lump sum contract system, as described in the A.P. Detailed Standard Specifications and the date of completion thereof according to the agreement entered into with the contractor falls beyond the 31 st March, the date of closing the estimate for the work shall be the date of payment of the final bill to the contractor after the completion of the work.

Note (iv) :— The annual maintenance estimate of the Thungabhadra project low level canal system in Andhra Pradesh area will be closed by 31st March, every year.

[G.O.Ms. No. 16164, P.W.(Y) Dept., Dt. 14-11-68]

137. The sanction to an ordinary repair estimate lapses on the last day of the year fixed by the State Government under Paragraph 136. If, however, inconvenience would arise in any exceptional case from the stoppage of the work on the fixed date, the repairs may be carried on to completion, the expenditure after the date being treated as expenditure against a fresh repair estimate of the next working year.

In the case of non-periodical estimates pertaining to irrigation works the time limit of five years prescribed in Paragraphs 139 and 186 for sanctions to estimates for original works and special repairs will apply -

138. Repairs estimate should, like those for original works, provide for the removal of all rubbish which may have accumulated, filling in unsightly pits, etc., round the buildings, all works establishment employed specially on the work; and, under separate sub-heads, all watchmen sanctioned by competent authority for the care of vacant buildings, guarding works, working sluices, etc.

139. Estimates for special repairs remain current till the completion of the repairs in the same manner as estimates for original works - vide Paragraph 186.

140. In cases of urgency the Superintending Engineer may authorise the commencement of periodical repairs in anticipation of the formal sanction to the estimate;

but in such cases an approximate sum must be fixed, to the expenditure of which sanction is provisionally given, and the Executive Engineer will be responsible that sanction of the competent authority is accorded to the regular estimate at the earliest possible date.

141. In the case of all descriptions of work for the renewal of which any specific period of time has been fixed, the estimate for its repair should show the date when such item of work was last executed.

142. The administrative approval is required for works, which are of the class either ordinary or special repairs. The class of mixed works described in Paragraph 93 above require the same approval as original works,

143. To facilitate the preparation of estimates for periodical repairs, a standard measurement book may be kept in the office of each Executive Engineer, showing the detailed measurements of each kind of work which is usually subject to renewal in each work under his charge - *vide* Paragraph 295, A.P. Public Works Accounts Code. Standard measurement books should, however, be maintained properly in the case of repairs to floating plant which require periodical repairs such as painting and tarring.

144. [Except in the case of lumpsum estimates for ordinary repairs, dealt with under Paragraph 147, the annual expenditure on ordinary repairs to Government buildings (both residential and non-residential) exclusive of municipal taxes, should be limited to maximum of $3\frac{1}{2}$ per cent of capital cost. In applying this limit to residential buildings, the capital cost of all residences in each circle will be taken into account and within the total amount so arrived at, it will be permissible to incur up to A/A per cent for buildings which are over two decades old and $2\frac{1}{2}$ % for buildings which are less than two decades old. If, in any year, the expenditure on ordinary repairs to the Government buildings in a circle exceed the limit of 3 Vi per cent, the sanction of the Superintending Engineer should be accorded for incurring the excess expenditure]. [Subs- by Memo. No. 1328-Y 68-6, PWD. Dt. 24-3-1969]

As regards special repairs, as defined in Paragraph 134, no limit has been fixed with reference to the capital cost of any building, as such repairs are not annual or strictly periodical. Such estimates should be carefully scrutinized and sanctioned by the competent authority as occasions arise.

Note 1 :-For the purpose of this Paragraph, the term capital cost of buildings excludes the cost of sites and land appurtenant thereto but includes the cost of sanitary and water-supply installations.

Note 2 :-The limit of $3\frac{1}{4}$ percent on the capital cost laid down in the above Paragraph for annual expenditure on ordinary repairs to Government buildings is relaxed in the case of attached buildings in the Agency tracts provided the annual expenditure on repairs to each of the buildings does not exceed the average of the past five years. (Memo, No. 1328-Y/68-6, PWD, Dt. 24-3-1969)

Note 3:-The instructions in the above Paragraph do not apply to Government Houses and the connected buildings which are governed by specific rules in Paragraph 411 of this Code.

144-A. The Executive Engineer and the Electrical Engineer (General) may incur expenditure on the maintenance of electrical installations in Government buildings up to a limit of y/t per cent of the capital cost of the installations without reference to higher authorities. In special cases, in which expenditure in excess of the above limit has to be

incurred, the sanction of the higher authority, via., the Superintending Engineer or the Chief Engineer, as the case may be, should be obtained for the excess expenditure. In the case of residential buildings, the provision for repairs to the electrical installations may be included in the lumpsum provision to be fixed under Paragraph 147, of the A.P. Public Works Department Code, this particular item of expenditure being exhibited in the expenditure schedules separately as in the case of "Rates and Taxes" for purposes of accounts.

In the case of the installations in non-residential buildings, a consolidated estimate for all the electric installation in each sub-division should be prepared and sanctioned.

A separate working estimate should be sanctioned to cover the expenditure incurred on account of the cost of the establishment employed to look after the installations in both residential and non-residential buildings including special plant and machinery therein and the expenditure may be distributed annually to the estimates of the several buildings concerned for purposes of capital and revenue accounts-

Note:— The above instructions do not apply to the Government Houses and the connected buildings which are governed by the specific rules in Paragraph 411 of the Code.

[Limits for repairs to residential Buildings

*

Buildings more than 23 years old - 4 1/2% Buildings 20 years old or less than 20 years old - 2 1/4% of capital cost.

Overall maintenance expenditure to be limited to capital cost of 3 1/2%],

[G.O.Ms. No. 1015, PWD. Dt, 31-5-1968]

[The Government direct that the maintenance limit of expenditure on Government buildings shall be calculated on the basis of plinth area of the Government Buildings at the Rate of 0.68 Ps- per Sq.ft-j. [G.O.Ms. No- 86, P.W.D, Dt. 3-2-1973]

Maintenance limit of expenditure - On plinth area basis - Enhancement (G.O.

Ms. No. 211, Transport, Roads and Buildings (B.I.) Dept., Dt. 5-7-1985) Ref.

:— 1. G.O. Ms. No. 351, T.R. & B, dated 12-10-1982. 2. G.O. Ms. No. 1112/B-1.2/88.1 dated 31-5-1988.

Order:—The existing norms for maintenance of Government buildings were laid down in the G.O. 1st read above, wherein the limit of expenditure was fixed on plinth area basis at Rs. 1.20 per sq. ft-

2. The need for proper maintenance of hospital buildings as well as educational institutions has been pointed out from time to time by the concerned departments. The Chief Engineer (Buildings) has also requested for the upward revision of the maintenance norms for proper upkeep of Government buildings and reported that the CPWD has been adopting different norms for Offices, Hospitals and Schools. While in the case of Offices, the maintenance norm is Rs. 1.60 per sq. ft., it is Rs. 2.20 per sq. ft- for Schools and Hostels and Rs. 3.00 per sq. ft- for Hospitals. He has, therefore, requested the Government to enhance the maintenance norms based on the CPWD norms.

3. The Government after careful consideration of the proposal of Chief Engineer (Buildings) has decided that a revised set of norms based on CPWD norms should be adopted by the State Government as indicated in the following paragraphs.

4. The maintenance limit of expenditure of Government buildings on plinth area basis shall be enhanced as indicated below:—

1. Normal residential and office buildings and others not covered by (2) and (3) below Rs. 1.60 per sq. ft. per year.

2. Educational Institutions and Hostel Buildings Rs. 2.20 per Sft. per year.

3. Hospital and Medical Buildings Rs. 3.00 per Sft. per year.

5. Necessary amendments to A.P. Public Works Department Code will be issued separately. The Chief Engineer (Buildings) shall send necessary proposals through the Engineer-in-Chief (Roads and Buildings).

145. The estimate when prepared will be submitted to the officer occupying such building, or in the case of military buildings in charge of the Public Works Department, to the Officer Commanding the station for countersignature in token that all repairs now to be required are provided for. In the case of buildings occupied by officers of a civil department occasional repairs not provided for in the annual estimate will be executed on requisitions sanctioned under Paragraph 110.

146. Provision for the payment of municipal and other taxes on public buildings should be made in the annual repair estimates in the cases indicated in item 56 in Appendix No. 12, to the A.P. Financial and Account Code, Volume II.

(b) Lump-sum Repairs Estimates

147. If the cost of ordinary annual repairs, excluding the municipal taxes to a building (residential or non-residential) is less than Rs. 1,000 the Superintending Engineer may prescribe, subject to revision from time to time, a lump-sum limited to Rs- 1,000 (plus the amount of the municipal taxes, if any payable by Government under Paragraph 250) to cover the cost of ordinary annual repairs and within this amount, expenditure will be permissible year after year without any detailed estimate being prepared. The Executive Engineer enjoys similar power upto a limit of Rs. 500 for each building. Such lump-sum estimates should be framed after a consideration of the cost of maintenance in the past and is not subject to the 1 per cent limit under Paragraph 144 except in the case of residential buildings- If, in any working year, this estimated cost of ordinary repairs is more than the permissible limit given above, or if the lump-sum sanctioned by the Superintending of Executive Engineer is exceeded, a detailed estimate should be prepared, in accordance with the ordinary rules and sanctioned by the competent authority. On sanction being accorded to such an estimate, the sanctioned lump sum estimate would automatically be superseded for the working year in question-

Similarly lumpsum estimates may also be prepared and sanctioned for ordinary repairs to floating plant based on a five-year limit of expenditure subject to the following conditions :-

In the case of staff boats or steamers for which proforma accounts are maintained individually for each plant, the expenditure on any one plant in any years together with the expenditure on that plant in the previous four-year should not exceed the five-year limit to be fixed. In the case of other minor floating plant, a single lump-sum estimate based on a five-year limit to be fixed may be sanctioned for the repair of all floating plant included

in a class and the total expenditure for any one year on all the plant in any one class should not exceed one-fifth of the five-year limit fixed for that class.

Electrical Maintenance Works

Similar lumpsum estimates may also be prepared and sanctioned for ordinary repairs to electrical installations in civil buildings. Where the cost of such annual ordinary repairs is less than Rs. 2,000, the Chief Engineer (Roads & Buildings) may prescribe, subject to revision from time to time, a lumpsum limited to Rs. 2,000/- to cover the cost of annual maintenance of electric installations in civil buildings. The Electrical Engineer (General) may similarly prescribe lumpsums up to a limit of Rs. 500/-, Within this amount the expenditure will be permissible year after year without any detailed estimates being prepared and when the above limits are exceeded in any working year detailed estimates will have to be prepared in accordance with the ordinary rules and got sanctioned by the competent authority.

Note :-The sanction accorded to lumpsum provision referred to in the Paragraph should be held to be a sanction for an estimate for the amount of lumpsum for all purposes of this Code.

(c) Special Repairs

148. It is irregular to classify under "Special Repairs" an estimate which provides for items of ordinary repairs for the reason that the repairs cannot be completed before the date fixed for the closure of annual maintenance estimates.

IV - Roads

149. Unless metal is to be obtained by purchase of contract, to be delivered on the road, the estimate should show the proposed cost, divided under "cost of collection" and "carriage"; if the metal is to be manufactured The probable outlay on each sub-head of the operation should be shown distinct from carriage.

F - CONTRACTS I Methods of Execution of risk

150. The works executed by the department are carried out by one of the undermentioned three methods. Lumpsum form of contract is to be adopted for contracts exceeding Rs, 20,000. If not, prior approval of the next authority is necessary, but Chief Engineer has got full powers: - [G.O.Ms-No, 85), PWD, Dt. 30-4-1970]

(i) Departmentally, by the employment of daily labour, (ii) by piece-work agreement in form Public Works Department V-51, and

(iii) By an agreement in form Public Works Department V-53, based on a lumpsum tender system, as defined in the Andhra Pradesh Detailed Standard Specifications.

Method (i) is adopted in cases where no contractors are available or where, for other reasons, it is found more economical. Under this method, the department manufactures or purchases its own materials. The purchase of materials or tools and plant and machinery is governed by the store rules in Appendix 15 to the A.P, Financial and Accounts Code (Volume II).

[Under Method (ii), the piece-worker merely agrees to execute a specified work at specified rates without reference to quantity or time. The conditions of the contract add the

security to be taken from the piece-workers for the due fulfillment of the contract are set forth in form Public Works Department, V-51. The piece-worker usually possesses little professional knowledge or capital and employs no supervising staff. The department arrange;

for the supervision, the setting out and the measuring of all work. The piece work system shall ordinarily be confined to works costing not more than Rs. 25,000. Rupees One lakh for construction or repair works and Rupees Five lakhs for transport works. If, any case of improvement and repairs costing above Rs. 2,500 it is considered preferable to adopt the piece-work system instead of Method (ii) reasons therefor should be recorded in the relevant file- The schedule of rates in the piece-work agreement should show the rates either for finished work or for labour and material, as the case may be, even for items for which lumpsum have been provided in the sanctioned estimates].

[Amended by G.O.Ms. No, 1007, Tr.R, & B., Dt. 5-11-1976]

In regard to Method (iii), the details are set forth clearly in-

- (1) the Preliminary Specification of the A.P. Detailed Standard Specifications;
- (2) the standardized forms of articles of agreement, tender notice and tender mentioned in the A.P. Detailed Standard Specifications [Public Works Department Forms Nos. V-53(a) and 53(b) respectively], and
- (3) the intermediate and the final bill-forms connected therewith [Public Works Department Forms Nos. VI-75(a) and 75(b) J.

In the case of each work executed under Method (ii) or Method (iii), the authority accepting the contract will decide whether it is desirable to retain, in the hands of the department, the supply of imported stores or other materials.

In cases where it is decided that the department should supply certain materials to the contractor for use on the work, a description of every such material and the rate and place at which it will be supplied should be specified in the notice calling for tenders and also in the schedule forming part of the agreement - *vide* also Paragraph 327, A.P. Public Works Accounts Code.

In cases where the contractors are allowed to supply the required imported articles themselves, the description of such articles must be clearly defined by governing specifications. For cases where the "British Standard Specifications" standards are not applicable, other suitable methods should be adopted, such as, specifying the catalogue number product of a reputable firm. When test certificates are demanded, full particulars shall be given in the tender notice and the agreement and it shall also be stated therein that the cost of furnishing such certificates shall be borne by the contractors.

II. Contract Documents and Enforcement

151. Before a work is given out on contract, the authority competent to accept the contract must prepare "contract documents" to include-

- (i) a complete set of drawings showing the general dimensions of the proposed work and so far as necessary details of the various parts-works to be done under lumpsum items in the schedule to the agreement should be clearly defined by specifications or drawings, as necessary-
- (ii) a complete specification of the work to be done and of the materials to be used, unless reference can be made to specifications contained in the A.P. Detailed Standard Specifications and its Addenda Volume - (in the case of the items of work for which there

are already standard specifications, the numbers of the relevant specifications of the A.P. Detailed Standard Specifications should be referred to in the schedule attached to the agreement).

Note:-Items (i) and (ii) above are necessary for both piece-work contracts and contracts based on the lumpsum tender system.

(iii) a schedule of the quantities of the various descriptions of work. (This is necessary only in the case of contracts based on the lumpsum tender system as defined in the A.P. Detailed Standard Specifications. In such a case, the total under the Schedule A of the agreement must be equal to the lumpsum entered in the agreement), and

(iv) a set of "conditions of contracts" to amplify as necessary the preliminary and other specifications of the A.P. Detailed Standard Specifications forming part of contracts based on the lumpsum tender system; (in the case of piece-work contracts, the conditions considered necessary for any particular case in addition to those printed in Form PWD V-51 should be attached to the agreement).

152. The terms of a contract must be precise and definite - there must be no room for ambiguity or misconstruction therein. No contract involving an uncertain or indefinite liability or any condition of an unusual character should be entered into without the previous consent of the competent financial authority,

If the contract, even when it is within the powers of acceptance of the Executive Engineer, is to be of a very special nature, he should, before inviting tenders publicly, submit the contract documents to the Superintending Engineer for his approval or remarks together with a copy of the proposed advertisement for tenders and the form in which the tenders are to be submitted. The Superintending Engineer should similarly, when the amount of the contract is likely to exceed his powers of acceptance or when it is to be of a very special nature requiring in his opinion, the Chief Engineer's advice, submitting the contract documents to the Chief Engineer for approval.

153. Contracts should, where possible, be executed on one or other of the standard forms, but they may be modified to suit the requirements of any particular case, or for works of great magnitude, after consultation with the legal advisers of the Government. In cases where it is considered that none of the standard forms can be used even with suitable modifications, the contracts should be got prepared specially by the Government Law Officers.

Engineers and their subordinates are responsible that the terms of contract are strictly enforced and that no Act is done tending to nullify or vitiate a contract.

All agreements entered into with the department by contractor for the execution of works are exempt from stamp duty.

III. Tenders

Note:—The latest orders of the Government are printed under the Chapter 'Tenders' in Part II of this book.

154. Tenders, which should always be sealed, should invariably be invited in the most open and public manner possible, whether by advertisement in the Government Gazette or local news papers, or by notice in English and the vernacular posted in public places, and tenderers should have free access to the contract documents. The Officer opening the tenders should invariably date and initial on all the pages of the tender document.

(G.O.Ms. No. 1597, P.W.D., Dt- 18-6-1965)

[DCODE-5]

The notice should in all cases state-

(i) When and where the contract documents can be seen and the blank forms of tender can be obtained and also the amount to be paid for set of plans or other tender documents;

[(ii) When and where tenders are to be received and opened, the date of receipt) tenders should be at least 15 days for works costing Rs- 1.00 lakh and less, and 21 days for works costing more than one lakh and upto Rs. 5.00 lakhs and one month or more for work costing over 5 lakhs from the date of issue of the tender notice].

[G.O.Ms.No.1007, T.R. Ss. B., Dt. 5-11-1971]

Note:- Sale of tender schedules should be stopped three clear days before the date fixed for receipt of tenders. The officer issuing tender notice may reduce the time for any special reasons to be recorded.

(iii) [The amount of earnest money to accompany the tender shall be 1% of the estimated amount of the contract, subject to a maximum of Rs. 1.00 lakh in the case of contractors, who have not deposited a lumpsum of standing security deposit of Rs.1.0 lakh with the Chief Engineer, concerned, and 1 per cent only subject to a maximum (Rs.75, 000/- in the case of Contractors who have deposited a lumpsum of standing security deposit of Rs.1.00 lakh with the Chief Engineer concerned].

{Sub, by G.O.Ms.No. 4710, Tr., Road & Bids, (CI) Depts., Dt. 7-10-19^}

Note .'- Minor Irrigation works in Telangana area under the administrative control of P.W. Department entrusted to the ayacutdars for execution are exempt from the collection of earnest money deposit.

(iv) With whom or what authority, the acceptance of the contract will rest.

No tender should be accepted from a person who has been or who has in his employ, a person who has been in the Gazetted Service of Government in any capacity and has retired within a period of two years prior to the date of tender, except in case where the officer concerned has obtained specific sanction of Government to do so prior to the date of tendering. Such tender, if accepted, because such information has not been furnished by the tenderer, shall be cancelled when the fact of such tendering comes to the notice of the tender accepting authority. (G.O.Ms.No, 1845, PWD, Dt. 8-9-196)

Authority should always be reserved to reject any, or all, of the tenders so received without the assignment of a reason, and this should be expressly stated in the advertisement.

In the case of works to be given on contract based on the lumpsum tender, as defined in the Andhra Pradesh Standard Specifications, the forms of tender notice and

tender (standardized as P.W.D. Forms No. V-53(a) and 53(b) should be used with such modifications as any particular work may require.

No tender should be accepted from any person directly or indirectly connected with the Government service - vide Paragraph 72 of this Code.

The Executive Engineer or the Superintending Engineer, as the case may be, should open the tenders in the presence of the tenderers or their authorized agents who may choose to be present at the time. The officer opening the tenders should invariably date and in its not only the corrections in the schedule of quantities, schedule of materials to be issued specifications and other essential parts of contract documents but should invariably date and initial all the pages of the tender documents irrespective of whether they contain or not

not contain any corrections, over writings, etc. If there are corrections in the tender unattested by the tenderer, a note of such corrections should be made on the tender itself, when it is opened - *vide* Paragraph 9 of the Standard Tender Notice PWD Form No.15 (a). The Officer opening the tenders should keep a personal note of the total number of tenders opened by him and verify therewith the number in the comparative statement of tenders.

Tenders should be decided within a period of one/two/three months after the expiry of last date prescribed for the receipt of the tenders by the Executive Engineer/Superintending Engineer/Chief Engineer respectively and the decision regarding the disposal of tenders should be indicated at any time within the said period.

During the above mentioned period no plea by the tenderer for any sort of modifications of the tender based upon or arising out of any alleged misunderstanding or misconception or mistake or for any reason is entertained.

(G.O.Ms.No. 271, PWD, Dt. 20-2-1970)

Instruction

Acceptance of tenders - correction of rates in tenders - Instructions - Issued.

[Memo.No. 136/COD/80-1. I. & P. (PW) Dept.. Dt. 19-2-1980]

Ref. —Govt-Memo.No. 16-Y/72-^, PWD, Dt. 13-3-1972.

Order :-Certain general instructions have been issued through the Govt. Memo. referred to above regarding the acceptance of tenders. A question has raised whether, after opening of tenders if any contractor makes a representation regarding an error that has crept through oversight or inadvertence if any of the rates quoted by him, the revision requested for could be taken into account in evaluating the tender.

Government after careful consideration are of the view that by the very nature of submission made by the tenderer and the facts of the case, it should be possible for the tender deciding authority to ascertain whether it is a case of genuine error out of sheer oversight or inadvertence or it is a case of deliberate attempt to under bid in the first instance and being lowest try to gain advantage by enhancing the rate still below the next higher tender. This can be done by a comparison of the rate quoted with the estimated rate and the rates bid by other tenders for the item in view. In the former case (Oversight or inadvertence) the bid should be corrected according to the request of the bidder and evaluated for further consideration. In the latter case the tender should be summarily rejected and/ or such action taken against the tenderer as is permissible under the conditions of the bid or the rules of Registration of Contractors.

After the receipt of the comparative statement and before the selection of a tenderer, the officer concerned should examine all the tenders and satisfy himself that no corrections which were not in that tenders at the time he received them had been made in any of them.

Note 1:—Tenders should invariably be called for when the amount involved in a particular contract is [Rs. 5,000/-] or more. If it is proposed, in any case whether for urgency or any other reasons to be recorded, to depart from the rule, works may be entrusted on nomination at rates not exceeding estimate rates by the Executive Engineer, Superintending Engineer or Chief Engineer upto the following limits indicated against each.

Executive Engineer	Rs. 10,000
Superintending Engineer	Rs. 25,000
Chief Engineer	Rs. 50,000

When tenders are dispensed with in the case of contracts exceeding Rs. 20,000 a report should be made by the officer entrusting the work on nomination to the

higher authority indicating the reasons for dispensing with the tenders. When the amount involved is less than [Rs. 5,000/-] the Executive Engineer may call for tenders or not at his discretion.

[Insl. by G.O.Ms.No. 361, Tr, R & B. (B.I) Dept., Dt. 2-9-95]

This rule does not admit of a major work being split up into parts and each part being given out on contract without calling for tenders.

Exception:—This rule shall not apply to road works in the Agency tracts. In the case of such works. Executive Engineers are authorised to exercise their discretion as to whether tenders should be called for or not, even though the amount involved may exceed the limit of Rs- 2,500/-. In cases where the Executive Engineer decides not to call for tenders, the reasons for the decision should be recorded by him.

Note 2 :— Notices calling for tenders should invariably be published in prominent local newspapers in respect of all works costing over Rs. 1,00,000/-.

Note 3:— The Chief Engineers may authorize dispensing with tenders in the case of contract pertaining to major works provided that the total aggregate value of such contract in respect of a particular major work does not exceed Rs.10, 000.

Note 4:— When once tenders have been called for a work in accordance with Note (1) and there is no response or all the tenders received are unsatisfactory and have to be rejected and it is considered that a call for further tenders will be fruitless and undesirable, the officer who is competent to accept the tender may allot the work to a contractor selected by him with the sanction of his immediate superior authority. At rates not exceeding estimate rates.

Note 5:— The rule in Note (1) above applies—

- (a) to contracts for execution of works including supply of materials for such works by the contractors themselves, but not to contracts involving only supply of materials (other than road quarry materials) or tools at a plant; and

- (b) To contracts for the supply of road quarry materials. :

In the case of supply of materials (other than road quarry materials) and tools at a plant, the stores rules in Appendix 15 to the Andhra Pradesh Financial Code (Volume II) apply - vide also Article 187 of the Andhra Pradesh Financial Code Volume I. Asphalt, tar and such bituminous products for road surfacing are governed by the Stores rules.

Note 6:—When once tenders have been called for a work in accordance with Note (1) and 'supplemental' or 'additional' items may be entrusted to the original contractor dispensing with tenders as follows subject to the provisions of Para 176(e) APPW 'D' Code.

1. Such items of work that are found necessary after letting out a contract and cannot be taken up for execution independently without interfering with The original work let out and have necessity to be executed along with the original contract shall be considered as 'Supplemental items of work contingent of the original contract'.

2. Supplemental items of work contingent on the main contract have to be necessarily carried out through the original contractor as 'authorised extra' by entertaining No a supplemental agreement(s). The power for executing original contracts according to delegation of powers is farce regarding of who has executed the main contract in a given case, subject to however, to the condition that if the net effect of supplemental agreements to be entered into is to enhance the total value of work under the main and supplemental agreement to such an extent at sanction to revised estimate is required to a higher authority than sanction of the revised estimate from the higher authority shall be obtained before entering into supplemental agreement(s).

3. Such items of works that are found necessary after letting out a work and be executed independently without affecting or interfering with the execution of the work let out. shall be considered as 'Additional items to work not contingent on the original contracts'. Such additional items of work may be let out after call of tenders. However, if at tender call is considered undesirable and it is considered necessary to entrust the item of work on nomination to the original contractor involving the provision in Note (1) above it may be done so, provided the total value of such additional items does not exceed upto which the officers can entrust works without calling for tenders as per the delegation of powers in force. If the value of the items exceeds the limit, approval of the next higher authority shall be obtained. They can be executed only after separate estimate or a revised estimate or a workslip containing the additional items is sanctioned/approved by the competent authority. Entrustment of such items shall be at rate not exceeding the estimate rate,]

[Subs. by G.O.Ms.No. 169, TR, R&B(C!) Dept., Dt. 25-5-1981]

Now 7 :—(a) In the case of river conservancy works, reach-wise major estimates can be split up into the various working estimates, for different items of work. such as supply of stones, conveyance of stone by Punts along the River Channels or Canals and other miscellaneous works of pitching or packing stone or Earth work etc., where all these items of work cannot be successfully and speedily executed by one single contracting agency in time.

(b) In the case of collection of stone which has to be made at short notice, the agencies for supply of stone and its conveyance can be fixed in advance by calling for open tenders for rate contract quotations annually for the period from July to end of June each year on the analogy of the rate contracts awarded by Director-General of Supplies and Disposals, for supply of stone, mate rails and Tools and Plant articles.

(c) [For the other miscellaneous items of works and those involving labour and earth work etc., reach-wise tenders may be called for. These tenders are to be compared with the basic rates and decided. The basic rates are arrived at by taking the average of the accepted tenders of the past three years].

[Subs. by G.O.Ms-No. 1169, P.W. (Code), Dt. 12-11-1973]

During the above mentioned period no plea by the tenderer for any sort of modifications of the tender based upon or arising out of any alleged misunderstanding or misconception of mistake or for any reason should be entertained-

[G.O.Ms.No, 2215, Public Works (V) Dept., Dt. 21-10-1964]

Instruction

(Memo.No. IOI/Y/70-1, DI 201970)

Order:—The Accountant General, Andhra Pradesh suggested to Government that in the case of works let out on nomination basis, an amount equal to 2% or 5 per cent of the value of contract works has to be recovered from the contractors before the agreements in piece work or lumpsum forms respectively, are signed by competent authorities, as the provisions of parts 154 and 155 of the A.P.P.W.D. Code do not provide for the same. He desired that necessary clarification be made and the relevant rules in the P.W.D. Code be amplified.

2, In consultation with Chief Engineer (General) and Accountant General, Andhra Pradesh, the Government of Andhra Pradesh directs that:

(i) The Earnest Money Deposit should be collected in respect of nomination contract as in the case of K-2 contracts but, where this is not done. Le., where 2% is not collected in advance, deductions must be made from each bill at 5%, and

(ii) These orders do not apply to job works for Rs. 500 and less and for works entrusted to special agencies of execution of like Bharat Sevak Samaj Labour Contract Cooperative Societies etc.

Instruction

(C.E.'s. dr. Memo-No.Rc.FJ<2)/7279/68. Dt. 24-7-1970)

Order ;—Certain instances have come to the notice of the Government wherein officers of Public Works Department have awarded works on nomination by splitting up works when there was no response or poor response to tender calls for the entire work without again calling for tenders for the split up work.

The attention of The Chief Engineer is invited to the instructions issued in Government Memo.No. 553-N2/66-2, P.W.D., dated 17-3-1966 and Government Memo.No. 94-Y/ 66-4, P.W.D. dated 16-1-1967. The Departmental Officers were authorised to split up large works in such a manner that they are capable of independent execution without interference with the progress and actual execution of the other places into which the work might have been split up. The intention is that the small contractors with limited resources may also have the opportunity to compete with the bigger contractors and reduce monopolistic tendencies. In spite of instructions in Para 2 of the Government Memo No. 94/Y/66-4, P.W.D., dated 16-1-1967, the Departmental Officers shall continue to invite tenders for large works though they can be conveniently split up into parts as envisaged in the above instructions. After noticing that there is poor response or no response from the tenders, the officers split up the work and entrust them on nomination. This practice deprives the benefit of lower rates to the Government, had tenders been called for again after splitting up the works.

After careful consideration, the Government direct that the instruction issued in Government Memo. No. 94-Y-66-4, PWD, Dt. 16-1-1967 should be followed scrupulously. If, for any reason, it is not possible or convenient to split up large works before calling for tenders and tenders are called for the entire work and there was no response poor response, the Departmental Officers should split up the works in a judicious manner and call for tenders again for these split up works- If the tenders are still high even after repeated

tenders calls and if it is considered that further calls will be fruitless, the Departmental officer may allot the split up works on nomination to various contractors selected by him within the estimate rates as per Notes 1 and 4 of Para 154 of A.P.W. 'D' Code, or execute such works departmentally or through petty job works, supplying materials departmentally.

The Chief Engineers under the administrative control of public Works Department and Public Works Department (Project Wing) are requested to ensure that the above instructions are scrupulously followed by all the officers concerned.

Instruction

(Memo.No. 759/Jrr. IV/2/75 8, Irrigation & Power Deps., Dt. 10-7-1975)

Order:—In the Chief Engineer, Major Irrigation & General's Circular Memo. First read above, the officers of the Department were instructed not to accept any tenders containing a rate more than about 15% above the sanctioned estimate rate for any individual item of work. The Superintending Engineers of Dowlaishwaram and Anantapur circles have requested that the margin of 15% specified for each item in the Chief Engineer, Major Irrigation & General, Circular Memo may be raised to 25% as the tendered rates for individual items of work are likely to exceed the sanctioned estimate rate by more than 15% due to several indefinite factors. The Chief Engineer, Roads & Buildings had also suggested a variation of 25% instead of 15 per cent stating that some times the schedule of rates may not be realistic and further proposed that this 25 per cent variation from the estimate rate must apply both for excess rate as well as low rate quoted by the tenderer.

The Board of Chief Engineers have considered the above proposals of the Superintending Engineer, Dowlaishwaram and Anantapur circle and the Chief Engineer, R & Q, in their meeting held on 4-12-69 at Hyderabad and decided as follows :

1. To accept any tender containing a variation in rates of (plus) or (minus) 25% of the sanctioned estimate rate for any individual items of Work-2, In respect of items of any tender where the variation in rates exceeds (plus)

Or (minus) 25% the specific approval of the next higher authority should be obtained,

The Chief Engineer, Major Irrigation and General accordingly direct that the Officers of the P.W.D, Irrigation branch shall implement the above decisions of the Board of Chief Engineers with immediate effect in lieu of the instructions issued in Chief Engineer, Major Irrigation General's Circular Memo, No.Rc,FI(2)/77279/68, dated 3-10-1968.

Deviation from the above instructions will be viewed seriously and the officer accepting the tender will personally be responsible for any monetary loss to Government.

Instruction

(Memo.No. 1348/Y/68 4, Dt. 24-12-1970)

Order:—The Chief Engineer, Major Irrigation and General is informed that no approval of Government is required for tenders which are within the competency of Chief Engineer even if individual rates are over + 25%. It is for the Chief Engineer to examine the tenders in all aspects as per the rates in force, and accept the tender. Acceptance of tenders with individual rates over 25% is the responsibility of the Chief Engineer, and he should record reasons in the comparative statements, in case such tenders are accepted by him.

Instruction

During scrutiny of tenders and revised estimates various irregularities committed by Departmental officers in acceptance of tenders, and preparation of estimates have come to the notice of Government. It is observed that the irregularities committed were mainly due to non-observance of the codal rules and instructions issued by the Government from time to time. The various irregularities noticed could be avoided if the departmental officers observed the codal rules scrupulously.

The various types of irregularities noticed and remedial measures to be adopted to avoid a recurrence of such irregularities are detailed below for the guidance of the Departmental Officers,

L ACCEPTANCE OF TENDERS - MAJOR IRREGULARITIES - REMEDIAL MEASURES**(1) Comparison offenders with unapproved rates and modified estimates:**

In most of the cases the tenders are called for based on sanctioned estimates. But after receiving the tenders, the rates in the sanctioned estimates are stated to be unworkable and the tenders are compared with modified higher rates based on some data on the plea that the modified higher rates are workable ones.

This procedure is not contemplated in the code rules- This irregularity must be avoided and tenders invariably compared and accepted with reference to the rates in the sanctioned estimates only. If the rates in the sanctioned estimates are found not workable with reference to the current S.S.R. due to this lapse of time or wrong data etc., the proper course would be either to submit revised estimate adopting current schedule of rates before the tender call is made for approval of the competent authority or to submit the tender along with the data to the Government justifying higher rates.

(2) Acceptance offenders above the estimate rates when competition is low:

There are cases where tenders have been accepted nearly at 5% above the estimate rates when the competition is low and even only one tender is received. The powers of accepting tenders upto the permissible limits above the rates in the sanctioned estimates should be used cautiously and only after making sure that the acceptance of such tenders is unavoidable.

In case where there is no response to a tender call and a further call is considered fruitless, and the works are proposed to be entrusted on nomination, the works should be entrusted at or below estimate rates, and where the rates exceed the estimate rates as a result of negotiations with a selected contractor or contractors the sanction of the Government is necessary as per Government Memo No. 419/Y/66-3, dated 20-7-1966 and Govt.Memo.No.1856/Y/69-2, Dt. 29-12-1969.

Alternatively the instructions issued in Government Memo. No. 553/N/66-2, PWD, Dt.17-3-1966 Government Memo. No. 94/Y/66-1, PWD; Dt, 16-1-1967 and Govt. Memo.No. 101/Y/70-1, PWD, Dt. 25-2-1970 for splitting up works in a judicious way and calling for tenders again for the split up works should be followed.

(3) Lack of sufficient competition from tenders can be avoided if the following precautions are taken:

(a) A minimum of one month's time for the receipt of tenders should be given in tender notices, in respect of each tender for works above Rs. 1 lakh as per Para 154 of APWD Code.

(b) Wide publicity should be given as contemplated in Note 2 under Para 154 of APWD Code.

: (c) Only one schedule of rates should be adopted by all Departments, that " is PWD, Electricity, (R & B) etc., to avoid the dearth of contractors, where the rates are low Instructions issued in G.O.Ms.No. 781, PWD, dated 6-5-1967 should be followed.

(d) If the tenders are still high even after repeated tender calls, departmental execution shall be tried by entrusting works to job workers within the estimate rates supplying materials departmentally, - *Govt. Memo.No. JOI/Y/70-i. PWD. Dt. 25-2-1970.*

(4) The authority accepting tenders should carefully observe the following points:

(1) The high rates against any item should not be accepted unless they are justified with reliable data-

(2) The monopoly of works by one or a few contractors in a circle or project should not be encouraged.

(3) When tenders with high rates are submitted by all the contractors in league, they should be rejected, and departmental execution should be proposed,

(5) Calling/or lenders and execution of works before administrative and technical sanctions are accorded :

Instances have come to the notice of Government wherein the Departmental officers have called for tenders for works and accepted them even before the administrative approval and technical sanction are accorded. This practice is contrary to the instructions in Para 173 of APWD Code. However, in respect of really emergent cases instructions in Para 177 should be scrupulously followed.

Instances have also come to the notice of Government wherein the departmental officers have accorded revised technical sanction even before the approval to the revised administrative estimate by the Government and called for tenders, which were compared with the revised estimate prepared. The instructions in Para 1 of the Government Memo. No. 3A,fc/66-I, PW (PW), dated 21-1-1967 that the revised estimates prepared by departmental officers should not be adopted by them for comparison and acceptance of tenders unless such revised estimates are approved by the Government should be followed,

REVISED ESTIMATES - MAJOR IRREGULARITIES - REMEDIAL MEASURES

1. Inadequate investigations :—Most of the schemes are not thoroughly investigated in respect of the site conditions and the estimates are prepared in a slipshod manner where by important items of works which should have been included in the estimates are omitted.

A careful study of site conditions during the detailed survey will give proper assessment of the situation in order to make adequate provisions to suit the conditions. Thorough hydrological studies in respect of irrigation schemes are most essential to assess correctly the potentialities of the scheme before taking up the surveys, in order to avoid changes at a later stage modern geophysical instruments may be used to ascertain quickly

the rock levels during the preliminary survey and the same may be verified by duly conducting clay drill core borings during the detailed survey in order to ensure the availability of sound rock at an economical depth and to avoid the change of the scope of the scheme or the site at a later stage on account of the non-availability of sound rock for foundations. The block levelling and preparation of block plans will be helpful to finalise the alignment of branch canals and major distributaries and to localise the available commandable ayacut and to avoid alterations at any stage. In respect of the main canals and branches, and major and minor distributaries detailed survey to the last block (of 100 acres limit) is necessary to provide fairly correct assessment of the provisions, regarding (i) L.A., (ii) Head Sluices, (iii) Drops, (iv) C.D. works, (v) Bridges etc., and of their correct positions in order to avoid any excess at a later stage. In addition, the evaluation of site conditions during the detailed investigation is very necessary, in order to have an idea of the availability of local materials and skilled labour and to assess the necessity for the importation of additional labour required for the works and to work out the probable cost towards their transportation charges and their amenities. Detailed investigation will help in real savings of money and time ultimately.

Detailed estimates should be prepared before according administrative sanction in accordance with the instructions issued in Government Memo No. 1762/N2/68-2, dated 25-5-1968.

The Chief Engineers should personally inspect the site of projects costing over Rs. 10 lakhs before according technical sanction according to the instructions issued in G.O.Ms.No. 1467, P.W.D., dated 16-5-1959 (Govt. Memo-No. 258/607/P.W.D., dated 12-2-1969)

2. Improper estimating:—Mistakes are noticed in working out the quantities and rates of items of work. Some times important items of works also are omitted while preparing the estimates, due to lack of knowledge and experience and due to carelessness, Inspection of site and scrutiny of data by Superintending Engineers similarly as in the case of works costing over Rs. 10 lakhs which are reported to be inspected by Chief Engineers will help correct preparation of workable estimates with adequate and reasonable rates. Correct provision for all the items necessary for the work and correct preparation of data for a work is possible only if the officer has an intimate knowledge of how exactly the work is to be executed. Failure in this regard results in preparation of defective estimates leading to upward revision later.

Excesses in revised estimates are not due to the increases in the cost of materials and labour rates but also due to the following facts.

3. Changes in specifications :—In some estimates, etc., surki mortar originally proposed in the sanctioned estimate is changed to cement mortar during execution, due to the non-availability of good surki in the locality thus resulting in excess expenditure.

It is necessary to study carefully the site conditions and the availability of local materials and to adopt suitable specifications to avoid changes at a large stage. Departmental officers should not change the specifications during execution without the prior approval of the authority who has sanctioned the technical estimate and also the authority competent to sanction the revised estimate if the extra expenditure involved necessitates preparation of a revised estimate. The change in the specification should not be proposed unless it is economical or unavoidable.

4. Change in quarries and leads of materials :—Sometimes the excess in the estimate is reported to be due to increase in leads of materials on account of the quarries originally adopted not yielding the required quantity of materials.

Necessity for change in quarries arises only if the quarries are not investigated properly in the first instance and the quarries adopted in the original estimate are not live ones, so it is necessary to study the site conditions carefully and propose good and live quarries which yield adequate materials.

Suitable for the work so as to avoid change of quarries with increase leads for materials and consequent increased rates instructions issued in Government Memo. No, 1611-Y/67-19; dated 18-3-1969 for maintenance of a road Metal Rate Book should be followed scrupulously. Failure of officers to attend to this important item should be seriously viewed.

According to condition 8 of the tender notice (IS contract) every tenderer is expected before quoting his rates to inspect the site of the proposed work and also the quarries and satisfy himself about the quality and availability of materials and the Government will not, after acceptance of a contract rate pay any extra charges for lead or any other reason, in case the contractor is found later on to have misjudged the material available. In spite of the above specific provision it is noticed that the departmental officers are entering into supplemental agreements to cover extra leads on some protest or other, necessitating revision of estimates. This procedure is highly irregular and should not be adopted. Serious view should be taken if the above instructions are not followed scrupulously.

5. Change in design, alignment and scope of the scheme :—It is noticed that the designs originally prepared are often revised, alignment of canals and branches are changed and the scope of the scheme are also changed adopting alternative sites for the construction of main structures during the execution without obtaining the prior approval of the authority competent to accord administrative sanction. For example, cause ways designed in the original estimate are changed as submergeable bridges during execution involving excess cost. The alignment originally proposed is changed, adopting alternative alignment which is not economical. The original site proposed for the construction of spillway and earth dam is changed during execution adopting an alternative site and thereby changing the scope of the scheme.

As required in Para 189 of APWD Code the departmental officers should not change the design or alignment of canal or change the dam site during execution without prior approval of the authority who sanctioned the original scheme. These changes should not be proposed unless they are economical or unavoidable.

6. Inclusion of new items not originally contemplated :—The L.S. provisions like cross masonry works, namely drainage culverts, syphons, aqueducts and bridges originally provided are found subsequently inadequate during execution and thus the new works originally not contemplated are proposed and executed with huge excess.

It is necessary to take up the detailed investigation of canal branches and distributaries and to assess correctly the number of structures required and their positions for estimating their cost after preparing detailed estimates wherever possible for each type work and providing adequate S.S. provisions for similar works on the basis of past experience instead of providing inadequate L.S. provisions, in order to avoid the omission of essential masonry

works. It is also noticed that detailed estimates are not worked out for all masonry works of canals and distributaries while obtaining original sanction and while according technical sanction by Departmental Officers and even while approaching Government revised administrative sanction. The L.S. provisions are generally allowed during preliminary survey but not in the original estimates submitted for sanction after detailed in vcslig aliens. It is necessary that detailed estimates are worked out for all works including canals and distributaries during the detailed investigations. It requires careful study and past experience to make the provisions under L.S. items as accurately as possible. So a careful scrutiny of proposals by superior officer is necessary in the preparation of proper estimates with realistic provisions.

7. Importation of labour and providing labour amenities :—Evaluation of site conditions is generally not done during the detailed investigation to ensure adequate provision in the original estimate. On account of this the departmental officers are not posted with the resources available in the area with reference to the availability of skilled and unskilled labour and additional imported labour necessary to execute the works.

It is necessary to assess the quantum of additional imported labour necessary for items of works with reference to quantities and the labour required (as per Standard Data) according to the phased programme to complete the execution and the cost involved in the transportation of labour from a particular place and to work out the cost for importation of additional labour necessary. Depending on the number of additional labour necessary importation, the cost towards labour amenities should be worked out. The departmental officers should carefully study the site conditions during investigation and make adequate provision in the original estimates for the importation of labour and labour amenities after working out the cost for all works when the distances and other conditions are not identical. So it is necessary to work out realistic estimates to minimise excess in the estimates to a reasonable extent. The instructions issued in G.O.Ms.No. 1624, P.W.D., dated 29-11-1969 and G.O.Ms.No.1452, P.W. (Y) Dept., dated 29-8-1970 regarding the procedure to be adopted in making provision for importation of labour and labour amenities in the estimates should be followed scrupulously.

8. Anticipated credits :—It is noticed that suitable provisions are not being made in the estimates towards anticipated credits, if any, e.g., dismantled materials stone obtained in (excavation) which is of useful value of retrievable materials. Suitable provision should be made towards anticipated credits in the estimates invariably in future.

9. Changes in classification of soils :—Many estimates are being revised due to higher classification of soils met with during actual execution. It shows that detailed estimates are not prepared carefully, by excavating adequate number of trial pits to the required bed levels of canals and classifying the soil correctly. The detailed estimates should always be prepared after excavating trial pits to the proposed bed level and the trial pits should be spaced at a minimum of 110" intervals so as to give reasonably accurate picture of classification of soils. Before starting the excavation of the main canals of big size (or when higher classification is expected during the excavation) pre-classification of soils as per trial trench classification at 110" intervals is recommended. In fact the trial trench classification (Pre-classification of soils) is a fool-proof method, which may make it impossible for the contractors to claim higher classification of works after completing the excavation of works. On the other hand, the open classification of soils based on hand-dogs left after excavation is completed would give room for corrupt practices by re-classification

Of soils to the higher side. Moreover, it is also possible to know the variation in the classification of soils between the estimate and actual execution before starting the excavation of canals, by adopting trial trench classification of soils to assess the excess cost for obtaining revised administrative approval. The trial trench classification has been adopted in the execution of N.S. Main Canals excavation with good results, thus considerably minimising the excess due to variation in the classification of soils. As reported by Chief Engineers, N.S. Canals variations of the classification of soils are not much upto 42/0 mile of M.S. Right Canals where trial trench classification was adopted for the works executed through contractors except in the reach 35/4+330 to 360 miles where open classification was adopted for the works executed through workers- It is useful to adopt the same procedure in all schemes in the state for the excavation of canals with wide sections or wherever more than three classifications of soils are anticipated, in order to avoid excess due to classification of less soils.

10. According technical sanction to the estimates beyond 10 per cent against the corresponding sub-head provision of the sanctioned project estimate:—Instructions were issued in Para 4 of the G.O.Ms.No. SOO, P.W. and T., Dt. 21-4-1955, that without sanction of competent authority, expenditure in excess of the provision in the sub-heads of the sanctioned estimates should not be incurred. Again in Government Memo. No. 553/N2/ 66-2, P.W.D., dated 17-3--1966 instructions were issued that wherever excess expenditure is anticipated in any sub-head, sanction of Government should be obtained for the excess in the sub-head.

Also Chief Engineers have been instructed to ensure that whenever the sub-head provision exceeds 10% of the corresponding provision of the sanctioned project estimate they should approach the Government for approval and no estimate should be technically sanctioned by them or other officers beyond permissible limit pending Government sanction except when it is ensured that the excess can be met from the probable savings under other sub-heads.

In spite of the above instructions, it is observed that, in many instances, the departmental officers are according technical sanctions in respect of sub-works much in excess of the provisions in project estimates against the sub-heads and also beyond their powers to sanction excesses without obtaining prior sanction of the Government- Monthly statements in respect of works costing Rs. 5 lakhs and above showing upto date total amount of estimates sanctioned technically against the corresponding sub-head provisions of the sanctioned project estimates are being furnished to Government. In order to keep a watch on the estimates sanctioned by departmental officers and to see that it does not exceed the sanctioned sub-head provisions of the project estimate for which administrative approval is accorded, similar action may be taken in respect of works costing below Rs.5 lakhs. If sufficient care is taken in this regard, excess in R.E. will, be fully kept under check.

11. Submission of revised estimates based on actuals:—The departmental officers have powers to accept tenders and execute works with excess quantities only upto the limits specified. If excesses are beyond their competition to approve, the revised estimates have to be sanctioned by Government. Abuse of powers by departmental officers in incurring expenditure beyond the limits specified should be taken serious notice of.

12. Incorrect comparison of revised estimate, with the estimates sanctioned technically for the purpose of obtaining revised administrative sanction:—It is observed that, while submitting the revised estimates to Government for obtaining revised

Administrative sanction the provisions in the revised estimate are being compared with the provisions in the estimate sanctioned technically by departmental officers (which are generally in excess of about 10% over the amount of administrative sanction).

The Chief Engineers are informed that the Accountant-General has suggested that the revised estimates may be compared with original administration approval as well as with technical sanction. The Chief Engineers are requested to follow the above procedure.

13. Submission of a revised estimates after the work is completed:—Revised estimates with huge excesses are sent to Government for approval long after the works are completed. Thus the departmental officers are transferring their powers and confronting the Government with an accomplished fact with the confidence that by such method their actions will automatically be ratified by Government.

The Departmental Officers have been told repeatedly that as soon as the excess in the estimate is found necessary or unavoidable, they should submit a revised estimate at an early stage of construction. The Departmental officers should scrupulously follow instructions in Para 214 of A.P.P.W.D- Code and avoid incurring excess expenditure beyond their powers without prior approval of the competent authority. Un-authorised execution of works in excess of sanctioned amount beyond the permissible limits will be viewed seriously by the Government.

14. Deliberate underestimating :—Cases of deliberate underestimating so as to ensure that the scheme is sanctioned giving revenue return of 1.5% for M.I, schemes for reducing the estimate cost to enable its being sanctioned at the level of Chief Engineer or Superintending Engineers have come to the notice of Government.

The departmental officers must give a correct picture of the actual cost of the scheme leaving the discretion to Government for its sanction. Under estimating, intentionally reducing the cost of scheme should be avoided,

15. Delays in execution result in excess cost:—Due to delay in the execution of the scheme as per the phased programme, the cost of the schemes will shoot up because of the price spiral.

Speedy execution and completion of works before the target dates will reduce the cost of construction and avoid revision of estimate. Estimates should be prepared making necessary and adequate provisions to complete the works under phased programme, after careful study of the resources and the site conditions. The real efficiency of the departmental officers has to be judged with reference to the preparation realistic estimates and execution of works within the target dates with economy and without boosting up the rates. Speedy execution of works with exorbitant rates should not be allowed except in the case of emergent works and that too with the approval of the competent authority.

16. Procedure for dealing with inevitable excesses that may occur during execution of works:—The excess in the revised estimates of major projects and schemes may be inevitable due to conditions beyond the control of the department example:—

1. Increase in cost in the present context of rising cost of works that are spread over a long period.
2. Increase in schedule of rates on labour and materials.
3. Increase in the cost of controlled materials.
4. Increase due to more excavation foundations based on the geology of rocks.

5. Increase in un-precedent dented and providential damages if reported in advance and the cost of such damages and proposed write of the as per clause 50 of A.P.S.S.

The officers should deal such cases judiciously and intimate the competent authority in advance. [CE's Circular Memo.No. Re A2/77279/68, Dt. 16-2-1978]

(1) The Board of Chief Engineers at its meeting held on 4-12-1969 have decided that in respect of items of any tender where the variation in rates exceeding (plus) or (minus) 25 per cent the specific approval of the next higher authority should be obtained. The Chief Engineer (Projects) Drainage wing has pointed out during discussions in the Board of Chief Engineers meeting held on 30-1-1971 that several minor items in a tender involving variation in quoted rate over and above (plus) or (minus) 25% are being referred to higher authorities for approval even though such minor items have no material effect on the overall tender percentage excess or less as they are all of very small value. He has therefore suggested that;

(2) The approval may have to be obtained from higher authority for items exceeding (plus) or (minus) 25 per cent over estimates rate provided the tendered value of such item is above Rs. 1,000/- on any individual items or alternatively the estimated value of such items put together is lower 10 per cent of the estimate value of tender under consideration.

(3) The above suggestion was considered by the Chief Engineers at the meeting held on 30-1-1971 and it was decided to clarify the previous decision of the Board of Chief Engineers, dated 4-12-1969 mentioned in Para 1 above as follows.

(4) In respect of items of any tender where the variation in rates exceeds (plus) or (minus) 25 per cent the specific approval of the next higher authority should be obtained-

(5) However, in respect of minor items in a tender, whose quoted rate will not substantially affect the overall tender percentage, the authority competent to accept the tender can do so without referring to higher authority irrespective of the percentage variation in the quoted rate after full satisfying himself that the quantity specified in the tender schedule under these minor items do not alter in actual execution.

(6) The S.Es, are informed, that for any variation in the quantities specified in the tender schedule under such minor items with abnormal high or less rates during actual execution resulting in charge is the over-all tender percentage of the tender, the tender accepting authority who has accepted these rates under the above discretionary powers will be held personally responsible for any consequent monetary loss to Government. (Govt.Memo.No. 16-Y/72-4,Dt. 13-3-1972)

A review of the quarterly return on the acceptance of tenders other than the lowest has revealed some irregularities in the acceptance of lenders. The following instructions are issued for the guidance of departmental officers ;

Acceptance of the lowest tender:—In respect of the work relating to strengthening of Surreally Major Distributary, the lowest tender was rejected on the ground that the tenderer did not sign the tender documents. None signing of a specification should not be the sole reason for rejection of the tender. If the tender is otherwise acceptable, the tender accepting authority should call for the tender and obtain his signature. The Chief Engineer (Major Irrigation and General) is requested to re-circulate the Chief Engineer's Confidential Officers for their guidance. In respect of the same work, the second lowest tender also was rejected on the ground that it had been received late after the time fixed for receipt of lenders. Tenders received after the time should not be taken into consideration for comparison of tenders- Such lapses should be avoided.

In respect of work relating to excavation of the toe trench in block No, 73 of Srisaillam Dam; the lowest tender was rejected on the ground that the tenderer was a new man. According to the confidential instructions issued by the Chief Engineer (General) in Memo.No, 1237-Ac/Gl., dated 19-6-1935 the fact that the lowest tenderer is a new man is not by itself a sufficient reason for the rejection of his tender. In such cases, enquiries should be made as to his financial status and capability. If having regard to the nature of the work to be done and the result of enquiries it is found that the tenderer is suitable, his tender should not be rejected. Instructions in the Chief Engineer's Memo No.1237/Act/35/Gl, dated 19-6-1935 should be scrupulously followed by the Departmental Officers. ,

Finalisation of tenders within the validity period :—It is noticed mat tenders' which require Government approval are sent up to Government after considerable delay, In all cases where approval of higher authority is required, the Chief Engineer should ensure that tenders are sent to the concerned authority as quickly as possible at any rate within one month of their receipt.

The monthly return presented in Government Memo-No. 1406-Y/70-1, dated 25-1-1970 should indicate where the delay occurred as also the detailed reasons for the delay,

Revision of tenders after tender call:—In some cases it has been noticed that after ^{call} of tenders revision of estimates has been proposed. Revision of estimates after tender call with a view to bringing down tender percentage is irregular. If there is need for revision of estimates, it should be done before the tenders are called for. ,

In the return of the Chief Engineer, NagarJunasagar Left Canals for the quarter¹ ending March, 1971 some items were not shown although acceptance of tenders was over for the reason that the arrangements were not concluded- It is clarified that the date of acceptance of the tender is the criteria for inclusion in the quarterly return and not the date of conclusion of agreement.

[Note 1:—Tenders should invariably be called for when the amount involved in a particular contact is Rs. 20,000 or more. If it is proposed, m any case, whether for urgency or any other reason, to depart from this rule, and entrust the works on nomination at rates nol exceeding estimate rates, the previous approval of the Superintending Engineer should be obtained in the case of works costing not more than Rs. 50,000, of the Chief Engineer in the case of work costing not more lhan Rs- 1,00,000, When the amount is less than Rs, 20,000 the Executive Engineer may call for tenders at his discretion. This rule does not however, admit of a major work being split into parts each costing less than Rs. 20,000 and each part being given on contract without calling for tenders, in the case of Electrical Works, powers of the Executive Engineer. Superintending Engineer and Chief Engineer to dispense with the call offenders are limited to Rs. 1,000, Rs. 2,500 and Rs.5, 000 respectively.

Exception:—*Deleted.*

Note 2:—Notices calling for lenders should invariably be punished in prominent news papers in respect of all works costing over Rs. 5, 00, 000.]

[G.O.Ms.No.1007, T.R. & B., Dt. 5-11-1976]

Instruction**Execution of Works under contract system - Revision of Estimates, etc. -
Modification of existing provisions**

(G.O. Ms. No. 37. Transport, Roads and Buildings (B.I.) Dept. Dt. 30-1-1990)

Order :—Government have been considering for some time various measures aimed at promoting efficiency and economy as also time and cost consciousness in planning and implementation of various public projects. It is considered that inadequate and superficial investigation practices vastly contribute to diseconomies and inefficiencies and some times even to outright wastage of public resources. Faulty investigation not only leads to subsequent inflation of costs, but also inhibits competitive bids, which would have been otherwise forthcoming, if the entire quantities of work involved are correctly estimated and included in the original tender. Further change if the scope of the work midway leads to cost escalation, legal complications, unintended benefits to contractors and inordinate delays in the completion of projects. In order to effectively control the time and cost overruns in the implementation of the projects and to fix up specific responsibility for proper investigation, implementation and monitoring of the projects and to avoid additional burden on public exchequer by way of escalation and subsequent revision of estimates, the following instructions are issued :—

(1) As all the project works are to be implemented strictly in a time bound manner, no clause providing for escalation shall be included in any future contract except in respect of works covered by external assistance.

(2) As already laid down in G.O- Ms. No. 430, dated 24th October, 1983, all claims of the contractors above Rs. 50,000/- should be settled in a Court of competent jurisdiction by way of a regular suit and the agreement should specifically prohibit arbitration for settling such claims.

(3) The A.P.P.W. Department Code already provides that the Chief Engineer should inspect all works costing over Rs. 10 lakhs before technical sanction is accorded. In order to ensure that this inspection serves the objective in view, a detailed check-memo is hereby prescribed and given in Annexure-I to this G.O. The Chief Engineer's inspection should be thorough and detailed and should cover:

- (a) The suitability of site;
- (b) The suitability of foundations;
- (c) Adequacy of design;
- (d) Soils and materials (qualitative and quantitative) and loads;
- (e) Soil classification of trial pits upto hard rock level;
- (f) Dewatering;
- (g) Land acquisition;
- (h) Forest clearance, etc.

Only after the Chief Engineer is thoroughly satisfied on all the above aspects that the project is feasible and is also capable of immediate execution and the estimate represents a true and correct picture of the work involved, he should accord the technical sanction.

A check slip for the inspection of the Chief Engineer is given at Annexure- A copy of technical sanction issued, together with the inspection report, should be invariably sent to the Government. If these instructions are followed, the cases of revision of estimate particularly on account of change in the soil classification or quantities of materials should be few and far between. It is expected that the Chief Engineer would personally satisfy himself that the estimate technically sanctioned by him incorporates the full requirement of the project consistent with the conditions at site.

These instructions should also be followed mutatis mutandis by Superintending Engineers and Executive Engineers while according technical sanction with the modification that copies of the technical sanction and inspection report be submitted to the next higher authority.

(4) Since most of the works are on L.S. contract system, time is the essence of contract. It is therefore absolutely necessary that a realistic period for the execution of the work is assured at the beginning and strictly adhered to.

For this purpose, at the time of entering into an agreement, the contractor should be asked to give a detailed programme for execution of work, physically and financially (item wise), completing the entire work well within the time prescribed. In the alternative, the consent of the contractor should be obtained to the programme work drawn up by the department. If the work is not completed at the end of the contract period, action should be taken to determine the contract under the relevant clause of A-P-D-D.S. If there are valid reasons for extending the contract period, proposals for extension of time should be sent to the authority competent to accord administrative sanction sufficiently in advance and any case at least one month before the expiry of the contract period.

It may be specifically provided that the period of agreement operates from the date of signing of agreement and not from the time of handing over of site, as some contracts deliberately avoid taking possession of the site.

In respect of check measurements and passing of bills:—

(5) Check measurement should be done as per para 294 of A.P.W.D. Code G.O. Ms. No. 405, Irrigation (Projects Wing) Department, dated 14-8-1984. The component selected for check measurement should not be less than 50% of the value of the work done and specially include such of the items where there is scope for fraud. In the case of embankments, L.S. of Cut-offs should invariably be checked for levels as well as for soil classification and also their suitability for foundation and impermeability by the sanctioning authority or by the Superintending Engineer in charge of the work. In cuttings, soil classification should be checked as per the existing instructions contained in Government Memorandum No. 364/NSP-II (i)/80-21, dated 29-10-1984.

Whenever the total value of work executed under contract exceeds the percentages of passing of excess by respective sanctioning authorities, further work is to be executed only after sanction of Government.

(6) **On-going works and extension of time:—**In respect of on-going works, for which technical sanction was accorded by Chief Engineers, in which the final expenditure is expected to exceed the original estimate by more than 15%, a report should be sent to the Government within one month from the date of issue of this order. The particulars of such works should be furnished clearly explaining the circumstances.

Simultaneously sent to Commissionerate of Tenders, who shall scrutinise the proposals and offer their comments on the justification for exceeding the estimate provisions. After taking due note of the comments of the Commissionerate of Tenders, orders will be issued by the Government. Pending issue of such orders by the Government, expenditure could be incurred upto 15% over and above the amount for which administrative sanction has been accorded.

2. All the Chief Engineers should ensure that cases in which estimates of works are to be revised, are inspected immediately by Superintending Engineers and Executive Engineers concerned and proposals are sent to Government and Commissionerate of Tenders within the time frame prescribed.

3. To the extent of the instructions issued above, all earlier instructions and provisions of the code stand modified.

Annexure

Check slip to accompany estimate for civil works for technical sanction

1. Name of work:
2. Cost of work:
3. Provision in the Project Estimate:
 - (a) Reference to Administrative approval:
4. Whether the following enclosures are sent:
 - (a) Report in the form as prescribed in G-0. Ms. No-1514 GL.I/79-1, dated 21-11-1979.
 - (b) Abstract of estimate as prescribed in C.E. General Circular No. F4/7071/79-4, dated 1.11.1979.
 - (c) General Index Plan, Site Plan and Typical Drawings showing the general features of the work.
5. Designation of highest officer who inspected and the date of inspection for :

Designation Date of Inspection

- (a) Suitability of site:
- (b) Suitability of foundation:
- (c) Adequacy of design suiting local condition:
- (d) Soils and materials, qualitative and quantitative and loads -
- (e) Soil classification of Trial pits upto hard rock level:
- (f) Abnormal dewatering:
- (g) Land Acquisition:
- (h) Forest Clearance;
- (i) Availability of funds:
- (j) Any other vital characteristics:
6. Whether the L.S. Provision is in accordance with C.E. Genl. Circular No. F4/7071/ 79-5, dated 10-11-1979.
7. Whether provision for L.I. & L.A. charges is shown separately as tumpsum as per G.O. Ms. No, 1624 P.W, (Y) Dept, dated 29-11-1969.

8. Whether provision for P.S. and contingencies is in accordance with G.O. Ms. No. 385. Dated 25-10-1979.
9. Whether the rates for earth work by machinery, and gales, hoists, etc., are based on set estimates prepared by the Mechanical Organisation:
 - (a) In case of embankments whether provision for consolidation by power roller is invariably made.
10. Proposed date of commencement of work:
11. Proposed date of completion of work:

Chief Engineer

155. As a rule, no tender for the execution of works of any description should be received unless accompanied by a treasury chalan for earnest money to the extent which has been notified as necessary in the tender notice. The earnest money is the guarantee of the tenderer to deposit the requisite security and to enter into the required agreement on intimation of the acceptance of his tender. It is forfeited in case of default - *vide* Form of tender notice and tender (PWD, Form Nos. V-53(a) and 53(b)).

156. In selecting the tender to be accepted, the financial status of the tenderers, their capability, the security offered by them or the record of their execution of any works previously, should *be* taken into consideration. Other conditions being equal, the lowest tender should be accepted. In cases where a tender other than the lowest is accepted, confidential record should be kept of the reasons for doing so. Specific data with reference to the financial solvency, income-tax paid, the ability of the contractor to execute the work, \ security offered by him, the names of at least some works executed formally by the contractor, amount involved therein and the conduct and performance of the contractor during the execution of work should be given. This information should be furnished not only in respect of the tenderer whose tender has been accepted but also of the tenderers whose tender has been rejected. The relative merits of the various contractors concerned should be discussed and cogent reasons should be given while rejecting lower tenders, if they are to be rejected. This confidential record should be shown to the Inspecting Officer of the Audit department, if required.

In addition, in cases where it is proposed to accept a tender other than the lowest, the authority competent to accept the tender should, immediately after accepting it, make a report to indicating the reasons for accepting a higher tender to the next higher authority, who shall scrutinise the report carefully and call for more details if necessary. The Superintending Engineer or Executive Engineer as the case may be, should bring to [the notices of the higher authorities cases in which the rule about the acceptance of the lowest tender has been departed from without sufficient justification.

The acceptance or rejection of tenders is, however, left entirely to the discretion of the officer to whom the duty is entrusted and no tenderer can demand the cause of rejection of his offer.] (Subs, by G.O.Ms-No. 773, PWD, Dt. 5-6-1971)

IV. Forms of security for performance of contracts

157. The forms of security to be taken in the case of piece work contracts are laid down in the conditions printed in P-W.D., Form No. V-51.

The forms of security to be taken in the case of contracts based on the lump-sum

tender system, as defined in the Andhra Pradesh Detailed Standard Specifications, are given in the forms of tender notice and Articles of Agreement connected therewith (PWD, Forms NOB- V-53 (a) and 53).

1. Crossed Demand Drafts may be accepted as Earnest Money Deposit. Demand Drafts of successful tenderers only should be accounted for in the regular cash book. The register of tenders serves as a subsidiary cash book till the tenders are settled. (G.O.Ms.No, 107, PWD,, Dt. 25-1-1968)

2. National Defence Certificates may be accepted as standing Earnest Money of Rs. 50.000/-.

3. Fixed Deposit Receipts of Scheduled Banks should not be accepted as security. (G.O.Ms.No, 954, PWD, Dt. 17-6-1969>

4. Guarantee Bonds of Scheduled Banks may be accepted as security deposits subject to the following conditions •-

(a) Guarantee to be accepted for amounts in excess of Rs. 10,000.

(b) Guarantee Bonds not to be accepted for retention amounts. (G.O.Ms.No. 125, PWD, Dt- 11-5-1970)

Government Instructions

In respect of contractors who have deposited L.S. Deposit of Rs. 50.000/- with each Chief Engineer the E.M.D. and F.S.D. to be recovered is as follows:

EMDforK2and L.S. Contract	Retention amount from Bills
At 1% subject to a maximum of Rs. 75,000	(i) For works done upto first Rs. 50 lakhs. 3/1%
	(ii) For works done over Rs- 50 lakhs and upto Rs. 1 Core First Rs. 50 lakhs 3^% over Rs. 50 lakhs 2%
	(iii) Work done over Rs. 1 Core First Rs. 50 lakhs 3%% Over Rs- 50 lakhs 2% Over Rs. 1 Core 1/2%.

Note:-(1) The L.S. Deposit of Rs.50 thousand is to be furnished either in cash or in the form of Bank guarantee with each Chief Engineer separately.

The concessional rates of retention amount in the case of L.S. deposit holders can be extended to running contracts entered into prior to the L.S. Deposit. (G.O.Ms.No. 1001, Dt. 26-7-1971)

For the purpose of forfeiture, security deposit will be reckoned at the normal rates assuming that there is no standing security and not at concessional rates. (G.O.Ms.No- 302, PWD, Dt. 6-4-1973)

In respect of contractors who have not made L,S. Deposits the E.M.D. and F.S.D., i be recovered as follows :

E.M.D.,	Retention Amount

K2 1'A per cent 3'/i per cent till the value of work done is Wi. times the value of E.M.D. and 5 per cent thereafter

L.S. I'/i per cent subject to T/i per cent. 'a margin of Rs. one lakh.

In addition to E.M.D., 1'A of the total value of the work done should be withheld at the time of payment of final bills to contractor in respect of L.S. Contractor.

(G.O.Ms.No. 870, PWD, Dt. 23-5-1969)

In respect of works entrusted to unemployed Engineers 1 Vi per cent is to be withheld from the final bills of L.S. Contractor- (G.O-Ms.No. 585. Codification 72-14, Dt. 8-11-1973)

IV. Custody of Accepted Tenders and other Contract Documents -Authority competent to give certified copies of Tenders and Agreements

158. Originals of tenders, comparative statements of tender agreements and all other relevant or connected documents such as confidential records of Divisional Office showing the reasons for the acceptance of tenders other than the lowest etc., for execution of works approved by the Executive Engineer of a Division or by higher authorities should be kept in the personal custody of the Accountant of the Division Office. He should maintain a careful check of all original tenders and agreements that are put up for reference in connection with audit of bills, etc., or sent to Sub-divisional Officers. When copies of such tenders and agreements are issued to Sub-divisional Officers or Contractors, the Executive Engineer should see that the copies are correctly transcribed from the originals and should sign them himself. Similarly, originals of the tenders and the agreements approved by Sub-divisional officers should be kept in their personal custody and they are responsible for their safe preservation. Copies made for submission to the Executive Engineer or of issue to contractors should be signed by the Sub-Divisional Officer.

At the time of transfer or change, a written statement of original tenders and agreements handed over and taken over should be made out and signed by the relieved and the relieving accountants or Sub-divisional officers as the case may be.

Note:—Contract documents should contain no erasures. They should as far as possible be free from corrections except those which are inevitable, such as striking out irrelevant preamble clauses in the standard printed form of a L.S. contract or striking out irrelevant word in a K-2 contract, such as SDO/Executive Engineer or other minor corrections in descriptions or rates, the corrections should be initialed by both parties to the contract and each initial dated. Where additional items are incorporated in a contract, all subsequent they should be drawn up as a separate memorandum, and signed by both parties to the contract, and fixed as an annexure to a contract. There may be a number of Annexures to a contract but they should be serially numbered in a chronologic;

Order and an index of these entered in a blank page of the main contract under the initials of both the parties.

Executive Instruction

- The confidential record outlining the reasons for acceptance of a tender other than the lowest should be in the Custody of the Divisional Accountant. Certified extracts of the

Record in cases of acceptance of tenders by Superintending Engineer or Chief Engineer would be sufficient for purpose of audit. (Govt. Lr.No.699-Y/66-l. PWD. Dt. 17-5-1966)

VI. Officers Empowered to Execute Contracts and Rules on Contracts

159. No authority lower than the officer in charge of a sub-division can accept any tender or make a contract for public works. The officers legally empowered to execute on behalf of the Governor of Andhra Pradesh, the different classes of deeds, contracts and other instruments are detailed in Appendix III. This power is, however, in each case subject to the departmental rules laying down the powers of officers to enter into contracts.

Executive Instructions under Para 159 *Collection of EMD from contractors*

for works let out on nomination

(1) Earnest Money Deposit should be collected even in respect of nomination contracts as in the case of K-2 contracts, but when this is not done, in cases where 2½% is not collected in advance, deductions must be made from each bill at 5 per cent. and

(2) These orders does not apply to Job works for Rs.500 and less and for works entrusted to special agencies of execution UkeBharat Sevak Samaj, Labour Contract Co-operatives etc. (G.O.Ms.No. 2215, PWD, Dt. 21-10-1965)

As per Para 459 of APPWA Code the EMD can be refunded only after the final bill is paid. In G.O.Ms.No. 154, PWD, Dt. 23-6-1966, the Government have clarified that where the final bill is not paid within six months period of observation, the security deposit withheld from the final bill should be retained for the six months period of observation and refunded after the expiry of this period (not before this period) with the specific permission of the Chief Engineer). (G.O.Ms.No. 1926, PWD, Dt. 2-8-1965)

(3) The S.E. is competent to execute contracts and piece work agreements up to the limit of tenders accepted by the competent authority regardless of whether they were accepted by C.E. or Government and irrespective of the restrictions imposed on the powers of S.E. in the matter of acceptance of tenders. Hence the C.E. does not execute contracts even if the tenders are accepted by Government].

[G.O.Ms.No. 2209, PWD, Dt. 24-9-1965 and Govt.PWD, Lr.No. 120-Y/64-4, Dt. 28-10-1965]

160. An officer empowered to enter into contracts may, after the estimate has been duly sanctioned, give out to different contractors a number of contracts relating to one work, even though the estimated cost of the work may exceed the amount up to which he is empowered to accept tenders, provided there are no special orders to the contrary, and the amount of each contract is within the limit of the officer's power to accept tenders. But no contract may be entered into with any individual contractor in excess of this limit nor may a second contract be entered into with a contractor, who has already received a contract in connection with the same work; which is still in force, if the sum of the contracts exceeds the power of acceptance of tenders of the authority concerned.

Note—The restrictions in the second sentence of this Paragraph do not apply to sub-works in irrigation maintenance scheme estimates provided the sub-works are independent works unconnected with each other.

161. The following rules must be carefully noted:—

(1) No officer may enter into a contract into which he is not empowered to enter under the provisions of Paragraph 159 and Appendix III to this Code.

(2) The limitations defined in a Paragraph 415(v), 416(iv), 422, 431 or 436(i) shall not be exceeded.

(3) No authority may accept any contract for a work until an assurance has been received from the authority competent to provide funds for the same, that such funds will be allotted before the liability matures - *vide* the last sentence of Paragraph 173,

(4) On no account should rates in excess of those provided in the agreement be paid, as the payment of such rates which are not due would nullify the contract.

(5) Duplication of agreements should in no case be required, that is to say, an authority who has concluded an agreement should not be required to draw up and sign again an agreement already executed - *vide* also Rule 2 under Paragraph 95, A.P. Public Works Accounts Code.

(6) No authority subordinate to the Local Government may waive the provision of the stores purchase rules in Appendix 15 to the A.P. Financial and Accounts Code (Volume II).

G - SALE, ACQUISITION AND LEASE OF LAND

I. Sale of Government Land and Immovable Property

162. All land, the property of Government, should ordinarily be sold through the Revenue Department

163. The sale of land or buildings with the site on which they stand is generally to the Collector of the district, but it is at the same time open to the Public Works Department to apply for permission to sell land, etc., themselves when they see cause to recommend such a measure-

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164. Collectors have powers to sell buildings with their sites and attached lands the combined value does not exceed Rs. 5,000. The Board of Revenue exercise similar powers up to a limit not exceeding Rs. 10,000. The sanction of Government is necessary when the value exceeds Rs. 10,000.

Note:- Lands in charge of the Public Works Department which are no longer required by the department for some administrative purpose or for some sanctioned scheme, which have to be executed in the near future, should be handed over to the Collector of the district

165. When any immovable public property is made over to a local authority for public, religious, educational or any other purposes, the grant should be made expressly on the conditions, in addition to any others that may be settled, that the property shall be liable to be resumed by Government if used for other than the specific purposes for which it was granted and that, should the property be at any time resumed by Government, the compensation payable therefor shall in no case exceed the amount (if any) paid by Government for the grant, together with the cost or their present value whichever may be less, of any buildings erected or other works executed on the land by the local authority;

II. Acquisition of Land

(a) General

166. When land which is not already in the possession of the Government permanently required for the purposes of the Government it should be acquired through the agency of the Land Acquisition Act (Act I of 1894), which alone can confer an indefeasible title

title. The officer concerned should, in the first instance, consult the Revenue Divisional Officer and obtain from him the fullest possible information as to the probable cost of the land per acre or otherwise, together with the value of buildings etc., situated on the property, for which compensation will have to be paid, and a draft notification under Section 4(1) of the Land Acquisition Act, Upon the information thus obtained, an estimate should be framed by the Public Works Officer and submitted for sanction. The draft notification should be submitted with the estimate for the approval of Government and published in the Andhra Pradesh Gazette.

In cases in which the owner of a land about to be acquired is willing to make a free gift of the land required, a deed of gift should not be executed in favour of Government, but the procedure prescribed by the Land Acquisition Act should be followed and an award should be passed under Section 11 of the Act for the full market value of the land and not for a nominal amount. The owner who is willing to make a free gift of the land should receive the compensation awarded and may make a gift of the amount of the compensation to Government to be utilized for the public purpose for which the land is acquired.

There is, however, no objection to local officers negotiating with the owners of land with the object of coming to an amicable agreement with them as to the price to be paid previous to the intimation of the proceedings under the Land Acquisition Act, with a view to guard against subsequent exorbitant demands or awards, provided that this procedure Will result in economy. Any settlement thus arrived at should immediately be communicated to the Land Acquisition Officer, The settlement must take the form of an agreement that fee owner is willing to sell for a certain specific sum plus 15 per cent of that sum for compensation, the total of two sums being the actual price agreed on.

167. In cases of urgency acquisition should be made under Section 17 of the Act; possession is then obtainable fifteen days after publication of notice under Section 9(1) of the Land Acquisition Act. When possession has once been taken under Section 16 or 17 of the Act, Government cannot withdraw from its acquisition, therefore, when the claim is in large excess of the award possession should not be taken without a reference to the authority sanctioning the work.

168. When sanction to an estimate framed as above directed has been obtained and when the draft notification referred to in Paragraph 166 has been published, the Executive Engineer should make over the matter to the Revenue Divisional Officer who will take the necessary steps for the acquisition and transfer of the land, subject 10 instructions which he may receive from Revenue authorities to whom he is subordinate. These instructions provide that if the estimate originally framed and sanctioned is likely, when the land comes to be acquired, to be materially exceeded, the Revenue Officer making the award should give sufficient notice to the Public Works Officer and should take into consideration any representation which such officers may make, whether it is made orally or by letter.

More especially he would, before making the award, allow such officer an opportunity of appearing in person or by agent and producing evidence as to the value of the land. When such a reference is made, the Public Works Officer should, if it is found impossible to obtain the land required without materially exceeding the estimate, or to obtain some other plot of land in lieu of that originally proposed, submit a revised estimate for sanction. When possession has once been taken under Section 16 or 17 of the Act, Government cannot withdraw from the acquisition of the land. In cases, therefore, where the amount claimed in pursuance of a notice under the Act largely in excess of the amount subsequently

awarded by the Collector, and the acquisition of the land is not absolutely necessary, possession should not be taken without a reference to the authority sanctioning the work until the time within which an application for a reference to the Court must be made under Section 15 of the Act has elapsed without such application being made.

169. The arrangements between the officers of the department and the Revenue Officers to determine as to which land should be taken up should, where practicable, be made without divulging the intentions of the Government in order to prevent the prices being put up and to render private bargaining possible.

170. After the preliminary arrangements described in the preceding Paragraphs have been duly carried out, the land will be taken up under the Act either by the Collector or by a Special Officer, placed at the disposal of the Public Works Department and invested with the powers of a Collector under the Act. The procedure in two cases is described in j the Civil Account Code, Volume I, Appendix 7.

(b) Land held for Military Purposes

171. No land, whether-

- (a) Within cantonment limits,
- (b) Forming part of an encamping ground, or
- (c) Otherwise held for military purposes,

Should be taken up or occupied for any purposes whatever, either by contractors or any other persons (official or non-official) acting under the orders of any Civil Department of the State, until the sanction of the Government of India in the Defence Department to the occupation or use of the land has first been obtained and communicated to the General Officer Commanding the Division or Independent Brigade. In all such cases, the sanction of the Government of India should be obtained by the General Officer Commanding the Division or Independent Brigade through the Quarter-master-General in India.

Application for such land when within cantonment limits should be made by the officer in charge of the works to the cantonment authority and by the latter to the superior military authority, but in the case of military encamping ground application should be made to the General Officer Commanding the Division or Independent Brigade. The Military authorities will then take the necessary steps to obtain (i) the opinion of the State Government, which should invariably be recorded upon all applications, and (ii) the sanction of the Government of India to the occupation of the required land. The foregoing procedure will apply in cases where it is proposed to purchase, or otherwise acquire permanently, any building situated on military land for the use of a Civil Department,

111. Lease of Lands in charge of the Public Works Department 172. (i) Lands in

charge of the Public Works Department are of two kinds-

(1) Lands acquired by the Public Works Department for the construction of buildings but not immediately used for the purpose, and

(2) Lands in charge of Public Works Department for administrative purposes, e.g., land in berms of canals, drains, channels, etc., and at wharfs,

(ii) The procedure of grant under the Crown Grants Act, should be adopted for grants of these lands for temporary occupation for agriculture and non-agriculture purposes.

ideals, private bodies, companies or associations and loc bodies.

(iii) The grants will be made in consultation with the Revenue Department where necessary. Rent should be collected departmentally in the case of grants.

(iv) The period for which temporary occupation of the lands in charge of the Public Works Department may be sanctioned, must be determined carefully in each case with reference to the nature of the property and the consideration whether the property is likely to be required by Government for any other purpose.

(v) The grant in each case, after sanction by competent authority, should be embodied in an order in the form given in Appendix XIII-B in the case of grants for agricultural purposes and in Appendix XIII-C in the case of grants for non-agricultural purposes, with suitable modifications, where necessary, by the Executive Engineer concerned, as the assigning authority and delivered to the party. The items enumerated below by way of illustration will be cases for such grants for non-agricultural purposes:-

(a) Recreation purposes with or without a pavilion or club house.

(b) Bridges and culverts, whether permanent or temporary.

(c) Banks (for trade purposes).

(d) Timber and firewood depots.

(e) Laying pipe lines.

(f) Unobjectionable sub-soil encroachments on road margins and other Government formbooks.

(g) Temporary occupation of Government land for performances by a touring cinema, circus or dramatic company.

The items enumerated below will be cases for grants for agricultural purposes:-

(a) Growing of grass or other fodder.

(b) Raising flower gardens.

(c) Planting casuarinas.

(d) Cultivation of plantation products,

(e) Cultivation of paddy, pulses and other food grains or commercial crops like tobacco, cashew, groundnuts, etc.

(vi) These grants need not be registered -- *vide* Section 90(l)(d) of the Indian Registration Act. The orders embodying such grants are also not liable to stamp duty - *vide* item 4 of Notification No. 13, dated the 17th December, 1938.

(vii) The orders of Government must be obtained in every case of grant in which the value of the property exceeds Rs. 30,000. The Chief Engineer may sanction grants in all cases in which the value of the property exceeds Rs. 15,000 but does not exceed Rs. 30,000 upto a period of five years. The Superintending Engineers may sanction grants in cases in which the value of property exceeds Rs. 3,000 but does not exceed Rs. 15,000 upto a period of five years, subject to any administrative instructions issued by the Chief Engineer. Similarly, the Executive Engineers may sanction grants in cases in which the value of (he

property is Rs. 3,000 or less upto a period of three years, subject to any administrative instructions issued by the Superintending Engineer or higher authority.

(viii) In all these grants, the period of notice to be given under Condition 21 in Appendix XIII-B or Condition 19 in Appendix XIII-C by the assigning authority or by the grantee should be fixed carefully with reference to all the relevant circumstances and specified in the order. This period should not exceed the period of grant and subject to this, may normally be one month for periods of grants upto three months; two months, for periods of grants upto six months; three months, for periods of grants upto a year; and six months for longer period of grants.

(ix) When it is proposed to grant to a club land within the compound of a Government office or a residence, the site as well as the plans and estimates relating to any buildings, structures, badminton or tennis courts, etc., which the club proposes to erect should be approved by the Executive Engineer in order to ensure that such buildings, structures, or courts, etc., are in keeping with the layout of the Government buildings. Copies of the plans of the site, buildings, etc., as approved by the Executive Engineer should be submitted with the proposals for the grant. It should be made clear in the order of the grant that the grant will be recoverable at 24 hours notice.

(x) Renewal of grants can be sanctioned only by the authority competent to sanction the grant in the first instance.

(xi) No attempt can be made to prescribe standard rates for the various purposes for which land may be granted. The determination of the charge is therefore left to the discretion of the authorities who are competent to sanction the grant. The following general principles should, however, be observed in fixing the rates of charge as far as possible:-

(a) Recreation purposes:—In the case of clubs consisting entirely of non-gazetted officers and of playgrounds required for educational institutions, nominal charges may be levied. In other cases except in municipalities and in the City of Hyderabad the! Terrain assessment or ground-rent on the site, or, if the land has not been assessed, the land' revenue that is being levied on similar ryotwari land in the village or its neighbourhood should be charged- Special reasons should be given if any concessional treatment is; Recommended. Subject to the general concession indicated in favour of non-gazetted officers' and educational institutions, a suitable charge should be levied in respect of each grant in municipalities and in Hyderabad city.

(b) Trade purposes:—The full competitive rent should be levied as the charge for the occupation. By full competitive rent is meant the rent which the site would fetch in the open market if offered subject to the conditions stipulated by Government.

(c) Touring cinemas, circuses or dramatic companies:—A reasonable fixed daily charge should be levied in accordance with the rates to be prescribed by the Collector. Collectors should fix for each village and town in their districts the rate of charge per square yard or ground or cent that should be levied. The rates will depend upon the importance of the village or town and situation of the land. There are, in each villages or town particular sites in which entertainments are usually held. The Collector will fix the rates for each of these sites. When other sites are applied for, the Collector should be addressed for orders as to the rate to be levied.

(d) Laying of pipe lines -A track rent should be levied on the scales specified below:

	Kate	Minimum
Rs.		
Major Municipalities	Rs. 70 per K-M. or 7 paise per metre	3
Minor Municipalities	Rs. 50 per K.M. or 5 paise per metre	2
Other towns	Rs. 35 per K.M. or 3 ¹ / ₂ paise per metre	1
Rural areas	Rs. 35 per K.M. or 4 ¹ / ₂ paise per metre	1

In Hyderabad city, however, track rent, should be levied at the rate of Rs. 300 per kilometre, except in cases of renewal of existing grants for which the old rates of Rs. 250 or Rs. 300 per kilometre as the case may be should be charged [172(d) newly substituted].

(c) Occupation of lands for unremunerative public or private purposes:—

The annual charge should be fixed at an amount not lower than the assessment or ground-rent leviable on the land, subject to a minimum of Re. 1.

Municipal taxes:—In Hyderabad city and in mufassal municipalities, the charge for occupation will consist of two parts; the first part will be a specified sum fixed with reference to the instructions in sub-Paragraph (i) above, while the second part will consist of another specified sum to be levied on account of the municipal taxes payable by the Government in respect of the property covered by the grant. In the event of the Corporation or the municipality concerned varying its demand, the right to revise the second part of the charge and to collect any further sum due as result of such revision should be reserved in the order of grant. The two parts of the charge will be payable by the grantee simultaneously either in a lump sum or in instalments as may be specified in the order of grant.

Levy assessment and water-cess:—The annual charge for the occupation shall be the assessment fixed already in the case of assessed land. If it is not an assessed land, it shall bear the same assessment as is borne by similar land in the vicinity. Such assessment shall be liable to revision from time to time in accordance with the rules in force at the time of such provision. Water-cess will be leviable in addition in accordance with the Andhra Pradesh (Andhra Area) Irrigation Cess Act (Act VII of 1865) and the rules framed thereunder.

(xii) Any modifications in the form of grant should be made in consultation with the local Government pleader.

(xiii) Immediately the grants are sanctioned, the period of grant and the rent to be recovered should be noted in the Miscellaneous Property Register maintained by the Sub-divisional Officer in all cases.

H - EXECUTION OF WORKS

I. Starting Works

173. It is a fundamental rule that no work shall be begun unless a properly detailed "design and estimate have been sanctioned, allotment of funds made, and orders to begin issued by competent authority. Provision in the budget conveys no authority for outlay. The exceptions are petty works (see Paragraph 108), repairs of the nature described in

Paragraphs 140(ii) and 147 and cases of real emergency which must be reported immediately to the authorities competent to accord administrative approval and technical sanction. Similarly, the sanction of a design and estimate by any authority, whatever, conveys it permission to start expenditure unless funds have been provided for the expenditure by competent authority.

Further, no liability may be incurred, and no officer may accept a contract for an work, until an assurance has been received from the authority competent to provide fund that such funds will be allotted before the liability matures.

Note:—The officers in charge of divisions in Agency tracts shall have powers to grant bonuses to gang mazdoor s who complete a certain work entrusted to them within a fixed time up to a limit of Rs.50 or 5 percent of the total wages ordinarily paid to them for this work, whichever is less,

174. Ordinarily no work executed by method (ii) or method (iii) described Paragraph 150 should be started without a formal agreement or contract sanctioned by competent authority. The procedure to be followed in emergent works is described Paragraph 178.

175. No formal agreement is necessary in regard to petty works and repairs, the estimated cost of which is Rs:- 1,000 or less, but even in these cases there should be some written understanding through not in any prescribed form-specifying prices and rates.

Note (1):—In the Agency tracts, payment may be made to piece-workers on first and final bill costing Rs. 500 and less without regular agreement being entered into, even though the total value of the work done or supply made by each piece-worker in connection with a work may exceed Rs. 1,000/- when the first and final payment to the piece-worker or supplier does not exceed Rs. 200/-, even a written understanding will not be instead on. In divisions not in the Agency tracts, no formal agreements are necessary in case involving 'first and final' payments which do not exceed Rs. 200/- But, some written understanding specifying prices and rates will still be necessary, except in cases when the "first and final" payments do not exceed Rs. 50/-.

Note (2) :—Rates and taxes and watchmen's wages provided for in annual maintenance estimate should be excluded from the total amount of estimates for the purpose of deciding whether an agreement should be taken in the case of repair estimates for buildings.

176. (a) When a contractor refuses to execute work at the rates provided in his piece-work agreement, then, the agreement should be terminated and the work measured up and paid for at the rates in the sanctioned agreement enforcing or not as the case may be, the forfeiture of the security deposit. The work should not then be given out at highest rates, unless open tenders have been called for and the most favourable rates obtained.

Note :—If, however, it is found necessary in any case to give out the balance of work all higher rates to another contractor without calling for open tenders, whether on account of urgency or any other reason, the previous approval of the next higher authority above that which accepted the original cancelled agreement should be obtained.

(b) Revision of rates in accepted agreements of any kind, during the currency of such agreements is normally prohibited. In cases, however, where the Executive Engineer considers there are sufficient reasons to revise rates in current agreements, then the sanction of the authority above that which accepted the agreements should be obtained, placing on record with the agreement the reasons for such revision and effect of the same on the total amount of work to be done under the concerned items and on the total amount of the work.

to be done under the agreement. Whenever revised rates in any agreement are sanctioned, the increased rates will have effect only from the date of sanction of such revised rates, unless it is specially stated by the sanctioning authority that they should have retrospective effect.

**Revision of rates in current agreements - provision under
Para 176(b) - Clarification**

Para 176 (b) lays down that revision of rates in accepted agreements of any kind during the currency of such agreements is normally prohibited. However, in cases where the Executive Engineer considers that there are sufficient reasons to revise rate in current agreements, sanction of the authority above that which accepted the agreement should be obtained placing on record along with the agreement the reasons for such revision and the effect of the same on the total amount of the work to be done under the concerned items and on the total amount of the work to be done under the agreement.

It may happen that an agreement is entered into by a Superintending Engineer after (he tender is accepted by the Government. A point has been raised whether in such cases, it would be correct if the Chief Engineer being the authority next higher to the Superintending Engineer who entered into the agreement, revises the rate in the current agreement in items of Para 176(b) of the 'D' Code.

The Government have examined the issue. It is clarified that any modification of (he rates should be approved by the authority higher than that which originally accepted the rates. If the tender is accepted by the Government, modification of rates should be done only with the prior approval of the Government. Modification of the rates by the competent authority should be with the concurrence of the contractor, who is the other party to the agreement.

The Government also direct that the power of departmental officers to revise rates should be limited to rectification of bona fide mistakes or errors in original agreement such as electrical or typographic or typographical errors.

(memo.No. 261-Y/72-3, P.W.D Dt. 21-7-1972)

(C) In all cases, as in (a) and (b) , it must be observed that the Code rules governing such estimates revisions as may be involved, are complied with.

(d) The corrections in agreements should be attested under dated initials by the accepting authority also, not only to indicate his acceptance of the altered rates, but also to prevent any tempering with agreements after approval,

(c) In all cases in which work not covered by the original agreement is ordered the rates for such items of work should be settled as laid down in clause 7 of the conditions printed in the form of piece-work agreement or clause 63 of the Preliminary Specification of the A.F. Detailed Standard Specifications. Such extra items of work should not be ordered by the Executive Engineer on his own responsibility, if the revised estimate or deviation statement providing for them requires the sanction of a higher authority.

Supplemental rates should be deducted in the following manner :—

For items directly deductible from similar items the rate should be arrived at by adding or subtracting the cost of cement or steel, etc.

For new items which do not correspond to any item in the agreement the new rate new the estimated rate plus or minus the overall tender percentage.

[Govt.Memo.No.25-Y/64-6, P.W.(Y),Dt. 29-6-1966]

(f) In respect of fines or forfeiture of deposit ordered by an authority with reference to the relevant conditions in the forms of agreement or relevant clauses of the Preliminary Specification to the A.P. Detailed Standard Specifications in an agreement use in the Public Works Department, any authority higher than the one who has ordered the fine or forfeiture may in his absolute discretion waive or modify the fine or forfeiture imposed by a lower authority.

177. (a) If in any case, whether on grounds of urgency or otherwise, an executive officer is required to carry out a work for which no estimates have been sanctioned or for which no financial provision exists (whether estimates have been sanctioned or not) the orders of the officer authorizing the work should be conveyed in writing. On receipt of such written orders the officer who is directed to carry out the work should immediately intimate to the audit officer concerned that he is incurring a liability for which there is no provision or inadequate provision of funds and should, at the same time, state approximately the amount of liability which it is likely he will incur by compliance with the written orders which he has received. The Audit Officer will then be responsible for bringing the facts instantly to the notice of the Chief Engineer concerned, except the irregularities committed by a Chief Engineer himself, which should be reported direct to the Government. The Chief Engineer will report to Government any cases that call for disciplinary action or failure to comply with the Code. The Accountant General should also report to Government any cases in which he considers the action taken by the Chief Engineer inadequate. There will be no hesitation on the part of Government in forcing disciplinary action against any officer-administrative or executive-who may fail, or delay to comply with these orders.

(b) A provision of 1 per cent shall, be made towards audit charges in the estimates for irrigation projects for which capital and Revenue accounts are maintained.

Note 1 :—The provisions of above Paragraph will be relaxed in the case of the famine relieve works, but this does not relieve officers from the responsibility of obtaining the necessary sanction to a revised estimate and additional appropriation as soon as they can foresee how far an estimate is likely to be exceeded.

Note 2::—The report to be sent to the Audit Officer, with reference to the above Paragraph should be prepared in the form indicated below :

TABLE

Nature of emergency	Date of occurrence	Details of damage & works to be carried out	Approximate cost involved	Date on which proposed to commence	Remarks
. (G.O.No.561, PWD, Dt. 3-4-1965)					

178. If, in the case of a work executed on the contract or piecework system, the circumstances are so emergent that it is impossible to enter into a formal contract of

agreement, the officer on the spot who starts the work should enter into a piece-work agreement atleast in the first instance. This form of agreement is particularly suitable as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form, disapprove. When the circumstances are so emergent that even a piece work agreement cannot be signed, it will be sufficient to have a written order for the work signed both by the piece worker or the contractor and the officer on the spot. There should, however, be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of the competent authority. The detailed procedure to be followed in such cases is indicated in Appendix XI to this Code.

179. When any new building is about to be commenced, or any alteration, addition or repairs executed to any building, due intimation of such intention shall be given to the local head of the department, military, or civil, concerned.

180. Except in case of emergent work such as repair to breaches, etc., no work should be started on land which has not been duly made over by the responsible civil officers.

181. The rules in this section regarding the existence of a sanctioned estimate and the allotment of funds in the budget are applicable even in the case of civil works in charge of civil officers acting as Public Works disbursers. When an estimate has been sanctioned and funds have been allotted, a civil officer may arrange for the execution of the work.

Works executed by civil officers acting as Public Works disbursers are generally likely to be of a petty nature and constructed on standard designs. Civil officers may, however, apply to the Superintending Engineer of the circle to depute an officer to examine any work when in progress or when completed and to make a general report as to whether the work is being satisfactorily carried out or has been completed in accordance with the estimate.

II. Scope of Sanction

182. The sanction to an estimate must on all occasions be looked upon as strictly limited to the precise objects for which the estimate was intended to provide. Accordingly, any anticipated or actual savings on a sanctioned estimate or a definite work should not, without special authority, be applied to carry out additional work not contemplated in the original project or fairly contingent on its actual execution.

Savings due to the abandonment of a substantial section of any project sanctioned by any authority are not to be considered as available for work on other sanctions without the further sanction of that authority.

A substantial section of a project shall be considered to have been abandoned, if the estimated cost of the work in such section is not less than 5 per cent of the total sanctioned cost of the project, excluding in the case of irrigation project, the estimated cost of the headworks as originally approved.

111. Commencement of Work in anticipation of Detailed Estimates of the complete Project

183. In exceptional cases where it is desirable to begin work on a project which has been administratively approved, before the detailed estimate for the whole project has been prepared, it is permissible for me authority competent to sanction the final technical estimates

[CODE-7]

as a whole to accord sanction to detailed estimates for component parts of the project subject to the following conditions :—

(1) For each such work or component part there must be a fully prepared details estimate and, in the administrative approval as a whole, there must be a clear and specifications amount corresponding to the work or component part in question.

(2) The amount of the detailed estimate must not exceed the amount included in the administrative approval by more than 10 per cent.

(3) The sanctioning authority must be satisfied, before according sanction, that the amount of the technical sanction for the whole project is not likely to exceed the amount of the administrative approval and that the work of component part in question can't appropriately commenced without effecting, or being effected by, another part of all project financially or otherwise.

Note:—This rule does not apply to estimates for parts or individual buildings unless all preliminary estimates for administrative approval have been similarly prepared,

184. To obviate delay in commencing work on a detailed estimate for a complete project which has been prepared and submitted for technical sanction, but which require minor amendments in the design or estimate, the sanctioning authority should adopt one or other of the following courses:-

(1) Amend the design or estimate in his own office and sanction it, or

(2) Sanction the parts of the estimate which are approved, subject to conditions and

(3) specified in Paragraph 183 and call for amended details estimates for the other portions of the project.

185. In communicating the sanctions to parts of projects accorded under the provisions of Paragraphs 183 and 184 the sanctioning authority should also intimate to the Audit Officer the amount administratively approved for the whole Project.

Note:-Copies of abstract of estimates or administrative approval containing details of break up by sub-heads or component items in respect of all projects or civil works costing Rs. 25 lakhs or more shall be communicated to the Accountant-General]-

(Vide Memo B. series No. 15, PWD Dt.3-4-1969)

IV. Lapse of Sanction

186. The approval or sanction to an estimate for any public work other than unless repairs will, unless such work has been commenced, cease to operate after a period of five years from the date upon which it was accorded.

V. Alterations In Design during Construction

187. Where important structural alterations are contemplated, though not necessary involving an increased outlay, orders of the original sanctioning authority should be obtained. A revised estimate should be submitted for technical sanction should the alterations involve any substantial change in the cost of the work.

188. No alterations or additions to an estimate sanctioned by the Government of India or the President involving expenditure beyond the powers of sanction of the Government, should be made without the previous approval of the Government of India. When, however, in any case matter is of extreme urgency, the local authority may act

anticipation of sanction, provided a full report of the circumstances is made to the Government of India without delay,

VI. Miscellaneous Rules for the Execution of Works

189. In the execution of works, every care should be taken that the safety and convenience of the public are duly attended to, and that all operations are carried on in such a manner as to interfere as little as possible with the traffic or ordinary pursuits of the people. Temporary roads, bridges, lights and barriers should, when necessary be, provided; and the occupation of land, when practicable, be so timed as not to lead to the destruction of standing crops. Bricks and lime-kilns should not be erected so close to the inhabited part of any town or cantonments as to be a nuisance.

190. Any reasonable outlay for temporary accommodation for work people, and for entertaining temporary establishment for the purpose of security, sanction, or temporary hospitals, may be authorised as part of the contingent outlay on works.

191. No religious edifice should be destroyed or injured in the execution of works without the full and free consent of the persons interested in it, nor without the concurrence of the principal, civil or political authority on the spot, unless under the orders of Government - see also Paragraph 248

192. All interruptions of large works in progress should be immediately reported to the Superintending Engineer, the causes and probable duration of such interruptions being duly explained.

193. All unusual losses in the manufacture of materials must, on their occurrence, be reported to the Superintending Engineer.

194. Executive Engineers and other officers or subordinates in charge of works should furnish immediate information to the proper civil authorities on the occasion of every serious accident; and in the case of death on the spot, they should not allow the body to be removed till an inquiry has been held - see also Paragraph 29 of this Code and Paragraph 72-A of A.P. Financial and Accounts Code, Volume I.

195. The employment of female labourers on works in the neighbourhood of soldier's barracks or a jail should be avoided as far as possible.

VII. Water-supply to Government Buildings

196. (a) The connection to the water main in the street and the pipe leading therefrom to the building together with the stopcock metre and a sufficient length of pipe to lead the water through the outer wall of the building to the interior thereof should be laid and constructed entirely by municipal agency at the cost of the Government. The point at which the supply is to be taken into the building and the place where the metre-house box or cupboard should be constructed, should be determined by the local Public Works Department officers subject to the approval of the Municipal Chairman. All works within the house should be carried out by the Public Works Department.

Note :- cases where the bye-laws relating to water-supply in a municipality stipulate provision of metres at the cost of that body and the payment by the owner or occupier of the house of meter-hire alone or of meter-hire and the cost of fixing the metres, those provisions should be followed in respect of Government buildings also.

(b) The cost of the works which are executed by municipal agency in accordance with the above instructions shall not be payable in advance to the municipal council

concerned. The actual cost of the work should be billed for and payment claimed by council after the works have been executed.

VIII. Advances to Contractors

197. Advances to contractors are as a rule prohibited, and every endeavour should be made to maintain a system under which no payments are made except for work actual done. Exceptions are, however, permitted in the following cases :-

(a) Cases in which, in the interest of work, it is absolutely necessary to make petty advances- see Paragraph 315, A.P. Public Works Accounts Code. In such cases subordinate in charge of works, sub-divisional officers and Executive Engineers are authorized to make advance up to a limit of Rs. 50, Rs. 100 and Rs. 250, respectively. They should, however take the necessary precautions to secure the Government against loss.

Note 1 :- The limit referred to above apply to each work and not to each individual workman employed on a work.

Note 2 :- In the case of works in the Agency tracts, the limits up to which the three classes of officers referred 10 in the above rule can make advances to petty-piece workers shall be Rs- 100, Rs, 200 and Rs. 50, respectively. These limits shall apply to each individual piece-worker.

(b)Electrical works executed on contract:—The Electrical Engineer may sanction an advance of eighty per cent on the value as certified by him, according to the terms of clause 20 of the general conditions of contract printed in Public Works Department ,From No.II-20

(c) In all other cases the State Government may, in exceptional circumstance authorize such advance as may be deemed indispensable, but the state officers must that the necessary precautions for securing Government against loss and for preventing this system from belonging general or continuing longer than is absolutely essential.
(Powers as delegated in G.O.Ms.No.1007,Tr & B,Dt. 5-11-1976)

(d) Advances to the contractors for acquisition of new machinery required for UK work up to 75% of their cost limited to 10% of contract value for works valued up to Rs. 10 lakhs each, and 6% of contract value for works costing more than Rs, 10 lakhs each may be given, if asked for by the contractor- The money advanced under this clause if subject to payment of interest by the contractor at the prevailing commercial bank rate. The machinery for which the advance is paid should be got hypothecated to the Government and also got insured at the cost of the contractor. The advance, together with interest, may be recovered from the bills of contractor. Alternatively, the Government may procure the machinery required for works by the contractor and sell the same to the contractors on the purchase terms, provided these conditions are stipulated in the tender documents at the title of calling of tenders-

Explanation

Sanction of advances to contractors as a rule is prohibited- However for some special reasons advances have to be sanctioned by Government depending on the merits of each case.

The Government of Andhra Pradesh in consultation with the Accountant General ordered that advance payment to the contractors who undertake the execution of major Bridge works involving H.T., Steel and anchorage cones etc., be made to the extent of 75

per cent of the materials brought to the site. The advance payment should be made only after the contractor executes an indemnity bond (G.O.Ms.No- 510,PWD Dt.14-3-1962)

The Government further decided in G.O - Ms. No-512, PWD, dated 19-5-1973 that the material brought to site should be imperishable in nature and a format agreement should be drawn so that the Government can secure a lien on the materials. Payment of the advance should be made only on the certificate of the Executive Engineer. No interest will be charged on this type of advance.

Government also decided to sanction advances for purchases of new machinery of special type which the contractors are not generally supposed to possess subject to the following conditions :

(a) In respect of contracts exceeding 10 lakhs only any loan may be given on machinery brought to site at 75 per cent of purchase price.

(b)Interest should be charged at Reserve Bank of India rate plus 3 per cent.

(c) The Machinery should be hypothecated to the Government and Bank Guarantee obtained.

(d) The advance together with interest should be recovered by the time 80 per cent of the contract value is completed.

(e) The probability of granting loans should be indicated in the tender notices.

IX. Sanitary Rules on Extensive Works

198. A set of special rules framed by the Director of Medical Services is printed in Appendix XII. It is the duty of the Superintending Engineer to see that these rules are 'carried out. Any reasonable outlay connected with sheds for work people, water-supply, drainage, conservancy, hospital, or police may be authorized as forming part of the contingent outlay on a work under execution.

X. Information for the Survey of India

199. To enable the Survey of India to keep the map of India up-to-date in respect of new canals, embankments, roads, etc., on index record may from original surveys, on a scale not less than one inch to one mile, should be sent to the Survey of India Office, Calcutta, on completion of the work. The topography adjoining the alignment, such as village-sites, injunction boundary pillars; other permanent objects and the crossing of roads and streams, should be accurately shown, and it should be stated on the maps supplied . whether the information has been derived from actual survey or otherwise.

XI. Construction and Maintenance of Mortuaries

200. The construction and maintenance of all mortuaries will be undertaken by the Public Works Department and charged to state revenues. The District Medical Officer will be responsible for reporting to the Public Works Department when mortuaries in his jurisdiction require repairs.

I - DEPOSIT WORKS I.

General

201. The department may occasionally execute works provided wholly or partly form-

- (a) funds of a public nature such as local or municipal or similar funds,
- (b) public contributions,
- (c) loans from Government to a local body.

Note :- Estate works under the Court of Wards should be treated as deposit works.

202. Where a work is financed partly from the funds in Paragraph 201 above and partly from Government grants-in-aid, the procedure prescribed in Rule 1 under Paragraph 470 of the Andhra Pradesh Public Works Account Code for the payment of grants-in-aid should be observed.

203. The realization of contributions for churches is regulated by the Ecclesiastical Rules published by the Government of India. In all other cases, the contributions should be realized before any liability is incurred on account of the work. No interest will be allowed on the contributions.

Note :- Superintending Engineers are empowered to recover contributions by suitable instalments on fixed dates, if they are satisfied that the money will be forthcoming when required. The Executive Engineer may exercise similar powers for works within his powers of sanction. No advance of Government money is permissible in the case of works wholly financed from sources mentioned in Paragraph 201 and if the payments are made by instalments, the Public Works Department will not be responsible for damages or additional cost due to suspension of work for want of funds. See Rule 1 under Paragraph 470 of the Andhra Pradesh Public Works Account Code.

204. Provision must be made to cover the cost of establishment, tools and plant at percentages prescribed in Paragraph 6 of Appendix 7 to the A.P. Public Works Account Code. No reduction of these charges may be made in the case of works costing Rs. 1,000 or more but when the cost of the works is less than Rs. 1,000 these charges may be remitted with the sanction of the State Government - see also Paragraph 9 of Appendix 7 to the A.P. Public Works Account Code.

Note (I) :- When lump-sum contributions are received towards Government works from local bodies or private persons or bodies, they should be divided into two parts as laid down in Paragraph 477 of the A.P. Public Works Account Code, the one representing a share of works expenditure and the other the amount chargeable on that share for establishment and tools and plant charges calculated according to the percentage fixed in sub-clause (iv)(a) of Rule 6 of Appendix 7 of the A.P. Public Works Account Code. No charges for audit and accounts should be levied in such cases:-

Note(2):- Works done for the welfare of scheduled tribes and for the development of scheduled areas at the cost of the department concerned are exempted from the levy of the above charges

(G.O.Ms.No.245, PW(Y) ,Dt. 24-2-1971)

205. Deposits on account of one work cannot, in any circumstances, be utilized for another.

II.Special Rules for Works wholly Financed from non-Government Funds

206. Besides the rules in Paragraphs 201 to 205, the following are specially applicable for works financed wholly from non-Government funds :-

- (1) The design and estimates must be drawn up in consultation with the administering the funds, and must also be approved by the Public Works Department authorities like any ordinary public work.

(2) A written approval to the estimate and design as well as an understanding that the Public Works Department does not accept any responsibility for unavoidable and reasonable excesses caused by any rise in prices, authorized deviations, losses by fire or theft or other unforeseen factors, should be obtained from the administrators of the funds before starting work. Alterations in design should be similarly dealt with.

(3) The officer incharge of the work should report at once to his superiors and to the contributors, any anticipated excesses and give full information regarding the progress of expenditure, so that there may be no responsibility for Government if the work has to be stopped later on for want of funds.

(4) The authorities undertaking such works should see that both parties understand clearly their mutual responsibilities.

(5) Where the works is of such magnitude or there are special circumstances justifying it, an agreement should be drawn up under legal advice.

111. Rules relating to Construction Estimates for irrigation and Subsidiary Works

111(1) These orders and rules apply only to the construction and maintenance of new works in connexion with a Government irrigation system, the cost of which works is defrayed, in whole or in part, by the voluntary contributions of interested parties. They do not apply to works done by a private person at his own expenses in connexion with any field channel which is private property.

(2) No works in connexion with Government irrigation system will be undertaken save with the previous sanction, in writing, of the Government or of an officer of the Public Works Department authorised as shown in Rule (5) below and except on the conditions mentioned in Rules (6) and (7).

(3) The actual execution of such works, except those mentioned in Rule (4) below when sanctioned, will be undertaken by the Public Works Department as contribution works (vide Rule 1 under Paragraph 470, A.P. Public Works Account Code); and all such works inclusive of those mentioned in Rule (4) below when constructed, shall be deemed to be works constructed by, and belonging to Government.

(4) In the cases of bridges, culverts, batching-ghats, or rams required by municipalities, zilla parishads panchayat samitis or village panchayats constituted under the A.P. Gram Panchayats Act, 1964, the design and location of each work require the approval of the officer of the Public Works Department authorized to accord technical sanction to an estimate for a Government work of a similar nature and estimated cost. The agency by which the work will be executed will be the Public Works Department or Engineering staff of the Zilla Parishads, Panchayat Samitis and Panchayats concerned according as the Superintending Engineer, or in cases beyond the Superintending Engineer's powers, the Chief engineer may decide. If the Zilla Prishad, Panchayat Samitis and Gram Panchayats has borne the entire cost of construction, it will also bear the full cost of maintenance.

Note :-Zilla Parishads, Panchayat Samitis, Panchayat or Municipalities may be allowed to execute such works costing Rs.2,500 and less provided that the execution is supervised by the Public Works Department or by the Engineering staff of the Zilla Parishad, Panchayat Samiti or Municipality as the case may be,

(5) The Chief Engineer and Superintending and Executive Engineers are authorized to record both administrative and technical sanction to all estimates for contribution works for irrigation and subsidiary purposes to be executed by the Public Works Department upto the limits of their powers laid down in Paragraphs 416, 420 and 430 of the A.P. Public Works Department Code, subject to the condition that the construction of the proposed works has been previously approved by the Collector of the district.

(6) Before the sanction is accorded to the carrying out of any contribution works, other than those referred to in Rule (4) the contributor or their authorized representatives must sign an agreement duly stamped in the prescribed form - *vide* Appendix VIII-A of the A.P. Public Works Department Code.

Note :-A11 such agreements should be registered and sent to the Director of State Archives, Hyderabad for safe custody.

(7) Superintending and Executive Engineers are permitted to undertake the maintenance of contribution works subject to the limit of their powers to sanction similar repair or maintenance estimate in respect of ordinary works and subject to the following conditions:-

(a) In the case of contribution works for which the Government have not contributed as much as half the original cost of construction, the repair works may, if the sanctioning officer considers it desirable be carried out at public cost if the amount does not exceed Rs. 50 in each case in any one year.

(b) In the case of works for which Government have contributed half or more than half the original cost, the works of maintenance and repairs may similarly be carried out at public cost without any specified limit,

Sanction to carry out works of maintenance under this rule should be given only when the necessity for such works arises and not when the original contribution works themselves are sanctioned.

Where the cost of maintenance is to be recovered, in part or in whole, from the interested parties, the amount required should be recovered before any repairs or works of maintenance are commenced.

(8) A deposit of Rs. 30 will be recovered from the contributors before plans and estimates for any contribution works are prepared by the officers of the Public Work* Department. In cases where the Executive Engineer considers this amount unsuitable, he will address the Superintending Engineer. An agreement duly stamped will be obtained from the applicants in the prescribed form (*vide* Appendix VIII-B of the A.P. Public Works Department Code) to the effect that unless the work is dropped owing to the objection of third parties, the deposit will be forfeited if the applicants withdraw after the preparation of plans and estimates. This rule does not apply to works asked for by local bodies. In such cases when the Public Works Department prepare plans and estimates for works to which ;

a local body has agreed to contribute, that body should pay 2 1/2 per cent of the estimated , cost of work (subject to a minimum of Rs. 10) for the preparation of plans and estimates and 1 per cent of the estimated cost of the work (subject to a minimum of Rs. 5) for their security. If the works are eventually executed by the Public Works Department, the fees levied on this scale be adjusted towards centage charges- The fees, will not be refunded in any circumstances.

(9) No charges on account of establishment and tools and plant will be made on outlay on new original works which are undertaken in the interest of Government, and to which local bodies or private persons or bodies contribute, either wholly or in part. But the lump-sum contributions made by these bodies or persons in such cases should invariably be distributed, for accounts purposes, into two parts (laid down in Paragraph 477 of the A.P. Public Works Account Code), the one representing a share of works expenditure and the other the amount chargeable on that share as establishment and tools and plant charges, calculated according to the percentage fixed in Rule 6(iv)(a) of Appendix 7 of the A.P. Public Works Account Code, No charge for audit accounts should be levied in such cases.

In the case of other works, i.e., works which are not required in the interest of Government, but are carried out on behalf of private individual or bodies, Z.P., P.S, Municipalities constituted under the Gram Panchayat Act, 1964 and also works which are in the nature of maintenance of existing works, percentage charges as shown in the margin.

*13 per cent on works outlay for establishment,

I per cent on works outlay for tools and plant,

I per cent on works outlay for Audit and Accounts establishments,

1 per cent on works outlay for pensionary charges.

*Will be levied where the cost amount to Rs.1,000 or over, percentage charges will also be levied on such works costing less than Rs- 1,000/- unless the levy is specifically remitted by the State Government.

208. (1) The following rules will apply to works for which contributions are recoverable on account of the joint ownership or interest, possessed by the Government and other concerned parties. A list of the irrigation or the navigation works which serves more than one interest, e.g., Government, private persons or local bodies and showing the various irrigation systems and the shares of contribution payable by the various interested parties towards the maintenance charges of such systems will be issued periodically by the Chief Engineer for Irrigation.

(2) In these cases centage charges should be recorded on the amounts of contributions at the rates specified in the sub-paragraph under Rule 9 of Paragraph 207.

(3) When an estimate for a contribution work included in the list is framed, the contributors should be furnished with copies of abstract estimate and the report showing the need for the work and asked to pay their shares together with centage charges thereon in advance, a reasonable time being allowed for offering their remarks before the work is commenced. In the event of their refusing to pay the amount the work should be carried out by the Government, if it seems expedient to do so. In such case, a separate account should be maintained showing the items which are covered by centage charges, for the purpose of production in Court, if recovery by civil suit is necessary. On the completion of the work a second notice demanding payment of the appropriate contributions together with interest thereon from the date of that notice till the date of payment should be issued immediately after the works are completed and paid for. If the contributions are not paid before a specified date, the amount should be recovered by a civil suit.

(4) The case of other contribution works not included in the list of contribution works but for which landholders are by equity bound to pay should be decided on their merits and the works should not be put in land until necessary agreements are concluded with them and the contributions are recovered.

(5) Urgent contribution works such as repairs of damages caused by floods may, after due notice to the contributors, be carried out to the extent absolutely necessary, immediate steps being taken to cover the contributions in consultation with the Collector of the district. The authority sanctioning the work should satisfy himself that the repairs are urgent and essential and should record his opinion in writing to that effect. Any work that can safely be postponed should not be carried out before contributions are recovered.

(6) In the case of works for which Government have agreed to contribute and which other interested parties carry out, the parties should be required to give at least a fortnight's information in advance to the commencement of the work and in the case of really urgent work to inform the Executive Engineer and the Sub-divisional Officer within three days of the commencement of the work.

Note 1:—The above rules do not apply to cases where Indian States are concerned and such cases should be dealt with in accordance with the terms of the special agreements concluded with them in the case of each work.

Note 2:— [Deleted]

208-A The construction and maintenance of Zilla Parishad and municipal roads on the banks of Government Irrigation Works are governed by the rules in Appendix XX of the Code.

IV. Government Works Partly Contributed for by Local Bodies and Private Parties

209. There are certain works, which are the property of Government for which a share of the cost is recoverable by mutual arrangement between Government and the Zilla Prishads or private parties concerned either as a proportion of the cost of the work or in fixed lump-sums, e.g., maintenance of certain roads, bridges, and hospitals, certain tax restoration works, etc. The procedure for watching recoveries and adjusting them in the accounts is contained in Paragraph 393-A of the A.P. Public Works Accounts Code.

V. Clearing of Prickly-pear

210. Under the Kudimaramat rules, when ryots who are responsible for the clearance of prickly-pear from tank bunds and channel banks fail to do so, the procedure to be followed should be

- (1) to call on the villagers concerned to do the work as laid down in Board's Standing Order No. 86, Paragraph 6 ;
- (2) to get a report of their failure to do it if they decline ;
- (5) to hold an auction in the village itself for the lowest bid for the work and to get the village panchayat to accept the sum ; and
- (4) to follow the procedure prescribed in Local Ruling 3 under Article 45 of the A.P. Accounts Code, Volume III, for the accounting of expenditure incurred by the Public Works Department, in such cases.

The forms of agreement for adoption in cases where prickly-pear bushes, trees, etc., have to be cleared from Government irrigation sources, is given in Appendix XVI.

Note 1:—Estimate for removal of prickly-pear will be sanctioned under ordinary repairs", the countersignature of the Collector of the district being obtained in cases where the amount has to be recovered from the ryots under "Kudimaramat".

Note 2:—In village where panchayats do not exist the procedure indicated in Board's Standing Order No. 86, Paragraph 6, should be followed and the auction conducted, if necessary, with the help of the village officials.

J - DISPOSAL OF ESTIMATES

I. Office of Record for Estimates

211. Estimates, after being sanctioned by proper authority, should be returned to the Executive Engineer for record in his office.

II. Communication of Sanction to Estimates to the Audit Officer

212. A return of all estimates sanctioned by the Executive Engineer should be sent monthly to the Superintending Engineer, serial numbers being given for the estimates of the division, and a copy of the return should simultaneously be forwarded to the Audit Office not later than the 5th of the month following the month of sanction. A similar return should be furnished to the Audit Office by the same date by the Superintending Engineer in respect of estimate sanctioned by him.

Advices of all detailed estimates sanctioned by an authority higher than a Superintending Engineer should be communicated to the Audit Officer, monthly at least.

Extracts from these returns as regards major original works relating to the Roads and Buildings branch should be sent to the Chief Engineer so as to reach his office not later than the 10th of each month.

Note:—The Superintending Engineer is responsible that in cases where a substantial section of a project sanctioned by higher authority has been abandoned, even though provisionally the aggregate assumed cost (including contingencies) of the works included in that section is intimated to the Audit Officer for exclusion from the total sanctioned estimate of the project. See also Paragraph 182.

III. Supplementary Estimates

213. Any development of a project though necessary while a work is in progress, which is not fairly contingent on the proper execution of the work as first sanctioned, must be covered by a supplementary estimate, accompanied by a full report of the circumstances which render it necessary.

The following particulars should invariably be furnished when submitting Supplementary estimates for sanction :—

(1) Every supplementary estimate should be numbered consecutively as first supplementary estimates, second supplementary estimate, third supplementary estimate and so on; and

(2) The application for sanction to supplementary estimates should show the amount of the original estimate and the total amount including the supplementary estimate for which sanction is sought and also of the supplementary estimates sanctioned previously.

IV. Revised Estimates

214. [A revised technical estimates must be submitted when the expenditure is likely to exceed the amount of sanctioned estimate plus such excess as can be passed by the appropriate authority for any case whatever other than tender premium or when material developments or deviations necessitate revised administrative approval [G.O.MsNo 242,PWD,Dt.11-2-1966 & G.O.Ms.No. 292,Tr&Rd&B.,(c1) Dept Dt. 8-9-80]

It must be accompanied by a report showing the progress made to date and explaining fully the cause of the revision. The revised estimate need not contain details of items which are not altered, but a mere note to this effect ; but the altered items should be shown in a comparative statement, P.W.D., Forms V-17 and 18. The sanctioned estimate must accompany a revised estimate. It is the duty of the Executive Engineer to see that revised estimate is prepared and disposed of directly as the necessity arises.

V. Utilisation of Completion Report as revised estimate

215. When excesses occur at such an advanced period in the construction of a work as to render the submission of a revised estimate purposeless, the excesses, if beyond the power of the Executive Engineer to pass must be explained in the completion report.

K-COMPLETION REPORTS, CERTIFICATES AND PLANS

I. General

216. (a) A consolidated completion report in P.W.D. Form No. 45 (P.W.D, VI-94), should be prepared monthly of all completed works other than those referred to in clause (b) the actual expenditure on which is in excess of the sanctioned estimate *vide* Paragraph 182) by an amount greater than that which the Executive Engineer is empowered to pass. This report should show for each work or group of works the estimated cost, the outlay, and the excess. When the completion report is utilized instead of a revised estimate under Paragraph 215, sufficient details must be given, if the excess is more than 5 per cent to satisfy the authority whose sanction is necessary.

(b) A detailed completion report in P.W.A Form No. 44(PWD)VI-93 need only be prepared in respect of works on which the outlay has been recorded by sub-heads—

(1) when, if the work was sanctioned by higher authority, the total estimate has been exceeded by more than 5 percent, and

(2) when, if the work was sanctioned by the Executive Engineer, the *total* estimate has been exceeded by an amount greater than that which he is empowered to pass, This report should give a comparison and explanation of differences between the quantity, rate and cost of the work executed and those entered in the estimate. See also Paragraph 182 of this Code and Paragraph 378 of the A.P. Public Works Account Code.

Note 1 :—The Superintending Engineer may, if he so desires, require a detailed complete report to be prepared on the completion of any other work.

Note 2 :—Special rules for the preparation of completion reports or irrigation projects are given in Paragraph 40 and Rule 33 of (the rules issued by the Government of India in the letter No. IR./39, dated 61th, July, 1929.

217. It is left to Superintending Engineers when starting the execution of a work decide whether intermediate completion reports may be submitted for important component works forming part of a large scheme.

218. In all cases of submission of revised completion reports, full particulars should be furnished as regards the excess incurred and the circumstances under which the revision of the original completion report has become necessary.

219. Completion statements or reports should not be delayed for want of a completion certificate.

220. When the settlement of compensation claims is unavoidably delayed, the

221. On the completion of a work in accordance with the sanction and approved, executed on behalf of another department, the local head of that department will be informed in writing by the Executive Engineer to that effect. Such formal notification will constitute the handing over of the work to the department for whom it was carried out. Reasonable warning of the imminence of such notification must of course be given.

222. Civil and Military Officers are required to fill up and sign all authorized forms and requisitions concerning the execution of any original work affecting their department.

III. Record drawings

223. Record drawings, showing the work as actually constructed, should be completed as soon as possible by the officer in immediate charge of every new work or alteration of an existing work, for approval and record by the Executive Engineer (*vide* Paragraphs 85 and 262). Completion plans, consisting of copies of the record plans of the most important works and alterations, should, if required to elucidate the report or if otherwise so directed by the Superintending Engineer, be prepared in the Executive Engineer's Office to accompany the completion report,

IV. Office of Record

224. On the completion of any work in respect of which a completion report or statement is required under rule, such report or statement should be forwarded by the Executive Engineer to the Audit Officer who should after verification of the figures, transmit it to the Superintending Engineer. That officer should forward it to the Chief Engineer if he is not himself empowered to deal with the excess. After disposal by the authority concerned it should be returned to the divisional office, or such other office as the State Government may decide on as the office of final record.

Completion plans, if any, should not be sent to the audit office but should be forwarded direct to the Superintending Engineer who should attach them to the completion report on its receipt.

Completion plans, if any, should not be sent to the audit office but should ordinarily be retained in the divisional office, but in the event of unfavourable remarks having been recorded upon such a certificate by any civil or military officer, it should be submitted for the orders of the Superintending Engineer with the explanation of the Executive Engineer and an account of any action he may have taken

Note:-Completion report in respect of works costing less than Rs. two lakhs need not be sent to A-G'S. Office for verification of figures of expenditure. However in respect of projects where separate way and accounts office organisation exist, completion reports shall be sent to the P.A.O irrespective of the cost of the work.

(G.O.Mr.No.417,TR, &vB,(CI)Dept,Dt.. 27-12-1980)

buildings, such as, renewals of locks, window panes, belts, etc.. which required not technical skill or supervision by officers of the Roads and Buildings Department.

The Principals, Government Colleges are empowered to carry out departmentally upto a limit of Rs. 250 (rupees two hundred and fifty) petty repairs to the fixtures in the College buildings including hostels and residential quarters, such as renewal of locks, window panes, etc., which require no technical skill or supervision by officers of the Roads and Buildings Department. This delegation does not authorize the execution of repairs to residential portions of the buildings, if such repairs will increase the capital cost thereof. The Executive Engineer should be consulted in doubtful cases.

Note;-2 :—Matting for floors, ratten blinds or chicks, locks for outside doors, etc., will not be Heated as fixtures to be provided by the Public Works Department, except in the case of residential buildings, for which plain and inexpensive matting, such as ordinary coir matting, etc..will be treated as fixtures to be provided by the Roads and Buildings Department.

Note3 :—In the case of those non-residential buildings, however, in which petty works of construction and repairs are now attached to by the Public Works Department under Paragraph 97 of this Code that department will undertake the supply and renewal of and repairs to chicks.

Note 4 :—No pandals may be erected or maintained for residential buildings at State expense, except for the receipt of His Excellency the Governor, in which case the charges are debitable to civil estimates.

Note 5 :—Pumps should not be installed at public expenses on wells attached to residences.

Note 6 :- Flags will be provided by Executive Engineer of Divisions, in consultation with the Collectors concerned, for public buildings incharge of the Roads and Buildings Department.

Where a group of buildings contains a number of offices, it is sufficient if one flag is provided for the whole group.

(ii)Flagstaffsblocks and ropes may be provided by the Roads and Buildings Departments for all public buildings incharge of the department for which flags have been supplied under Rule (i) above.

(iii)The initial supply of flags,flagstaffs, blocks and ropes for buildings incharge of Roads and Buildings Department will be met from "259- Public Works", and the estimates for provisions will be classed as "Original Works". Renewals and repairs of flag, flag-staffs, etc., will be attended to by heads of offices occupying the buildings, the charges being debited in the same way as repairs to the buildings.

(iv)The General Superintendent, Public Works Stores,A.P. will stock and issue flags in indents received from Executive Engineers or Heads of Offices requiring them-

Note 7:-In the case of an official residence, whether newly constructed, purchased or hiredpunkahs with their fittings on the scale approved by the Slate Government may be supplied and maintained by Government. All other punkahs and fittings should be provided and maintained by the tenant. Punkah includes its suspending ropes, tubes, • pulleys, its pole or board and the flap attached thereto and its pulling ropes or leatter things. It does not include covering for the flap or frills.

Note 8:—All expenditure or furniture which can be classified as "Fixture" should be debited to the works

(b) Furniture

(i) General

230. Ordinarily the Executive Engineer will not supply nor repair furniture, screens, purdahs, or tatters; nor will he perform any of the duties specified in Paragraph 229 a devolving on the departmental officer incharge. Furniture for new offices may, however be supplied by the Executive Engineer, and charged in his accounts provide that start Government authorizes the inclusion of the cost of such furniture in the estimates of the offices concerned. The rule does not apply to the supply and repair of furniture of any to the Government inspection bungalows incharge of the Roads and Buildings Department the cost of these will be borne by the Roads and Buildings Department. [Furniture supplies to inspection Bungalows will be debited to the works estimates and subsequent repair to the maintenance estimates of the inspection Bungalows].

[G.O/Ms.No.948,P.W.D.Dt. 20-8-1973]

Note 1 :— Inspection bungalows should not ordinarily be furnished with cutlery and crockery and the sanction of Government should be obtained in each case to the provision them.

Note 2 :—The furniture required by the division and sub-division offices of the Public Works Department should be debited to the contingent grant of the office concerned, whatever be the nature of the division special project ordinary],

[G.O.Ms.No. 948,PWD, Dt. 20-8-1973]

231. Superintending Engineer may accord sanction for the provision of furniture for inspection bungalows on the scales laid down subject to the money-limits- In according sanction in each case he should certify that the cost of new supplies together with the CM of the articles already supplied to the bungalows does not exceed the money-limits laid down. The Executive Engineer can sanction estimates for subsequent repairs and renewal In according sanction to renewals, he should see that the number and cost of the article renewed does not exceed the number and cost of those replaced.

232. The following scale of furniture is laid down for inspection bungalows. The list is not exhaustive and the Chief Engineer is empowered to vary the number of an article or sanction any additional new articles required provided the total cost does not exceed Rs. 1,000 (one thousand) for a bungalow with double accommodation and Rs. 75 (seven hundred and fifty) for a bungalow with single accommodation :

Two iron bedsteads with wire mattresses and complete mosquito curtain arrangements.

Two wash hand stands with basins.

Two galvanized iron bath tubs.

One combined meat safe and drawer (common to both rooms).

Two sanitary commodes with tripod stands,

One dining table, 4 feet by 4 feet (common to both rooms).

Two medium size office tables.

Two small size dressing tables.

Two clothes stands (horse with pegs 6).

Four arm chairs.

Two easy chairs.

Two box patent mirrors.

Two kitchen tables, 4 feet by 2 feet with 1 inch mango top.

Two matty tables, 4 feet by 2 feet polished top.

Two teak wood towel racks, ordinary.

Two teakwood stools, small round top, 1 inch diameter.

Two teakwood ordinary teapoys.

Tow galvanized iron buckets.

(ii) Residence of High Officials.

233, (a) The administration of the furniture fund of the official residences of His Excellency the Governor including the upkeep of a stock list and the purchase, repair and maintenance of furniture, will be conducted by the Military Secretary under the rules issued by the Government of India in the Home Department. The Military Secretary to His Excellency the Governor will furnish to the Audit Officer an annual certificate of verification in respect of Government House furniture, on or before 31st July each year stating that all furniture has been inspected and checked with the stock list maintained and that he is satisfied—

(i) that all new supplies up-to-date have been correctly brought on to the inventories ;

(ii) that the inventories are correct in all respects ;

(iii) that the articles in stock agree with the inventories ;

(iv) that sale-proceeds have been properly accounted for ;

(v) the sanctions of competent authority exist for all articles written off the inventory; and also

(vi) that the articles of furniture are being properly maintained and are kept in serviceable order.

It is important that the furniture should not be allowed to deteriorate to an extent that will give rise to large demands for renewals on any change of incumbents.

Note 1 :—Chinks (rattan or bamboo) are different from blinds and are into debitable to "Furnishings but to Maintenance and repairs".

Note 2 :—The cost of supply and repair of furniture to the following quarters attached to the Government Houses, is debitable to the Public Works grant.

(b) The Executive Engineer, Roads and Buildings Division, will be incharge of the furniture supplied to the residences of Ministers and will be responsible for keeping proper accounts of the furniture. He will furnish to the Audit Officer an annual certificate for verification of furniture in the residences of Ministers on or before 31 st July each year, on the lines mentioned in Paragraph 233(a) in respect of furniture in Raj Bhavan

[CODE-8]

III. Purchases, Sale and Transfer of Government Buildings

(a) Purchase of Buildings

234. No building may be purchased for public purposes without the order of Government, to whom a survey and valuation report by the Executive Engineer of flit division should, in all cases be submitted - see also Paragraph 264.

(b) Sale and Dismantlement of Buildings

235. Buildings in charge of Roads and Buildings Department:—Chief, Superintending and Executive Engineers have power to sanction the sale or dismantlement of State Government buildings in charge of Roads and Buildings Department when the book value of the building does not exceed. Rs.10, 000/-, Rs. 5,000/- and Rs. 1, 000/- respectively. As however they have no power to sell land, whenever they sanction the sales of building they should communicate their order to the Collector who will then take the; Necessary steps to sell both buildings and land together.

Note 1:—No building should be sold unless it has been previously ascertained that it is not required by any department of Government and the approval of the Collector should be obtained before any building is ordered to be sold.

Note 2:—No building should be demolished unless it is in a dangerous condition or past repair

Note 3 :—The powers will not extend to the sale or dismantlement of several individual buildings situated in a compound, The total cost of which exceeds Rs. 10, 000/- Rs. 5,000/- or Rs. 1,000/- as the case may be.

Note 4 :—When it is proposed to sell of dismantle a portion of the building The value of flt entire building and not of the portion shall be taken for the purpose of determining the authority competent to sanction it.

236. Temporary buildings erected during the construction of a work may, under the sanction of the Executive Engineer, be sold or dismantled on the completion of the work of when the purpose for which they were erected has been served. It is the duty of flt: Executive Engineer to report when, in his opinion any other building or property of Government in his charge ought to be sold or dismantled.

237. Building incharge of Revenue Department :— (I) It should have been' previously ascertained that any building to be sold is not required for the use of any department of Government.

(ii) The Executive Engineer concerned should have certified that any building proposed to be demolished is dangerous or past repair.

238. The sale-proceeds of Roads and Buildings Department building including this actual area occupied by or auxiliary to a building should be apportioned as follows :-

(a) When the cost of the building was originally debited to the Capital account for the Revenue account of a project for which regular Capital and Revenue accounts are kept 01 to a capital expenditure head outside the Revenue accounts even though no regular capital and Revenue accounts are kept for the work covered by the Capital expenditure, the sale-proceeds should be credited to the Capital or Revenue account of the project, or to the capital expenditure head originally debited, as the case may be recoveries of expenditure

(b) When the sale affects irrigation, navigation, drainage and Flood Control works, for which capital accounts are not kept, the amount should be credited to "133, Irrigation, Navigation, Drainage and Flood Control projects for which no Capital accounts are kept".

(c) When the sale is of buildings the cost of which was originally debited to "259. Public Works" the amount should be credited to "059. Public Works".

(d) In all other cases—

(i) if sold in the Public Works Department (but see Paragraph 235) the amount should be credited to "XXXIX. Civil Works", and

(ii) if sold by Civil agency, to "XIVI. Miscellaneous—State of Land and property",

(c) Transfer of Buildings

239. (1) Collectors, Conservators of Forests, the Chief Conservator of forests and the Board of Revenue are empowered to transfer buildings in their charge for occupation as offices from one department to another when they have been vacated by the former in consultation with the heads of departments but without reference to Government, subject to the condition that the book value of the building transferred does not exceed Rupees 2,500 in the case of Collectors and Conservators and Rs. 5,000 in the case of the Chief Conservator and the Board of Revenue.

(2) Superintending Engineers are empowered to sanction, in consultation with the Collectors of the district and the heads of departments concerned, the occupation as an office by one department of Government of a building in charge of the Roads and Buildings Department after it is vacated by another department for which it was originally constructed or provided.

(3) But the orders of Government should be obtained by the authorities concerned before the transfer is made—

(i) when it is proposed to transfer a building to Zilla Parishad or private bodies (vide Paragraph 165) or to any department of the Central Government ;

(ii) when the building belongs to the Central Government;

(iii) when two or more departments ask for the same building.

The discretion in regard to the transfer of Government buildings (which, though not immediately required for Government purposes, it is not considered desirable to dismantle) to local bodies on terms which will ensure the buildings being kept in proper repair and to secure the right of re-entry after reasonable notice, will be exercised by Government.

IV. Hire of Office Accommodation for Officers of the Public Works Department

240. (i) When a private building is taken up by an officer for location of both office and residence either by private leasing or by allotment under the Andhra Pradesh Buildings (Lease and Rent Control) Act, its suitability for the location of the office and occupation by the officer and reasonableness of rent should first be considered.

(ii) Having taken up the building it should be suitably allocated to the office and residence and rent for the two portions fixed on the basis of plinth area.

(iii) Once this allocation is made the officer concerned should be made liable to pay the full rent for the residential portion irrespective of his pay and he should not be allowed to change the allocation unless there is an expansion or contraction of the office.

(iv) When once the portion of the building is allotted to an officer, as his residence, ' he is liable to pay the full rent for the residential portion of the building from the date it is occupied by him till the date of his vacating the portion of the building. When an officer to whom a portion of the building is allotted as residence, is transferred out of the station ", and the portion of the building becomes vacant, it should be allotted to his successor. If there is no officer occupying the post for which this portion is allotted and if it cannot be assigned to any other officer or office during such period, the portion of the building in question should be immediately released to the owner if the latter is agreeable to such a course. If the residential portion of the building is occupied by the family of an officer, even after his transfer from the station or if the officer stores his personal effects in the portion even after his transfer he is liable to pay the full rent for the portions of the building till it is completely vacated by him.

[240-A.(a) Office accommodation may be hired for the P.W.D. if no Government building is available. In the case of accommodation for his office or for any of the subordinate offices of his department, the Chief Engineer can sanction rent upto Rs. 2,500/- per month in each case, when accommodation is provided in separate building. When accommodation is provided in a building partly used as private residence, the Chief Engineer can sanction rent proportionate to the extent of the main building set solely for office use, subject to a maximum of the half the rent of the house or Rs- 1,250/- a month, whichever is less. In the case of office accommodation for Executive Engineer, the Superintending Engineer, may sanction rent of a building upto a maximum of Rs. 600/- per month and upto Rs. 300/- for Sub-divisional Officer's Office, any higher rent being sanctioned by the Chief Engineer or by Government, as the case may be-Any Executive Engineer may sanction the hiring of office accommodation for 3 Sub-divisional Officer upto the limit of Rs.200/- per month in each case any higher in rent being sanctioned by the higher authority competent to sanction.

(b)When an Executive Engineer or a Sub-divisional Officer, for whose office no accommodation is provided in buildings owned or leased by Government provides office accommodation in a privately rented residence, he may under the orders of the Superintending Engineer in the case of an Executive Engineer and Executive Engineer in the case of Sub-divisional Officer draw in his contingent bills office rent proportionately to the extent of the main building set aside solely for office use not exceeding half the rent of the house, This is further subject to a maximum of Rs. 600/- in the case of an Executive Engineer and Rs. 200/- in the case of a Sub-divisional Officer. In according such sanctions, the Superintending Engineer or the Executive Engineer, as the case may be, must certify that no Government building is available and that no suitable separate building can be hired for the purpose at a less cost].[Submitted by G.O.Ms.No. 265, R&B(C)]Dept.,Dt.2]-7-1982]

(c)If the house is a Government building, the rent to be paid by the occupant should be calculated under Paragraph 263.

(d) In the case of leased buildings, the lease should distinctly show whether the municipal tax is payable by the lease in addition to the rent or by the lessor himself. If it is the local rule or custom for the taxes to be paid by the lessee, then the tax for the entire building will be paid by Government; if a portion of the building is occupied by the officer

as residence, then he should pay the share of such tax corresponding to the share of the net payable by him and Government should be debited with the difference. In the case of Government buildings, the entire tax will be paid by Government - *vide* also Para 250.

(e) In the case of private buildings taken on lease for office accommodation no lease deeds are necessary in case where the lease is for a period not exceeding a year and the amount of rent is Rs. 50 per mensem and below. In such cases, consent letter should be obtained from the owners as to the quantum of rent and period of lease with a provision that the Government officer may vacate the building after giving a months notice. In all other cases where the period for house is more than one year and or the rate of rent is above Rs. 50 per mensem, lease deed should be taken as usual but no stamp duty need be levied.

(f) In case of a Sub-divisional Office, the following conditions also apply :—

(i) In calculating the accommodation set apart for office purposes, no allowance should be made for a separate room, apart from the office, to be occupied by the Sub-divisional Officer.

(ii) The Sub-divisional Officer's immediate superior must certify both as to the adequacy of the accommodation provided for the office and its suitability.

Note 1 :—The rules in Paragraph 240 do not apply to the hiring of accommodation for the storage of Government materials obtained for the execution of specified work. Such payment should be provided in the estimate for sanction by the competent authority.

Hate 2 :—The above powers are delegated subject to the following conditions :

- (1) The accommodation should be as per the scale prescribed.
- (2) Reasonableness of rent certificate should be obtained.
- (3) Availability of budget provision.

241. In the case of Section Officers, the Superintending Engineer and the Executive Engineer may sanction the hiring of office accommodation up to a maximum of Rs. 75/- and Rs.- 50/- p.m. respectively. Any higher rent being sanctioned by the higher authority competent [Subs. By G.O.Ms.no. 265, Tr.Rsd & Buildings (CI) Dt.. 21-7-1982]

242. In cases where office accommodation is to be provided in a building partly used as the Section Officer's residence, conditions similar to those in clauses (b) and (e) under Paragraph 240 will apply and the rent to be paid by Government will be limited to half the actual rent of the building subject to a maximum of Rs 10/-

V. Renting of Buildings

243. It is the duty of the Executive Engineer to endeavour to get tenants for public buildings not immediately required for Government use. They should generally be let from month to month, but a lease may be given with the Chief Engineer's sanction- A clause in the agreement should be added, when necessary, to, enable the Executive Engineer to terminate the lease at short notice in case the building is required by Government.

244. Rent should be recovered from local bodies with office accommodation in Government buildings - see Paragraph 275.

A Zilla Parishad occupying a Government building must provide its own record racks at its own cost, but may ask the Superintending Engineer concerned to render it any necessary assistance.

Note 1'.—Expenditure on additions and alterations to buildings occupied by local bodies should not be incurred without the specific sanction of Government.

Note 2 :- *Zilla Parishads* which have not exercised the option of buying up record-rack formerly fixed in such buildings by Government, are required to pay rent, the cost of the racks being included in the capital cost of the building or the portion thereof occupied by the *Zilla Parishads*.

Note 3 :-It is not necessary to sanction data statements for calculating the rent of buildings not immediately required for Government use and let to local bodies or private persons under Paragraphs 243 and 244.

245. Rent should be recovered from commercial departments and from departments of the Central Government for State Government buildings occupied by them wholly or partly for non-residential purposes as below—

(a) Six per cent interest on book value of the building with additions and alterations and of Sanitary, Water Supply and Electrical Installations and fittings in the buildings plus 1/2 per cent on book value of the buildings, excluding the cost of land, but including cost of sanitary, water supply and, electrical installations and fittings to recover capital investment at the end of the life of the buildings plus 4%; per cent for maintenance on the capital cost of the building excluding the cost of site and 6 per cent for maintenance on the capital cost of sanitary, water supply and electrical installations and fittings should be charged.

(b) Municipal or union taxes should be paid by the occupying departments direct to the authorities concerned, except in the case of a commercial department or a department of the Central Government which occupies only a part of the building. In such cases, the procedure laid down in Rule (i)(b) in Appendix 12-A, Andhra Pradesh Financial and Accounts Code, Volume II, should be followed.

(c) Superintending Engineers of circles are empowered to approve finally on the certificate of the Audit Officer, data statements for calculating the rents of such buildings, provided the rent is fixed strictly in accordance with the above rule and notes hereunder.

Note 1 :-The terms "book value" and "capital cost" used in this rule represent—

(a) the actual cost of constructing or acquiring the buildings, plus

(b) the cost or assessed value of the site, plus

(c) 'in the case of buildings constructed after 1st January, 1922 and before 1st April 1930 and those started before 1st April, 1930 and in progress on that day, 1;

per cent on the "works outlay", for establishment, tools and plant, and in this case of old buildings constructed prior to 1st January, 1922 to which improvements involving increase of capital were carried out after 1st Jan., 1922 and before 1st April, 1930 or were started before 1st April, 1930 and in progress on that date, 15 per cent of such increase. (This applies to buildings occupied by commercial departments as well as to those occupied by departments of the Central Government), or

(d) in the case of buildings (occupied by commercial departments), the constructions of which was started on or after 1st April, 1930, 12 per cent on the 'works outlay' for the purpose mentioned in clause (c) above and in the case of buildings constructed prior to 1st April, 1930, to which improvements involving increase of capital cost were started and carried out on or after 1st April, 1931 13 per cent of such increase; or

(e) the case of buildings (occupied by the departments of the Central Government), the construction which was started on or after 1st April, 1930, 19 per cent on the "works outlay" for the purpose mentioned in clause(c) above and in the case of old buildings constructed prior to 1st April, 1930, to which improvements involving increase of capital cost were started and carried out on or after 1st. April, 1930, 19 per cent of such increase.

Note2:—In the case of residential buildings occupied by officers of commercial departments, rents will be fixed and recovered by the Roads and Buildings Departments in accordance with the rules in Section B of this chapter as may be modified from time to time.

Note 3:—When buildings borne on the accounts of Irrigation, Navigation, Drainage and Flood Control Projects for which capital and revenue accounts are kept are used for general purposes by other departments & of Government, rent in accordance with the above rule shall be recovered from the department using the building.

246. Public buildings let to private individuals should not be altered or enlarged At Government expense to suit the tenant, and persons occupying public buildings on rent are prohibited from making and alterations even at their own expense, except with the express concurrence of the Executive Engineer. The fact of any additions or alterations being made by the tenant confers no right of ownership on him, nor can the fact of the occupant having made additions or alterations at his own expense be considered as giving him any claim to a set-off against, or diminution of rent. These conditions should be entered in the agreement or lease - *vide* Appendix XIII.

Note :-The agreement form is a general one and does not preclude Superintending Engineers from inserting any special considerations which may be found desirable in the case of particular buildings or individuals. Such conditions should be inserted in consultation with the Government Solicitor.

Note 2:- In cases in which the rent proposed to be recovered inclusive of municipal or other taxes, which are payable in respect of the premises and which will be borne by the 'lesser', i.e., the Government, clause (2) in Paragraph 2 of the standard form should be omitted.

Note 3:- The lease agreement referred to above should be written on a stamped paper and the cost of the stamp be borne by the lessee. The agreement need not be registered

247. No public building in the charge of the Executive Engineer may be occupied as private residence without his consent, except under the orders of his departmental superior or of the State Government.

248. On no account is any church, chapel, mosque, temple, tomb, or other building devoted to religious use, to be occupied as a dwelling house or for any other purpose, without the consent of the persons interested and the sanction of the principal civil or political authority on the spot - see also Paragraph 19.

VI. Custody of vacant Government Buildings

249. Whenever a public building which is not borne on the registers of the Public Works Department falls vacant, it should be handed over to the custody of the Revenue Department by the occupying department. If it is considered desirable, for any special reason, to transfer the building to the charge of the Roads and Buildings Department, orders of Government should be obtained. Public buildings borne on the registers of the

Roads and Buildings Department should be handed over to the Roads and buildings) Department when vacated.

VII. Taxes

250. The rules for the payment of municipal and local taxes on buildings in the occupation of departments of the Andhra Pradesh Government or of Government servant under the administrative control of the State Government are given in Article 120 of the Andra Pradesh Financial Code, Vol. I-

Provision for the payment of municipal or other taxes on public buildings should be made in the annual repair estimates to the cases indicated in Article 120 of the Andra Pradesh Financial Code, Vol. I.

251. The Postmaster-General, Andhra Pradesh Circle, is responsible for the appropriate assessment, recovery and accounting of rents on residential buildings of the Post and Telegraph Department borne on the registers of the Andhra Pradesh Roads and Buildings.

Department and the claims and recovery of rents from occupants of such buildings will be audited and accounted for by the Deputy Accountant-General, Post and Telegraphs.

VIII. Remission of Municipal Tax for vacant Buildings and for Buildings wholly or partly demolished

252. (i). Whenever a Government building (residential or non-residential) is likely ;
to fall vacant, the occupant of the building immediately before the actual vacancy occurs or the head of the office to which the occupant belongs, should, on the date on which the building falls vacant, give notice of the vacancy direct to the Chairman of the Municipal Council concerned or the Commissioner of the Corporation of Hyderabad, the President of the Panchayat Board concerned as the case may, a copy of such notice being simultaneously sent to the Executive Engineer of the division concerned to enable him to claim remission. The head of the office mentioned above shall take similar action on the first day of ever succeeding half-year, if the building continues to be vacant even then. The Execute Engineer shall thereafter, in due course, claim remission of municipal or house-tax in w when the vacancy lasted for thirty or more consecutive days under Section S7 of the A.I District Municipalities Act, 1965, or the A.P, Gram Panchayats Act, 1964, or for sixty more consecutive days under Hyderabad Municipal Corporation Act, 1955 as the case be- The officer paying the tax for a vacant building should ascertain that remission oft has been claimed for the period that the building was vacant.

(ii) In the case of vacant buildings which are taken over by the Roads and building Department from other departments and which continuous lo remain in the charge of it Roads and Buildings Department, it shall be the duty of the Section Officer concerned 1 give the necessary notice of the vacancy of the buildings to the local body concern immediately they are taken over and thereafter on the first day of every half-year, if it buildings continue to be vacant then, a copy of such notice being simultaneously sent to the Executive Engineer concerned. .

(iii) When a Government building (whole or part) is demolished or destroyed, to be Executive Engineer concerned should immediately give the requisite notice 10 the Municipality or Corporation, or Panchayat concerned and obtain remission of property-tax | under Andhra Pradesh Municipalities Act, 1965, Hyderabad Municipal Corporation Act) 1955, the Andhra Pradesh Gram Panchayats Act, 1964.

VIII-A. Taxes on New Buildings

253. (i). Under Hyderabad Municipal Corporation Act, 1955, A.P. Municipalities Act, 1965, and Andhra Pradesh Gram Panchayat Act, 1964, intimation should be given to the local body concerned about the construction of a new building or the reconstruction of a building within thirty days from the date of completion or occupation whichever is earlier. This intimation shall, in the case of buildings (residential and non-residential) on which the Roads and Buildings Department will have to pay the property tax, be given by the Executive Engineer concerned. In the case of other buildings, on which the Roads and Buildings Department will not have to pay the property tax, the intimation to the Corporation, Municipality, Panchayat shall be given by the occupants or the heads of offices will have to pay the tax on the buildings.

(ii) In order to avoid delays in the assessment and payment of municipal taxes on new buildings constructed by the Roads and Buildings Department, the corporation or the local body, as the case may be, shall be informed by the Executive Engineer of the cost of a new building within six months of its completion. In cases where it is not possible to do so the account of a work within six months of its completion provisional figures of cost, so far as can be made out at the time, shall be given by the Executive Engineer so that the assessment may be calculated on these figures subject to revision when the final figures of cost are available.

IX. Sanitary and Water-Supply Installation

254. All works and repairs in connection with sanitary installations and water supply to the Government buildings should be carried out by, or through the agency of, the Roads and Buildings Department, except in special cases under the orders of the State Government.

X- Electrical and Sanitary Works

255. Whenever a new building is constructed or an existing building is extended or improved in a place where there is public supply of electricity available and it is contemplated to provide an electric installation in the building, the estimate should provide

As soon as the administration approval to a building is obtained and the detailed building plans are approved, the Executive Engineer should communicate a copy of the approved plans to the Electrical Engineer (General). The Electrical Engineer (General) should without delay and in consultation with the Head of the Department concerned prepare detailed estimates and plans for full electrical equipment required and obtain the signature of the Head of the Department on the plans and estimates. The Electrical Engineer (General) should then obtain the technical sanction of the higher authority if and where such technical sanction is necessary. A copy of the approved plans and estimates should then be sent to the Executive Engineer in charge of the construction work

Similarly, the Executive Engineer concerned will have detailed designs and estimates prepared in consultation with the Head of the Department and also where necessary with engineering specialist firms, for all constructions, and fittings in connection with water supply, sanitation and drainage required. If, in any case, it is considered necessary to consult the Sanitary Engineer where his specialised knowledge is essential, the Sanitary Engineer will prepare detailed estimates and designs for such items in consultation, where necessary, with the Engineering specialist firms.

The detailed plans and estimates for sanitary and water-supply installations are to be countersigned by the Head of the Department who will be at liberty to consult any officer of his department and who may also send a representative to the office of the Electrical Engineer (General) and to the office of the Executive Engineer, respectively, to scrutinize The plans during preparation.

After such detailed plans and estimates for the electrical and sanitary installations are obtained, the Executive Engineer should incorporate them in the detailed plan for file building work. and obtained competent technical sanction. The actual construction work need not wait until this final sanction is ready. It should be started as soon as technical sanction to the building work is obtained.

As soon as the final plans and estimates incorporating details of electrical and sanitary installations, are ready, copies thereof should be sent to the Electrical Engineer, who will, in cases where tenders have to be called for, take necessary action in close consultation with the Executive Engineer as regard the time when he should call for tenders and start the electrical work. The Executive Engineer should similarly settle at an early date the time when work on sanitary and electrical installation should be commenced. Tenders for the building, sanitary and electrical installations should all be called for in proper order in a co-ordinated programme, which should be settled by the Executive Engineer at the commencement of execution of the work 10 ensure that the use of the building is not delayed on account of failure of the sanitary and electrical contractors to complete then works in time.

It is imperative that there should be close co-ordination between the work of the Government servants concerned so that at no time is any delay allowed to occur in the preparation of plans and estimates, in obtaining technical sanction, in calling for tenders and in the actual execution of the works concerned. The Superintending Engineer of the Circle in which the building is situated will be responsible for seeing that the various works are carried out at the proper time and that unnecessary delay is avoided and he will be held personally responsible for seeing that the above instructions are carried out.

Execution - Original Works :—Private agency should be employed wherever possible for the carrying out of all original works including minor works. Departmental construction which involves the accumulation of stores and the employment of special establishment should be avoided. Tenders should invariably be invited when the amount involved in a particular contract is Rs. 2,500 or more.

Repairs (Maintenance):—Wherever private agency is available, it should be employed, Tenders should be invited for the purpose when the cost of repairs is Rs. 2,500 or more. Departmental maintenance should be resorted to only where no reliable firms lender, or where their tenders are excessive. Departmental repairs should, as a rule, be confined to small items.

In all cases, the contractors should be required to base their tenders on proper specifications, etc of the department.

In places where electric supply is available to the public, payments may be made in advance for service connections to Government buildings, if the supply agencies demand such advance payment.

256. In cases where heads of departments desire to carry out electrical works departmentally previous approval of Government should be obtained. After such approval

Has been accorded, they may have detailed plans and estimates prepared through any competent agency, may themselves call for tenders and have the works executed by suitable agency. Technical advice required for assistance needed in the execution of the works will be given- by the Electrical Engineer.

The expenditure in connection with electrical works executed through private agency by heads of departments should be borne by the departments concerned - see Paragraph 95-97 *ibid*- Heads of Departments should, however, intimate to the Executive Engineer concerned the charges inclined in the Civil Department on account of original works, extensions and improvements and repairs separately in order that he may maintain his capital accounts correctly.

Note (1):- As a general rule, the Executive Engineers concerned shall have charge of the electrical installations in all Government buildings whether borne on the Roads and Buildings Department books or not [except those which are maintained under the control of the Electrical Engineer (General) and Superintendents of Jails and Borstal Schools and Certified Schools] and shall carry out the repairs and small extensions thereto with the help of the electricians or wireman employed under them. The expenditure on works executed in any building by Executive Engineers should be met from funds provided in the Roads and Buildings Department Budget.

(2) The replacement of electric bulbs including fluorescent tubes only in non-residential buildings, in cases of failure of the lights due to defects in the bulbs themselves should be attended to by the occupying department.

(2-A) [The Departments occupying non-residential buildings can purchase the electric bulbs including fluorescent tubes locally as per their requirements on the rate contract basis or calling for the quotations and accepting the lowest and debit the cost to their contingent grant] [Memo.No. 1725 Y/677, DI. 27-3-1968 ; Memo.No. 947/Codn/72-10, DI, 4-8-1973]

(3) In respect of the electrical installations in the Raj Bhavans Hyderabad and Horsley Hills and the Legislator's Hostels however, the Electrical Engineer (G) will himself prepare the indents and supply electric bulbs including fluorescent tubes debiting their cost to the P.W.D. budget. [Memo.No. 947/Codn/72-10, Dt 4-8-1973]

XI. Buildings of Historical Interest

257. Buildings and ancient monuments of historical or archaeological interest will come on two lists

(i) those that are declared protected under the Ancient Monuments Preservation Act maintained from Central Revenues ; and

(ii) those maintained from State Revenues.

258, It is the duty of Executive Engineers to arrange for a systematic inspection such buildings and monuments in their divisions and to frame estimates for their repairs. Archaeological Officers will advise on the proposals submitted by Officers of the department, will recommend the order of precedence, will themselves suggest work of execution, and will pass the plans of all work, estimated for before they

are carried out of the Roads and Buildings Department- During the execution of a work, the Archaeological Officer will assist the department by their advice.

NOTE 1:- The cost of providing and maintaining approach roads to ancient monuments should be a State charge.

Note 2:—Revenue derived from the bungalows within the fans at Chandragiri and Gurramkonda in the Chittoor district (Chittoor Division) should be credited to Central Revenues,

Note 3 ':—Repairs to ancient monuments and temples not included in the standard list should not be carried out without the prior sanction of Government being obtained thereto,

Note 4 .—In the case of repairs to ancient monuments it is not necessary to obtain the specific sanction of Government to the distribution of cost between the Government and the custodians of the temples or monuments, but it is sufficient if the amounts to be spent on such works from Government funds are shown in the budget submitted by the Superintendent Engineer to the Chief Engineer and are approved by the Government.

Note 5 :—The Superintendent, Archaeological Survey of India, Southern Circle, is empowered to sanction re-appropriations of funds between all conservation works against sanctioned estimates not exceeding Rs. 2,500 whether for special repairs or annual repairs and maintenance subject to the condition that no re-appropriation should be made in respect of any work to be executed by the Public Works Department without previously obtaining the consent of that department

XII. Use of Government Buildings by Auxiliary Forces

259. The arrangements made with the concurrence of the Government of India, under which Auxiliary Forces are allowed to occupy buildings on the condition of keeping them in repair, or to make additions and alterations to buildings on which Government retain a line, need not be distributed.

XIII. Inspection of Public Buildings

260. (a) Every public building borne on the Roads and Buildings Department registers should be carefully examined once every year by the officers of the Roads and Buildings Department as indicated below, such inspections being made in respect of soundness or otherwise of the roof and floor timbers in the buildings and in respect of their general condition, as laid down in Chief Engineer's Circular No. 1737/AC./37, C.P., dated 31st August, 1937, which is reproduced at the end of this paragraph :-

(i) Section Officers to inspect once every year all buildings costing Rs. 25,000 and below, both residential and non-residential within their Jurisdiction.

(ii) Sub-divisional Officers to inspect every year all buildings in their jurisdiction, costing above Rs. 25,000 and not below Rs. one lakh.

(iii) Executive Engineers to inspect every year all the buildings in the Division costing above Rs. one lakh. (G.O.Ms.No. 4, Tr., R. & B- (CI), Di. 4-1-1977J

Note :—The class of officer who is competent to inspect public buildings should be determined with reference to the cost of each individual building and in doing so, each of the subsidiary buildings appended to a main building in a compound should be taken into consideration separately.

(b) Every public building not borne on the Roads and Buildings Department register costing Rs. 10,000 or more should also be inspected by the Roads and Buildings Department Offices in the prescribed manner once in three years. In the case of such buildings costing less than Rs. 10,000 arrangements for their inspection will be made by the head of the department concerned. If for any reason, a Gazetted Officer of a civil department considers, after inspection of a building that investigation by an Engineer is necessary, he will move

the Executive Engineer of Roads and Buildings Department division to depute a suitable officer to inspect the building-

Note:—This inspection of building costing of Rs. 10,000 or more by the Public Works Department Officers, will not apply to the Electricity Department.

(c) The Executive Engineers, the Sub-divisional Officers and the Section Officers should record notes of their inspections in separate registers to be maintained by each of them.

All these registers should be shown to the Superintending Engineer during his annual inspection of Division Officers.

(d) Executive Engineers should inspect, as often as possible, buildings which show cracks or definite signs of deterioration and take early steps to effect the necessary improvements thereto.

INSTRUCTION I (Chief Engineer's Circular Memorandum No.

1737/Ac/37, C.P., Dt. 31-8-1937)

A case has recently occurred in which a Government building in Madras over 75 years old suddenly collapsed, resulting in the loss of five lives. After careful enquiry and examination, it was found that the collapse was not due to defective roof or floor timbers (they were all in good condition), but must have been due to the fact that some of the masonry piers supporting the roof and floor were carrying a weight greater than bad brick-work could be expected to carry. Calculations of the loads carried by these piers showed that they were in excess of what is allowed, nowadays on brick masonry. Though they exceeded the safe working load now allowed, the piers could have borne the load without crushing if the brickwork was good. Examination of the portions of the piers left-standing showed that the brick-work was very poor, the bricks were bad and were badly laid in poor masonry. The piers must have suddenly collapsed by crushing and this collapse brought down the floors and roofs they were supporting and the fall of these in turn brought down other portions of the building. There was no indication that the piers were unduly stressed. There were no cracks or any other indication and the piers looked quite sound. There was no reason whatever for suspecting that they were overloaded.

2. Cases of collapse of Government buildings, as described above, are very rare. But this case forcibly illustrates the necessity for periodic and close examination of buildings, especially old ones. The existing orders require the regular inspection of buildings by officers and subordinates of this department with reference to their safety as affected by the condition of roof and floor timbers - vide Chief Engineer's Memorandum Nos. 3038-C, dated 2nd July, 1898, 3156-C, dated 15th July, 1899, 304-C, dated 12th January, 1920, 3236, Wks/28-C.P., dated 1st September, 1928 and 1738-A, D/32-37, dated 6th October, 1932. This is ordinarily a sufficient and reasonable precaution. But the officers of this department should in addition also examine the building carefully. They should be on the lookout for cracks, even slight ones, or other signs of failure; and if any such are noticed, they should forthwith investigate the causes and take sufficient precautionary measures, wherever necessary, to ensure the safety of the buildings. They should investigate any cases of overloading of pillars and walls that they notice and should be on the look-out for such. In many old buildings posts are overloaded and anybody of experience who keeps his eyes open should be able to detect such. The Chief Engineer realises that it is not economically practicable to examine all old buildings in detail as to the theoretical stability

of the various parts of their masonry structure, but still considers it necessary to impress upon all ranks of the department the imperative necessity of periodic inspection of all Government buildings with reference to the instructions laid down in the above mentioned circulars and particularly to the instructions given above.

3. The Chief Engineer hereby also directs that in future, whenever it is proposed to acquire a private buildings for Government purposes, the stability of the masonry of the building should be especially examined as well as that of its timbers. A report of this examination and the results thereof should always be sent with the proposals for the acquisition of the building. Generally, it is a bad policy to acquire the old or indeed any private buildings badly built as most of them are.

XIV. Registers and Plans of Buildings

(a) Register a/Buildings

261. Each Superintending Engineer will keep a register in the Form approved in G.O.Ms.No. 2566, Public Works Department, dated 29-9-1958 of all buildings incharge of the department within his circle and each Executive Engineer a similar register of all the buildings within his division. In these registers the value of the land comprised in a property will be shown separately from the value of the building or buildings thereon; the value of each separate structure being also shown separately. In the case of a purchased property the price will be apportioned between the various items comprising the property, e.g., land, main building, servant's quarters, compound wall, well, etc. the registers will also show whether the building is to be maintained at the cost of Central or Provincial funds. The portion of the registers relating to churches should be kept in Public Works Department, Form No. 137, the value of land separate structures being shown separately as indicated above.

[Sub-para is deleted as per G.O.Ms.No. 486, P.W.D. (Code), Dt. 17-5-1974.]

(b) Plans of Buildings

262. In case of buildings and works borne on the returns of the Public Works¹ Department, the Executive Engineer will be held responsible that plans of such buildings j are corrected on completion of any alteration.

B - RESIDENCES FOR GOVERNMENT OFFICIALS

263. The rules regulating the provision of residences for Government officials are laid down in Fundamental Rules, 45,45-A, 45-C, which together with the State Government's subsidiary rules are reproduced below for convenience of reference. The rules apply to residences leased, acquired or constructed at the expense of the State Government and supply to an officer under its administrative control. They apply also to residences belonging to the Central Government but under the control of the State Government acting as agent to the President, which are supplied by the State Government to Government servants under its administrative control but paid from Central revenues.

Note 1 '.—When an officer of the Central Government occupies, by official arrangement, a residence provided by the State Government, the latter Government shall claim no more than the rent which would be recoverable from the officer, under these rules, if he were serving under its administrative control.

Note 2 :—Installation of ceiling fans in Government owned residential buildings shall be subject to the following provisions namely :

- (i) Provision of fans in Government buildings for Gazetted Officers be allowed according to the scale laid down in Appendix—XXXII subject to the payment of a monthly rent at a flat rate of Rs. 2.25 np. per fan (large or small). This shall be in addition to the rent of the building payable by the tenant. The recovery of rent should take effect from the date of installation of the fans. In the case of buildings in which the fans were installed prior to the orders in G.O.Ms.No. 15, P.W.D., Dt. 4-1-1969, the recovery should take effect from 1-10-1961.
- (ii) Installation of one small size ceiling fan in Government owned non-Gazetted Officers residential quarters also shall be allowed only in the case of non-Gazetted Officers above Class IV on the same terms laid in clause (i) above.
- (iii) The installation of ceiling fans will be made at the request of the occupant in writing and the installation once made shall not be removed.
- (iv) Specific orders of Government should be obtained if it is proposed to provide fan in excess of the scale prescribed in Appendix-XXIII.

Extracts of Fundamental Rules 45 to 45-C

F.R. 45. [The State Government] may make rules laying down the principles governing the allotment to officers serving under its administrative control, for use by them as residences, of such buildings owned or leased by it, or such portions thereof, as the Government may make available for the purpose. Such rules may lay down different principles for observance in different localities or in respect of different class of residences, and may prescribe the circumstances in which such an officer shall be considered to be in occupation of a residence. [Subs. by G.O.Ms.No. 12, Fin. & Pig., Dt. 7-2-95]

Subsidiary Rules under Rule 45

I. Allotment of Residences :—(i) Buildings acquired, constructed or leased by Government for the occupants of particular post shall ordinarily be occupied by the officers holding those posts.

[(ii) Where any question is raised as to which officer has the prior title to occupy a particular house, or if no officer wishes to occupy a house, as to which officer shall be required to pay rent for it, the question shall be decided by the Collector and the Superintending Engineer sitting together. In case any difference of opinion arises between the Collector and the Superintending Engineer, the opinion of the Collector shall prevail]. (G.O.Ms.No. 242, Finance, Dt. 25-3-1963]

(iii) It will be the duty of the Executive Engineer to report every case of vacancy as soon as it is known that it is likely to arise and to take prompt steps to ensure that no house is allowed to remain vacant for a day longer than is unavoidable.

2. Exchange of residential buildings by officers of the same station :—Any two officers at a station may exchange the buildings allotted to them with each other as a purely private arrangement, but each officer will continue to be responsible for the rent of the building assigned to him.

3. Sub-letting of residence :—The sub-letting of an official residence may be permitted only under the following conditions :

- (i) the previous sanction of Government should be obtained for sub-letting;
- (ii) the officer will still remain personally responsible for the rent and for any damage caused to the building beyond fair wear and tear;

Note :—The standard licence fee payable by the allottee of the quarter should be collected from the original allottee of the quarter, with whom any other Government servant is permitted to share the accommodation, who is not eligible for such fee or compensatory allowance].

[G.O.Ms-No, 126, Finance, Dt, 3-5-1974]

(iii) Government will not recognize the sub-tenancy;

(iv) the rent to be charged by the officer to his tenant should not, except with the sanction of the State Government in special circumstances, exceed the rent paid by the officer to Government;

(v) sub-tenancy should continue only for so long as the officer who makes the arrangement holds the appointment for which the official residence is provided.

4. Officers on leave :—An officer who goes on leave should be held to have ceased to be in occupation of the building from the date of commencement of leave, unless, for any reason, a competent authority decides otherwise.

Note 1 :—The local administrative head of the department may grant permission to occupy Government quarters to officers proceeding on leave on average pay not exceeding four months; in other cases the permission of the State Government is necessary.

Note 2:—The Director of Agriculture may permit Government servants on transfer to retain upto a maximum period of one month the Government quarters allotted to them in their previous posts.

A Government servant in last grade service, whether permanent or not, proceeding on leave without allowances for a period not exceeding one month, may be permitted to occupy Government quarters during the period of leave on payment of rent concessional rates. Such permission will be granted by the authority competent to make a permanent appointment to the post held by the Government servant.

5. An incumbent, whether permanent or temporary, of an appointment, for whose benefit a house has been constructed or purchased or leased by Government under the conditions specified in Paragraphs 269-A and 269-B of the Public Works Department Code, will be held responsible for the prescribed rent during his tenure of the appointment. In the following cases, however, no rent will be recovered, provided, that the Head of the Department or the authority competent to make a permanent appointment to the post for the incumbent of which the house is intended furnishes a certificate to the officer responsible for the recovery of rents that the conditions laid down are satisfied :

(i) when an officer is holding, as a temporary measure under Rule 49, an appointment to which a Government residence is attached, in addition to his substantive appointment and does not actually occupy the house;

(ii) when an officer in addition to the duties of such an appointment carries on the duties of another appointment which preclude him from occupying the house;

(iii) when an officer is officiating in an appointment for a period not exceeding one month and does not wish to occupy the house; and

(iv) when an officer is officiating in an appointment for a period not exceeding two months and the circumstances are such as to preclude him from occupying the house.

Note:—An officer who is merely discharging the current or routine duties of an appointment to which an official residence is attached is not bound to occupy it and he should not be considered as the incumbent of the appointment for purposes of recovery of rent.

F.R. 45-A-I. This rule applies to members of the State and Subordinate Services, members of Work charged establishments and persons paid from contingencies, holders of special posts and the members of AH India Services under the administrative control of Government. [Subs. by G.O.Ms.No. 37, Fin. & Pig. (FW : FR-1) Depi., Dt. 9-3-1995]

F.R. 45-A-II. For the purpose of the assessment of licence fee, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings and [the cost of land and expenses on its development] and shall be either :— ' [G.O.Ms.No. (54, Fin. & Pig. (FW : FR.I) Dept., Dt. 1-7-1981]

(a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or, when this is not known,

(b) the present value of the residence.

Note :—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

Illustration :—The cost of replacing palmyrah rafters by Karimarudu or bamboo hurdling by leakwood reapers, or lime plastering by cement plastering should not be added to the capital cost of a building. The cost of deepening a well in order to restore the normal water supply should not be added to the capital cost of a building. But the cost of replacing country tiles by Mangalore tiles, or a mud compound wall by a wall of brick in mortar plastered with cement, or a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of Paragraph 93 of the Andhra Pradesh Public Works Department Code.

Provided that—

(i) [The State Government] may make rules providing the manner in which present value of residences shall be determined.

(ii) [The State Government] may make rules determining what expenditure is to be regarded, for purpose of sub-clause (a) above, as expenditure upon the preparation of a site. [Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

[Explanation :—Where the amount spent on preparation of the site in the case of old residences is not available it may be taken as ten percent of the capital cost of the structure, if such residences are double storeyed and twenty percent of the cost of the structure if the residences are single storeyed].

[G.O.Ms.No. 201, Fin. & Pig., Dept., Dt. 13-8-81, w.e.f. 1-7-1981]

Subsidiary Rule under proviso (JJ), Rule 45-A-II

[The expenditure incurred on such works as :—

(a) raising, levelling and dressing sites;

(b) construction of revetments, retaining walls, compound walls, fences and gates;

(c) storm-water drainage; and

(d) approach roads and paths within the compound;

shall be regarded as expenditure upon preparation of a site],

[G.O.Ms.No. 296, Finance, Dt. 21-2-1958]

(iii) [The State Government] may, for reasons which should be recorded, authorize a revaluation of all residences of a specified class or classes within a specified area to be

[DCODE-9]

conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such revaluation;

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept, Dt, 7-2.9i]

(iv) the capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government or (2) in other cases, the estimated amount of such charges;

(v) [The State Government] may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence—

(Subs- by G.O.Ms.No- 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

(1) when a portion of the residence must be set aside, by the officer to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business; or

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(2) when it is satisfied that the capital cost, as determined under the above rules would be greatly in excess of the proper value of the accommodation provided;

(vi) in assessing the cost or value of the sanitary, water-supply and electric installations and fittings, the State Government may by rules determine what are to be regarded as fittings for this purpose—

F.R. 4S-A-III, The standard rent of a residence shall be calculated as follows :—

(a) In the case of leased residences, the standard rent shall be the sum paid to the lessor plus an addition determined under rules which [the State Government] may make, for meeting, during the period of lease, such charges for both ordinary and special maintenance and repairs and for capital expenditure or additional or alterations as may be charged on Government and for the interest on such capital expenditure, as also for municipal and other taxes in the nature of house or property tax payable by Government in respect of such residences, [Subs. by G.O.Ms.No. 12, Fin- & Pig., Dept., Dt. 7-2-!B]

Subsidiary Rule under Rule 45-A-III (a)

Additions and alterations to leased residences :—In the event of any addition or alteration to the building being made with the consent of the owner subsequent to the signing of the lease at the request of the occupant and at Government expense, the following rules should govern the recovery of rent :—

(i) If the lessor agrees to take over the work done on the expiry of the lease and to pay to Government the original cost of that work less an allowance for deterioration, which should be fixed before the work is done, the standard rent will be raised so as to cover—

(a) such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation works on the capital cost of additional work

(b) the percentage or amount fixed for deterioration;

(c) the annual estimated charges for maintenance and repairs of the additional work (if repairs are executed by Government);

(ii) if the landlord refuses to accept any liability for the additional work, the standard rent will be raised so as to cover during the period of the lease—

(a) the capital sum expended, including interest at such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation

(b) the annual estimated charges for maintenance and repairs of the additional

Note :—The standard rent should be fixed when the work is completed.

In case (i) the capital cost will be held to be the total expenditure less half the amount which will be recovered on account of deterioration-In case (ii), interest will be calculated on half the amount of the outlay.

(b) in the case of residential buildings owned by Government, the standard rent shall be calculated on the capital cost of the buildings, and shall be either—

(i) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by [the Governor] plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs such addition being determined under rules which the State Government may make, or

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW : FR-1) Dept., Dt. 7-2-95]

(ii) six percent per annum of such capital cost, whichever is less.

Note :—[not Printed].

Subsidiary Rule under Rule 45-A-III (b)

The addition for maintenance and repairs under Rule 45-A-III (b)(i) shall be 2 percent per annum of the capital cost of the building including the capital cost or value of sanitary and water supply installations and fitting plus 3%; percent per annum of the capital cost or value of the electric installations and fittings; municipal taxes, if payable, shall be added separately.

(c) In all cases standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above subject to the proviso that, in special localities or in respect of special classes of buildings. State Government may fix a standard rent to cover a period greater than one month but not greater than one year. Where Government takes action under this proviso, standard rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under F.R. 45 above bears to one year.

Note 1 :—For the purpose of sub-clauses (a) and (b) above, the additions for both the ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges except to the extent allowed under proviso (iv) to clause II.

Note 2 :—A State Government may by rule permit minor additions and alterations, the cost of which does not exceed a prescribed percentage of the capital cost of the building, to be made during such period as the rule determine without the rent of building being increased.

Instruction under Rule 45-A-III (c)

Rounding of rents :—The standard rate of rent of a building should be fixed at the nearest half-rupee or rupee according as the calculated amount is less than Rs. 5/- or otherwise. In regard to rent of Rs. 5/- and above fractions of half rupee and over should

be treated as one rupee, those below half rupee being ignored. With respect to rent below Rs. 5/-, fraction of one fourth rupee and above should be taken as half a rupee, those of three-fourth rupee and over being rounded off as one rupee.

F.R. 45-A-IV. When a Government supplies an officer with a residence leased or owned by Government, the following conditions shall be observed :

(a) The scale of accommodation supplied shall not except at the officer's own request, exceed that which is appropriate to the status of the occupant.

(b) Unless in any case it be otherwise expressly provided in these rules, he shall pay (i) rent for the residence, such rent being the standard rent as defined in clause III above or 10 percent of his monthly emoluments, whichever is the less, and (ii) municipal and other taxes payable by Government in respect of residence not being in the nature of house or property tax.

[Exception :—The rate of recovery of rent from the Government employees who occupy quarters after 1-3-1979, shall be at 7 1/2% of emoluments upto a pay of Rs. 500/- and 10% of emoluments on pay above Rs. 500/- in the Revised Pay Scales, 1978. Such of those Government employees in occupation of quarters as on 1-5-1975, paying licence fee at 7 1/2% of emoluments and continuing in quarters of the same category on 1-3-1979 shall pay 5% of emoluments subject to the condition that the rent to be recovered at the reduced rate is not less than what is being recovered on 1-3-1979. Government employees in occupation of quarters after 1-5-1975 and continuing in all quarters of the same category on 1-3-1979, and paying rental 7 1/2% or 10% as the case may be and governed by the Revised Pay Scales, 1978, shall pay the rent as detailed hereunder from 1-3-1979 subject to the condition that the licence fee to be recovered at the reduced rate is not less than what is being recovered on 1-1-1979]. [G.O.Ms.No. 96, Fin. & Pig., Dt. 22-4-1981, w.e.f. 1-3-79]

(i) Employee drawing pay upto Rs. 500/- in the Revised Pay Scales, 1978	50% of emoluments
(ii) Employees drawing pay above Rs. 500/- and below 1,500/- in the Revised Pay Scales, 1978	7% of emoluments.
(iii) Employees drawing pay above Rs. 1,500/- in the Revised Pay Scales, 1978.	10% of emoluments.

Note 1:—For the purpose of clauses 111 and IV(b)(ii) or Rule 45-A the portions of property tax levied on Government buildings by local bodies representing water, drainage, lighting and scavenging taxes shall be treated as being not in the nature of house or property tax, [G.O.Ms.No. 415. Finance, Dt. 1-11-1961]

Note 2 :—When two officers who are husband and wife, occupy a Government residential building, the monthly emoluments of the officers in whose favour the quarter is allotted shall be taken into account for the purpose of calculation of standard licence fee under this clause,

[Subs. by G.O.Ms.No. 147, Fin. & Pig. (FW : FR-I) Dept, Dt. 6-6-1995, w.e.f. 1-9-1994]

(c) Notwithstanding anything contained in sub-clause (b) above, [the State Government], may— [Subs. by G.O.Ms.No. 12, Fin. & Pig., Dt. 7-2-951]

(i) at any time, after the standard rents have been calculated under the provisions of clause III above, group a number of residences, whether in a particular area or of a particular class or classes, for the purpose of assessment of rent subject to the following conditions being fulfilled :

(1) that the basis of assessment is uniform; and
(2) that the amount taken from any officer shall not exceed 10% of his monthly emoluments.

(ii) by general or special order, provide for taking rent in excess of that prescribed in sub-clause (b) above from an officer—

(1) who is not required or permitted to reside on duty at the station at which the residence is supplied to him, or

(2) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him, or

(3) who is in receipt of a compensatory allowance granted on account of dearness of living, or

(4) who is permitted to sub-let the residence supplied to him, or

(5) who sub-lets without permission the residence supplied to him, or

(6) who does not vacate the residence after the cancellation of allotment

Instructions under Rule 45-A-1V (c)(ii) (1), (2) and (3)

(1) When a Government servant, who is provided by the Government with a residence attached to the post held by him occupies, for his own convenience, an additional residence either at or outside the headquarters or, occupies accommodation at the headquarters in excess of that appropriate to his status the standard rent as defined in Rule 45-A III(b) or ten percent of salary or the concessional rate that may be applicable to him, whichever is least, should be recovered for the residence attached to the post held by him. The full standard rent as defined in Rule 45-A III(b) should be recovered for the additional residence or the additional accommodation occupied by the Government servant at or outside his headquarters irrespective of his salary or of the recovery of rent for the residence attached to the post held by him.

(2) When a building is leased by the State Government for an officer who is not entitled to rent free quarters, the full rent which the Government will have to pay for the building as well as any other incidental expenditure involved in securing a residence for him should be recovered in all cases from the officer occupying the building.

(3) When a Government employee who is allotted a Government quarter, for his own convenience, occupies an additional Government quarter, either at or outside the headquarter, he shall be required to pay the rent prevailing in the locality for similar accommodation belonging to the private owner as stipulated in Para 275 of A.P.P.W. "D" Code or the full standard rent as defined in Rule 45-A-III (b) whichever is higher, for the first quarter from the date on which he takes possession of the second quarter till he vacates the first quarters]. [G.O.Ms.No. 292, Fin. & Pig., Dt. 30-10-1974]

Subsidiary Rule under Rule 45-A-1V

In the case of Government servant occupying Government residential building, rent shall be recovered from them for the period of their occupation during joining time on transfers at the rate at which they are payable before their transfer.

Rent shall be recovered at the same rates from Government servants on transfer who are allowed to occupy Government residential buildings beyond their Joining time because

neither the Government servants holding additional charge of the posts nor the incoming regular incumbents of the posts for whom the said buildings are intended are in need of them for the period of such extended occupation, provided that the new posts to which the Government servants are transferred do not carry higher scales of pay. In cases where the new posts to which the Government servants are transferred carry higher scales of pay, their enhanced rates of pay shall be taken into consideration for calculating rent at 10 percent of their emoluments from the actual dates of their joining the new posts.

Rent shall also be recovered at the rates specified in the first paragraph from Government servants on transfer, proceeding to new station, during their joining time and occupying the Government residential buildings attached to such posts, if vacant earlier than actually taking over charge of the new posts, for the period of such occupation during the Joining time.

F.R. 45-A-V. In special circumstances, for reasons which should be recorded, [the; State Government],—

(a) may, by general or special order, grant rent free accommodation to any officer or class of officers, or

(b) may, by special order, waive or reduce the amount of rent to be recovered from any officer, or

(c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any officer or class of officers. [Subs. by G.O.Ms-No. 12, Fin- & Pig. (FW ; FR-I) Depi., Dt. 7-2-95]

Note 1:—A sanction accorded under clause V(a) of Rule 45-A will not exempt the occupant from liability for payment of rent for water supply, sanitary and electric installations and fittings which will be charged on the basis of 60% on their capital cost except in the case of the following officers who have been exempted from the payment of such rent :

[(a) Government servants drawing a pay of less than Rs. 75/- a month];
[G-O.Ms. No. 318, Finance, Dt. 16-12-1965]

[(b) Nursing staff, House Surgeons and House Physicians in hospitals].
[G.O.Ms.No. 508, Finance, Dt. 26-12-1970]

Explanation (1) :—The term "nursing staff" shall include matrons, ward sisters, staff nurses, junior pupil nurses, maternity assistants, house-keepers. Government stipended pupil, maternity assistants | trained in English or in the languages of the State, female nursing orderlies and female attendants ! in mental hospitals when they are provided with rent-free quarters,

Explanation (2):—Government servants who are entitled to rent free accommodation are not eligible for free supply of water. [G-O.Ms.No. 508, Fin., Dt. 26-12-1970]

(c) Superior and Subordinate staff in the Government Houses.

Note 2 :—In the case of buildings rented by the Government rent for water-supply, sanitary and electric installations should be based on the cost of the installations as estimated by the Officers of Roads and Buildings Department

Instructions under Rule 45-A-V

Exemptions from payment of rent may be sanctioned, with the previous approval of Government, when a building is rendered uninhabitable by reason of extensive repairs or for any other cause and is so certified by the Executive Engineer. The latter should forward'

his certificate to the Superintending Engineer who will report to Government whether partial or total remission of rent should be allowed and for what period.

In the case of buildings in charge of the Revenue Department in the Agency tracts, the certificate of uninhabitability may be furnished by the Tahsildar or the Deputy Tahsildar concerned. The certificate should be countersigned by the Assistant Agent and forwarded to Government through the Agent to the Governor. The Agent will report to Government whether partial or total remission of rent should be allowed and for what period.

When only a portion of a Government residence becomes uninhabitable, the occupant will be allowed the benefit of a remission or rent, only if the standard rent of the building excluding the proportionate rent of the portion rendered uninhabitable falls below 10% of the occupant's emoluments.

Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant a remission of rent.

The total amount of rent and service taxes recoverable from any Government servant " in respect of a Government residential building owned by Government shall not exceed 16% of his emoluments. Government servants entitled to rent free quarters will be exempted from the payment of service taxes. The concessional rates of rent fixed for certain Government Servants under clause VI(v) of the Manual of Special Pay and Allowances, Part I, shall be treated as the limits in force the total of rent and service taxes, i.e., service taxes shall not be recovered from the occupant in addition to the rent at the concessional rate.

Note 1:—Heads of the departments may sanction remission of rent under the above instruction upto a limit of Rs- 100/- in each case.

Note 2 :—A Government servant provided with free quarters may continue to occupy them free of rent when he proceeds on leave for a period not exceeding four months provided no substitute is appointed in his place or if a substitute is appointed, quarters are available for the substitute without any extra expense to Government. If the leave is extended beyond the four months limit, rent free occupation of the quarters must cease.

Note 3 :—A permanent incumbent may during absence on leave or on duty elsewhere, be permitted by the Superintending Engineer to store at his own risks, free of rent, his furniture and other belongings in his residence when both the conditions specified below are fulfilled :

(1) The temporary incumbent does not require the residence and is exempted from the payment of rent for it; and

(2) Arrangements cannot be made to lease the house during the absence of the permanent incumbent.

The concession of storage of furniture and other belongings under this note, free of rent is subject to the condition that if a claim for vacancy remission of property-tax becomes inadmissible consequent on such storage, an amount equal to be the vacancy remission of tax that would otherwise have accrued is recovered from the Government servant concerned :

Provided that if a claim for vacancy remission of property-tax or taxes for specific services such as water, electricity, scavenging, etc., becomes inadmissible, consequent on the storage of furniture etc., an amount equal to the vacancy remission of taxes that would otherwise have accrued shall be recovered from the Government servant who enjoyed the concession;

Provided, further that the permission for storage of furniture etc., free of rent shall be given for a limited period not exceeding eight months.

Note 4:—The consent of the Finance Department may be presumed to have been given to all sanctions accorded by Government under this instruction.

F.R. 45-A-VI, If a residence is supplied with services, other than water-supply, sanitary or electric installations and fittings, such as furniture, tennis court, or garden maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under clause IV. The tenant will also be required to pay the cost of the water, electric energy, etc., consumed. [The State Government] may make rules prescribing how the additional rent and charges shall be determined and such rules may also authorise the remission or reduction of the additional rent or charge in special circumstances for reasons which should be recorded. [Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

Note :—The Government of India have decided that the value of the site should be excluded in calculating the additional rent to be charged for special services under this rule which involve the provision of additional site.

Subsidiary Rules under Rule 45-A-VI [Not Printed],

F.R. 45-A-VII, [The State Government] may be rule prescribe that this rule shall apply, with effect from any date not earlier than the 1st of April, 1924, to any Government servant or class-I Government servants other than those mentioned in the rule. [Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

Subsidiary Rules under Rule 45-A-VII

Rule 45-A and the subsidiary rules thereunder shall, with effect from 1st April. 1924, apply to members of State and Subordinate Services and to the holders of special posts.

Note :—Members of the work-charged establishment and menials paid from contingencies will be considered as coming within the scope of this subsidiary rule.

F.R. 45-A-VII. {Omitted by G.O.Ms.No. 30, Fin. & Pig. (FW : FR-I) Dept., Dt. 2-3-95}

F.R. 45-B.I. This rule applies to Government servants other than those to whom Rule 45-A applies or is made applicable under the provisions of clause VII of that rule, or than those occupying residences belonging to the Indian Railway, or rented at the cost of railway revenues.

B.II. For the purposes of sub-clause (b) of clause III, the capital cost of a residence owned by Government shall not include the cost or value of such special services and installations (including furniture, tennis courts and sanitary, water-supply or electric installations and fittings) as it may contain; and shall be either—

(a) the cost of acquiring or constructing the residence, including the cost of site and its preparation and any capital expenditure incurred after acquisition or construction; or, when this is not known,

(b) the present value of the residence including the value of site.

Note:—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

Provided that—

fi} [The State Government] may make rules providing the manner in which the present value of residences, including sites, shall be determined;

(ii) [The State Government] may make rules determining what expenditure is to be regarded for the purpose of sub-clause (a) above as expenditure upon the preparation of a site;

O'li) [The State Government] may, for reasons which should be recorded, authorise a revaluation of all residences of a specified class or classes within a specified area to be conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such revaluation;

(iv) The capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government, or (2) in other cases, the estimated amount of such charges;

(v) [The State Government] may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence—

(1) when a portion of the residence must be set aside, by the Government servant to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business, or

(3) when it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided;

(vi) In assessing the cost or value of the sanitary, water supply and electric installations and fittings, [the State Government] may, by rules, determine what are to be regarded as fittings for this purpose.

B.III. The standard Licence Fee of a residence shall be calculated as follows:—

(a) In the case of leased residences, the standard Licence Fee shall be the sum paid to the lessor, plus an addition determined under rules, which [the State Government] may make, for meeting, during the period of lease, such charges for both ordinary and special maintenance and repairs and for capital expenditure on additions or alterations as may be a charge on Government and for the interest on such capital expenditure, as also for municipal and other taxes in the nature of house or property tax payable by Government in respect of such residence.

(b) In the case of residences owned by Government, the standard Licence Fee shall be calculated on the capital cost of the residence, and shall be a "percentage of such capital cost equal to such rate of interest as may from time to time be fixed by [the Governor] plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs, such addition being determined under rules which [the State Government] may make.

(c) In all cases, standard Licence Fee shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual Licence Fee as calculated above,

subject to the proviso that, in special localities or in respect of special classes of residence [the State Government] may fix a standard Licence Fee to cover a period greater than one month but not greater than one year. Where the State Government takes action under this proviso, standard Licence Fee so fixed shall not be a larger proportion of the annual Licence Fee than the proportion which the period of occupation as prescribed under clause I above bears to one year. [G.O.Ms.No. 12. Fin. & Pig. (FW : FR-1) Dept., Dt. 7-2-95]

Note 1 :—For the purpose of sub-clauses (a) and (b), above, the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges, except to the extent allowed under proviso (iv) to clause II.

Note 2 :—The State Government may by rule permit minor additions and alterations, the cost of which does not exceed a prescribed percentage of the capital cost of the residence, to be made during such period as the rule may determine, without the licence fee of the residence being increased,

BIV. When Government supplies a Government servant with a residence - leased or owned by Government, the following conditions shall be observed :

(a) The scale of accommodation supplied shall not, except at the officer's own request, exceed that which is appropriate to the status of the occupant.

(b) Unless in any case, it be otherwise expressly provided in these rules, he shall pay

(i) Licence Fee for the residence, such Licence Fee being the standard Licence Fee and defined in clause III above or 10 percent of his monthly emoluments whichever is the less;

and (ii) municipal and other taxes payable by Government in respect of the residence not , being in the nature of house or property tax.

(c) Notwithstanding anything contained in sub-clause (b) above [the State Government] may— [G.O.Ms.No, 12, Fin. & Pig. (FW : FR-1) Dept., Dt, 7-2-95]

(i) at any time, after the standard Licence Fee have been calculated under the provisions of clause III above, group a number of residences, whether in a particular area, or of particular class or classes for the purpose of assessment of Licence Fee subject to the following conditions being fulfilled :—

(1) that the basis of assessment is uniform; and

(2) that the amount taken from any Government servant shall not exceed 10 percent of his emoluments;

(ii) by general or special order, provide for taking a Licence Fee in excess of 10 percent of his emoluments from a Government servant—

(1) who is not under its own administrative control, or

(2) who is not required or permitted to reside on duty at the station at which the residence is supplied to him, or

(3) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him, or

(4) who is in receipt of a compensatory allowance granted on account of dearness of living.

Instructions under Rule 45-B-IV

When a building is leased by the State Government for an officer who is not entitled to licence fee free quarters, the full licence fee which the Government will have to pay for

the building as well as any other incidental expenditure involved in securing a residence for him should be recovered in all cases from the officer occupying the building.

B.V. In special circumstances, for reasons which should be recorded, [the State Government]— [G.O.Ms.No. 12, Fin, & Pig. Dt. 7-2-95]

(a) may, by general or special order, grant Licence Fee free accommo- dation to any Government servant or class of Government servants, or

(b) may, by special order waive or reduce the amount of Licence Fee to be recovered from any Government servant-

B.VI. If a residence is supplied with one or more of the following or similar services, furniture, installations (including fittings) for water or electricity supply or for sanitary purposes, tennis court, or garden maintained at the cost of Government, Licence Fee shall be charged for these in addition to the Licence Fee payable under clause IV. The tenant will also be required to pay meter hire and the cost of the water, electric energy, etc., " consumed. [The State Government] may make rules prescribing how the additional Licence Fee and charges shall be determined, and such rules may also authorise the remission or reduction of the additional Licence Fee or charge in special circumstances for reasons which should be recorded. [G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

B.VII. [Not Printed]

F.R. 45-C. For the purposes of Rule 45-A '*emoluments*' means—

(i) pay;

[(i-a) dearness pay]; [G.O.Ms.No. 189, Finance, Dt, 29-7-1975]

(ii) payments from general revenues and fees, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of me authorized remuneration of a post;

(iii) compensatory allowances other than travelling allowance, uniform allowance, outfit allowance, special outfit allowance, uniform grant, and grant for horse and saddlery, compensatory allowance allowed in lieu of residential attender whether drawn from the Consolidated Fund of India or of a State or from a local fund;

[G.O-Ms. No. 139, Finance, Dt. 16-6.1981]

(iv) [Not Printed];

(v) pension, other than a pension drawn under the provisions of Chapter XXXVIII, Civil Service Regulations, or compensation received under the Workmen's Compensation Act, 1923, as subsequently amended;

Neote :—The amount of pension to be*taken into account will be the amount originally sanctioned i.e., before commutation, if any, and will also include the pension equivalent of death-cum-retirement gratuity and other forms of retirement benefits, if any e.g.. Government's contribution to a Contributory Provident Fund, commuted value of pension, etc.]

[G.O.Ms.No. 1328, Finance, Dt, 7-3-1960]

(vi) in the case of a Government servant under suspension and m receipt of a subsistence grant, the amount of the subsistence grant, provided that, if such Government servant is subsequently allowed to draw pay for the period of suspension, the difference between the rent recovered on the basis of the subsistence grant and the rent due on the

[It does not include allowance attached to the Indian Police Medal].

[Subs. by G.O.Ms.No. 37, Fin. & Pig. (FW : FR-1) Dept-, Dt. 9-3-1995]

Note 1:—The emoluments of a Government servant paid at piecework rates shall be determined in such manner as the State Government may prescribe.

Note 2 ;—The emoluments of an officer on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave,

Note 3 :—The Government of India have held that in cases in which a portion of the pension has been commuted the term "*pension*" occurring in the rule means the full sanctioned pension prior to commutation.

Note 4 :—The percentage rate of Deamesa Allowance sanctioned from time to time shall not be reckoned as emoluments. However, in respect of Government servants who do not opt to the Revised Pay Scales, 1978 and remain in pre 1978 scales of pay, deamess allowance admissible at the rate which existed as on 1-4-1978 appropriate to the basic pay in that scale shall be reckoned as emoluments, [G.O-Ms, No, 196, Fin. & Pig., Dt. 22-4-1981, w.c.f. 1-3-19?]

Note 5 :—Family Pension granted to a Government servant shall not be reckoned as emoluments for purposes of recovery of rent under this rule.

Subsidiary Rule under Rule 45-C

The emoluments of a Government servant paid at piece-work rates will be the total emoluments actually earned, by the Government servant during the calendar month.

C - CONSTRUCTION, ACQUISITION OR LEASING OF RESIDENCES FOR GOVERNMENT OFFICIALS

I. General

264. Residences may be leased, built or purchased by Government—

(i) When it is the recognized duty or established custom of the Government to provide quarters at Government expense.

(ii) When it is necessary on public grounds; for the officer to reside on or close to, the premises in which his duties have to be performed, such as a jail, a police station, or school, factory, etc,

(iii) When it is necessary to provide residences in parts of the country where no civil station or cantonment exists, and where a lengthened term of residence would render camp accommodation unsuitable e.g., buildings along lines of roads or canals, for the housing of officials employed on their construction or maintenance.

(iv) When it is shown to the satisfaction of Government that suitable house accommodation for officers whose appointments are permanent in respect of locality is not available in a civil station or cantonment already in existence, or is available only under circumstances which will be likely to place such officers in an undesirable position in relation to house proprietors.

265. Before submitting a proposal to Government for the construction of a residence; for a Government official, the head of the department concerned should consider whether the requisite accommodation cannot be more conveniently provided by taking an existing building on lease with the sanction of Government, Every such proposal for the leasing of such buildings should show clearly—

- (i) the sum payable annually to the lessor;
- (ii) whether all repairs will be executed by the lessor, and if not;
- (iii) the estimated annual charges for maintenance and repairs, if they are to be executed by Govt.
- (iv) in cases in which Government is liable to pay the municipal taxes, the amount of such taxes;
- (v) the standard rent of the residence under Fundamental Rule 45-A-III; and
- (vi) the average emoluments of the officer for whom the residence is proposed and the maximum rent recoverable from him.

The proposals should show distinctly that the scale of accommodation is not in excess of that which is appropriate to the status of the officer.

The lease should originally provide that the lessor will execute all structural repairs before the building is occupied and will carry out all necessary conditions, alterations and repairs.

266. All proposals to Government to construct or purchase a residential building for Government servant when it is not possible to take an existing building on lease under the conditions of Paragraph 265 should contain full information on the following points ;

- (i) that the conditions of Fundamental Rule 45-A-VI(a) will be fulfilled;
- (ii) the probable capital cost, the average annual cost of maintenance including taxes and the standard rent under Fundamental Rule 45-A-III.
- (iii) the average emoluments of the officer for whom the quarters are constructed.

267- As a rule no proposal should be made for the supply of accommodation in excess of a scale appropriate to the status of the occupant. Subject to this main principle, every proposal should as far as possible be so formulated that the standard rent does not exceed the maximum rent ordinarily recoverable from the occupant under the fundamental rule.

II. Classification of Residential Buildings

268. For the purpose of the foregoing rules Government residential buildings will be divided into two Classes :

Class I:—Buildings which will ordinarily be occupied by officers liable to pay the full standard rent subject to the limit of 10 per cent of their emoluments. (See Fundamental Rule 45-A-IV(b))

Class II:—Buildings from which recovery of the full standard rent is not expected, i.e., buildings which will ordinarily be occupied by officials who are entitled to accommodation rent free or at rates reduced under Fundamental Rule 45-A-V.

Note 1 :- The fact that a building of Class I is occasionally occupied by a tenant who is entitled to accommodation rent-free or at a reduced rent, will not justify its removal from Class I to Class II, and *vice versa* a building in Class II should not be transferred to Class I whenever it is occupied by a tenant who may be required to pay rent in accordance with the rules. Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will

ordinarily be rented. Transfers should be made only under the orders of Government and should have effect in all cases from the commencement of a financial year.

Note 2 :- Buildings for which rent is recovered for a season only, such as those meant for uie migratory staff of Government should be shown under Class I if they are allotted to officers liable to pay the full standard rent (limited to 10 per cent of their emoluments). Such buildings may, however, be exhibited under a separate group of that class.

269. All buildings of Class I may be kept on a single list for the purpose of this rule, or there may be separate lists for each circle of Superintendence, as may be more convenient. Separate lists are not required for buildings the rent proceeds of which are creditable to different services.

D - MISCELLANEOUS

270. Procedure in the case of application for reduction of rent:—All applications for sanction to reduce the rents of Government buildings occupied as residences below the amounts which should be charged under the foregoing rules must be accompanied by a tabular form in which should be shown the undermentioned particulars :

- (1) Value of building and site.
- (2) Average annual charges for maintenance—
 - (a) Special, and
 - (b) Ordinary.
- (3) Rent assessed according to rule.
- (4) Proportion of total area occupied by office (if any).
- (5) Deduction on account of office rent (if any).
- (6) Rent that would be payable by occupant.
- (7) Rent that is proposed.
- (8) Average emoluments of occupant.
- (9) Market rate for similar accommodation in the same station (to be given as far as practicable).
- (10) Average rent chargeable under these rules for other Government buildings with, as nearly as may be, similar accommodation (to be given as far as practicable).

271- In all cases in which it is proposed to exempt an officer from the payment of rent, the undermentioned particulars should invariably accompany (he application :

- (a) Actual or estimated value of the house and site.
- (b) Rent chargeable under the rules.
- (c) Emoluments of the official recommended for the grant of free quarters.
- (d) Date from which it is proposed to grant the privilege of free quarters.
- (e) Specific grounds on which the concession is recommended,

Note '.— When a well in a Government residential building is dry or otherwise unfit for use, for a continuous period of not less than two months, the standard rent of the residence

should be reduced, with the sanction of Government, by an amount equal to the rent on the capital cost of the well (if such cost is included in the capital cost of the building) for the period for which the well is dry or otherwise unfit for use. The occupant of the residence should pay either the reduced standard rent or 10 percent of his emoluments, whichever is less, for such periods.

272. Whenever a house is occupied free of rent, or a reduced rent, by any Government official, the authority under which the exemption or reduction is made should in every case, be communicated to the Accountant General, in order that he may enter in the Capital and Revenue Accounts of quarters.

273. Periodical review of concessions :—In cases in which the grant of free quarters or of quarters at reduced rent has been sanctioned. Heads of Departments and the Chief Engineer may, should such concessions appear to them for any reason, to be no longer necessary, review such cases, and recommend to Government the withdrawal of the concessions accompanied by data statements for sanction to the recovery of rent-

274. The practice of allowing public officers and others to occupy Government buildings, rent free, on condition of keeping them in repair, is prohibited. A rent fixed with the reference to the value of the property should, in all cases, be demanded, and the repairs should be executed through the agency of the Public Works Department.

275. Rent recoverable from private persons:—When any Government building is, under proper authority, let to a private person, rent should be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners but without the special permission of Government, the rent charged for the buildings thus let, in any stations should not be less than the rent calculated by taking into account 6% for interest on the book value of the building with additions and alterations and of sanitary, water supply and electrical installations and fittings in the building plus 1 Vi% on the book value of the building, excluding the cost of site, but including cost of sanitary, water-supply and electrical installations and fittings to recover capital investment at the end of the life of the building plus 4'/% for maintenance on the capital cost of the building excluding the cost of site and 6 per cent for maintenance on the capital cost of sanitary, water-supply and electrical installations and fittings plus municipal or panchayat taxes, if any, payable on the building.

Note 1 :- The terms "book value" and "capital cost" used in the paragraph represent (i) the actual cost of constructing or acquiring the building plus, (ii) the cost or assessed value of the site plus, (iii)(a) in the case of buildings constructed by the Public Works Department, departmental charges on the works outlay for establishment (including pension) tools and plant and audit and accounts at the rates in force at the time of calculation of rent as shown in sub-clause (iv)(d) of Rule 6 in Appendix 7 to the Andhra Pradesh Public Works Accounts Code, or (b) in the case of buildings constructed by the other departments of Government under Paragraph 97 of the Public Works Department Code, departmental charges on the works outlay for establishment, etc., at 6 per cent, and (c) in the case of buildings merely acquired by Government through the agency of the Public Works Department, a departmental charges of 3 per cent on the gross cost of acquisition.

Note 2 •- The Chief Engineer is authorised to sanction renewals of leases of Government buildings let to private persons on the terms originally sanctioned by Government in cases where the rent does not exceed Rs. 20 per mensem.

Note 3 :- (i) The standard rent paid for the buildings should be charged to pensioners of Government for the first three months from the date of retirement provided their continuance in (he buildings after retirement is permitted by the Government.

(ii) If specific permission of the Government is obtained for occupation beyond three months rent at local or market rates may be accepted as per Para 275 above. Calculation of rent at local rates shall be made quinquennially except where additional amenities are provided in the meantime. Where additional amenities are provided, enhanced rent will have to be fixed taking into account the cost of (he amenities.

(iii) Where the occupation is without the permission of the competent authority, rents should be charged as detailed below ;

Interest on capital cost of the buildings plus maintenance charges in addition to the rent assessed as per local market rates in accordance with Para 275 above.

Note 4 :- Calculation of standard rent under this para should be made in the statement form shown in Appendix XXIV.

276. Improvements to residential buildings :—When estimates for improvements and additions to residential buildings are submitted for the sanction of the competent authority information as to—

(a) the present capital cost of the site and building separately;

(b) the standard rent of the quarters; 3

(c) the probable revised standard rent after completion of the works; and j

(d) the probable actual rent likely to be recovered should be furnished along with the proposals.

277. Additions and improvements to buildings for which special reduced rents have been sanctioned by Government :—Proposals for additions and improvements to buildings for which special reduced rents have been sanctioned by Government under Fundamental Rule 45-V-(b) should be jealously scrutinised. Adequate additional rent in proportion to the further capital expenditure should, as a rule be recovered in all cases in, which the reduced rent was fixed in consideration of certain defects, as it would not be correct to reduce the rent of a house on account of defects and then to improve it without increasing the rent.

278. Liability to rent for new buildings and for additions and alterations :—(a)

The Executive Engineer should fix, under the provisions of Fundamental Rule 45-A-III(b) and with reference to special orders if any, passed by Government, the approximate rate of rent to be recovered _and should give notice thereof to the office for whom the building is intended, one month in advance of its probable date of completion. Immediately the building is fit for occupation, the Executive Engineer or the Sub-divisional Officer concerned should intimate the fact of its completion to the officer concerned. The liability to rent commences from a date one week after the date of receipt of the intimation by the officer, and the rent should be recovered in accordance with rules, whether the building has been occupied within that time or not. The rent so fixed will be subject to adjustments later, should the rent finally sanctioned by the competent authority under Fundamental Rule 45-A-III(b) differ from that decided upon by the Executive Engineer.

(b) In the case of additions and alterations to a residential building which necessitate a revision of rent the Executive Engineer will fix, in the first instance, the revised rate of rent to be recovered, subject to modification and the necessary adjustment after the sanction of data statements by the competent authority, and will give notice thereof to the tenant within ten days after the completion of additions and alterations. The revised rate will have effect from the date of completion of the work.

(c) Revised data statement should be submitted to the competent authority immediately after the completion of each work involving an increase to the capital cost of the building without waiting, for the completion of works subsequently sanctioned.

Note 1:- Superintending Engineers are empowered to approve finally, on the certificate of the Audit Officer, of data statements for calculating the standard rents of Government residential buildings except those which fall under F.R.45-A-II, V(i) and (2) (*vide* Paragraph 263), provided the standard rent is fixed strictly in accordance with the instructions in F.R. 45-A-III(a), (b) and (c) and the subsidiary rules thereunder. Data Statements in which the Audit Officer differs from the Superintending Engineer should be submitted to Government for orders.

Note 2 :- Superintending Engineers are also empowered to approve finally, on the certificate of the Audit Officer, of data statements for calculating the standard rents of Government residential buildings, the capital cost of which is not known, standard rent will be calculated in the above cases by the Superintending Engineers as follows :

When the year of construction or acquisition of a residential building is not known, its present value will be taken into account. The rate of interest applicable to the year in which the assessment of the capital cost of the building was made for the purposes of the F.R. 45-A-III(b) (i), will be adopted for purpose of calculation of rent and preparation of rent data statement of the building.

Note 3:- Calculation of standard rent should be in the statement form in Appendix XXIV.

279. Residence of the Governor :—The sanctioned residences of the Governor will be occupied free of rent.

280. Damage to residential buildings by tenants :—Every officer for whom a Government residence has been provided is bound to leave in a fit state for occupation by his successor, and will be required to pay the cost of any special white-washing, cleaning or other repairs which may be rendered necessary by any improper use of the building. In order to give effect to this rule and to see that the quarters have been handed over for occupation in thoroughly good order, the Executive Engineer or the Sub-divisional Officer should arrange to have each residential building inspected immediately after it is vacated. The incoming tenant will also be responsible for bringing to the notice of the Executive Engineer any special damage at the time he enters the building.

Note 1 :—The intention of the rule is that, white repair occasioned by natural wear and tear should be carried out at Government cost, damages to Government property which can be provided to be due to culpable carelessness on the part of tenants should be charged to them.

Note 2 :—A notice to the above effect should be issued to occupants before they occupy their allotted quarters,

[DCODE—10]

Note 3:—A list of fixtures in each residential building shall be maintained by section officer and in sub-division and division offices and a copy of it shall be hung in each building. Whenever change in occupancy of a building occurs the outgoing office should obtain from the incoming officer a receipt for the fixtures handed over and forward it to the public works department section officer in charge of the building; If the building on being vacated by one officer is not occupied immediately by another, the outgoing tenant on vacating the building should obtain a certificate from the Public Works Department, Section Officer that all the fixtures noted in the list;

are present and in good order; and, when the building is re-occupied, the section officer should obtain from the new tenant a receipt for the fixtures. If any of the fixtures are left in a damaged condition the section officer should immediately report the fact through the sub-divisional officer to the Executive Engineer who will recover the cost of the damaged articles from the outgoing tenant.

281. Use of vacant residential buildings as rest house :—Vacant Government residential buildings should not be allowed to be used as rest houses, but officers on loci may be allowed to occupy temporarily such buildings with the previous permission of the Executive Engineer subject to the payment of rent at the rate of 50 paise a day in the case of a Gazetted Officer and 0.25 paise a day in the case of a non-gazetted officer for an occupation of twenty-four hours or a fraction thereof such occupation should not, however, be permitted of buildings which would otherwise be eligible for vacancy remission of at least 10% under the provisions of the Andhra Pradesh Municipalities Act or the Andhra Pradesh Gram Panchayat Act, 1964 unless the rent payable is sufficient to cover the loss of the vacancy remission.

Note: — Officers on tour may also be permitted to occupy temporarily non-residential Government buildings partially or wholly vacant subject to the same conditions and rates of rent as in this paragraph.

282. Care of vacant buildings:—if an officer for whom a Government residence is provided with or without rent is allowed for his own convenience to live elsewhere, he is expected to engage a watchman, to take care of the building. Until a private watchman is so employed, the Public Works Department will employ one and recover the cost from the tenant, when, however, a residence remains unoccupied not purely on account of personal reasons but because (he posts to which the residence is attached vacant or its incumbent is exempted both from occupying it and from the liability to rent in the circumstances described in Subsidiary Rule 5 of F.R. 45 the following arrangements should be made:—

(1) If the quarters are expected to be vacant for one month or less the officer on the spot discharging the duties of the permanent officer for whom the quarters are intended should arrange to depute a peon or other menial to look after the vacant building and garden attached to it.

(2) If the quarters are expected to be vacant for more than one month the department in-charge of the building will employ a watchman at the cost of Government to look after the building as well as the garden.

Note 1:—The Executive Engineer is authorised to sanction the entertainment of a watchman or caretaker in the case of Government residences in his charge. In exercising the power the Executive Engineer should ordinarily sanction only the lowest pay of a watchman. If, however, it is found absolutely necessary to pay more than the lower rate in special cases, he should record his reasons for doing so.

Note 2:- A watchman employed for a vacant residential building need not be discharged, when the e 2 building is temporarily used as a rest-house by touring officers for not more than 15 days, *vide* also Paragraph 281.

E - UPKEEP OF THE COMPOUNDS ATTACHED TO PUBLIC BUILDINGS

283. To ensure proper upkeep of the compounds attached to Government buildings including residences in-charge 'of the Public Works Department, the following rule should be observed:—

(1) The occupant of a Government building or residence shall be responsible for the proper care and upkeep of the trees, shrubs and hedges in the compound and will also see that the compound is kept in proper order.

(2) No tree or main branch of a tree shall be cut without the Executive Engineer's Concurrence.

(3) The ground of the compound shall not, without the concurrence of the Executive Engineer, be broken for any purpose except that of "gardening" in the ordinary sense of the world, and this shall not include the digging of pits, ponds or wells for watering purposes,

(4) Bushes and shrubs planted in the ground are the property of the Government and may not be cut down or removed from the compound without the concurrence of the Executive Engineer, but his concurrence shall not be required for such cutting down, uprooting or trimming of any bund or shrub or lopping of any tree as may be necessary for the proper maintenance of the garden.

(5) (a) The Executive Engineer will report to the Superintending Engineer any breach of the above rules which may come to his notice-

(b) The compound of jails and mental hospitals will be exempted from the operations of the above rules and will be in sole charge of the Superintendents.

(6) These rules do not apply to compounds of the rent-free Government houses.

284. Tenants of rented or rent-free residences may be allowed the enjoyment of the usufruct of trees, provided the compounds are maintained at their cost and the pay of gardeners and all garden expenses are borne by them. An officer occupying Government quarters has no right to cut the trees or branches blown down by cyclone as the term "usufruct" is not meant to include them.

F - INSPECTION BUNGALOWS

285. Inspection bungalows of irrigation branch of Public Works Department are in-charge of the Irrigation Branch, but Collector will control their use in all cases except those for which officers of Public Works Department have a preferential right of occupation such as inspection bungalows near ancient systems. In the case of Inspection Bungalows near ancient system, the Collectors' control will be exercised in consultation with Superintending Engineer concerned.

The inspection bungalows maintained from Roads and Buildings funds will be under the control of the concerned Executive Engineer (Roads and Buildings) for the purpose of reservation and officers of Roads and Buildings Department will have a

Preferential right over other heads of Departments for occupation and reservation of these Inspection Bungalows.

The Collectors will have powers to decide priorities of reservation in situation where disputes or difficulties arise in accommodating the following high personages;

(1) Ministers and Deputy Ministers of the Union and State Governments, Speaker of Loc Samba, Chairman of Raja Samba. Deputy Speaker of Loc Samba and Deputy Chairman of Raja Samba, Speaker of Legislative Assembly and Chairman of Legislative Council and Deputy Speaker of Legislative Assembly and Deputy Chairman of Legislative Council of the State Legislatures.

(2) Parliamentary Secretaries to Ministers;

(3) Members, Board of Revenue, Inspector-General of Police and Collectors.

285-A. State Guest Houses:—The following State Guest Houses are in charge of Public Works Department :

1. Summer residence-cum-Guest House, Viskhapatnam.
2. State Guest House, Vijay Wada-
3. Lake View Guest House, Somajiguda.
4. Dilkusa Bungalow, Somajiguda.
5. Guest House, Atoka Road, New Delhi.
6. Napean Guest House, Napean Road, Bombay.

The Chief Secretary to Government, General Administration Department will control the use of State Guest Houses at Hyderabad, New Delhi and Bombay. The Collectors of respective districts will control the use of the other State Guest Houses-

286. Inspection Bungalows have been classified into two classes, first and second according to the scale of accommodation, furniture and other conveniences. The rules regarding the conditions of occupation, rent, etc., will be found in Appendix VI.

287. Every Executive Engineer should keep a register of inspection bungalows in his charge for each class,

G - RYOTS' SHEDS

288. Proposals for the construction of ryots' shed, except in the West Coast districts should be submitted to Government for sanction.

H - HOSTELS

289. The hostels attached to the schools and colleges do not come under the class of residences for Government Officials but they should be shown in the monthly return on the residential buildings for purposes of watching the recovery of rents therefrom. They should be treated as non-residential buildings for the purpose of determining the authority competent to accord administrative approval to additions and improvements thereto,

CHAPTER IV**Miscellaneous Rules Regarding Office Works, Excluding Accounts Procedure****A - INITIAL RECORDS OF ACCOUNTS**

290. The initial records upon which the accounts of works are based are :—

- (a) The Muster Roll (Public Works Account Code, Form 21 (Common Form Nos. 474 and 475).
- (b) The Casual Labor Roll (Public Works Account Code, Form No. 22 (P.W.D. VI-68).
- (c) The measurement book (Common Form No. 298).

For work done by daily labor the subordinate in-charge of the work will prepare a muster or casual labors roll recording hereon when practicable the work done and the amount payable. For piece-work for contract work generally, the measurement book will form the basis of account- From the muster rolls the subordinate will prepare the labors reports, and from the measurements book he will check (or, if so arranged, prepare) the bills and accounts of contractors and suppliers-

L Muster Rolls

291. The nominal muster roll. Form No. 21 (Common Forms Nos. 474 and 475) or the casual labor roll, Form No.22 (P.W.D. VI-6S), is the initial record of the labor employed each day on a work, and must be written up daily by the subordinate deputed for the purpose, (See also paragraphs 290 and 291, Andhra Pradesh Works Account Code).

II. Measurement Books

292. The measurement book, Common Form No. 298 is a most important record since it is the basis of all accounts of quantities whether of work done by daily labors, piece-work, schedule contract, deviations in a lump-sum contract, or of materials received. It is the original record of actual measurement or count. The descriptions must be lucid so as to admit of easy identification and check. A reliable record is the object to be aimed at as it may have to be produced as evidence in a Court of Law. Rules regarding the maintenance of measurement books and the manner of making entries therein are found in the Andhra Pradesh Public Works Account Code, Paragraphs 293 and 294,

Note:- In the case of works, where considerable earthwork has to be done, e.g., excavation of a canal, the quantity of work done shall be determined with reference to the levels taken before and after excavation and the final payment to the contractor shall be based on the lesser of the two (i.e.) quantities based on pit measurements and levels taken. The levels taken in such cases are to be recorded in Level Field Books and calculations made after plotting the levels on section sheets, and L.F. Books, Section Sheets and Calculation Statements are to be treated as adjuncts to the measurement book. Detailed rules regarding the measurement to be taken in the case of earthwork excavation are found in Specification 20(A)(h) in Section 3 of A.P.D.S.S.

The following certificate shall be inserted at the time of passing bills:

Certified that levels recorded in the L.F- Books, levels plotted in section sheets and the areas/quantities worked out in the calculation sheets have been checked and found correct.

Note 2 '— Whenever measurement books, change hands, even if it is only from one office to another situated in the same building, the receipt of the books should be acknowledged in writing by some responsible person of a grade not inferior to that of a clerk.

Note 3 •- In the case of job works executed by piece-workers in the Public Works Workshops at Hyderabad, Vijay Wada and Dowlaiswaram where piece-workers are given the works for the amounts of labor estimated for in the work order estimates and agreed to by the piece-workers in the form of agreement printed in the work order form (P.W.D. 1V-6) there is no need to record in a measurement book any measurement of the works done or the lump-sum payments made against the agreed amounts. In cases, however, where the job work is entrusted to the piece-worker subject to payment to him at a rate agreed to with reference to weight or area of outturn, it is necessary to record detailed measurements of Job works. In a measurement book to serve as a basis for making payment to the piece-worker.

293. The conditions under which payments may be made without detailed measurements are given in paragraph 313 of the Andhra Pradesh Public Works Account Code.

294. Sub-divisional officers are expected to check the calculations etc., recorded in the measurement books as laid down in Para 306 of the A.P.W. 'A' Code and to check measure as laid down in Paragraph 297 of A.P.W. 'A' Code. Executive Engineer/ Divisional Engineers incharge of regular divisions in P.W.D. will check measure the work done on not less than 36 of their important works in each financial year. Executive Engineer/ Divisional Engineers of special division will also check measure the work done on not less than 36 of their important works in each financial year. The item in the measurement books actually checked should, as a rule, be initialed by the checking officer. Further, the Executive Engineer/Divisional Engineer should check measure atleast once all Individual works closing Rs. 50,000 and more. The check measurement to be done by the Executive Engineer/Divisional Engineer should be spread out throughout the year and there should be no rush of check measurements towards the end of the financial year. The frequency of, check measurements should be correlated to the amounts of bills to be paid in the respective months- (Executive Engineer in-charge of purely investigation Divisions will check measure atleast 12 Nos. Purely Designs and quality control Divisions are exempt from check measurement). (G.O. 60, P.W. (Y) Depi, Dt. 26-1-1973)

In addition to the above, the Superintending Engineers of Circles should also check measure works at random in a particular year or years as may be directed by the Chief Engineer from time to time.

295. A register of check measurements should be maintained in each division • showing all check measurements made by the Divisional Officer and this register should be available for inspection by the Audit Officer during his inspection.

296. During their tours and inspections of Divisional Offices, Superintending Engineers should make it a special duty to see that measurement book are carefully kept, that measurements are properly recorded and that the books are complete records of the actual measurements of each kind of work done and are maintained in accordance with the above rules.

Note: — Superintending Engineers are competent to deal with losses of Measurement Books, survey field books, leveling field books and log books of Government vehicles. All losses of these books should at once be reported to the Superintending Engineers who will deal further in the matter. He will write-off the loss if and when necessary and take disciplinary action. If circumstances warrant.

The Government sanctions the delegation of powers to all Chief Engineers and Superintending Engineers of Public Works Department to condone certain types of irregularities noted below in connection with the execution of works,

1. Failure to conduct check measurement.

May be condoned by Departmental Officers subject to the following conditions.

(a) That the cost of the work concerned is within the powers of that officer to write-off,

(b) That he is satisfied that there has been no loss on account of lack of initial check measurement-

May be condoned by Superintending Engineers in regard to intermediate bills, subject to the conditions that over payments are recovered from subsequent bills. In regard to first and final bills, the powers of condonation by the Superintending Engineer or higher authority should be restricted to bills, the value of which are within their powers to write-off".

2. The concerned authorities should from time to time make a report to the Government indicating the action taken by them in order to enable the Government to examine if any disciplinary action is called for or if any directive need to be given severally or any individual case. (G.O.Ms.No. 1001, P.W.D., D.I. 18-5-1957)

III. Progress Reports of Works

297. Sub-divisional Officers and subordinates will furnish to the Executive Engineer such progress reports of works at such intervals may be prescribed. It is the duty of the official in charge of any work to bring to notice any dilatoriness, bad works, or anything militating against the interest of Government on the part of any contractor or piece-worker.

B - CUSTODY OF CASH

I. General

298. Public money in the custody of the department should be kept in strong treasure chests and secured by two locks of different patterns. The duplicate keys of divisional and sub-divisional cash chests should be placed, under the seal of the Executive Engineer, in the custody of the Treasury Officer in the jurisdiction of the division concerned. A duplicate key register should be maintained and once a year, in the month of April, the keys should be kept apart from the key of the other lock and in a different person's register that they have been found correct. The key of the one lock should be kept apart from the key of the other lock and in a different person's custody when practicable. When there is a police guard, the havildar or other petty officer of the guard should usually be the custodian of one set of keys. The chest should never be opened without both custodians, being present. The non-commissioned officer or daffadar of the guard should always be present when a treasure chest is opened and until it is again locked. Whenever a cashier is attached to a division or sub-division, the key or one of the locks of the treasure chest should necessarily remain in his possession.

Note: — The above rules should be strictly followed in offices where cashiers have been appointed under Paragraph 300, and where head clerks have been required to furnish security under Note 3 to Paragraph 303. In other offices, where Iron safe and cash chests are embedded in masonry and the cash to be deposited does not ordinarily exceed Rs. 500/- a single lock is sufficient. Portable cash chests should always be provided with two locks.

II. Precautions to be observed for cashing or remitting of Government money from one Officer to another

299. The following instructions are laid down for the guidance of all officers in cashing bills or in remitting money from one office to another. They embody the minimum precautions to be observed for safeguarding Government money outside a Government office in normal circumstances. In conditions are in any way abnormal as when the general tranquility is disturbed or when the money has to be transported a long distance or when crimes against property have been unusually ripe in any area, it is expected that officers will use their judgment as to the additional precautions that may be required.

Instructions

Sum below Rs. 500:—

- (i) If the sum is below Rs. 250 a single peon may be employed;
- (ii) If the sum is between Rs. 250 and Rs. 500 two peons at least one of them being permanent one or a clerk may be employed.

Note: — In section office where two peons may not be available for amounts between Rs. 250 and Rs. 500 the section officer should wire to the subdivision officer to send a peon who should accompany his own peon with the remittance or in the alternative a clerk may be employed. When such a sum has to be brought from the subdivisional office, the sub-divisional officer should arrange to depute a peon to accompany the peon of the section office.

Officer must use their discretion as to the person employed. A peon recently entered or a peon whose honesty has been suspected should not be employed alone.

*Sums between Rs. 500 and Rs. 5,000:—*A permanent clerk accompanied by a should be employed.

Note: — In the case of such remittances by section officers who have no permanent to the section officer must remit the money himself, accompanied by a peon.

*Sums between Rs. 5,000 and Rs. 20,000:—*Two clerks or the Divisional Head or the Divisional Accountant or the Superintendent in the case of the Chief Engineer's office who hold substantive posts in the Government service and have rendered not:

than ten years' service accompanied by one or two peons should be employed,

*Sums above Rs. 20,000:—*Such transactions should not be common. A Divisional Head Clerk or a Divisional Accountant or a Superintendent in the case of the Chief Engineer's offices who holds a substantive post in Government service and has rendered not less than 10 years' service and a clerk who should be at least an approved probationer should be employed with an escort of two peons.

For sum greatly in excess of Rs. 20,000 special arrangements should be made.

In respect of remittances made by section officers or overseer sections. Lock Wharf Superintendent, the following arrangements should be adopted:

- (i) If the sum is below Rs. 100 a peon or single lascars mile or bank mazdoor with, ten year's service and of known reliability may be employed.
- (ii) For sums between Rs. 100 and Rs- 250 two peons or lascars or mile or bank mazdoor with the same service and character may be employed. ;
- (iii) For sums between Rs. 250 and Rs. 500 one irrigation gumastah or wharf or local Superintendent or maistri of same service and one lock lascar or mile or bank mazdoor may be employed.

(iv) For sums over Rs. 500 special arrangements should be made as indicated in rules.

Special instructions for the Highways Department:—The following instructions shall be observed by the section offices of the Highways Department in cashing bills or remitting money:

- (1) **For sums up to Rs. 250:**—The section officer should use his discretion as to whether a peon or an attender should be deputed as the occasion demands.
- (2) *For sums between Rs. 250 and Rs. 500:*—One peon and one attender should be employed.
- (3) *For sums of Rs. 500 and above:*—The Supervisor should personally go.

C – CASHIERS

I. General

300. Cashiers may be appointed with the sanction of Government whenever the cash transactions of a division or sub-division are sufficiently extensive to require it.

301. One cashier may make the cash payments of two or more sub-divisions, or throughout the whole of a division, whenever such an arrangement is found to be practicable.

302. The Executive Engineer will count the cash in the hands of each cashier at least once a month; or in the case of out-stations, he or the Assistant Engineer will count it whenever he may visit them. He will, on such occasions, record a note in the case showing the date of examination and the amount (in words) found.

II. Security Deposits (Subordinates)

303. Cashiers, whether appointed permanently or temporarily must furnish security, the amount being regulated according to circumstances and to local custom in each case, under the sanction of the Chief Engineer, Store-keepers, Sub-store-keepers, and lower subordinates, also head clerks of Superintending Engineer's offices, and other members of the Clerical, petty plantation and revenue establishments entrusted with the custody of cash or stores should, subject to general or special orders of Government on the subject, be required to furnish security at the option of the Superintending Engineer of the Circle in accordance with the rules in the Andhra Pradesh Financial Code, Volume I in Article 276-277 of Chapter XII.

Note 1 :— Surveyors, either permanent or temporary, drawing pay Rs.60 and more a month, will be classed as upper subordinates while drawing less than the above amount will be considered as lower subordinates for the purpose of the above rule.

Note 2:- Delta, anicut and channel Superintendents and lower subordinates on the permanent establishment it will be exempted from furnishing security on account of imprests granted to them when the imprests do not exceed Rs. 100.

Note 3:- Head clerk of Executive Engineer's offices who may have charge of cash need not, except in special cases when large sums are in question, furnish any security. They may be made responsible imprest holders when this is considered necessary.

Note 4:- Irrigation Superintendents, toll-keepers, shroffs and wharf Superintendents on the permanent establishment, entrusted with the collection of lolls and licence fees, need not furnish security except under special orders. Men on temporary establishment should, however furnish security.

Note 5:- Sub-divisional clerks may, at the discretion of the Executive Engineer, be allowed imprests without security, provided the amount does not exceed Rs. 15. ^.
Executive Engineers may at their discretion, authorize sub-divisional Officers to - entrust, during their absence from head quarters, the custody of the sub-divisional cash chest to the sub-divisional Head Clerks- Whether the Head Clerk of Sub-divisions should, in such cases, furnish any security or not may be decided by Executive Engineer at their discretion.

D- STORES

I. General

304. The stores of the Public Works Department are divided into the following clauses viz., (i) Stock or general stores, (ii) tools and plants, (iii) road metal, and (iv) materials charged direct to works. Unless there are orders to the contrary the officer in-charge of a sub-division will be responsible for all the stores belonging to it. 1

Subject to the overall responsibility of the Sub-divisional Officer the section officer will be responsible for the stores belonging to his section as well as the stores, tools and plant and materials at site of any works which are under his direct charge. ;

Note :- A contractor should not be asked to take delivery direct from a firm of articles required for a work as it may lead to fraud.

305. An Executive Engineer is responsible that proper arrangements are made throughout his division for the custody of public property. He must be careful to keep all tools and implements in efficient orders, must protect surplus stock from deterioration, and must take proper precautions to prevent the loss of public stores by fire,

Note ':- Special pay is granted to clerks placed in-charge of Stores in certain divisional offices-see item 125 under Class I of Appendix-I to Andhra Pradesh Manual of Special Pay and Allowances. In all other divisions the head clerk or other permanent clerk and the head draughtsman should be made responsible or looking after the Stores and instruments respectively without any extra allowance-

306. Every officer is bound to take charge of departmental stores which, from the death or departure of the person lately in-charge, or from any other cause, may be left at or near his station without adequate protection.

11. Acquisition of Stores (a)

Purchase of Stores

(i) Stores (other than Tools and Plant)

307. Stock, road metal and other materials (not being articles of European Manufacture, which must be intended for on England), required in ordinary course or the execution of sanctioned works, may be procured on the responsibility of the Executive Engineer without special authority, but the Superintending Engineer's approval should be obtained to the measures proposed for the purchase of stock in large quantities. If the stores or to be manufactured, a separate estimate for their preparation may be required as laid down in Paragraph 323.

Note '. — Purchase of materials for in advance or excess of requirements results in both direct and indirect losses to Government and should be avoided.

308. Firewood should usually be measured by weight and cubic metre measurement • should be adopted only in exceptional cases with the prior approval of the Executive Engineer when check measurement by weight would be impossible or disproportionately expensive. In such cases the Cubic metre rate to be adopted should be ascertained by actual weighment of fair samples of the wood concerned.

(ii) Tools and Plant

309. "Tools and Plant" can only be purchased or manufactured on estimate sanctioned by competent authority, with the execution of purchases or manufactures not exceeding Rs,500, for which estimates are not required.

310. The rules governing the initial supply, repair and renewal of bicycles are Contained in Appendix 7 of the Andhra Pradesh Financial Code, Volume-11. *

311. Charges for new supplies of and repairs to bicycles, in the case of executive officer, should be classified under "Tools and Plant" while those relating to typewriters and duplicators, cyclostyle machines, etc., which are classed as "Stationery" should be classified under "Contingencies".

312. The Floating Plant of a division consists of boats, punts, steamers or other vessels intended primarily for use in connection with the works of the division. The Floating Plant obtained in connection with the large projects, is generally treated as "Special" and charged to the works concerned. Other Floating Plant required in connection with general maintenance purposes is charged to the "Tools and Plant" of the division. In the first case the cost of maintenance and repairs of the Floating Plant is debited to the work concerned, and in the second to "Tools and Plant".

(b) Indents

313. The general rules for the supply of articles required for the public service, whether of indigenous original or otherwise, will be found in the Stores Rules of the Andhra Pradesh Financial Code, Volume-1. With regard to indents for stores obtainable from other departments attention is invited to paragraphs 317 to 320.

The restrictions imposed by the Stores Rules do not apply to purchase made by or on behalf of Indian Stores, Port Trusts, Municipalities, Zillah Parishad, Panchayat Samitihis and Panchayats excepting when the Stores purchased are paid for from Government revenues on behalf of Government or from funds advanced by Government in the later circumstances

Government may however, direct that the provisions of the Stores Rules need not apply, When a Public Works Department officer carries out a work for any of the Zilla Parishad/ Panchayat Samithis, Panchayats reference to the above rules shall apply, except when the Zilla Parishad/Panchayat Samitis/Panchayat specially desires to have the stores purchased otherwise, and the Government had accorded its approved thereto. Such approval will ordinarily be granted only on the condition that the stores must be approved by the officer carrying out the work before the purchase is concluded.

314. (1) Indenting officer should see that in cases of loss or damage of imported stores, claims are promptly made against the shippers contractors or "Marine Insurance". A loss would be chargeable against "Marine Insurance" only when the responsibility for breakage or loss cannot be fixed on the shippers for contractors.

(2) The High Commissioner or Ambassador for India charges $\frac{1}{2}$ per cent on all - stores shipped to cover the cost of Insurance, and in cases in which the loss is properly chargeable Insurance he arranges to give a corresponding credit to the Department or Province concerned by debit to "Marine Insurance".

(3) The report of loss or damage should show the particulars contained in the instructions on the packing account, viz., description of stores, details of numbers and where necessary sizes and quantities when articles are missing, the gross weights, of package as received. If no recovery has been made, the facts and the reasons therefor should also be reported.

(4) Marine insurance does not cover after the stores leave the ship's side, i.e., during landing and it is therefore essential that brittle stores such as stoneware pipes, etc., should not be landed at open road-sides during certain seasons, such stores should be " landed at these ports only when the risk of breakage is at a minimum. Indenting officers should clearly indicate in their indents whether any of their indented articles should be so delivered.

Note: — It is desirable to make a small allowance for breakage in indenting for stone-ware or cast iron pipes.

315. It is the declared policy of Government to encourage the purchase in India of articles which are either produced or manufactured locally and preference should be given to such articles, when the quality is satisfactory and the prices not unfavourable. Ail indents for demands should accordingly be carefully scrutinized by the sanctioning authority with a view to judging whether articles are being indented for from foreign countries which could equally economically and satisfactorily be obtained from local manufacturers.

(ii) On the Departments

316. Tents and other articles manufactured in jails should invariably be purchased from the jail department unless the previous sanctions of Government is obtained to their purchase elsewhere.

Note: — All proposals for the supply and disposal of tents should be submitted to the Chief Engineer for sanction-

317. Indents on other departments in India, when not required to be prepared on special forms, may be prepared in duplicate in Common Form No. 274. Receipts in the forms supplied by the Ordinance, or other departments, must be granted for all stores obtained, in the absence of special instructions to the contrary. Executive Engineers are

prohibited from resorting to the Ordinance Department, or to the supply and Transport Corps, for the supply of any articles which can be procured in the local market, or made up in their own workshop.

318. Such indents should be submitted through the Superintending Engineer, and, if approved will be countersigned and passed on by him to the head of the department concerned, who on sanctioning the indent, will send it to the local officer of his own department for compliance, giving notice to the indenting officer.

319. Receipts in the forms supplied by Ordinance or other officers must be granted for all stores procured on indents from them; and generally when the aid of another department is sought in supplying stores otherwise, the transaction will be conducted so as to conform with the rules of that department.

320. Emergent indents on other departments in India may be submitted only in case of actual necessity (which must be reported to the Superintending Engineer) when serious inconvenience would be likely to arise from the submission of indent in the ordinary way. Emergent, indents will nevertheless be complied with at once on the responsibility of the indenting officer, and will then be submitted by the complying officer, for the necessary counter-signature so that Superintending Engineer may exercise a check over such demands.

321. Superintending Engineers are empowered to sanction the recoupment of differences in Famine tools by transfer from Provincial tools when the stock of the latter permits of such transfer and provided the tools so transferred are in serviceable condition - see Paragraph 328.

(C) Purchase from Government Workshops

322. All articles of iron work which have not to be obtained from Foreign country through the High Commissioner in accordance with the Stores Rules and which cannot be conveniently made up in Executive Engineers Workshops, may be procured on indent from any Government workshop authorised to undertake work for other departments. The orders in the Stores Rules regarding the Indian Finns to which orders may be given for articles to be manufactured out of imported materials, should be closely followed:

(d) Manufacture

323. The manufacture or collection of materials involving an outlay of Rs.10,000 or upwards must in all cases be covered by an estimate showing the proposed outlay and the material to be received. If the material be for a work already duly sanctioned, or for reserve stock within the sanctioned limit for the division, the estimate will only require the approval of the competent authority but in all other cases the estimate must be duly sanctioned as for an original work.

Note: — Departmental manufacture of bricks on Government land is permissible only if they cannot be purchased at a reasonable price, such departmental manufacture should be made only in properly arranged brick-tilns. Every endeavour should even then be made to secure a contractor to manufacture bricks of a special quality and size at an agreed rate.

11I. Reserve of Stock

324. Ordinarily, materials should be purchased only for works on progress, and petty stores obtained if so possible, from a suppliers who should enter into a contract for them at scheduled rates and no reserve of stock be kept. But in the case of any division

in which owing to its remoteness from markets or for any other reason, it may be considered absolutely necessary that a reserve should be maintained, the sanction of Government should be obtained for the maintenance of reserve stock up to a maximum value to be prescribed; and, if this has been done, the Executive Engineer is authorized subject to the approval or sanction of the estimate therefore where required by the provisions of Paragraph 323, to purchase or manufacture, to an extent sufficient to keep his stock up to that limit, - the sanction of superior authority being required only when it is desired to exceed it. The fixed maximum should be kept at the lowest point compatible with efficiency and the stock returns of divisions should be carefully scrutinized by Superintending Engineers, from lime to lime, with reference to this point. As it is not known on which work these stores may be used, they are accounted for in a suspense account of stock, see Paragraph 180(d) of the Andhra Pradesh Public Works Account Code.

IV. Stock-taking

325. Executive Engineers are to have all the stocks in their divisions checked at least once a year- It is not necessary that all the stores of a division, or even a sub- division should be checked and counted at the same time. All stores should be counted by an officer not below the rank of a Sub-Divisional Officer (A. P. Public Works Account Code, paragraphs 213, 215 and 337). (See Articles 139 and 143 of A.P. Financial Code, Vol. 1)

326. All articles of stock (but not tools and plant) which are not likely to be required during the following twelve months, should be reported to the Executive Engineer who will, if necessary, take the Superintending Engineer's orders as to their disposal - *vids*, also paragraphs 333-339 regarding surplus stores.

327. Reserves of rough stone and metal kept for irrigation works should be verified' at least annually, the dimensions of each stock should be painted on it and the stock spattered with paint or whitewash.

V. Famine Tools

328. Famine Tools are reserves of Tools and Plant of a Non-perishables nature, such as digging tools, axes, iron treasure chests, iron buckets for drawing water, iron tanks, water carts, kerosene lines, fitted with handles, iron pots and ladles for cooking and mul roll tins, kept for use on all relief works, (see paragraphs 30-32 of the Famine Code). They should be kept separate from the numerical list of ordinary tools and plant in charge of Ihi; Executive Engineer.

Famine tools should not be issued to ordinary works, i.e., to works other than those sanctioned as "Famine test and relief works" except with the sanction of the Superintending Engineer should see that the full reserve limits of stock of these tools fixed for the different centers are maintained efficiently.

VI. Disposal of Stores

(a) Loss of Stores

329. Executive Engineer should, in case of any robbery loss or destruction by fire or otherwise of public stores, submit a report to the Superintendent Engineer, who will, if necessary, report the matter to Government for orders,

330. An immediate report of the loss of stores must also be made to the police and all proper steps taken for the recovery of the property. When an enquiry is held either by 'the police authorities or others, the Executive Engineer must, in cases where he is not.

himself authorised to while off the value of the property obtain and forward as soon as possible, to the Superintending Engineer, a copy of the proceedings.

Note 1 •- When tools are lost by contractors or departmental employees the cost to be recovered should be the replacement value of the lost article.

Note 2 :- The replacement value shall include the book value of the articles lost including storage charges and an addition of 10% to cover charges on account of supervision].[Subs. by Memo. No. 1G58/C/71-21, Tr.Rds. & Bids. (C), Dt, 22-3-82]

(b) Sale of Stores

(i) General

331. (a) When stock materials are sold to the public or other departments including Guaranteed railways and State railways leased to or worked by companies or are issued on account of any work executed for them in workshops at their book value including storage charges in addition of 10 per cent must be made to cover charges on account of supervision over and the rates fixed under paragraphs 198 and 220-A. Andhra Pradesh Public Works Accounts Code. This addition may however be waived by the officer empowered to sanction the sale in the case of surplus stock which, in his opinion, would otherwise be unsaleable. See Paragraph 328(c), Andhra Pradesh Public Works Account Code.

(Memo, No. 1658/C/79-21, R&B (C), Dt. 22-3-82)

Note: — The then "other departments" includes also special divisions of the Public Works Department, the establishment of which is classified under major heads other than that to which the establishment of the Supplying division relates.

(b) If it is proposed to grant a concession in regard to the disposal of any Government property or materials for use on a work on account of its charitable or philanthropic nature or in connection with any special calamity, such as that due to an outbreak of fire, floods and earthquake the prior sanction of the Superintending Engineer of the Circle who will consult the Collector of the district as to the nature and object of the undertaking and obtain his concurrence to the grant of the proposed concession, must be obtained. The main criterion is whether the public are benefited by the charity or only a few individuals and the concession should not be granted in the latter case- The Superintending Engineer's powers of sanction in this respect are limited to the sale of materials, the value of which does not, at the booked value, or market value, exceed Rs.300. In all cases where a larger sum is involved the sanction of Government must be obtained before the sale is effected.

332. Ordinance stores not required by Public Works Officers must be returned by them into the nearest magazine.

(II) Surplus Stores

333. All surplus stores will be divided into two classes—(i) Serviceable, and (ii) unserviceable. When stores (including tools and plant) of any kind become unserviceable, a report thereof must be made in the survey report form; this should be done at once on discovery of the fact; as it is desirable to avoid keeping worthless materials on stock. In the report all proper explanations must be given, and the period during which the articles have been in store or in use, and the cause of deterioration must be stated-

334. All unserviceable articles should be sold in public auction with the sanction of the competent authority. (See Article 142 of A-P. Financial Code, Vol. 1).

If, for special reasons, the authority competent to sanction (he disposal of the articles considers that it will be better in the interest of the Government to order the effective destruction of such articles, he may do so.

335. All serviceable surplus materials at site of works which have been completed, abandoned or stopped indefinitely should, if likely to be or use on other works within a reasonable time, be transferred to works in progress or brought on to stock account.

336. (i) The Executive Engineer of a division should prepare half-yearly a list in Form No-II-15-A of (1) the serviceable surplus materials brought on to stock account is his division and of (2) all other materials, which are already borne on stock and which are not likely to be required in his division during the following twelve months, and circulate it among the neighbouring divisions only, to which there are traffic facilities, although such neighbouring divisions may lie in other circles e.g., articles in Kurnool should be made known to Guntur though they are in different circles. The list should be circulated by the Executive Engineer not later than the 33th November and 31st May, respectively a copy thereof being also sent to the Superintending Engineer of his own circle and to other Superintending Engineers concerned,

(ii) It will be the duty of the Executive Engineer and the Superintending Engineers to see that all the articles are shown in the surplus lists of the several divisions circulated as in clause (i) above, are used to the best advantage as early as possible on works in the division in which the articles are surplus or in the divisions to which the surplus lists have been circulated.

(iii) If use cannot be found for any of the articles shown in the surplus lists of the divisions within a period of one year from the date they were first entered therein, then the Executive Engineers should take action immediately to have the articles sold by public ; auction with the sanction of the competent authority except in the case of those which are not easily procurable and which cost Rs.500 and more.

337. (i) A list of the articles, in every division, which cost Rs.500 and more and which are not easily procurable, should be prepared by the Executive Engineer concerned in the same form as the list mentioned above and forwarded to the 'General Superintendent, Public Works Stores, Hyderabad', through the Superintending Engineers concerned so as to reach the former not later than the 31st December and 30th June respectively.

(ii) The General Superintendent, Public Works Stores, will then prepare a consolidated list in the same form for the whole State, get it printed and circulate copies thereof to all Executive Engineers of Divisions half-yearly by the 1st February and 1st August respectively.

(iii) It will be the duty of the officers of the department to see that the articles shown in the above list are used wherever practicable and thus minimise the loss to the department, "s

(iv) If, within a further period of one year, no use is found for any of the articles shown in the State Surplus List, the Executive Engineers concerned should take necessary action to have them also sold by public auction with the sanction of the competent authority,

338. When a building or a portion of a building or other work is dismantled, the dismantled materials may be either

(a) Sold;

- (b) brought into stock at a valuation;
- (c) utilised in the construction of new work in the same building; and
- (d) utilised in the construction of new work in the different building.

The transaction shall be dealt with in the accounts as described in the explanatory note, (26-A) Appendix 4 to the Andhra Pradesh Public Works Account Code.

339. Except as provided in Paragraph 432(c)(ii), no public stores may be sold otherwise than by public auction without the permission of the Superintending Engineer. Commission, which should not ordinarily exceed 5%, may be allowed to the auctioneer, not being a departmental subordinate, but no commission can be allowed on private sales.

VII. Hire of Tools and Plant

340. The following rules govern the hire of tools, plant and machinery in the Public Works Department Stores including Divisional Stores, to other divisions, Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats, Contractors, etc.

These rules apply also to the hire of tools, plant and machinery in the Public Works Stores Division, Hyderabad, Godavari Head Works Workshops Division, Sithanagaram to works outside the stores in the same division.

(The department should include the tax element also in hire charges of the vehicles to avoid real loss to the Government and no Motor Vehicle Tax as such need be paid in respect of vehicles loaned to the contractors).

(1) Ordinarily heavy plant and machinery alone should be let out on hire, light and petty tools such as carpenters, blacksmiths, or fitters' tools should not be hired out at all, except as provided in Rule 10, either to Zilla Parishads, Panchayat Samithis, 10 Panchayats or the private parties—

(2) Ordinarily, if plant and machinery are likely to be required for a continuous period of three years, the articles required should be purchased outright instead of being hired, and on completion of the work, if no longer required, may be offered to the officer in charge of the stores, who after examination may, if they are still serviceable take them over at a valuation.

(3) The hire charges payable under these rules should be recovered monthly in advance except in the case of Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats and contractors doing Government work, in which cases they may be recovered monthly in arrears,

A deposit of the full market value or full original cost of the tools and plant whichever is greater, should be taken in all cases from private individuals including contractors requiring them for use on Government works.

(4) A formal agreement in the prescribed form *vide* Appendix-VIT should be entered into by the officer in charge of stores for all plant, machinery and tools hired out to Zilla Parishads, Panchayat Samithis, Panchayats, Contractors and private parties.

(5) In addition to the rent payable under these rules, the person hiring the tools, plant and machinery should also pay—

(i) all charges connected with packing, handling in the stores, conveyance and other incidental expenses in connection with the despatch of the tools, plant and

machinery from the stores and return thereto-including freight charges, if any-also erecting and dismantling charges;

(ii) the cost of replacing, missing or broken or repairs necessitated by any definite or specific damage.

Note: — In case where plant and machinery are hired out from the Executive divisions of the department the articles should be handed over to the hirer at the place where they are stored by the department and he should be left to attend himself to the packing conveyance etc., at his cost. If, in any case the Department incurs any expenditure on behalf of the hirer by way of handling charges etc., it should be recovered at once from the hirer.

(6) For the purpose of fixing the rates of hire - *vide* Rule 7-heavy plant and machinery shall be divided into three classes :

Class A :—Plant and machinery which in fairly constant use is likely to have a life of 20 years, e.g., portable steam engines and steam vertical boilers.

Class B:—Plant and machinery which in fairly constant use is likely to have a life of 12 years, e.g., steam road-rollers, steam air-compressors, steam concrete mixers, internal combustion engines of low speed type, steam hoists, power cranes, rail-track of tramway plant and pile driving equipment.

Class C :—Plant and machinery which in fairly constant use is likely to have a life of six years, e.g., all motor-driven machinery comprising of pumps, air-compressors. Welding sets, concrete mixers, mortar mills, road-rollers, locomotives, internal combustion engines of high speed type and power calyx drills; hand-operated calyx drills, gear pumps, hand cranes, mortar mills, boring tools and lock drills rolling stock of tramway plant, two-wheeled and four-wheeled trollies, water-carts, separate centrifugal pumps, fulsomely, . Stone crushers, hand-operation concrete mixers, and Lorries and trailers.

If at end of the period or life fixed for a plant or machinery in any of the three classes mentioned above, it is considered still fit for use, it should be transferred to fourth class 'D' without value and hire charges at the rate fixed for the class to which it originally belonged should be charged whenever it is hired to other division, etc.

(7) The hire charges for heavy plant and machinery lent to other Public Works Divisions, Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats and to contractors for use on Government Works shall be fixed to cover interest, depreciation, repairs on return or overhauling and storage and the annual rates are fixed at:—

Class	Interest	Depreciation	Storage and	Total hire	
		repairs and	charges		Remark
	renewals on				s
	account of				
	fair wear				
A	5	5	10	20	On the original cost of the appraised value where the cost is not known, or the Probable cost or renewal
B	5	81/2	10	231/2	
C	5	601/2	10	311/3	

During the period of hire, all repairs except those found necessary owing fair and tear shall be borne by the hirer. In cases where the period of hire is more than two years, all repairs due to fair wear and tear during the first two years shall be borne by the Government and thereafter by the hirer. In cases where the period of hire is less than two years, all such repairs shall be borne by the Government during the whole period.

Such items, as renewals of bearings, breakage due to a flaw in the metal, shall be included among those to be borne by the Government. The decision of the Executive Engineer of the division concerned or of the General Superintendent, Public Works Workshops and Stores, Hyderabad and Silhanagaram as the case may be, for the time being shall be final as to what repairs should be borne by the Government.

If during the period of hire, it is found necessary to send the plant to the public works workshops for repairs all conveyance and incidental charges to and for shall be borne by the hirer.

Note :— Government road-rollers and water-sprinklers may be lent free of hire charges or deposits, to piece-workers for the execution of Government works in the agency tracts subject to the condition that the sub-divisional officer or the subordinate incharge of the works is held personally responsible for the proper use of the plant by the piece-worker and for its safe return.

(G.O.-Ms.No. 400, P.W- (Y) Dept., Dt, 25-3-1972)

When heavy plant and machinery belonging to the Public Works Department is lent to other divisions, Government Departments, local bodies and to contractors for use on Government works hire charges are leviable at the rates fixed in Para 340(7) of the A-P.W, 'D' Code. The rate of interest of 5% included in the hire charges is below the Government's borrowing rate and the hire charges do not include P.O.L. costs, crew charges etc.

(2) The Government consider that the procedure for fixation of hire charges followed in the Nagarjuna Sagar Canals and the Nagarjuna Sagar Dam shall be followed in the entire Public Works Department including Roads and Buildings Department also. They therefore direct that the procedure as indicated in the annexure to the order be followed in the entire Public Works Department including Roads and Buildings Department also.

(3) Even the rates adopted in the Nagarjuna Sagar Project Organisation require revision in view of the increase in the P.O.L. charges, interest rate etc. All the Chief Engineers should therefore, revise the hire charges urgently. They should also review the charges every year fix suitable rates as already ordered in G.O.Ms.No. 1925, P.W.D., dated 2nd August, 1965-

(8) The monthly rate shall be the annual rate divided by the probable number of months the plant is likely to be out on hire during the year which should be fixed by estimating the average rate of the wear of the plant after a repair and overhauling. The rent so arrived at shall be charged for each complete month. In cases where a plant is required by the hirer for fractions of a month where the total period of hire is less than one month *far* is in excess of one or more complete months, rent shall be charged for such fractions 'at *ho* of the monthly rate per diem subject to the maximum of the monthly rate. In all cases, the period of hire shall count from the date the plant and machinery leave the stores to the date they are returned thereto. An exception to the general rule of charging rent may be allowed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad, Silhanagaram and Junior Superintendent, PWD Workshops, Dowlaishwaram as the case may be, when the interval between the two periods of hire is likely to exceed two clear months, and the hirer notifies the fact to the

Executive Engineer of the division concerned or the General Superintendent. Public Works Workshops and Stores, Hyderabad, Sithanagaram and Junior Superintendent. Godavari Headworks Division, Dowlaishwaram, as the case may be, who if he has no demand (the Plant in question elsewhere, may allow it to remain in the custody of the hirer for a period of idle time, free of rent. The total period of idle time permissible between periods of hire should not exceed six months. No idle time of less than two months duration shall be considered except in cases where such small periods of idleness are due to the rectification of repairs caused by fair wear and tear or other defects or causes which the hirer is not responsible. In such cases, the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad;

Sithanagaram and Junior Superintendent, Dowlaishwaram as the case may be, may grant; Exemption from payment of rent. The actual idle time for which no rent charges will be made shall be definitely specified in the sanction and no extension of the period shall be allowed. The Executive Engineer of the Division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad, Sithanagaram and Junior Superintendent, Godavari Headworks Division, Dowlaishwaram, as the case may be, shall not be called upon to bear any charges for care taking or maintenance during the period of exemption from rent.

Note 1:—In the case of tram lines which have been laid at the expense of the Government connection with the execution of works and which a number of contractors;

permitted to use at a time for the purpose of conveyance of materials to the works hire charges shall be levied at a certain rate per unit of material conveyed, as in the table given below

Total book value of the tram lines and trucks	50,000
Hire charges at 25 per cent per annum	12,500

Hire charges per month assuming that the plant can be used for only ten months in a year excluding two months as rainy months 1,250

Taking 25 working days month, hire per day works out to	
Average number of trucks that work in a day	60 Nos
At six trucks a unit, 60 trucks can convey	10 units
Hence hire per unit works cut to Rs. 50/10 or	Rs.5

In cases where hauling is provided at Government expense the recovery of charge therefor will be settled in each case as it arises.

Note 2:—In the case of hire of tools and plant by the Chief Engineer, Public Health on wall supply and drainage Investigation hire charges should be collected for the action period of use of the articles and the Officers-in-charge of the investigation and to the similar work should be responsible for fixing the period of levy of such charges each case.

(9) When heavy plant and machinery is lent to private parties or to contractors for use on works other than Government works that rent charged shall be double the rate prescribed in Rule 7 above except in the case of boring tools for which the ordinary rate of 31²/100 per cent shall be charged. (Public sector undertaking shall be charged only 10 per cent extra prescribed in Rule 7 above, G.O.Ms-No, 1052, TR &Bs, Dt. 11-9-1975).

Note:—Railway companies should be treated as private parties For purposes of (his rule. (10) In cases of real emergency, mamuties, crowbars, axes, baskets and other tools of like nature may be hired to Zilla Parishads, Panchayat Samithis, Panchayais or to a contractor, but such tools must be returned to the store as soon as possible after the emergency cases. The hire to be charged under this paragraph will be at the rate of 24 per cent per annum on the original cost of the tools.

Note 1:—No hire charges will be levied *from* Zilla Parishads In respect of lools sent to those parishads from the reserve stock of famine tools in ihe Public Works Divisions, for use on works undertaking by them for the provision of employment for unskilled labour.

Note 2 '.—Government tools may be lent, as a special case, to piece-workers in the Agency tracts for the execution of Government works in lthe Agency tracts, free of hire charges or a deposit on the responsibility of the Sub-Divisional Officers in charge oi the works. If any of the tools lent be not returned, full cost with cartage should be recovered from the pieceworker. The percentage deduction on intermediate bills should be sufficient to cover the value of all tools lent.

Note 3:—No hire charges will be levied when tents are lent to other Public Works Divisions, Government Departments, Zillah Parishads, Panchayat Samithis, Panchayais for Public and Semi-public purposes- But any cost incurred on account of conveyance pitching etc., and of any damages caused to the lents should be collected from the Zilla Parishads, Panchayat Samilhis and Panchayats. Or if lthe loan is to a Government Department it should be debited to the division or department concerned.

Note 4:—No hire charges shall be recovered for the workshops tools and plant used by the piece-workers on the workshop jobs entrusted to them.

(11) The Chief Engineers, Superintending Engineers and Executive Engineers are empowered to hire out tools and plant and machinery to Zilla Parishads, Panchayat Samilhis. Panchayats and private parties for the periods specified below subject to the conditions laid

down in the above rules.

*

Executive Engineer ; For a period not exceeding three months-

Superintending Engineer : For a period not exceeding two years. Chief

Engineer : For any period in excess of two years.

341. Floating plant not actually required for departmental purposes may be let out on hire to private persons and occasionally to Zilla Parishads, Panchayat Samilhis, Panchayats, Municipalities at rates fixed by Government and on conditions laid down in die rules, issued from time to time. Previous deposit should be demanded from outsiders hiring floating plant.

Government officers may use staff boats on the payment of rent fixed and on conditions laid down in each case - see Paragraph 349.

VI). Mathematical Instruments

342. Both drawing and survey instruments are stocked in the Public Works Stores, Hyderabad and Sithanagaram. The General Superintendent, Public Works Stores, shall obtain new supplies, when necessary, by calling for tenders for the supply of the instruments required from reliable local firms dealing in such instruments and also for quotation from lthe mathematical instruments office, Calcutta, and by purchasing the articles from the

agency which quotes the lowest rate should be considered such tender articles suitable, | Instruments requiring repairs should be sent to the General Superintendent, Public Works Department Workshops with instructions as to disposal after repair

Note :— In the case of leveling instruments required for ordinary purposes, purchases should

be made only from firms approved by the Chief Engineer.

The General Superintendent, Public Works Stores should see that instruments are not stocked in excess of requirements. The General Superintendent, Public Works Stores should see that instruments are not stock in excess of requirements and that old or obsolete stock is disposed to the best advantage of Government - *vide also* paragraphs 333 to 337,|

IX. Insurance of Government Property

343. General:—It is a general principle that Government bears their own risks and-1 do not insure Government property. In the case of goods intended from abroad, insurance charges are payable by Government only when the purchase price includes cost, insurance, and freight of the goods as delivered in Andhra Pradesh. If, however the goods are delivered | to a Government officer in a foreign country and shipped by him to India, such goods! Become Government property as soon as they are taken delivery and should not be insured,,

Special goods such as mathematical and scientific instruments, articles made of glass and other fragile articles, should be consigned at railway risk and they should not be insured except in case where railway companies insist on insurance as a condition "" transport.

E - DEPARTMENTAL REVENUE

I. Sale of usufruct of trees, etc.

344. Except in cases where the sale of fishery rights in inland waters specially entrusted to the Public Works Department, the fisheries in all public inland waters shall be disposed of by the Revenue Department under B.S.O.No. 211. It is the duty of the Public Works Department Divisional Officers to see that the sales of miscellaneous properties such as usufruct of trees, grass, etc., are made periodically to the best advantage of the Government. The sales should be made by public auction after the publicity has been given.

It is also the duty of the Executive Engineer to arrange for the sale or propagation utilization on works of old and full grown fuel and timber trees on lands in charge of Public Works Department

Executive Engineers are however authorised to grant without auction lease of usufruct of trees, grass, etc., to the village panchayats and other bodies as specified in the rules in Appendix 'X'. Such lease may be sold in public auction only after Rule t, A and B of the said rules have been invoked and no grant of lease can be made thereunder- J

345. As soon as the bid is knocked down (i) 25 percent of the purchase amount in the case of leases for one year or less or of leases for sums not exceeding Rs. 130, or(ii). 25 percent of the proportionate purchase amount for the first year in the case of leases for . more than one year, and for sums exceeding Rs.100 in the aggregate should be collected. The balance of the purchase amount in the first case, or the balance of the proportionate amount for the first year in the second case shall be recovered within one week from the¹ date of receipt of the order of confirmation of the sale by the competent authority or in case where agreement has to be taken, within one week of the lease signing the agreement

Which should be done ordinarily within one week from the date of the receipt of the order of confirmation of the sale. In the second case, the amount due for each of the succeeding years of the lease shall be recovered within the first week of each year. Within the time specified in the second sentence above, a sum equal to 5 percent of the total purchase amount for the entire period of the lease shall also be deposited as security for the due fulfilment of the conditions of the lease, by the successful bidder, *except* in cases (a) when the total purchase amount does not exceed Rs. 100, and (b) when the successful bidder is a village panchayat who need not deposit any security in any case. In these payments are not made in due time the right should be resold then and there or fresh tender notices issued. Failure to observe this rule may result in loss to Government, for which the officers concerned will be held primarily responsible.

Note 1 :—Before confirming sales, the officers entering into agreements should make careful enquiries regarding the solvency of the successful bidder.

Note 2 :—The Executive Engineer concerned may at his discretion extend up to a maximum of one month the time-limit of one week prescribed in the second sentence of this paragraph for payment of the balance, subject to the following conditions :

- (1) The Executive Engineer is satisfied about the solvency of the successful bidder,
- (ii) Such extension does not involve any risk to Government, and
- (iii) The successful bidder is not allowed to enjoy the usufruct until he makes the payment.

346. (1) Agreements for the sale of grass and usufruct of trees shall be drawn up in the prescribed forms - *vide* Appendix-X with necessary modifications ; when the amount of the lease for the whole period covered by the agreement is more than Rs. 100 and the period exceeds one year; in the case of other such leases, no agreements need to be taken and it will be sufficient if the conditions of the sale and of the enjoyment and the penalties for the infringement thereof are published at the time of the sale and communicated to the successful bidders. For leases of grass and fruit trees to village panchayats, however agreements in the form referred to above shall be executed in all cases irrespective of the amount and the period of the lease, together with a supplemental agreement in the form given in the same appendix to this Code.

(2) The agreements, except those taken in the cases noted in the margin should be stamped, under Article 35(a)(ii), as the case may be, of Schedule I of the Stamp Act, in respect of the amount of rent payable annually under the lease, and also under Article 35(c) in respect of the amount deposited by parties (other than the village panchayats), as security for the due fulfilment of the conditions of the lease, the amount of stamp duty being borne by the lessee ;

(1) In the case of leases to village panchayats in which the annual instalment to be collected is Rs.100 or less or in which the period of lease is for one year or less whatever the annual rental may be, and

(2) In the case of leases to other parties in which the annual instalment to be collected is Rs.100 or less.

II. Rents of buildings and lands

347. The rules relating to rents of public buildings and lands will be found in Chapter III of this Code and paragraphs 261 and 273 of the Andhra Pradesh Public Works Account Code.

III. Navigation Revenue

348. The rules relating to the use of canals and public ferries and the scale of fees chargeable on account of registration, licences, wharfages, demurrages and others are contained in the notifications and navigation rules framed under the canals and Public Ferries Act of 1890, published separately and issued to the divisions concerned - *vide* ai Paragraph 254 of the Andhra Pradesh Public Works Account Code.

IV. Rents and Freights of Boats and other Floating Plant

349. The detailed rules relating to the assessment and recovery of the rents of booth and other floating plant in Public Works Division will be issued from time to time. It will be the duty of the Executive Engineer to see that the rents assessed are realized in accord with those rules - *vide* Paragraph 341.

V. Public Works Department Toll-Gates

350. The right to collect on Government roads will! Ordinarily be leased out and the orders of Superintending Engineers of circles either by public auction or by invites sealed tenders, according to the circumstances of each case. The Chief Engineers may i his discretion run them departmentally in particular cases for special reasons.

F – MISCELLANEOUS

1. Maintenance of Ferry Boats

351. The following rules are prescribed for providing and maintaining ferry boats for the Godavari and Krishna Delta systems—

a

- (1) The Public Works Department will provide boats (ballacuts) wherever-necessary, provided the Revenue Department can arrange for their working and maintenance,
- (2) Every such boat will be provided by the Public Works Department with chain, etc., to secure it properly to the bank.
- (3) Each boat (ballacut) will be handed over to me village officer who will b(responsible for and must make good any damage occurring to the boat or to any other boat navigating the canal by the wilful neglect of carelessness of the man placed in charge,
- (4) The Village officer will arrange to appoint either a village servant or other individual to have charge of the boat.
- (5) Repairs to ballacuts are executed by the Public Works Department and charged to Maintenance and Repairs of the Delta system.

II. Bridge over Irrigation Canals and Channels

352. If the construction of a new irrigation channel interferes with an existing public right of way, the cost of construction and upkeep of the bridge to a standard adequate to the requirements of normal road trafTic from time to time shall be met from 3 irrigation funds. In cases where such bridges have to be improved or reconstructed in order to meet the requirements of increased traffic the entire cost should be met by the Public Works (Irrigation) Department irrespective of the question whether the bridge is structurally sound or not, or whether the roadway interrupted is a maintained road, a puntha or a cart-track etc., subject to the condition that the Public Works (Irrigation) Department is satisfied that such reconstruction or improvement due to increased traffic really necessary. The cost

of the increased roadway over the bridge are its maintenance should be borne by the local authority concerned. Railings, side walls and embankments up to the limit of the Public Works Department land on each side should be treated as appurtenances to the bridge and be constructed and maintained by the Public Works Department and those beyond the limits of the Public Works Department land should be treated as part of the approach road and constructed and maintained by the Zilla Parishad, Panchayat Samithis and Panchayats concerned.

III. Supply of Medicines

353. Indents for supplies of medical stores will usually be confined to the supply of one or the other of the medicine chests provided under the Civil Medical Code for issue in particular cases, e.g., "Working Parties" etc. They should be usually submitted through the District Medical Officer or the Director of Medical Services. They should be prepared in quadruplicate, by carbon paper on D.G.I.M.S. Form No. 4 (obtainable from the nearest Civil Hospital or from the Director of Medical Services) and must be legibly written. All columns in the indent must be properly filled in.

No indents must be submitted between the 10th Feb. and 31st March as the Medical Stores Department will then be engaged in a stock-taking.

IV. Store Keepers

354. When the stores are sufficiently extensive to require it, a store-keeper will be appointed to hold charge. The Store-keeper will have nothing to do with disbursement of cash, the supply of materials or the preparation of bills. His duties will be contained to the receipt, custody preservation and issue of the stores under charge, and to keeping the required returns relating to them.

G - RULES FOR DIVISIONAL WORKSHOPS

355. The divisional workshops may be treated as a distinct divisions or sub-division, or they may form a portion of a sub-divisional charge.

356. No work should be undertaken in workshops of the department other than required for various branches of the department, except under some general or special order of Government.

357. No work is to be undertaken for Zilla Parishads, Panchayat Samithis and Panchayats, Municipalities or private parties before the whole estimated cost including all charges for supervision, profit etc., that may be leviable under the rules for the time being in force, has been paid to the General Superintendent or Executive Engineer, or into a Government treasury to the credit of the Public Works Department. This rule may be relaxed at the discretion of the General Superintendent or Superintendent Executive Engineer in the case of Government officers where full recovery is not open to doubt- In such cases a rough estimate of the probable cost must be prepared in advance and the officers concerned required to give an undertaking that he agrees to pay the actual charges in full on completion of the work. The full expenditure incurred must be deducted from the officer's pay for the following month. In all cases, before starting work, an undertaking should be procured from the party concerned that it will not hold the department responsible for loss by fire or theft or any other factor which could not be foreseen when the estimate was prepared. In cases where it is found that the original estimate is likely to be appreciably exceeded, a revised estimate should be prepared and the procedure outlined above adopted.

H - TRANSFERS OF CHARGES I. General

358. An officer must not delay making over charge after the arrival of the relieving officer; nor must he without the permission of his immediate superior officer, leave the station before the arrival of his successor. The relieving officer will take up the expenditure of cash and stores from and for the first day of the month during which the relief took place, and submit the next monthly accounts in the same manner as if he has been in charge during the whole month. But the relieved officer remains responsible that proper explanation is forthcoming for transaction during his incumbency.

359. A register of incumbents of charges should be kept in every Divisional Office showing the period of incumbency of each officer who has held charge of the division and of the several sub-divisions, and, in each sub-division office, a similar register of the incumbents of that sub-divisor only.]

II. Executive Engineers and Sub-divisional Officers

360. The cash book or imprest account should be closed on the date of transfer and a note recorded on it, over the signature of both the relieved and relieving officers showing the cash and imprest balances and the number of unused cheques made over and received in transfer by them respectively, A copy of this note, together with the following documents, should be forwarded the same day to the Superintending Engineer in the case of Division], or the Executive Engineer in the case of sub-divisional charges :

(1) Transfer report, Public Works Department, Form No. 146, being used in the case of sub-divisional charges.

(2) Receipt of stock, tools and plant and other stores under the immediate charge of the relieved officer. Forms A and B being used for divisional and sub-divisional charges, respectively.

(3) A detailed report (Public Works Department, Form No. 42-E) on the state of surveying and mathematical instruments. In the case of transfer of divisional charges this report should be in respect of instruments at the headquarters only.

The receipts of cash and stores balances should be prepared by the relieved officer, but the relieving officer should note any inaccuracies therein so that the Superintending Engineer or the Executive Engineer, as the case may be, may pass such orders in respect of any deficient articles as may be necessary. A copy of the receipts may be given to the relieved officer, if desired by him.

Form—A

Received in transfer from A.B. late Executive Engineer Division the stores in IB|| personal charge as detailed in the annexed list-

The balance returns of the stock and tools and plant in charge of all sub-divisional officers for the half-year ending and year ending respectively are on record and the divisional stock returns have been prepared to end of.....

CD..

(Station and date)

Executive Engineer Division

Form—B

Received a transfer from A.B., late officer in charge, sub-division, the stock and tools and plant which have been in his personal custody, as detailed in the last balance return and accounts of receipts and issues to date.

The returns for year ended.....-,,,-the half-year ended.....and for the month of,-,.....—for the whole sub-division have been submitted to the Executive Engineer, and the account of daily receipts and issues for the current month has been written up-to-date

.CD..

(Station and date)

Relieving Sub-Divisional Officer.

361. The relieved officer should further give the relieving officer a list and memorandum showing all the works in hand and the orders remaining to be complied with and of such matters as particularly require his attention, with full elucidation of any peculiarity of circumstances or apprehended difficulties. He should also furnish the relieving officer with a complete statement of all unadjusted claims, with the reasons for their not having been adjusted in the course and a report as to any complication likely to arise owing to their non-adjustment.

362. On assuming charge, an Executive Engineer will make it his business to acquaint himself with the works in progress in the division; he will examine the state of the accounts and inspect the stores. He should mention specially in his transfer report whether the accounts may be considered fairly to represent the progress of work. A Sub-Divisional Officer should in addition count, weigh, or measure selected stores in order to test the accuracy of the returns, and should minutely examine the work in progress as to their quality and as to their accordance with the sanctioned plans and estimates. He will report to his superior anything irregular or objectionable that may come officially to his notice. In cases where the relieved and the relieving Sub-divisional Officers or Executive Engineers are present to hand over and take over, the transfer of charge will be held out to be complete only after all the stores and tools and plant in the personal custody of the relieved Sub-Divisional Officer or Executive Engineer are actually counted, and handed over, and taken over. The Superintending Engineers concerned shall, under Paragraph 513 of the Andhra Pradesh Public Works Account Code, allow them such time as is reasonably necessary for such counting, handing and taking over. In a case however where the relieved officer cannot be present to hand over either by reason of serious illness or sudden death, an immediate verification of the stores in his personal custody should be arranged for by the officer taking over charge under Paragraph 365 of the Andhra Pradesh Public Works Department Code. If, the relieved officer is unable to be present on account of serious illness, he shall be required to nominate a person who will represent him during such verification and sign for him for the correctness of the check. If, on such verification any, deficiency is noticed the officer, who left the charge suddenly on account of illness, shall be held responsible for the deficiency, unless, after his recovery from illness, he is able to account for it from the accounts or other records maintained by him. If the charge taken over is that of a deceased officer, such deficiency if any, shall be written of by the competent authority.

363. In the case of the transfer of a division, the report of completion of transfer should, except in special circumstances, be submitted within a fortnight of such transfer.

In the case of any disagreement between the relieved and relieving officers, a reference should be made to the Superintending Engineer.

364. The transfer of a sub-divisional charge should, on receipt by the Executive Engineer, be scrutinized by him, any remark necessary being entered in the column provided for that purpose and returned to the Sub-Divisional Officer who, after acting on the orders received, should return to the Executive Engineer for record in the Divisional Office. The Executive Engineer is responsible for seeing that the transfer of charge is conducted properly and for reporting to the Superintending Engineer any points on which orders are required.

365. In the case of a divisional or sub-divisional charge becoming vacant by the death or sudden departure of the officer in charge, the next senior officer of the department present should assume charge and take action as above prescribed, forwarding to the Superintending Engineer or Executive Engineer, as the case may be, the receipts which would otherwise be given to the relieved officer.

III. Other Officers

366. In the case of transfers of charges other than divisions and sub-divisions the Executive Engineer should issue instructions as to the work to be jointly inspected by the relieved and relieving officer.

Note '.— In the case of all transfers of charge of sub-division and section detailed list of the component parts of heavy plant and machinery and of tramway plant should always be included among the transfer papers and that if, for any reason it is not possible to verify these lists at the actual time of transfer, they should be verified immediately afterwards by the relieving officer, who in case of any avoidable delay, will be held responsible for any deficiencies.

CHAPTER V

Special Rules for Irrigation, Navigation, Embankment and Drainage Works

A - INTRODUCTORY

367. Under the Devolution Rules, Irrigation, Navigation, Embankment and Drainage works have been classified as reserved State subjects. They are moreover subjects in respect of which definite financial limits have been placed on the powers of the State Governments. The President exercises also in respect of these subjects statutory powers of superintendence, direction and control.

368. Large works are usually financed from plan and loan funds, and the State Government can borrow money in the open market, with the sanction of President.

369. The capital sums spent in the past by the President on the construction of irrigation, navigation, etc., works are treated as advances to the State Governments and carry interest. In the light of this explanation it will be clear that the Government of India have, even under the changed condition after the Reforms, a statutory responsibility in regard to, and a very real interest in the major irrigation works in the various states subject to such rules and orders as may be issued by the Government of India in regard to the

works dealt in the Chapter, more especially those which are beyond the powers of the State Government, the following rules are applicable.

B - WORKS FOR WHICH CAPITAL AND REVENUE ACCOUNTS ARE KEPT

1. Production and Unproductive Works - Definitions

370. Projects for irrigation, navigation, embankment and drainage for which Capital and Revenue accounts are kept are of two classes: (1) Productive, and (2) Unproductive - see Paragraph 383.

371. Productive public works are works of a remunerative character undertaken for the improvement of the country. The first cost is usually met from borrowed money and they are expected after a certain period to yield enough revenue to meet the interest charges on the capital and cost of working and maintenance.

372. Unproductive public works are those which, although not directly remunerative to the extent productive works, are calculated to guard against a probable future expenditure in relief of the population, or which are undertaken for the general improvement of the country, or for general administrative purposes-

II. Conditions relating to Productive Works

373. To admit of a new work being classed as productive the following conditions must be satisfied:

(a) There must be good reason to believe that the revenue derived from it will, within ten years after the probable date of its completion, repay the annual interest on the capital invested calculated at such rate as the State Government may fix from time to time, but in preparing a project for sanction no deduction is to be made from the total capital outlay on account of anticipated excess of revenue over simple interest calculated at the rate of productivity mentioned above.

Note: — Capital invested includes (1) direct charges, (2) indirect charges, and (3) all arrears of simple interest, if any, i.e., balance of total interest calculated at the rate for productivity over total net revenue.

(b) It must be susceptible of having clear Capital and Revenue accounts of it kept.

(c) Its classification as a productive works must be duly sanctioned by a competent authority.

III. Unproductive Works

374. Unproductive works have been defined in Paragraph 372. Ordinarily they are works undertaken either for employment of famine relief labour, in which case they are generally financed from the Famine Insurance Grant of Fund, or they may be works not undertaken for the employment of famine relief labour but for the general improvements of the country and financed from general revenue- Unproductive works may also be financed from Loan Funds but in this case it is important that the State Government should make provision for a sinking fund to extinguish the loan (usually within a generation) in accordance with such rules as may be prescribed by the President from time to time.

IV. Classification

375. The rules for determining (1) whether a work which has been classed as productive shall continue to be so classed, and (2) whether an unproductive work may be, reclassified as productive, are as follows, the percentage rates referred to being those prescribed for the time being and being subject to alterations at the discretion of the President:

(i) Every irrigation, navigation, embankment or drainage work for which capital accounts are kept should, until ten years after the date of the closure of its construction estimate, be classed as productive if the net revenue anticipated from it appears likely to repay, on the expiry of that period the annual interest charges on the capital invested (including direct and indirect charges and arrears of simple interest) calculated at $4\frac{1}{2}$ per cent in the case of works sanctioned before 1st April, 1937, at 4% in the case of those sanctioned between 1st April, 1937 and 1st April, 1941, at 5 per cent in the case of those sanctioned between 1st April, 1941 and 1st April, 1946, and at 4 per cent in the case of those sanctioned on or after 1st April 1946. Conversely if it is not expected to yield the relevant return, it should be classed as unproductive. If, moreover, at any time during the period of construction, or within ten years of the date of the closure of its construction estimate, it becomes apparent that a work originally classed as productive will not actually be remunerative according to the criterion prescribed above it should be transferred from the productive to the unproductive class, and similarly if it becomes obvious, during the same period that a work sanctioned as unproductive will actually prove remunerative, the transfer of the work from the unproductive to the productive class may be effected. -

(ii) Every work classified in accordance with Rule (i) above will retain its classification unchanged during the eleventh, twelfth and thirteenth years after the closure of its construction estimate.

(iii) If any irrigation, navigation, embankment or drainage work for which a capital account is kept and which is classed as productive fails, at any time after the expiry of ten years from the date of the closure of its construction estimate, in three successive years to yield the relevant return prescribed in Rule (i) above, it should be transferred to the unproductive class. A work classed as unproductive which succeeds in yielding, in three successive years, the relevant return prescribed for a productive work may, on the same principle be transferred to the productive class-

(iv) If an existing irrigation, navigation, embankment or drainage work be extended or improved, the criterion of productivity prescribed in Rules (i) to (iii) above shall be applied to the whole system, including such extension or improvement, as if the extension or improvement had been executed simultaneously with the original work, and the date of sanction referred to in those rules for the purpose of determining the percentage to be returned by the system as a whole, shall be that of the accord of sanction to the original project. As an exception to this rule if any extension be, owing either to its nature or magnitude such as may reasonably be considered to be a separate project and if it be susceptible of having clear Capital and Revenue accounts kept of it, as distinct from those of the project as a whole, it should be treated as separate project and in that case, the conditions relating to original projects and not those relating to extensions and improvement shall be applicable. In all such cases, separate Capital and Revenue accounts should be maintained for the extension in order to enable the productive test to be periodically applied.

(v) Rules (i), (iii) and (iv) are, however, subject to the proviso that the State Government may postpone the transfer of a work from one class to the other in cases in which it is satisfied that its success or failure is due to purely transient causes.

376. For the purpose of determining the productivity of an old work which has been developed by the Central Government only the capital expenditure expended by that Government should be regarded as the capital at charge on which interest is chargeable.

377. The transfer of a work from the productive to the unproductive category, or *vice versa* will effect the recording of all future transactions in connection with it. No adjustment will be made in the general accounts in respect of past transactions, but the necessary transfers will be effected by the Accountant-General in the Pro-Forma accounts of the work in question; but, see the State Government (Borrowing) Rules framed under the Government of India Act, and Rule 10(a) of the Auditor-General's Rules (Appendix-1 of the Andhra Pradesh Public Works Account Code).

V. Principles for determining what expenditure is chargeable to Capital and what to Revenue

378. Irrigation and navigation works are generally of a revenue producing character. Large works being usually financed from borrowed money, it is essential to see how they are working and for this purpose a Capital and Revenue account has to be maintained showing the total cost of construction, extensions and improvements, as well as the gross revenue and the cost of working and of maintenance.

379. The principles to be observed in deciding whether an item of expenditure should be charged to Capital or to Revenue are as follows:

(a) Capital bears all charges for the first construction and equipment of a project, as well as charges for maintenance on sections not opened for working and charges for such subsequent additions and improvements as may be sanctioned under the rules by competent authority.

(b) Revenue bears all charges for maintenance and working expenses, which embrace all expenditure for the working and upkeep of the project as also for replacements and for minor additions or improvements, as it may be considered desirable to charge to Revenue instead of increasing the capital cost of the undertaking.

(c) In the case of renewals and replacements of existing works if the cost really represents an increase in the capital value of the system and exceeds the cost of the original work worth Rs.1,000 the cost of the new work should be divided between Capital and Revenue the portion debited to the latter account being the cost of the original work, which should be estimated if the actual cost is not known, and the balance charged to capital. In other cases, the whole cost of the new work should be charged to Revenue. Thus, a renewal which does not represent a substantial improvement, of the original works but which is in all material essentials the same as the latter, although it may exceed the cost of that work by more than Rs. 1,000 should not be charged to Capital but to Revenue Account.

(d) When the construction estimate of a project for which a separate Capital account is kept is closed, the expenditure on works of extensions will be charged thus:

(i) Estimates exceeding Rs. 1,000 for (1) works which are in themselves directly remunerative, such as new distributaries, mills or works for increasing the canal discharge, and (2) works which are necessary for the full development of a project, but which are not in themselves directly remunerative shall be charged to the Capital account.

(ii) Estimates amounting to Rs. 1,000 or under shall be charged to the Revenue account under extensions and improvements-

(iii) All estimates for works which are neither remunerative in themselves for considered necessary for the development of the project shall be charged to the Revenue account under extensions and improvements.

(e) Where outlay is of a nature under these rules does not appertain to Capital, it is not, under any circumstances and whatever its magnitude to be charged to Capital.

IV. When Capital and Revenue Accounts should be kept

380. Capital and Revenue accounts should be kept of all new irrigation and navigation works whether entirely constructed or merely remodelled and restored by Government, the estimated capital outlay on which more than Rs.10 lakhs inclusive of establishment and tools and plant charges, and of works costing less than Rs.10 lakhs in case the Government specially order to that effect, provided there is good reason to anticipate that the revenue derived there from will more than cover the working expenses, direct and indirect.

381. If for any reason a project of which the estimated capital outlay is over Rs. 10 lakhs is considered to be of insufficient importance to justify the maintenance of a. Capital account or if any difficulty be anticipated in ascertaining the correct revenue it may with the sanction of Government, be classed as a work for which neither Capital nor Revenue Accounts are kept.

C - WORKS FOR WHICH ONLY REVENUE ACCOUNTS ARE KEPT

382. There are no works of this class in the Andhra Pradesh State,

D - WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT

383. Under this head are grouped a large number of works, mostly tanks, which while collectively of great importance, are individually, too small to make it worth while to maintain separate accounts for each work. All expenditure on such works whether on the construction of new works, extension and improvements or on repair and maintenance of existing works are booked under the head 18(A)(1) or (B)—Works of which neither Capital nor Revenue accounts are kept, as the case may be. Such works cannot be classified as either productive or unproductive in the absence of Capital and Revenue accounts -see Paragraph 370.

E - MINOR IRRIGATION WORKS IRRIGATION LESS THAN 200 ACRES

384. Collectors are in charge of the maintenance of all Minor Irrigation works irrigation less than 200 acres excepting such of memo as have been specially kept under the Public Works Department. All works connected with these with the exception of those requiring professional skill and ability are executed by the Revenue Department out of funds placed at its disposal. The expenditure on works requiring professional skill and ability will be incurred in the Public Works Department out of the funds placed at the latter's disposal. The Collector should give timely intimation to the Executive Engineer in , regard to such works so as to provide funds in the Public Works Budget estimates.

F - INVESTIGATION OF NEW IRRIGATION SCHEMES

385. The Irrigation Development Board, which consists of the two Commissioners of Land Revenue and Settlement, the Chief Engineer for Irrigation and the Director of Agriculture, guides the investigation of an irrigation project at every stage both the preliminary investigation under Paragraph 390 and the complete investigation under Paragraph 391- The functions of the Irrigation Development Board are purely advisory and its existence does not relieve the heads or other officers of the Revenue, Public Works or Agricultural Departments of their individual responsibilities. It is open to the Irrigation Development Board to call for any reports from the heads of the three departments concerned, viz., the Board of Revenue, the Chief Engineer for Irrigation and the Director of Agriculture, and to make to them such suggestions as it finds desirable for the close co-ordination of the activities of the three departments in connection with the investigation of a project. The Irrigation Development Board examines the proposals made by every department concerned for both preliminary and complete investigations and satisfied itself that the investigations proposed are adequate but not excessive, that any special staff asked for by any of these departments is really necessary to make the proposed investigation and that any special staff sanctioned by Government is not employed earlier or longer than is necessary having due regard to the general outline of the investigation or project and to the work to be done in the other departments.

386. (i) Irrigation schemes costing up to Rs. 20,000 should be finalized by the Executive Engineer and the Collector concerned and submitted to the competent authority for administrative approval.

(ii) Schemes costing up to rupees one lakh should be investigated simultaneously by the Executive Engineer and the Collector concerned on the technical and revenue aspects respectively wherever feasible and submitted to the Chief Engineer, who in cases where he modifies the scheme then put up, may obtain the views of the Collector on the modified schemes and if the scheme required the sanction of the Government, submit it to the Government direct without a reference to the Board of Revenue,

(iii) Schemes costing more than rupees one lakh should be investigated simultaneously by the Executive Engineer and the Collector concerned on the technical and revenue aspects respectively wherever feasible and be submitted to the Chief Engineer who in cases where he modifies the schemes, may obtain the views of the Collector on the modified schemes and submit them to the Government through the Board of Revenue, whose function will only be to go into the financial aspects and any other matter brought to its notice by the Collector.

Note: — In all the above cases, the Collector should particularly consider the point whether distribution of water or ryots' interests are affected by the scheme.

387. The detailed investigation of schemes costing Rs. 10,000 or under including the restoration of ruined tanks or tanks long in dis-use should not be made unless a return of 5 per cent on the proposed outlay for "works" is anticipated or unless the work is justified as a protection against famine or for any other special reasons.

388. Superintending Engineers may deal finally with all repairs under tank restoration schemes. Works which are not bona fide repairs and which are calculated to raise the efficiency of tanks should be dealt with under the above paragraph.

G - DEBIT OF EXPENDITURE ON INVESTIGATIONS

389. Expenditure on the investigation of a new irrigation project productive <i-unproductive' should be accounted for under the minor head "Other charges" under the major head "18. Other Revenue Expenditure financed from "Ordinary Revenue Miscellaneous Expenditure", The other minor heads "Establishment and Tools and Plant" are intended for record of charges of the cost of establishment and tools and plant employed on such investigation. When the project are actually taken in hand the Accountant-General makes the necessary adjustments to transfer such expenditure to the Capital account if such account is kept for the work.

H - PREPARATION OF PROJECTS - IRRIGATION WORKS

I. General

390. The preliminary investigation of a project by the Public Works Department should be limited to the collection, by inspection preliminary field work and enquiry, of the data required for arriving at an approximate estimate of cost and at a decision whether the project is likely to be feasible and should be further investigated with a view to its eventual execution. The report on the preliminary investigation should include a general description of the proposed work and an approximate estimate of the cost of the project and if the complete investigation of the project is recommended a general description of the line of the investigations to be made and an estimate of their cost considering the work to be done in all the departments concerned and not only in the Public Works Department.

The following points should be dealt with particularly in the report;

- (a) The amount of water available, having regard, when necessary, to the possible claims of other States to the interest of existing irrigation under the source proposed to be tapped whether in this or in the other State and to the rights of other riparian owners of; Lands Irrigated Lower down;
- (b) the approximate extent of the ayacut of the project and its general location;
- (c) the existing sources of irrigation in the proposed ayacut (e.g., tanks, or wells), the suitability of the soil for irrigation;
- (d) the rainfall and its distribution throughout the year;
- (e) the level of sub-soil water at various seasons as indicated by wells in the proposed ayacut;
- (f) the nature of the crops to be irrigated the duty of water at the field and at the head-works and the allowance made for seepage and evaporation in the channels;
- (g) a description of the distributory channel in which, in the case of larger works, should be accompanied by a longitudinal section;
- (h) any measure which may be necessary for the protection of the ayacut from floods from outside it, such as river flood banks;
- (i) The existing drainage facilities in the ayacut and the works to be undertaken;
 - (I) to ensure that the drainage courses are made sufficient to carry off not only the floods which occur from time to time owing to local rainfall but also the additional water which will be placed on the land by the proposed project;

(2) to enable the drainage water from the fields in the ayacut to reach the drainage courses without having to pass over cultivated land for an under length;

(j) the adequacy of the existing communications and the provisions of additional communications and the agency by which they should be provided;

(k) a rough estimate of the cost of special staff in the various departments concerned :

(1) for making a complete investigation,

(2) for carrying out the works; and

(3) for expending the development of irrigation after the works are completed.

(1) the sources from which labour can be obtained;

(m) a description of the healthiness of the tract in which the works are to be carried out and the need for and cost of special measures to safeguard the health of those to be employed on the construction of the works, and of housing accommodation and other amenities for them.

In the case of a storage work the report should include:

(n) a general description of the catchment;

(o) the run-off at the site of the proposed reservoir with data on which the available supplies are calculated;

(p) the approximate capacity of the reservoir;

(q) a general description of the soil and sub-soil of its bed in porosity of the bed;

(r) the materials of which it is proposed to construct dam;

(s), a longitudinal section and a few cross-sections of the dam with sketches of the profiles proposed for adoption;

(t) a general description of the soil and sub-soil at the site of the proposed dam and their porosity, the suitability of the foundation of the proposed dam and the possibility of leakage under it or round its Hanks;

(u) the proposed surplus works;

(v) the materials required and those available for the construction and the localities from which they can be obtained; and

(w) a recommendation whether an examination of the site by a geological expert is necessary or not.

The report should also include a preliminary financial forecast including an estimate of the rate of water cess, which will have to be charged in order to make the project remunerative. Provision being made for the acquisition of land and the execution of channels at the cost of Government for large blocks of land for any works that may be necessary to ensure adequate protection from floods and drainage of the land to be irrigated. The ryots of all land within each district block of such extent not exceeding 100 acres as prescribed in Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Act, 1965, or any other extent as may be revised from time to time in the ayacut of any

irrigation work shall be liable to construct for themselves subject to such conditions as may be prescribed and maintain at their own cost, water courses required for the supply of water to their lands from the distributaries of irrigation work for irrigation purposes and for the discharge of waste or surplus water from those lands in accordance with such directions as may be issued by irrigation officers.

If they fail to do it for themselves the irrigation officer, after duly securing the land need for the construction of water course in accordance with the procedure prescribed in the said Act, shall do it and recover the cost from the beneficiaries. The maximum area of a block to which the channel under the proposals made are to be excavated at cost of Government and the normal area to be served by a field channel should also be given. These should be estimated on the understanding that the Government will control the distribution of water only in and from the channels to be excavated and maintained at the cost of Government and not from the field channels and that land for field channels is acquired by Government only to facilities and expedite the development of the project of mitigating the difficulty which ryots may have in obtaining permission from upper ryots to the water through or over their land. The preliminary investigation should be made in close collaboration, with the local Revenue and Agricultural Officers.

The opinion of the local Revenue Officers should particularly be obtained as to the desirability of necessity of the projected work the fairness of the rate of water cess proposed, and the probability of the anticipated financial results being realized. The opinion of the local Agricultural Officers should be particularly obtained as to the kind of crops that are and could be raised in the area and the suitability of soils and the adequacy of their irrigation with the supplies that the project will make available as who on the question whether from the economic point of view the ryot could pay for such irrigation the rate of water cess. proposed; in this connection the cost to the ryot of preparing his land for irrigation should be considered- The question whether legislation would be necessary to ensure the realization of the water cess at the rate proposed should be examined and there should be a definite recommendation on this question. The views of the ryots in general on the proposed work and on the proposed rate of water cess should also be incorporated in the report. For this purpose, large meeting of the leading ryots concerned or the representatives including village officers should be convened at Central places in the project area, and the details of the benefits of the project should be explained by officers of the three departments to the ryots of the area to be benefited by the project. If at any stage of the investigation it is considered that the work is not physically or from an Agricultural point of view, feasible or that its cost will be so high as to be unremunerative unless water cess is levied at a prohibitive rate or that negotiations should be undertaken first with any other Government of that for any other reasons, the orders of Government should be obtained before further expenditure is incurred, the investigation should be stopped and a report submitted through the Irrigation Development Board to Government for orders, whether it should be proceeded with.

391. Should it be decided that a complete investigation should be undertaken, a fuller investigation of all the points mentioned in Paragraph 390 should be undertaken and reports, plans and estimates should be prepared with full details as required under Paragraphs 392, 393, 395 and 396 below. Levels must be taken in sufficient details over the whole area. The ayacut should be definitely fixed by the Public Works Department and Revenue staff on the assumption that all the ryots concerned will agree to have their lands included in the ayacut after making the allowance or the reservation, if necessary, of land for new'

roads, village sites or other public purposes. The main and minor distributory channels including field channels should be aligned; the occurrence of the ryots to the inclusion of their lands in the ayacut and to the proposed rate of water-cess should be obtained in the form of written statements or agreements by the Revenue Divisional Officer or other Revenue Officer deputed for the purpose to work with the Public Works Department, for this purpose, the station of the sluice or pipe through which it is proposed that water should be supplied by the Public Works Department for the irrigation of each field, the proposed alignment of the field channel and the level at which the water will be supplied must be indicated approximately to the ryot concerned; several ryots may sign one statement relating to several fields in one village, provided it is made clear to which field or fields the signature of each ryot relates; should a small group of ryots be generally unwilling to have their lands included in the ayacut, the question of including another area in the ayacut instead should be considered should there be a general unwillingness on the part of all or a great majority of the ryots in the proposed ayacut to agree to the inclusion of their lands in the ayacut and to the proposed rate of water-cess, the orders of Government should be obtained through the Irrigation Development Board as to whether the investigation of the scheme should be proceeded with or not; should there be a general desire on the part of the ryots as evidenced by their written statements that the project should be carried out or should the Government order that the investigation be proceeded with the ayacut should be definitely fixed by the Public Works Department staff and marked in the survey plans, the land of ryots who has expressed unwillingness to have their land included in the ayacut being excluded as far as possible and ayacut registers should be prepared by village and permanent permits should be tendered to the ryots by or in the presence of a gazetted officer of the Public Works or Revenue Department. Should any ryot refuse to accept a permit, when tendered, the permit should be cancelled and the land excluded from the ayacut register and other land should, if possible, be substituted for it in the proposed ayacut? When the ayacut is finally settled the alignment of canals, and distributaries and field channels should be revised, if necessary, the cost of all main canals and branch channels exceeding 20 miles in length should be estimated in detail; the cost of other typical branch channels and distributaries should be estimated so as to obtain an average rate per mile of distributary which can be applied to other branch channels and distributaries, the cost of which is not estimated in such detail. During the investigation, land plans and scheduled for lands to be acquired for channels, etc., may be prepared and preliminary notifications under the Land Acquisition Act may be issued, but care should be taken to see that no measures are adopted which would actually commit the Government to the expenditure of money on the execution of the project. The sites of bridges over irrigation canals, etc., should be settled in consultation with the Zillah Parishads, Panchayat Samithis and Panchayats. The Chief markets for the agricultural products of the district as well as the existing trade routes and railways should be enumerated and definite proposals made as to the additional communications and facilities for marketing required as well as the agencies by which these should be provided. The report on the complete investigation should include a revised financial forecast

It is very necessary that the local Public Works Department Officers should exercise very careful foresight in framing estimates of the cost of works. It is the duty of the Superintending Engineer and Executive Engineer in preparing or scrutinizing an estimate to consider carefully the local conditions and the details of the methods by which it is proposed to carry out the work and to satisfy himself that the estimate make adequate

provision for all requirements which can be foreseen. The exercise of special care is necessary in the case of estimates for productive work since the decision to proceed with them or not must greatly depend on the estimated cost of carrying them out.

392. 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 fertilize or the revers, the area of land commanded, the average area usually cultivated, and the area probably irrigable,; the lengths of main channels and distributaries and, if navigation be also contemplated, the length of the navigable portion.

The quantity of water allotted to each main channel and the area irrigable there from in tabular form, the dimensions of the channels and the works on each being entered in PWD, Form No. 155-A.

The reason for the adoption of the particular scheme recommended in preference to any other: and a full account of the cases on which healignment of channels and other portions of ihe design have been projected with a careful analysis of any engineering questions involved.

The question of labour and the sources whence it is obtainable, and the probable effects of the operations on the existing rates-

The localities whence 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.

The methods proposed for carrying out die work, and the establishment probably required.

The executive devision into which it is proposed that the works should be divided and the time which will probably be occupied in construction.

In the case of projects which required the sanction of the Secretary of State and for which Capital and Revenue accounts will be kept, the returns expected from work (in P.W.D., Form No- 155) and the basis on which they are calculated.

II. Particular instructions as regard Storage Projects

393. The report should, in addition to the information specified in Paragraph 392, 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, material of which it is proposed to construct it, form etc., length of surplus weir or weirs, and the mode in which the water is to be let off for irrigation. The question of the available water-supply, number of times the reservoir will probably till during the year, rainfall and proportion flowing off the catchment, character of soil and general slopes of the country, losses by evaporation and absorption and issues of compensation water, quality of the water, depreciation of storage capacity owing to silt deposit, etc., should be fully dealt with, as well as the quantity of flood water for which provision must be made, and the water of the escape weirs.

III. Irrigation Projects affecting Indian Sites

394. Delete.

IV. Embankment

395. In the case of new lines of embankment it is necessary, that the report should show clearly the financial responsibility of Government in connection therewith and the manner in which it is proposed that the outlay shall be recovered.

V. Project Estimates

396. The complete estimates for a project should include indirect as well as direct charges. The main headings are as follows:

Direct charges:

1. Works (including surveys and special tools and plant).
2. Establishment (Including leave allowances).
3. Tools and Plant (ordinary).
4. Pensionary charges.

Indirect charges:—Capitalization of abatement of land revenue on area occupied by works calculated at twenty years purchase.

The items included under the head "Works" should be classified under the prescribed main and sub-heads of account. The cost of surveys including expenditure incurred, prior to the submission of the project, should be included in the estimate.

Provision should be made in the estimate for establishment tools and plant and pensioners charges as follows:-

Establishment :—(Including leave allowances), 25 per cent on the estimated works outlay.

Tools and Plant:—Two Per cent on the estimated works outlay (Ordinary).

Pensionary charges :—(a) In the case of large projects for which special establishments are employed and charged to the projects, such percentage as may be fixed by the Government from time to time on the total salary and leave allowances of the pensionable establishment employed on the project and the rates prescribed by the Government from time to time for large projects may be adopted.

(b) In the case of small projects or open capital works which are carried out by the regular Public Works Department establishment and which in consequence are debited with the prorata charges for establishment calculated under the rules in Appendix 7 to the Andhra Pradesh Public Works Account Code, such percentage as may be fixed by the Government from time to time on the gross establishment charges.

Note: — the term "Pensionable Establishment" referred to in (a) above also includes such portion of the temporary staff which may be estimated by Government to have the likelihood of ultimately being made permanent.

Provision should also be made in the estimate of a project for which capital and Revenue Accounts are kept for the levy of one percent on the estimated works outlay for audit although this levy is made only in the profonna accounts of the works and not in the regular accounts of the State.

Note 1:—these orders will take effect from 1st April, 1933.

Note 2:—In the case of irrigation projects for which neither Capital nor Revenue accounts are kept, it is unnecessary, except in the case of large surveys for new irrigation projects referred to in Rule 13 of Appendix 7, Andhra Pradesh Public Works Accounts Code, to enter provision for establishment and tools and plant in the estimate unless or any reason, it may be deemed desirable to do so in order to forecast the ultimate result of the project.

VI. Sanction to Projects

397. The powers of sanction of the State Government have been defined in Chapter VI. Projects beyond their power require the sanction of a President which should be obtained through the Government of India in the manner prescribed in the rules issued by the Government of India in their letter No.I.R. 39, dated 6th July, 1929.

It is open to the State Government to seek the advice and assistance of the C.W. & P.C. of the Government of India even in regard to project wholly within their own powers of sanction. Such consultation may be held informally between the State Government (pr their responsible officers) and me C.W. & P.C.

398. Superintending and Executive Engineers to the extent specified in Paragraphs 420 (b), 423(a), 430(b) and 432(a) are authorised to sanction detailed working estimates against the provisions under each head sanctioned in the project. For its purpose ascertained savings in the provision for works may, subject to the limitations imposed in Paragraph 182 and Rule 24 of the rules issued by the Government of India in their letter No.I.R./39, dated 6th July, 1929, be transferred from one sub-head to another of the same main head under the orders of the Superintending Engineer, and from one main head to another under those of the State Government except that savings under the head "Distributaries" may not be delivered to any other head.

Note: — As audit of the charges for establishment and tools and plant (Ordinary), is not conducted against the provision made in project estimates, such provision will not be available for transfer to other heads.

[G.O.Ms.No. 1458, P.W.D., Dt. 11-6-1966]

A Superintending Engineer may transfer ascertained savings from any one portion the projects to another within the sanctioned estimate in respect of works costing Rupees one crore and below. In all other case. the diversion of savings from one pan of the projects to another part should be done with the prior approval of the Chief Engineer provided that :-

(i) such diversion from one item of the project to another item within the same project should not raise the approved estimate of the latter item whether the powers to such diversion vest in the Superintending Engineer or with the Chief Engineer; and

(ii) such diversions should not apply to the savings under the items "Unforeseen works", "Contingencies" and "Establishment" charges in the estimate of works-

VII. Closure of Construction Estimate

(Productive and Unproductive)

399. It is not possible to define exactly the period at which the construction estimate of an "Irrigation or Navigation" work for which capital accounts are kept should be closed; but unless specially ordered otherwise, it should be closed as soon as the project is practically in full operation, although there may be works such as drainage cuts protective embankments,

distributaries, etc., provided in the construction estimate which it is not desirable or economical, to construct at once.

A date for the completion of the construction, on which the sanction loans unless extended, must be assigned with each sanction.

Note :— Executive Engineers are empowered to sanction the extension of the dates of completion of works estimates for which have been sanctioned by the State Government, or the Chief Engineer for Irrigation, as the case may be. under the Open Capital Accounts Rules, a report of each such sanctioned by them being made to the Superintending Engineer.

400. For the purpose of providing for expenditure debitable to Capital after the closing of the construction estimate of and irrigation project such works will be classified into two classes:

(i) Works which are necessary for *the* Hill development of the project, but which are not in themselves directly remunerative, e.g., drainage cuts, protective embankments over bridges, inspection houses, etc.

(ii) Works which are directly remunerative in themselves.

Examples: — New distributaries facilities for navigation works to increase the canal discharge etc.

VIII. Completion Reports

401, When the construction estimate is closed, a completion report of the project should be submitted through the Irrigation Development Board to Government within 12 months or such earlier period as the Chief Engineer may prescribe comprising the following documents—

(a) A Statement (Schedule A) showing, by main heads and sub-head's of me . Capita! Account, the actual expenditure on works completed upto the date of the closure of the construction estimate.

(b) A Statement (Schedule B) of works which are within the scope of the sanctioned estimate and of which detailed estimates have been prepared and sanctioned by competent authority hut which were incomplete or had not been begun on the date of the closure of lthe construction estimate.

(c) A Statement (Schedule C) of works sanctioned between the date of closing of the construction estimate and the time submitting completion report.

(d) A Statement (Schedule D) of work for which no estimate have been sanctioned up to the date of the submission of the completion report but probable expenditure on which can be foreseen and which are necessary to complete the Project.

(e) A Statement (Schedule E) compiled as a combination of statements A,B, C and D showing revised forecast of expenditure. This statement should also shown for purposes of comparison the sanctioned estimate by main heads and sub-heads of the Capital, account.

(f) A report on the works executed uplo the time of the closure of the construction estimate. This report will discuss the financial results already attained and expected in the future and the general prospects of the projects and should be accompanied by forecast Financial Statement 1-1V in Public Works Department, Form No- 155, based on Schedule E and i.e., on the total anticipated ultimate expenditure on the project.

(g) An index may showing the canals and distributaries as completed.

(See also Rule 33 of the rules issued by the Government of India in their letter No.N.I.R. 39, dated 6th July, 1929, in the case of Works sanctioned by the President).

Note 1 :—It is essential that all important uncommenced works which are within the scope of the sanctioned estimate should be included in Schedule B, C or D, as the case may be except that works included in a substantial sanction of project which may have been abandoned even though provisionally may be omitted provided that the total amount of the sanctioned estimate as entered in Schedule E is reduced by the aggregate assumed cost (including contingencies) of the works included in that section - *vide* Paragraph 182).

Note 2:—The Superintending Engineer will maintain a register in Public Works Department, Form No. IX-5 of competent works in the case of all the Irrigation works in charge of the Department in the Circle. The Executive Engineer will maintain a similar register in the case of all Irrigation works in his division.

402. The Schedule E will be treated as a revised forecast of expenditure against the sanctioned project. When the expenditure entered in it is within the powers of sanction of the State Government the completion report will be passed by them. When, however, the expenditure is beyond their power of sanction. Rule 35 of the rule issued by the Government of India in their letter No. I.R. 39, dated 6th July, 1929, is applicable before submission of completion report

IX. Capital expenditure after closure of construction estimate

403. In the case of project sanctioned by the State Government they have full power to incur capital expenditure on works so long as the total expenditure on the project is within Rs. 50 lakhs before the submission of the completion report.

X. Expenditure after the approval of completion report

404. The State Government have full power to sanction estimates for further works described in Paragraph 400 up to a limit of Rs. 50 lakhs, if, subsequent to the approval of a completion report, it be found necessary to construct them on each such works.

Note -This rule is applicable, also estimates sanctioned by the President, *vide* the rules issued by the Government of India in their letter No.I.R. 39, dated 6th July, 1929.

405- The State Government should maintain a register (Public Works Department, Form No. 154) with reference to each project showing the approval accorded by such authority the President or the State Government as the case may be, and such subsequent sanctioned against Capital and the date when each sanction lapses.

IX. Rules governing the submission of estimates for and the construction of Irrigation Works, the cost of which exceeds the powers of sanction of State Government

406. The Government of India have issued in letter No.I.R- 39, dated 6th July , 1929, revising rules on the subject.

(They have not been printed in this Code).

CHAPTER VI**Powers of Sanction****A - POWERS OF GOVERNMENT****I. Fundamental Conditions**

407. The powers of Andhra Pradesh Government and of authorities subordinate thereto, in respect of Public Works Expenditure other than on establishment are detailed in this chapter. Subject to the observance of the rules prescribed by the President and communicated with the Government of India, Finance Department, Regulation No. 1449-E.A., dated 29th September, 1922 (*vide* Paragraph 411 below) and subject also to the provision to Section 72-D of the Government of India Act, the President has full power to sanction expenditure upon Reserved State Subjects and with the consent of the Finance Department to delegate such power upon delegation of such conditions as he may think fit to any officer subordinate to him. Similarly the powers of Sanctioning Transferred Expenditure and of such power are laid down under Sections 27 and 28 of the Devolution Rules. The powers of a State Government in respect of Agency subjects (Public Works Department have been prescribed in the Government of India, Finance Department, letter No. 2044 E, dated 19th December, 1921 etc., which have been embodied as Appendix I to this Code.

408. In all cases in which there is reason to do but whether any expenditure is within its competence to sanction in, the State Government should before sanctioning the expenditure invariably obtain a report from the Accountant-General showing whether the expenditure is within its powers of sanction. Any objection raised by the Audit Officer in this respect to any order issued by a State Government should be submitted for the orders of Government of India, together with a copy of the Audit Officer's Statement of objection, with the exception that the State Government as, in certain circumstances, remit disallowances by Audit Officers under Rule 14 of the Auditor-General's Rules embodied in Appendix-1 of A-P.P.W-A. Code in regard to State expenditure and Article 228 of the Civil Account Code, Volume I, in regard to Central Expenditure.

409. A group of works which forms one project shall be considered as one work, and the necessity of obtaining the sanction of higher authority to a project which consists of such a group of works is not avoided by the fact that the cost of each particular work in the project is within the powers of sanction of the State Government. But this restriction does not apply to the case of Irrigation projects, the construction estimates of which have been closed further Capital outlay on which is being incurred under the rules for open Capital expenditure.

II. Reports of probable excesses

410. Whenever it is foreseen that an estimate sanctioned by the Government of India or by the President is likely to be exercised, and that such excess will in all probability not be within the powers of sanction of the State Government under Paragraphs 21, 41 and of Appendix I and Rule 26 of the rules issued by the Government of India in their letter No. I.R., 39, dated 6th July, 1929, the anticipated excess should be at once advised to the Government of India, who will if the excess requires (the sanction of the President, immediately make a report thereof to him, without waiting for a revised estimate which

should be submitted in due course by the State Government to the Government of India. An immediate report to the Government of India is also required in those cases in which total expenditure including the actual or probable excess, on an estimate sanctioned by the State Government within its powers, is likely to amount a sum in excess of that which the State Government is empowered to sanction. See also Paragraph 182.

No excess over a revised estimate sanctioned by the President can be sanctioned by any lower authority.

Note :-The above paragraph applies only to irrigation works, the Governor's residences and

Central Works.

III. Revised State Expenditure

411. From 1st April, 1937 the expenditure on works is classified either "Partially excluded areas - Voted" or "Ordinary areas" charged on "Revenue" or "Voted".

The agency tracts (i.e., certain areas in the Northern circars) have been declared to be "Partially excluded areas" and expenditure on these tracts has to be provided for separately in the demand for expenditure.

The expenditure relating to works and repairs on Governor's residences and the High Court is treated as "Charged on the Revenues of the State".

Expenditure on Governor's Residences

Except with the special order of the President, which must be obtained in advance, the amount of the expenditure incurred on the maintenance, improvement, renewal or replacement of the Official residences of the Governor shall not in any one year exceed the amount specified in the table below provided that the Governor may, without exceeding the maximum specified in the said table, re-appropriate whenever necessary, from or to one sub-head of the said table to or from another sub-head thereof :

	Rs.
(1) Improvements	50,000
(2) Maintenance and repairs :	
(a) Gardens	49,000
(b) Electricity	55,000
(c) Water	18,000
(d) Taxes	65,000 1,
(e) Repairs	1,03, 000

Total: 3,40,000

Note:-The term "Expenditure" occurring in the last paragraph represents actual works expenditure only and does not include the overhead charges such as charges for establishment and tools and plant.

IV. Transferred Expenditure 412. The relevant sections of the Devolution Rules have been reproduced below:

28. (1) The powers of the State Government under the preceding rule to sanction expenditure, may be delegated by the State Government to an authority subordinate to it, after previous consultation with the Financial Department, to such an extent as may be required for the convenient and efficient despatch to public business.

(2) Any sanction accorded under these rules shall remain valid for the specified period for which it is given, subject in the case of voted expenditure, to the voting of grants in each year.

V. Famine Relief Works

413. Famine Relief Works :—(i) The State Government have provided for the establishment of a statutory fund known as the Andhra Pradesh Famine Relief Fund and the rules governing which are found in the Andhra Pradesh Famine Relief Fund Act.

(ii) The fund may be utilized on—

(a) the relief of serious famine, and

(b) the relief of distress caused by serious drought, flood or other natural calamities or when the fund exceeds Rs. 40 lakhs, the excess may be utilised to meet expenditure on protective irrigation works or other works for the prevention of famine.

(iii) The State Government have issued a Famine Code for the guidance of officers and other while employed on famine duty.

VI. Powers of Re-appropriation

414. (1) After grants have been voted by the Legislative Council—

(a) the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another; and

(b) the Member or Minister incharge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability provided that a copy of any order sanctioning such a re-appropriation shall be communicated to the Finance Department as soon as it is passed.

(2) The Finance Department shall have power to sanction the delegation by a Member or Minister to any officer or class of officers of the power of re-appropriation conferred on such Member or Ministry by clause (1)(b) above.

(3) Copies of orders sanctioning any re-appropriation which does not require the sanction of the Finance Department shall be communicated to that department as soon as such orders are passed.

B - POWERS OF CHIEF ENGINEER

Please Note :—The limit of powers are enhanced in G.O.Ms.No. 1007 R&B. dated 5-11-1976 and they are printed along with the existing Para 415.

415. The following powers have been delegated to the Chief Engineers (Roads and Buildings)

I. Sanction to Estimates

(a) Administrative Approval**Limit of Powers**

- (I) To accord administrative approval to estimates for works required for his department (other than residential buildings and electrical works) Rs. 30,000
- (ii) (a) To accord administrative approval to additions, improvements and alterations to electrical works in non-residential buildings Rs. 5,000
- (b) To accord administrative approval to additions, improvements and alterations to electrical works in residential buildings subject to conditions laid down in Paragraph 445 Rs. 1,000
- (c) To accord administrative approval to construction of latrines or Septic tanks in the residential buildings Rs. 1,000
- (iii) Contribution works Rs. 10,000
- (iv) Sanction of estimates for the purchase of "Tools and Plant" and "Livestock" within the limit of budget allotment Full power

(b) Technical Sanction

- (v) To accord technical sanction to detailed estimates for works up to a limit of Full powers
- [Full powers subject to the condition that file Chief Engineer should inspect all works costing over Rs. 10.00 lakhs before according technical sanction to them.]

(c) Excesses over Estimates

To deal finally with all excesses of not more than 5 per cent of the amounts or original estimates sanctioned by him or by a higher authority. The Chief Engineer may also pass excess expenditure up to a limit of Rs. 5,000 on all works, irrespective of the total of the sanctioned estimates. The delegation will apply to electrical works also.

(All these powers have since been revised in G.O-Ms.No, 1007, dated 5-11-76 of T.R, and B. Department).

(d) Electrical Maintenance Estimates

To prescribe lump-sum provisions for the annual repairs to, electrical installations in civil buildings up to a limit of Rs. 5,000 laid down in Paragraph 147.

II. Re-appropriation of Funds**Voted Expenditure**

To sanction re-appropriation of funds one Circle to another under the same minor head between two minor heads under a major head within a grant provided that;

- (1) such re-appropriation does not involve the undertaking of a recurring liability;
- (2) the re-appropriation is not made to a new service or object not contemplated in the budget for the year;

Note :- Under this clause, the Chief Engineer may not reappropriate funds to a new major work or a new minor work costing over Rs. 1,000 which has not been mentioned in the budget.

- (3) the re-appropriation has not the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Council or by Government;
- (4) the total budget provision for minor works under a minor or departmental head under 259 Public Works 283 housing and 337 Roads and Buildings is not increased;
- (5) the appropriation does not involve a transfer of funds between voted and non-voted heads;
- (6) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of estimate, if technical sanction has been accorded;
- (7) the amount re-appropriated from or to a single major works does not exceed Rs. 25,000 (Rupees twenty five thousand only);
- (8) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant General as soon as it is passed.

Non-voted Expenditure

The consent of the Finance Department may be presumed under Devolution Rule 45 to the exercise by the Chief Engineer of the same powers of re-appropriation as in the case of voted expenditure excluding clause(3) above which has no application.

III. Sale or Dismantlement of Buildings

(See Paragraph 235)

IV. Office Furniture

To sanction purchase of office furniture up to Rs. 5,000 subject to budget provision.

V- Contracts

To accept tenders for all works upto sanctioned technical estimates plus such percentage as the Chief Engineer is competent to sanction under "excess over estimates"

VI. Write-off

To write off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs. 2,000 in each case provided the loss does not disclose—

(i) a defect of system or in rules the amendment of which requires the orders of a higher authority ;

(ii) serious negligence on the part of some individual officer or officers, which might possibly call for disciplinary action requiring the orders of a higher authority.

Note -All sanction to write-off under this may should be communicated to the Accountant General.

VII. Law Suits

To exercise all the powers exercised by the Board of Revenue in regard to according sanction to the institution and defense of original suits and appeals the money value of

which does not exceed Rs- 10,000. In each case, unless they involve any important question of principle or are in the nature of test suits, in which case, irrespective of the money value, the orders of Government should be obtained.

To sanction payment of fees to Government in Home (Courts) Department in respect of all cases wherein sanction was accorded by him to the institution and defence of original suits or appeals in exercise of powers vested in the preceding sub-para and in respect of the suits or appeals described therein.

(1) Incidental charges such as purchase of stamps payment for copies etc., connected with law suits:—The Heads of Departments can incur expenditure on the above item from their budget provision, without reference to Government.

(2) Fees payable to Government Pleader :—The Heads of Departments can sanction fees to Government Pleader in all law suits, including suits appeals, writ petitions and writ appeals and C.M.P.S., C.R.S and C.M.A.S. arising in writ petitions and writ appeals where Governments are not impleaded i.e., where only Heads of Departments or other Subordinate Officers are impleaded. In other cases sanction of the Government is necessary. However, this delegation does not apply to the payment of special fee.

(3) Cases decreed against Government:—The Heads of Departments can incur expenditure under this item without prior sanction of the Government and then come upto Government for supplemental grant if necessary.

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Note 1 :—The point whether a case does or does not involve a question of principle shall be decided by the Chief Engineer. J

Note 2 :—Before according such sanction the Chief Engineer shall obtain the Opinion of Advocate General, Andhra Pradesh in regard to litigation in the City, and shall obtain or cause to be obtained, the opinion of the State Government Pleader in regard to multifaceted litigation, and follow the instructions in G.O.Ms.No. 3470, Law (General), dated 12th September, 1931 and No. 4100, Law (General), dated 6th November, 1931.

Note 3 :—If the Chief Engineer, finds himself unable to accept the legal advice contained in any case he should report it for the orders of Government.

Note 4 :—The Superintending Engineer or the Executive Engineer should, when he submits the records of a case, in which in his opinion, a suit or appeal should or should not be filed, or the defence should or should not be undertaken, send along with the records. (a) the opinion of the State Government Pleader; and (b) the opinion of the Collector in suits and appeals affecting or likely to affect any department under his control as to the advisability or otherwise of filing or defending the suit or appeal.

For the existing Para 415 powers delegated as per G.O. 1007, TR & B, dated 5-11-76 are:—

I. Sanction of Estimates

(a) Administrative Approval

- (i) To accord administrative approval to estimates for works, (other than residential buildings and electrical works).

Plain Areas

Rs- 10 lakhs

Tribal Areas

Rs. 15 lakhs

Note:-

In cases where after a rigorous budget scrutiny by the Government in Finance and Planning Department a list of new works is approved and communicated by the Government, to Chief Engineer and the Accountant General, in the form of a G.O, the Chief Engineer will have full powers of administrative approval without any monetary limit and Government sanction for individual works will not then be necessary.

Electrical Works (Residential and Non-Residential) :

(a) Non-Residential (First installation) Rs. 1,00,000

(b) Residential buildings (First installation) Rs. 50,000

(C) Additions, improvements and alterations to electrical works in non-residential buildings Rs. 15,000

(D) Additions, improvements and alterations to Electrical works in residential buildings Rs. 2,000

(iii) Full contributions works Full Powers

(iv) (a) Purchase of Tools and Plant Full powers subject to limit of budget allotment and clearance by the Screening Committee.

(b) Purchase and improvements to floating plant for which rent or hire is recoverable Rs. 50,000

(v) Sanitary works

Minor works for construction of latrines and septic tanks Rs. 2,000

(vi) Residential buildings :

(a) • Estimates for works Nil

(b) Technical sanction :

Technical sanction to detailed estimates Full powers upto an amount of for works including electrical works administrative approval plus excess indicated below.

(i) for works costing upto Rs. 200

lakhs 10% subject to a limit of Rs. 10,00,000

(c) Excess over Estimates

(ii) for works costing above Rs. 200 lakhs 5% subject to a

limit Rs. 20,00,000

To deal finally with all excess of not more than 15% of the amounts of original estimate sanctioned by him or by a higher authority. The Chief Engineer may also pass excess expenditure upto a limit of Rs. 10,000 on all works, irrespective of the sanctioned estimates. This delegation will apply to electrical works also.

(d) Electrical Maintenance Estimates No change

[DCODE—13]

II. Re-appropriation of funds*No change***III. Sale of Dismantlement of Buildings No change IV- Office Furniture***No change***V. Contracts**

To accept any tenders for execution of works, including those to be executed by Electrical Engineer (General) by contract, upto technically sanctioned estimates plus such percentage excess as the Chief Engineer is competent to sanction under excess over estimates, When once a work is administratively sanctioned by the Government and the estimate therefore is technically sanctioned by the competent authority and a contract is concluded for the execution of the work, no work should be stopped or slowed down (rare emergencies expected) or payments to contractors withheld or delayed, even if there is need for a revised estimate to be sanctioned by the Government. Such payments should however, be subject to the existence of adequate budget provision within the relevant head of account, When the expenditure on a work is likely to exceed over the 10% over the contract value of the work (in the case of premium tenders), the Chief Engineer should inform the Government of the approximate extra commitment involved and also follow up with a revised estimate as early as possible. If, however, only a part of the work covered by the estimate has been entrusted on contract at premium rates, this 10% referred to above should be over the total value of the work, comprising the contract amount for the portion or portions already entrusted plus the total estimated value of the item not yet entrusted or utilized- The Chief Engineer may provisionally sanction the revised estimates and submit them to Government for regular sanction before the final payment for work is made.

VI. Write off*No change***VII. Law Suits***No change*

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416. The following powers have been delegated to the Chief Engineers (Irrigation) I.Sanction to Estimates (a) *Administrative Approval*

- (1) 68. Works for which Capital and Revenue accounts are kept works chargeable to capital account. The concurrence of the Board of Revenue should be obtained to the work in cases where distribution of water or ryots' interests are affected. Cases in which there is disagreement between the Chief Engineer and the Board of Revenue should be submitted by the Chief Engineer to Government through the Board of Revenue.

Rs. 30,0

- (2) XVIII. Works for which Capital and Revenue accounts kept-extensions and improvements

Rs. 30,8

(3) 18. Works for which capital and Revenue accounts are not kept—

- (i) Original works (works and extensions and improvements) Rs. 30,000
 (ii) Miscellaneous expenditure. These powers should not be exercised unless there is budget provision specifically made for the purposes and expenditure is non-recurring Rs. 5,000 each case

(4) Full contribution - Original works Full powers.

(5) To sanction estimate for the purchase of tools and plant and livestock within the limits of the budget allotment Full powers,

(6) Tank restoration scheme work-Extension and improvements Rs. 30,000

(7) Purchase of and improvements of floating plant for which no rent or hire is changeable Rs. 10,000 in each case.

(8) Purchase of and improvements to floating plant for which rent or hire is recoverable Rs. 10,000 in each case

Note: - The limits fixed herein are for "works" only and are exclusive of centage charges for Establishment and Tools and Plant, etc.

Technical Sanction

Original works :—After Administrative approval to a project has been accorded by the competent authority, the Chief Engineer can accord technical sanction to detailed working estimates against the sanctioned provision under each head, provided that whenever any modification is proposed in the details of the scheme, involving a departure from the approved design or the alteration of other parts of the scheme or affecting the standards of efficiency or stability of the whole work, he should move the State Government to accord or obtain fresh administrative approval.

Note: - The Chief Engineer should inspect all works costing over Rs. 10.00 lakhs before technical sanction is accorded.

Repairs ~ Ordinary Full-powers within the limits of budget allotment, Repairs ~ Special
 Full powers Tools and Plant estimates Full powers

(c) Excess over estimates

(Same powers as those of Chief Engineer, Roads and Buildings)

II. Re-appropriation of Funds

Voted Expenditure

(i) To sanction re-appropriation of funds one Circle to another under the same minor head between two minor heads under a major head within a grant provided that:

- (1) such re-appropriation does not involve the undertaking of a recurring liability;

(2) the re-appropriation is not made to a new service or object not contemplated in the budget for the year;

(3) the re-appropriation has not the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Council;

(4) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of estimate, if technical sanction has been accorded;

(5) the appropriation does not involve a transfer of funds between voted and non-voted heads;

(6) as regards major original works, the amount re-apportioned from one project or system to another does not exceed Rs. 25,000; and

(7) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant General as soon as it is passed.

(ii) To re-appropriation funds to new works not provided for in the budget under the head "68" when the cost of such a work exceeds Rs. 25,000/- and provided the work forms part of a system on which the expenditure of loan funds has been sanctioned.

Non-voted Expenditure

The consent of the Finance Department may be presumed under Devolution Rule 45 to the exercise by the Chief Engineer of the same powers of re-appropriation as in the case of voted expenditure excluding clause(3) above which has no application.

III. Office Furniture

(Powers as those of Chief Engineer, Roads and buildings)

IV. Contracts

(Same powers as those of Chief Engineer, Roads and buildings)

V. Write-off

(Same powers as those of Chief Engineer, Roads and buildings)

VI. Law Suits

(Same powers as those of Chief Engineer, Roads and buildings)

The following powers are delegated to the Chief Engineer, Irrigation and Power Dept. as per G.O. 1007, TR & B, dated 5-11-76 in lieu of powers in para 416.

I. Sanction to Estimates

(a) Administrative Approval

(i) To accord administrative approval to estimates for works, (other than residential buildings and electrical works).

Plain Areas Rs. 10 lakhs Tribal

Areas Rs. 15 lakhs

Note '.— In cases where after a rigorous budget scrutiny by the Government in Finance and Planning Department a list of new works is approved and communicated by the Government, to Chief Engineer and the Accountant General, in the form of a 0.0. the Chief Engineer will have full powers of administrative approval without any monetary limit and Government sanction for individual works will not then be necessary.

(ii) Electrical Works (Residential and Non-Residential) :

(a) Non-Residential buildings (First installation)	Rs. 1,00,000
(b) Residential buildings (First installation)	Rs. 50,000
(c) Additions, improvements and alterations to electrical works in non-residential buildings	Rs. 15,000
(d) Additions, improvements and alterations to Electrical works in residential buildings	Rs. 2,000
(iii) Full contributions works	Full Powers
(iv) (a) Purchase of Tools and Plant	Full powers subject to limit of budget allotment and clearance by the Screening Committee.
(b) Purchase and improvements to floating plant for which rent or hire is recoverable	Rs. 50,000
(v) Sanitary works	
Minor works for construction of latrines and septic tanks	Rs. 2,000
Estimates for works	Nil

Note :— Minor Irrigation schemes which are within the powers of administrative approval of the Chief Engineer, Minor Irrigation may be cleared by the Collector of the Districts in which the works lie without reference to the Commissioner for Irrigation. Schemes which are to be administratively approved by the Government may be referred to the Commissioner for Irrigation for his clearance before sanction.

(b) Technical Sanction

Original works:—After Administrative approval to a project has been accorded by the competent authority, the Chief Engineer can accord technical sanction to detailed working estimates against the sanctioned provision under each head, provided that whenever any modification is proposed in the details of the scheme, involving a departure from the approved design or the alteration of other parts of the scheme or affecting the standards of efficiency or stability of the whole work, he should move the State Government to accord Or obtain fresh administrative approval. The detailed working estimates, sanctioned by him should not exceed 10% over administrative approval to works costing upto Rs. 200 lakhs and subject to a limit of Rs- 10.00 lakhs, for works costing above Rs. 200 lakhs the excess subject to 5% and a monetary limit of Rs- 20, 00,000.00

Repairs - Ordinary	Full-powers within the limits of budget allotment.
- Special	Full powers
Tools and Plant estimates	Full powers subject to clearance by Screening Committee

(c) Excess over estimates

Same powers as those of Chief Engineer, Roads and Buildings)

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No Change

C - POWERS OF SUPERINTENDING ENGINEER 417. The following is a summary of the powers of a Superintending Engineer,

I. Roads and Buildings**A, Original Works**

a) Administrative Approval :—To approve administratively estimates upto f Rs. 10,000 for works other than residential, electrical or ecclesiastical.

Note 1:—Superintending Engineers may sanction estimates administratively on electrical worki \ in non-residential buildings up to a limit of Rs, 2,500 provided it is not first installation, All the estimates for improvements to a single building in regard to electrical works in any official year must be considered as one work, the first sanctioned before the original estimate and subsequent sanctions supplemental thereto,

Note 2:—Huts for watchers of inspection bungalows may be dealt with by Superintending Engineers under their powers of sanction for ordinary non-residential buildings.

Note 3:—The powers in Note 2 above can be exercised by the Superintending Engineers in respect of quarters for all employees in inferior service subject to the conditions specified in Note 2 under Paragraph 42B-1-A (a) introduced by O.O. 1281. W.. dated 12th June, 1934.

Note 4:—The Superintending Engineer is empowered to accord administrative approval to construction of latrines or septic tanks in residential buildings upto a limit of Ri, 500.

(b) Contribution works:—To sanction the undertaking of contribution works J upto Rs. 15,000.

(c) "Superintending Engineer (except those under stop-gap arrangements lasfir one month and below) are empowered to accord final technical sanction to detailed estimaten for original work upto rupees two and half lakhs excluding charges for establishment and | tools and plant".

Where the detailed estimate is a working estimate for a work, for part of work, included in a general estimate or in any subsidiary estimate subsequently sanctioned by competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded. A Superintending Engineer may transfer ascertained, savings from any one portion of the project to another within the sanctioned estimate.

Such diversion from one item of the project to another item within the same project should not raise the total cost of ths project or the cost of the item to which savings are transferred beyond the powers of the concerned officer to accord technical sanction in excess of administrative approval.

(d) Excess over estimates :—To deal finally with all exceses of not more than 5 percent of the amounts of original estimates sanctioned by himself or by a higher authority

(iii) Residential buildings: Nil

Estimate for works Nil

(iv) Sanitary works:

To minor works for construction of latrines and septic tanks

Rs. 1,000

(v) Electrical works Residential and Non-Residential :

(a) Non-Residential

Rs. 40,000

(b) Residential buildings

Rs. 20,000

(c) Additions, improvements and alterations to electrical works in non-residential buildings,

Rs- 5,000

(d) Additions, improvements and alterations to Electrical Works in residential buildings

Rs. 1,000

Note 1:—All estimates for improvements to a building in regard to electrical works In any official year must be considered as one work, the Is! Sanctioned being the original estimate and subsequent sanctions supplemental therein-

Note 2:—Huts for watchers of inspection bungalows may be dealt with by Superintending Engineers under this powers of sanction for ordinary non-residential buildings.

Note 3 :—The powers in Note 2 above can be exercised by the Superintending Engineers in respect of quarters for all employees in inferior service subject to the condition specified in Note 2 under Paragraph 428 (I)-A(a).

(b) Contribution works:—To sanction the undertaking of full contribution works upto Rs. 1, 00,000.

(c) Technical sanction to Estimates:—Technical sanction to detailed estimate of works is Rs. 10 lakhs subject to condition that excess over administrative sanction shall not exceed 10 per cent.

Where the detailed estimate is working estimate for a work, or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanction by competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded. A Superintending Engineer may transfer ascertained savings from any one portion of the project to another within the sanctioned estimate.

(d) Excess over estimates:—To deal finally with all excess of not more than 10 per cent of the amounts of original estimates sanctioned by himself or by a higher authority provided that the total amount of excess is within the limit of his powers to sanction estimates technically. A Superintending Engineer may also pass excess expenditure within a limit of Rs. 6,000 on sanctioned original works and repairs, irrespective of the total and sanctioned estimate. A Superintending Engineer has no powers to sanction an excess over a Revised Estimate sanctioned by higher authority—See also Paragraph 182.

(e) Alterations of Designs : No change

(f) Contingencies in the estimate for a work : No change

(g) Unforeseen works in an estimate for a work : No change

competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded. A Superintending Engineer may transfer ascertained savings from any one portion of the project to another within the sanctioned estimate.

(c) Excesses over Estimates

No change

III. Photograph leal Charges

421. Superintending Engineers may sanction photograph charges within the limits of budget provision.

Note :- In cases where the photograph taken are of completed works and for general purposes and not in the interest of the works themselves the charge should be debited to Establishment—Contingencies.

IV. Contracts

422. To accept tenders for contracts for all original works and repairs up to the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of Paragraph 417(d). To execute contracts and piece-work agreement upto the same limit provided they are drawn up in standard forms.

Note :- In the case of officers holding officiating or temporary rank for a period not exceeding three months, these powers are restricted to a money limi" of one lakh.

The powers delegated vide G-O.Ms-No. 1007, TR & B, dated 5-11-1976 are—

To accept tenders for all contracts for all original works and repairs upto technically sanctioned estimates plus such excess as he is competent to sanction under excess over estimates subject to a maximum of Rs. II lakhs for each tender. Superintending Engineer (Major Irrigation Projects, costing more than Rs.10 crores) can accept tenders upto Rs. 30 lakhs provided they are lowest.

In case of electrical works the amount is limited to Rs. 1.00 lakh.

V. Stores

(a) Purchase, Manufacture and Repair

423. (i) General :- To accord administrative approval to estimates for the purchase of tools and plant for including livestock or office ffititure subject to a maximum expenditure of Rs. 10,000 for each estimate, and to order the purchase or manufacture of any stores required for the construction of a sanctioned work, subject to the conditions laid down in the Stores Rules.

Note:- Estimates for extensions and improvements and special repairs which owing to inclusion of items of substantial improvement would go either wholly or partly to increase the capital cost of staff" boats, or boats for which rent on hire is payable should be submitted for sanction of Government irrespective of their cost but estimates for all other floating plant may be dealt with by the Superintending Engineers upto a limit of Rs. 1,000.

The term "floating plant" does not include motor or steam launches for the purposes of this note.

(ii) Office furniture :—To sanction purchase of office furniture within the budget allotment subject to a maximum expenditure of Rs. 750 for each estimate.

(iii) Indents :—To pass indents on other departments for articles required for sanctioned works, and to forward indents for foreign stores direct to the High Commissioner or Ambassadors of India for any work within his powers of sanction. See the Stores Rules.

(iv) Repairs :—To sanction estimates for repairs to tools and plant within the limits of the appropriation assigned to his circle.

(b) Disposal of Stores

(i) To issue orders for the disposal of all unserviceable or surplus store including stock, tools and plant, materials at site of works and materials received from works dismantled or undergoing repair, to write off the loss due to disposal of such articles (i.e., the difference between the book value of the articles and the amount difference by their disposal) when the total loss on all articles disposed of at a time and included in one survey report is Rs. 10,000 or less. Also to sanction the issue of any materials from store-yards to private persons. Book value including storage charge plus usual charges to 10% (except when this charge is specially remitted under the provisions of Paragraph 331(a) or the full market value whichever is higher when this can be done without inconvenience to the public service, (Amended in Memo. No.1658/CI/79-21, Rd.&Tr. & Bids.(C) Dept., Dt. 22-3-1952)

(ii) To write off tools that have been lost or become unserviceable.

(iii) A Superintending Engineer may deal finally with the disposal of any unserviceable floating plant subject to the provision that the condemnation, sale or disposal otherwise of all staff boats, and of other vessels which the original cost was Rs.10,000 or more, should be made after the sanction of Government.

(c) Loss due to depreciation

To sanction estimates for losses due to depreciation of stock up to a limit of Rs. 10,000.

(d) Write off

To write off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.500 in each case provided the loss does not disclose,

(i) a defect of system or in rules the amendment of which requires the order of a higher authority; and

(ii) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of a higher authority,

Note:—All sanctions to write off under this rule should be communicated to the Accountant-General.

(e) Sale and Dismantlement of Public Buildings

(See Paragraph 235)

(f) Losses in manufacture

To adjust losses in manufacture upto a limit of Rs.500 in each case-

VI. Powers of Re-appropriation

424. The following are the powers of Superintending Engineers to re-appropriate funds :

(1) Roads and Buildings and Civil works

(a) Original works - Buildings.

Original works - Communications; and

Original works - Miscellaneous.

A Superintending Engineer may, within the funds allotted to his circle re-appropriate Hinds from one work to another subject to the following conditions:—

(i) that the total of the amounts proposed to be expropriated from or to a single major work does not exceed Rs. 25,000 (Rupees twenty five thousands only);

(ii) that in the case of resumptions, the head of the department concerned is informed of the fact explaining why it was not possible to spend the appropriation on the work in question;

(iii) that no re-appropriation is made to a new major work or to a new

Minor work costing over Rs. 2,500 not provided for in the budget;

(iv) that the re-appropriations are confined to works under the same. minor head or department;

(v) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate of technical sanction has been accorded.

(vi) that the re-appropriation has not the effect of increasing the appropriation under a unit which has been reduced by a higher authority; and

(vii) that the re-appropriation has not the effect of increasing the total budget provision for minor works under a minor or departmental head under "Civil Works".

(b) "Repairs" and "Tools and Plant" - No powers.

Note:-Lump-sums will be allotted by the Chief Engineer for each circle under the primary units under those heads. The Superintending Engineer should re-distribute the amounts under each primary unit among the several divisions under him.

(c) Establishment:—No powers except under the heads "Non-Contract Contingencies" and "Supplies and Service". The exercise of the powers is subject to the condition that the re-appropriation does not involve the undertaking of a recurring liability.

(2) Construction of Irrigation, Navigation, Embankment and Drainage works for which Capital and Revenue Accounts are kept and "working 'expenses' under XVII. Irrigation, Navigation, Embankment and Drainage works for which capital accounts are kept,

A Superintending Engineer may re-appropriate funds within the same minor head provided that—

(i) the re-appropriation does not involve a transfer of fund from one project or system to another;

(ii) no re-appropriation of funds is made for the execution of any new work not provided for in the budget for the year;

(iii) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in the Code or does not involve an appropriation of funds in excess of (the amount of the estimate, if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority;

(3) 18. Other revenue expenditure financed from ordinary revenues :—

Superintending Engineer may sanction reappropriation of funds within the circle provided—

(i) that no re-appropriation is sanctioned from one minor head to another;

(ii) that the re-appropriation does not involve expenditure on new major works not provided for in the budget;

(iii) that the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority.

(4) Copies of all orders of re-appropriation sanctioned by Superintending Engineer should be made forwarded to the Finance Department through the Chief Engineer, and to the Accountant-General.

VII. Miscellaneous Powers

425. Rules and powers regarding the grant of advance of pay and traveling allowances, house-building advances etc., and contingent expenditure will be found in the Andhra Pradesh Manual of Special Pay & Allowances and Andhra Pradesh Financial Code, Vol. I.

426. Superintending Engineers of circles are authorised to arrange with the Telegraph Engineering Department, on their own authority, for the establishment of telephone connections required as a temporary measure in connection with the execution of works, subject to the condition that the cost of the connection has been provided for in the sanctioned estimate for the works.

427. Superintending Engineers may approve of alterations of the dates of birth entered in the service books of the non-gazetted establishment employed under them,

D - POWER OF EXECUTIVE ENGINEER

428. The following is a summary of the powers of Executive Engineers (except stop-gap arrangements lasting one month and below) in charge of a division.

I. Road and Buildings

A. Original works

(a) Administrative approval

To accord administrative approval to estimates upto Rs. 40,000/- for contribution works and for works executed for the Public Works Department other than residential or ecclesiastical works. [G.O.Ms.No- 1007,Tr.&B. Dept., Dt. 5-11-1976]

Note 1:—The above powers can be exercised by the Executive Engineers in regard to electrical works also, subject to certain conditions - *vide* Paragraph 441 and the note thereunder as introduced by G.O.Ms.No. 1281. W., dated 12th June, 1934.

Note 2:—The Executive Engineers of Divisions can accord administrative approval up to a limit of Rs. 250 in the case of small extensions to electrical installations in Government non-residential buildings in their charge.

Note 3 :—In the case of work connected with quarters for employees in inferior service, however, Executive Engineers can accord administrative approval up to a limit to Rs. 2,000 subject to the following conditions:

- (a) that the proposals are in accordance with the latest type-designs approved by Government and that outside works are limited to minor sanitary works, such as drains, latrines, wells and the like; and
- (b) that an enhancement of the limit fixed the Minor works is not asked for on this ground.

(b) Technical sanction to estimates

To accord final or technical sanction to detailed estimates or original works up to maximum limit of Rs. 25,000 excluding charges for establishment and tools and plant

When the detailed estimate is a working estimate for a work, or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanctioned by competent authority, the sanction is subject to condition that the provision for it in the general or subsidiary estimate is not exceeded.

Note: — The Executive Engineer of Divisions can accord technical sanction to estimates for small extensions to electric installations in Government buildings in their charge upto a limit of Rs. 2,000.

(c) Technical sanction to estimates

To pass finally all excesses over the amount of original estimates sanctioned by himself or by higher authorities up to a limit of Rs. 500 irrespective of the total of the sanctioned estimate, and in other cases provided that the total amount of the excess is within 5 per cent of the sanctioned estimate and within the limit of his powers to sanction estimate technically. An Executive Engineer has no power to sanction any excess over a revised estimate sanctioned by a higher authority—See also Paragraph 182.

(d) Alterations of designs

To sanction alterations in the constructive details of works during their execution in cases of necessity, reporting as a general rule, his action to the Superintending Engineer provided that such alterations do not cause an increase of charge on the work beyond the limit of his powers to deal finally with excesses over estimates - *vide* (2) above. When

however, such alterations affect the administrative side of the works, they should be affected only after consulting the administrative department concerned.

(e) Contingencies in the estimate for a work

To divert the provision for contingencies to new work or repairs not provided for in the estimate up to a maximum of Rs. 500/- for each item (Para 117). The Executive Engineer can divert the provision in an estimate under "Contingencies" to meet excesses due to the increased rates or any cause whatever, provided the total amount of the estimate after revision does not exceed by more than 5 per cent of the sanctioned amount inclusive of contingencies and provided that the excess is within the Exe. Engineer powers of sanction.

(f) Unforeseen works in an estimate for a work

To divert the provision under this item for new works which are required by the administrative authority and which are essential for the due fulfilment of the precise object for which the scheme was intended, up to a limit of Rs. 5,000 for each item—See also Paragraph 117-A.

(The Powers delegated vide G.O.Ms.No. 1007, T R & B, dated 5-11-1976) (a) Administrative approval

(i) To accord administrative approval to estimates for works (other than residential buildings and electrical works)	
Plain areas	40,000
Tribal areas	60,000
(ii) (a) Purchase of tools and Plant	5,000
(b) Purchase and improvements to floating, plant for which rent or hire is recoverable	Nil
(iii) Full contributational works	15,000
(iv) Residential buildings :	
To estimate for works	Nil
(v) Sanitary works ;	
To minor works for construction of latrines and septic tanks	Nil
(vi) Electrical works : (Residential and non-residential)	
(a) Non-Residential (First installation)	5,000
(b) Residential buildings (First installation)	2,500
(c) Additions, improvements and alterations to electrical works in residential buildings	⁴ non-1,000
(d) Additions, improvements and alterations to electrical works in Residential buildings	Nil

(b) Technical sanction to estimate

To accord final or technical sanction to detailed estimates or original work up to a maximum limit of Rs. 1.00 lakh subject to the condition that the excess over administrative sanction shall not exceed 10 per cent.

When the detailed estimate is a working estimate for a work or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanctioned by competent authority the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded.

Note '•—The Executive Engineers of Divisions can accord technical sanction to estimates, for small extension electric installations in Government buildings in their charge upto limit of Rs. 30,000/-

(c) Excesses over Estimates

To pass finally all excesses over the amounts of original estimates sanctioned by himself or by higher authorities upto a limit of Rs. 2,000/- irrespective of the total of the sanctioned estimates, and in other cases provided that the total amount of excess is within 5% of the sanctioned estimate and within the limit of his power to sanction estimates technically. An Executive Engineer has no power to sanction any excess over a Revised Estimate sanctioned by a higher authority. See also Paragraph 182.

(d), (e) and (f) - No change

B. Repairs

429. (a) (i) Ordinary and special repairs :—To sanction estimates for ordinary and special repairs within the limits of budget allotments and upto a limit of Rs.20,000 for each work.

Note:—The limit of Rs.20,000 does not apply to cases where lunipsum kilo mctreage rates are fixed by the Superintending Engineers for annual maintenance of roads under Paragraph 418 (a). The limit in such cases is the amount for each road based on the kilometre rate for each reach of that road fixed by the Superintending Engineer.

(ii) Emergent repairs:—To sanction emergent repairs to all works in charge of the department to any necessary and reasonable amount, in case of imminent danger to the structure-

(iii) Repairs to electrical installations :—To sanction estimate for ordinary or special repairs to electric installation in Government buildings in their charge up to a limit of Rs. 5,000.

(b) To prescribe lump-sum amounts for ordinary repairs under Paragraph 147 up to Rs. 1,000 under the conditions laid down therein.

(c) Excesses over estimates •—Same powers as under original works, if a revised estimate is not prepared; if a revised estimate is prepared, it may be dealt with under sub-paragraph (a) above.

C. Tbo/s and Plant 430. A. Same powers as under,
original works.

II. Irrigation Works

(a) Administrative Approval

(1) 6S, Works for which Capital and Revenue Accounts are kept— Works chargeable to capita! account

(2) XVII. Works for which Capital and Revenue Accounts are kept—
Extensions and Improvements 5,000

[DCODE—14]

(3) 18. Works for which Capital and Revenue Accounts are not kept
Original works (Works, Extensions and Improvements.) 5,000

(4) Full contribution works other than repairs 5,000

(5) Tank Restoration Scheme works Extensions and Improvements 5,000

Note :- Executive Engineers who have put in a service of not less than 15 years in the department may accord administrative approval to departmental irrigation works—Extensions and improvements. Original works and Tank restoration Scheme works Extensions and Improvements and full contribution works up to a limit of Rs. 1,000 for each work. The previous approval of the Collector should be obtained to all proposals for works estimated to cost more than Rs. 500. In these cases the Executive Engineer should send to the Superintending Engineer a copy of the report sent by him to the Collector, and the Superintending Engineer may, if he considers it necessary, in any particular case, call on the Executive Engineer to submit the detailed estimates and plans for his approval.

(b) Technical sanction

(1) 68. Works for which Capital and Revenue Accounts are kept—
Works chargeable to Capital Account 25,000

(2) XVII. Works for which Capital and Revenue Accounts are kept—
Extensions and improvements 25,000

(3) 19. Works which capital and Revenue Accounts are not kept—
Original Works (Works, extensions and improvements and miscellaneous expenditure)
25,000

(4) Full contribution works and repairs 25,000

(5) XVI. and 18. Maintenance and repairs.—

(a) Ordinary repairs - Pull powers

(b) Special repairs ;

Include repairs under famine relief works 25,000

(6) Tank restoration scheme works-Extensions and Improvements 10,000

(7) Tools and Plant estimate charged to irrigation heads of account 10,000

Note:—The limits fixed in items (1) to (6) above are for "Works" only and are exclusive of centages charges for Establishment and Tools and Plant, etc.

Note 2:—The actual expenditure in any particular year on sanctioned estimate is however limited by the appropriation-See Paragraph 101(a)(ii) of the Andhra Pradesh Public Works Accounts Code. ,J

(c) Excesses over Estimates

Same powers as under Paragraph 428(c) and 429(c) but subject to the limitation* B"| Paragraph 420(c).

{The powers delegated wider G.Os.No. 1007, T-R- & B., dated 5th November, 1976 are :

(a) Administrative approval

(i) The administrative approval to estimates for works (other than residential buildings and electrical works)

Plain areas 40,000 Tribal areas 60,000 (ii) (a) Purchase of Tools & Plants 5,000

(b) Purchase and improvements to floating, plant for which rent or hire is recoverable Nil

(iii) Full contributational works 15,000 (iv) Residential buildings :

To estimate for works Nil (v) Sanitary works :

To minor works for construction of latrines and septic tanks ?1. (vi)

Electrical works (Residential and non-residential)

(a) Non-Residential (First installation) 5,000

(b) Residential building (First installation) 2,500

(c) Additions, improvements and alterations to electrical works in non-residential buildings 1,000

(d) Additions, improvements and alterations to electrical works in residential buildings Nil.

Note: — The previous approval of the Collector should be obtained to all proposals for works estimated to cost more than Rs- 500. If the Collector agrees with the proposals of P.W.D. from the administrative point of view, the practice of estimates being countersigned by Collectors should be discontinued (*vide* G-O.Ms-No. 31. P.V. (T) Dept., D.I. 7-1-1969). In these cases the Executive Engineer should send to the Superintending Engineer a copy of the report sent by him to the Collector, and the Superintending Engineer may if he considers it necessary, in any particular case, call on the Executive Engineer to submit the detailed estimates and plans for his approval.

(b) Technical Sanction

(Same powers as those of Executive Engineer, Roads & Buildings). (c)

Excesses over estimates

No change III.

Contracts

431. To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 428(c) and subject to a limit of Rs. 25,000.

Note :—In cases where materials are supplied by Govt. to the contractor, the amount of the contract should, for the purpose of determining the authority competent to accept it, be taken to the net amount to be paid to the contractor, exclusive of the cost or value of the materials so supplied. Further, the amount of contract added to the cost of materials must not exceed the sanctioned estimate by an amount greater than that which the officer is empowered to sanction under the provisions of Paragraph 428(c);

The powers delegated *vide* G.O.Ms.No.1007, T.R. & B, Dt. 5-11-1976 under Para 431.

To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 428(c) and subject to a limit of Rs. 1,05,000/-.

In the case of Electrical Works the powers of the Executive Engineers are limited to a contract value of Rs. 50,000/-.

IV. Stores

(a) Purchase, Manufacture and Repair

432. (i) To accord administration approval to estimates for the purchase of manufacture of tools and plant (not including livestock or office furniture) subject to a maximum of Rs. 2,500/- for each estimate and to sanction estimates for regular repairs of special tools and plant other than running or working expenses up to Rs. 500/- for each estimate and for the maintenance of ordinary tools and plant up to Rs- 500/- a year for the division limited to the appropriation allotted for the division. The Divisional Engineers and Executive Engineers, may sanction estimates technically for ordinary maintenance of special tools and plant like lorries, power rollers, etc., upto Rs. 10,000 per year for each such plant

(ii) To accord administrative approval to the purchase of office furniture up to Rs.100 for each estimate.

(iii) To order any stores required for the Execution of a sanctioned work, subject to the conditions laid down in the Store Rules and Andhra Pradesh Financial Code—Vol. I to provision in the sanctioned estimates - See Paragraph 322.

(iv) To purchase or manufacture stock, sufficient to keep the stock of the division ' up to the reserve limit - *vide* Paragraphs 323 and 324.

(b). Write off

(i) To sanctioned the writing-off the returns of tools and plant of all tools and plant the book value of which has been recovered. In recovering the value of tools lost, centages must be recovered. (Govt. Memo. No, 1658/CI-79-21, R & B (C), Dt. 22-3-1982)

(ii) To write-off tools and plant in those cases where only part values have been recovered for causes which he considers reasonable.

(iii) To write-off unserviceable tools and plant and stores, the original cost of which did not exceed Rs. 250, when no value is recovered for causes which the Executive Engineer considers reasonable.

(iv) To write-off famine tools the full value of which has been recovered subject to the proviso that if such write-off affects the authorised reserves, the orders of the Superintending Engineer concerned should be obtained.

(v) To write-off finally the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.100 each case, provided that the loss does not disclose :

(1) a defect of the system the amendment of which requires the orders of :
higher authority; or

(2) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of higher authority.

(c) Disposal of Stores (other than Tools and Plant)

(i) To issue orders for the disposal, by a sale or otherwise, of surplus stores at a rate not less than the prevailing market rate in the locality at the time of their disposal or at their full book value whichever is less, and of material received from works dismantled or undergoing repairs at their estimated value, up to a limit of Rs. 2,500 *vide* Paragraph 336(a) of the Andhra Pradesh Public Works Account Code.

(ii) To sanction the sale of articles on the stock accounts to private persons when it can be done without inconvenience to the public service. Book value including storage charges plus usual charges of 10% (except where this charge is specially remitted under the provision of Para 331(a) or the full market value whichever is higher up to Rs.1,000/-.

(iii) To sanction the sale of unserviceable stores at less than their full book value when the original purchase value of the article does not exceed Rs-2,500.

(d) Sale and Dismantlement of Public Buildings

(See Paragraph 235) V. Powers of Re-appropriation 433. The following are the powers of Executive Engineer to re-appropriate funds:

(1) 50. and 81. Civil Works ;
Major Works. Subject to the following conditions :

(1) that the total of amounts proposed to be re-appropriated from or to a single major work should not exceed Rs-5,000 (Rupees five thousand only).

(2) that in the case of resumptions, the head of the department concerned should be informed of the fact, explaining, why it was not possible to spend the grant on the work in question;

(3) that the amount resumed should on no account be diverted to new major works not provided for in the budget; and

(4) that the re-appropriation are confined to works under the minor head or department;

(5) the appropriation does not involve a transfer of funds to a work or project which has not received the requisited administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded; and

(6) that the re-appropriation has not the effect of increasing the appropriation under a unit which has been reduced by a higher authority.

Minor works :—

Executive Engineers have full powers to sanction transfer of funds between the Minor works within the division subject to the following conditions :

- (1) no transfer should be made from the minor or departmental head to another
- (2) no transfer of funds should be made to a new minor work costing over Rs. 2,500 not already included in the appendix to the State Civil Works budget;
- (3) no transfer should be made to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code and when the amount so transferred involves sanction of grant in excess of the amount of the estimate if technical sanction has been accorded;
- (4) that the transfer has not the effect of increasing the total provision for minor works under a minor or departmental head under "50. Civil Works"; and
- (5) copies of orders sanctioning any re-appropriation should be communicated to the Finance Department through the proper channel and to the Accountant-General as soon as such orders are passed.

VI. Miscellaneous Powers

434. Rules and powers regarding the grant of advance of pay and travelling allowances, house-building advances etc., and contingent expenditure will be found in the Andhra Pradesh Manual of Special Pay & Allowances and Andhra Pradesh Financial Code

Vol. I and Andhra Pradesh Treasury Code, Vol. I.

E - ELECTRICAL ENGINEER'S POWERS OF SANCTION .

I. Original Works (a)

Administrative Approval

435. To accord administrative approvals to proposals for electrical works up to limit of Rs. 200 for each project subject to the restriction that the powers will not apply to proposals for first installations to buildings or for electrical works relating to residential buildings.

Note:—The powers of administrative approval are restricted to departmental works, i.e., pure Public Works Department works unconnected with any other department.

To accept the execution of contribution works upto a limit of Rs- 200 for each work

(b) Technical Sanction

To sanction technically estimates upto a limit of Rs. 2,500-

II. Ordinary Repairs

(a) (i) Ordinary and special repairs :—To sanction estimates for ordinary and special repairs to electric installations in Government buildings in his charge up to a limit of Rs.2,500.

(ii) **Emergent repairs:**—To sanction emergent repairs to any necessary and reasonable amount in the case of imminent danger to the installation explainm; immediately to the Chief Engineer, the essential necessity to utilise the powers.

(b) To prescribe lump-sum amounts for ordinary repairs under Paragraph 147 U] to Rs. 500 under the condition laid down therein.

III. Excesses over Estimates

[Same powers as of Executive Engineers of divisions - *vide* Paragraph 428(e) and 429(c)].

IV. Tenders

To accept tenders for contract for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 428(c) and subject to a limit of Rs. 5,000.

Note:-This applies to sub-works of major estimates or works sanctioned as supplementary to major estimates up to the same limit for such works.

V. Write-Off

The Electrical Engineer to Government is empowered to sanction the write-off of the value of stores borne on stock accounts damaged or lost by fraud or negligence of the individuals or other cause upto a limit of Rs. 20 for each article of similar articles written-off at a time subject to the restrictions that the loss does not disclose:

(i) a defect of system, the amendment of which requires the orders of higher authority; or

(ii) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of higher authority.

Survey reports of all such items written-off by the Electrical Engineer should be forwarded to the Accountant-General with the accounts.

In the case of losses of material which have already been debited of works, viz., Government installations, the replacements should be charged to repair estimates direct and no write-off is necessary. The Electrical Engineer may deal with such cases up to a limit of Rs. 500 for each work or installation subject to the same conditions.

V. Other Powers

In respect of other sanctions, the Electrical Engineer can exercise the same powers as of Executive Engineers of divisions

-Delegation of powers in respect of Electrical Works to the Electrical Engineer (General) on par with the Executive Engineer (R & B).

(G.O. Ms. No. 190. Transport, Roads and Buildings (B.I.) Dept.. Dt. 17-4-1986)

Ref. :— I. G.O. Ms. No. 1007, T.R. & B, dated 5-11-1976.

2. G.O. Ms. No. 43, T.R. & B. dated 12-2-1955.

3. From Chief Engineer (Building) Lr. No. DEE/Elec./8214/83-A Dt. 11-10-1985.

Order;—It has been brought to the notice of Govt. by the Chief Engineer (Buildings) in his 3rd read above, that while codifying the powers, relating to Electrical works as delegated in : G.O. first read above were not incorporated under the powers of Electrical Engineer (General) in the Andhra Pradesh PWD Code, whereas the same powers were incorporated under the powers of the Executive Engineers (Roads and Buildings). Further, the continuance of the powers of the Executive Engineer (Elect. General) ordered in the G.O. 2nd read above were delegated in G.O. Ms. No. 1865 P.W.D. dated 30-7-1966. Therefore, the Chief Engineer (Buildings) has requested to rectify

the anomaly and Issue necessary amendment to the G.O. first read above duly clarifying the powers delegated in respect of Electrical works (vide items 9 and 10 noted in the annexure to the G.O. first read above) to the Executive Engineers (Roads and Buildings) and making applicable them to Executive Engineers (General).

2, The Government, after careful consideration of the matter, hereby direct that powers delegated to the Executive Engineers (Roads and Buildings) vide items 9 and 10 of G.O. Ms. No. 1007, T.R. & B. dated 5-11-1986 shall also be exercised by the Electrical Engineers (General) henceforth.

F - POWERS OF SUB-DIVISIONAL OFFICERS

436. The powers specified in clauses (h), (i) and (j) below can be exercised by all Sub-divisional Officers (permanent and officiating) irrespective of the length of their service,

The powers specified in clauses (a) to (e) and (g) below can be exercised by :

(1) Permanent Assistant Engineers recruited from Supervisors irrespective of the length of their service as Sub-Divisional Officers;

(2) Officiating Assistant Engineers recruited from supervisors with 3 years service as Sub-divisional Officers; and

(3) Direct recruited permanent Assistant Engineers with 3 years service as Sub-divisional Officers-

The power specified in clause (d) can be exercised in full by all officiating Assistant Engineers recruited from Supervisors irrespective of the length of their service.

(a) Technical sanction to estimates for works other than those relating to residential buildings and electrical works.

Assistant Engineers should inspect all works personally costing below Rs. 1.00 lakh before submitting for sanction..

(1) Buildings designed on standard plans	1,000
(2) Buildings not based on standard plans	500
(3) Irrigation	Nil.

Note 1:—Sub-divisional Officers should consult Executive Engineers in any case of doubt regarding foundations.

Note 2 :—Selected Officers who have put in a service of not less than five years as Sub-Divisional Officers may however, be recommended by Superintending Engineers to be invested with enhanced powers up to Rs. 2,500 and Rs. 1,500 under items (1) and (2) respectively.

(b) Sanction to estimates for special repairs except in the case of residential buildings and electrical works, subject to the following limits :

(1) Roads and buildings	1,000
(2) Irrigation	Nil

(c) Sanction to estimates for ordinary repairs :

- (1) Roads and buildings excluding residential buildings and electrical works subject to the limit prescribed in

Paragraph 144 2,500

- (2) Irrigation limited to earth work or repairs to bunds and channel banks and only in accordance with T.R.S. levels and sections. No masonry works to be included 2,500

Note 1:—This does not conform powers to sanction estimates containing provision for work-establishment.

Note 2:—By the works "T.R.S. levels and sections" is meant "approved standard sections such as those given in the revised list of minor works".

(d) To accept tenders and to enter into piece work agreements on standard forms 5,000

Note 1:—Direct recruited Assistant Engineers and officiating Assistant Engineers of not less than three years' service are empowered to accept piece work agreement up to a limit of Rs.2, 500 in the case of works connected with repairs and improvement to all canals, channels and tanks irrespective of whether they form part of irrigation systems or not and to accept written undertakings (for petty works) given by contractors under Paragraph 175 of this Code-

Note 2 :—Selected officers who have put in a service of not less than five years as Sub-divisional Officers may, however, be recommended by Superintending Engineers 10 be invested with enhanced powers upto Rs. 10,000 in the matter of accepting tenders and entering into piece work agreements on standard form.

Note 3:—The above delegation in respect of "agreements" applies to piece work agreements | only subject to the following conditions:

- (i) that the agreements containing lump-sum item. or items not included in the sanctioned estimate or rates in excess of those in the sanctioned estimate or addition to or alterations in the authorised form should be accepted by higher authority than the Sub-divisional Officer;
- (ii) that for items for which lump-sum are provided for in sanctioned estimates, the agreements should specify the rates with detail and the total amount for each of the items, according to the specified rate, should not exceed the lump-sum provisions in the estimate. Provided that such specified rates are directly deductible from the accepted schedule of rates of the division and that, in cases where these rates are not so deductible, and where the total of the relevant lump-sums in the estimate exceeds Rs.50 data in support of these rates are got approved by the higher authority before the agreement is accepted.

(e) Powers to purchase tools and plant forming part of a sanctioned estimates, but not including office furniture or livestock 1,000

(f) Sub-divisional officers have no powers to sanction excess over estimates sanctioned by higher authority, nor to approve deviation statements of workslips, for estimates sanctioned by a higher authority.

(g) They can sanction urgent estimates for tank-bunds or channel banks which have been breached but which have not been investigated by the T.R.S. This is applicable only cases where the estimates referred to therein are classifiable under "ordinary repairs".

(h) Sub-divisional Officers can approve of sales of dead and fallen trees in the compounds of the public buildings or by the sides of roads in charge of the Public Works Department and on Irrigation works up to a limit of Rs. 100 in such case subject to the following conditions;

(1) that the sales are confined to trees fit for use as firewood only and to those which are less than in gift in the case of timber trees used for building purposes;

(2) that wide publicity of the sales is given which must be certified to in the sale accounts submitted by the Sub-divisional Officers; and

(3) that if any objections from the public to the notice or conduct of sales are received within a fortnight of the sales, the orders of the Executive Engineer should be taken, the sale in cases where there are no such objections being confirmed after a fortnight

(i) Sub-divisional Officers are also invested with powers to approve of sales of materials of insignificant value received from works dismantled or undergoing repairs, such as brick debris, Cuddapah slab pieces, at their estimated value up to a limit of Rs.100 subject to the condition that the articles are not required immediately for use on any works in the locality and subject also to conditions (2) and (3) in clause (h) above.

(j) Sub-divisional officers can approve of grass, fruit and fishery lease up to a limit of Rs.100 in each case subject to the condition that the period of leases shall not exceed one year and that the sale amount shall not be less than the average of the previous three years.

(k) Under Sections 255 and 59(d) of the Andhra Pradesh Forest Act, 1882, (Andhra Pradesh Act V of 1882) Assistant Engineers are invested with powers of Forest Officers within their respective jurisdiction for the purpose of compounding of forest offences committed in relation to unreserved lands (other than tank bed lands) which are solely under the control of the Public Works Department.

G - POWERS OF ASSISTANT SUPERINTENDENT, PUBLIC WORKS WORKSHOPS, HYDERABAD. SEETHANAGARAM AND THE JUNIOR SUPERINTENDENT INCHARGE OF THE WORKSHOPS AT DOWLAISWARAM

437. To approve work order estimates upto a limit of Rs-500 in each case.

H - POWERS OF CIVIL OFFICERS

I. Accord Administrative approval

A. Original works other than Residential Buildings and Electrical works

438. The following authorities have been empowered to accord administrative approval to original works, other than residential buildings and electrical works the cost of which is debitable to the Public Works grant;

The Board of Revenue	Rs. 10,000
The Commissioner of Excise	Rs. 10,000
The Chief Conservator of Forests	Rs. 10,000
The Director of Public Instruction	Rs. 5,000

The Director of Industries	Rs. 5,000
The Director of Agriculture	Rs. 5,000
The Inspector-General of Prisons and Chief Inspector of Certified Schools	Rs. 5,000
The Inspector-General of Police	Rs. 5,000
The Inspector-General of Registration	Rs. 5,000
The Commissioner of Labour	Rs. 5,000
The Commissioner of Police	Rs. 5,000
The Director of Medical Services	Rs. 5,000
The District Judges	Rs. 5,000
The Registrar of Co-operative Societies	Rs. 5,000
The Registrar, High Court	Rs. 5,000
The Superintendent of Stationery	Rs. 5,000
The Collectors and District Magistrates	Rs. 5,000
The District Magistrates (Judicial)	Rs. 5,000
The Agents to the Governor	Rs. 5,000
The Director of Fisheries	Rs. 1,000
Director of Veterinary Services	Rs. 5,000
The Chief Presidency Magistrate	Rs. 500
The Director of Stationery and Printing	Rs. 500
The Chief Secretary to Government in regard to additions and improvements to Secretariat buildings at Hyderabad	Rs. 5,000
The Director of Public Health	Rs. 1,000

Note I:—The administrative approval of the authorities empowered to accord such approval in Paragraphs 438 to 443 is indicated by their counter signature on the plans and estimates. The Assistant Inspector-General of Police, Deputy Director of Public Instruction, the Personal Assistant to the Director of Agriculture and the Personal Assistant to the Deputy Inspector General of Police, Railways and C.I.D., the Chief Conservator of Forests, the Commissioner of Labour and the Director of Medical Services with the Government of Andhra Pradesh are authorised to sign on behalf of the head of the department plans and estimates where the plans conform to an approved type design. In all other cases, the authorities empowered to accord the administrative approval should themselves countersign the plans and estimates.

In the case of original works (other than residential buildings, and electrical works and cost of which is debitable to P.W-D. Budget) which has been administratively approved by the Chief Secretary to Government, the plans and estimates may be countersigned by the Deputy Secretary (General), General Administration Department upto a limit of Rs. 5,000.

Note 2 :—(i) In the case of works relating to Stationary Sub-Magistrates' offices which are located in the same building as the Talk office, the Revenue Department shall be

deemed to be in charge of the whole building: administrative approval to such works shall be accorded by the officers of that department upto the limit of their powers. The expenditure being not from funds provided under "General Administration".

(ii) Works relating to Stationary Sub-Magistrate's offices which are located in separate or detached buildings, even though situated in the same compound with other buildings, shall be deemed to be in charge of the Judicial Department. Administrative approval to the proposal shall be accorded by the Department upto the limit of their powers, the expenditure being met from funds provided under the head "Administration of Justice".

Note 3:—The Collector of the Board of Revenue, as the case may be, should obtain the prior approval of Government to proposals for the provision of a third set of rooms or inspection bungalows with double accommodation.

B. Residential Buildings

439. The outlay chargeable to the capital account of Government residential buildings requires the sanction of Government subject to the following exceptions :

(1) The Inspector-General of Police and the Inspector-General of Prisons may accord administrative approval to works connected with constables, or jail warders' huts provided that—

(a) The amount of the estimate in each case does not exceed Rs. 5,000 (an estimate must be provided for the whole scheme contemplated at the time of its preparation and may not be split up in order to keep the expenditure within the Rs. 5,000 limit);

(b) The proposals are in accordance with the latest type-designs approved by Government; and

(c) Outside works are restricted to minor sanitary works such as drains, latrines, wells, and the like.

Note 1:—The above officers are also empowered to sanction finally the execution of the foregoing works departmentally subject to the same conditions and provided further the estimate is based on rates not exceeding those in the current schedules of the Public Works Department.

Note 2:—Under sub-clause (c) above, the officers concerned may accord administrative approval to works connected with water supply from Municipal mains to the Police lines and jail warders' huts, but Note 1 above will not apply to such works. They should be got executed by or through agency of the Public Works Department with reference to Paragraphs 196 and 254 of this Code.

Note 3:—The barracks for constables in the camps of the Malabar Special Police are to be treated as constables' huts falling under exception (1) to the rule.

(2) The authorities mentioned in Paragraphs 415, 417 and 438 may accord administrative approval to works connected with quarters for employees in inferior service up to the limit of the powers delegated to them in respect of non-residential buildings subject to provision (b) and (c) in clause (1) of this paragraph. Executive Engineers in charge of divisions can exercise similar powers, *vide* Paragraph 428.

440. The following authorities may accord administrative approval to proposals for improving the existing residential buildings subject to the conditions that the addition to the capital cost does not exceed Rs. 500 in each case and that the standard rent of the building;

will not exceed the amount of rent to be recovered of the class of tenant for whom it is intended:

The Board of Revenue. The
Commissioner of Excise. The Chief
Conservator of Forests. The Chief
Engineers. The Collectors.

The Director of Agriculture.

The Director of Industries. The

Director of Fisheries.

The Inspector-General of Prisons and Chief Inspector of Certified Schools. The
Inspector-General of Registration. The Inspector-General of Police. The
Registrar, High Court. The Commissioner of Police. The Director of Public
Instruction. The Director of Medical Services. The Registrar of Co-operative
Societies. The Director of Veterinary Services. The Director of Public Health.

The above delegation does not apply to rent-free quarters or to proposals for acquisition of land for additions to compounds of residences whatever the cost or value of the land may be.

Note '— (i) The Director of Medical Services is empowered to accord administrative approval for estimate not exceeding Rs. 200/- for improvement to rent-free quarters.

(ii) In the case of law chambers in the High Court the Registrar, High Court, shall exercise the powers of administrative approval delegated to him to a limit of Rs.500 in each case, subject to the conditions (1) that the improvements are limited to works of a minor character so as to keep the Chambers upto the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the works sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the Judge.

C. Electrical Works

(1) Non-residential Buildings

441. Outlay on the first installations of electrical works in a building requires the sanction of Government. The authorities mentioned below, have, however, been empowered to accord administrative approval for additions, improvements and alterations to existing electrical installations upto the limits specified against them.

<i>Authority</i>	Upto Rs. 1,000 forestimate.
	-Do.-
Board of Revenue	-Do.-
Chief Conservator of Forests	-Do.-
Chief Engineer (Irrigation, Buildings and Roads).	-Do.-
Chief Engineer (Electricity)	-Do.-
Director of Medical Services of Andhra Pradesh	-Do.-
Collectors and District Magistrates	-Do.-
The District Magistrates (Judicial)	-Do.-
Commissioner of Labour	-Do.-
Commissioner of Police	-Do.-
Director of Agriculture	-Do.-
Director of Fisheries	-Do.-
Director of Industries and Commerce	
Director of Public Instruction	Upto Rs. 1,000 a year for
Director of Veterinary Services District	each buildings including
Judges Inspector-General of Police	appurtenant buildings in the
Inspector-General of Prisons and Chief Inspector of	same compound.
Certified Schools	
Inspector-General of Registration	
Registrar, High Court	
Officers above the Grade of Deputy Secretary to	
Government including State Legislature	
Superintending Engineers ' Director of Stationery and	
Printing Executive Engineers	(1)

(2)

List of Powers

Note 1:—Provision of ceiling fans in Court Houses, etc...—The standard scale of electrical fittings in Court Houses, Police Stations, Jails, Hospitals and Offices (General) as approved is laid down in Appendix XXIII. This should be adopted only as a general guide and the necessity for each item should be scrutinized carefully before sanction. The competent authorities are allowed, however, to sanction any extra items in special cases, if absolutely necessary.

Note 2:—Provisions of ceiling fans for Non-Gazetted Officers in Government Offices:—

Provision of fans is allowed for Non-Gazetted officers in electrified Government buildings according to the scale laid down in Appendix XXII to the A.P.P.W.D. Code.

(2) Residential Buildings

442. Outlay on the first installation of electrical works in residential buildings requires the sanction of Government. The authorities mentioned below are however, empowered to accord administrative approval to additions, improvements and alterations to existing electrical installations in residential buildings up to a limit of Rs-500 a year for each residence, including out-houses subject to the conditions (i) that the standard rent of the quarters does not exceed the amount of rent to be recovered of the class of tenant for whom the quarters are intended and (ii) that the current consumption charges are recovered from the tenants.

The Board of Revenue.

The Commissioner of Excise-

The Chief Conservator of Forests.

The Chief Engineer (Roads and Buildings) and Chief Engineer (Electricity).

The Collectors.

The Director of Agriculture.

The Director of Industries.

The Director of Fisheries.

The Inspector-General of Prisons and Chief Inspector of Certified Schools.

The Inspector-General of Registration.

The Inspector-General of Police.

The Registrar High Court.

The Commissioner of Police.

The Director of Public Instruction.

The Director of Medical Services.

The Registrar of Co-operative Societies.

The Director of Veterinary Services.

The above delegation does not apply to rent-free quarters.

Note (i) :—The Director of Medical Services is empowered to accord administrative approval to additions, improvements and alterations to existing installations in rent-free quarters up to a limit of Rs.200 a year in each rent free quarters including out-house.

(ii) In the case of law Chambers in the High Court, the Registrar, High Court, shall, exercise the powers of administrative approval delegated to him up to a limit of Rs.500 in each case, subject to the condition (1) that the improvements are limited to works of a minor character so as to keep the Chambers upto the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the work sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the Judge.

(iii) (a) **Residential Buildings:**—The schedule of electrical fittings for Government residences will be as shown in Appendix XXII. This should be adopted only as a general guide and the necessity for each item should be scrutinised carefully before sanction. The competent authorities are allowed however, sanctioning any extra item in special cases absolutely necessary provided that the scale of electrical fittings and the recovery of rent for fans do not apply in the case of residential quarters of gazetted and non-gazetted staff at the Raj Bhavan.

(b) **Inspection Bungalows:**—The following will be the standard scale of electrical fittings for Inspection Bungalows.

- (1) **Lights** :—One in each room and one for every 30 feet of each verandah; one table light for each set of rooms (in bungalows frequently visited by officers and which have also run at a profit in each of the preceding three years).
- (2) **Ceiling/fans** :—One in each suite and one in the common room. An amount of Rs.0.13 no. will be charged for each set of rooms provided with a ceiling under occupation for 24 hours or part thereof. This is in addition to the electric charge of Rs.0.13 np. towards the average of lights.
- (3) **Wall plugs** :—One for each suite and one in the common room.
- (4) **Bowl Heaters** :—One for each suite in inspection Bungalows situated at an altitude of 3,000 feet and above.

D. Powers of the Military Secretary to His Excellency the Governor

443. The Military Secretary to His Excellency the Governor has been authorised to accord administrative approval to works connected with the Government House as below:

(i) Ordinary original works relating to His Excellency the Governor's residence and non-residential buildings,	Upto Rs. 5,000 each case.
(ii) Other residences in the Government House Compound.	Upto Rs. 1,500 each case.
(iii) Improvements and additions to electrical works.	Upto Rs. 1,500 in ¹ each case.

II. To accord Technical Sanction

444. The Collectors have been empowered to sanction estimates for Agency works technically up to a limit of Rs.5, 000 for each work.

III. To pass Excess over Estimates

445. The Collectors have been empowered to pass finally all excesses over the amounts of estimates sanctioned by them upto a limit of 5 per cent.

IV. Contracts and agreements

446. The Collectors have been empowered to enter into contracts up to a limit of , Rs. 25,000 and into piece work agreements up to a limit of Rs. 50,000 for works executed by them as Civil Officers acting as Public Works Disbursers, subject to the condition that the amount of the contract or agreement does not in the case of works costing above Rs. 5,000 exceed the amount of the sanctioned estimate and, in other cases the amount of the sanctioned estimate plus such excess as they are competent to sanction under Paragraph 445 of the Andhra Pradesh Public Works Department Code, and also subject to the condition that no addition and alterations in the authorised standard forms are made by the Agent Collectors.

Note •- The restrictions in the note to Paragraph 431 of Andhra Pradesh Public Works Department Code will also apply.

V. Stores

447. The Collectors have been empowered :

(i) to write-off tools and plant in those cases where only part values have been recovered for causes which they consider reasonable;

(ii) to issue orders for the disposal, by sale or otherwise, of surplus stores at a rate not less than the prevailing market rate in the locality at the time of their disposal or at their full book value whichever is less, and of materials received from works dismantled or undergoing repairs at their estimated value, up to a limit of Rs. 2,500, and

(iii) to sanction the sale of unserviceable stores at less than their full book value when the original purchase value of the article does not exceed Rs. 2,500.

448. The Military Secretary to His Excellency the Governor is empowered to write-off tools and plant in his charge in those cases where part values have been recovered for cases which he considers reasonable.

APPENDIX I

Agency Transaction

CENTRAL WORKS

A—PREAMBLE

1. Public Works connected with the administration of departments of the Central Government, such as Defence of India, Postal and Telegraphs, Customs, Income-tax, Salt, Currency, Ecclesiastical etc., as well as European cemeteries and such other matters of inter-state concern as may be specially notified by the President are included among Central subjects (*vide* items 1(a) and (b), 5(a) and (c), 6, 10, 11, 12 and 34 of Schedule I and items 6 and 7 of Schedule II of the Devolution Rules. The President may use the agency of the Governor in respect of such works (see Devolution Rule 46) and this Appendix deals with the financial conditions of such agency. The cost of all such works is borne by Central Government

B—RULES GOVERNING THE ACCORD OF SANCTION TO PROJECTS FOR PUBLIC WORKS

The expenditure which is chargeable to Central Revenues

I. Introductory

1. The new rules are intended to define the scope of the functions of State Government in respect of Central Works, as also of officers of the Public Works Department working either directly subordinate to or under the control of authorities directly subordinate to the President. They do not apply to works carried out otherwise than through the agency of the Public Works Department, nor should anything in them be deemed to override any special rules laid down by the Government of India for application to special cases of works, e.g., the Ecclesiastical Rules.

The general rules contained in Paragraph 1 to 32, which govern the accord of approval and sanction of Central Works, are applicable also, *mutatis* and *mutandis*, when work is executed by the Public Works Department of a Governor's State on behalf of the Central Government. But officers employed on such works will exercise in respect of them the same powers of technical sanction as they exercise in respect of State works (*vide* Rule 18).

II. Classification of the Operations of the Public Works Dept.

2-A. The operations of the department are divided primarily into two categories, original works and repairs, the first including new works, alterations, additions and purchases, the second repairs and maintenance. For the purpose of this rule, all work necessary to bring into use newly purchased or previously abandoned buildings fall in the first category,

(a) All original works and special repairs, costing more than Rs. 2,500 relating to Central Civil Buildings and Communications shall be executed through the agency of Public Works Department, Central or State as the case may be. These orders will not apply to works pertaining to the Archaeological, the Light House and the Salt Departments,

(b) In exceptional cases in which the Public Works Department is not employed for the construction of original works and special repairs costing more than Rs. 2,500 the

Audit Department shall invariably be consulted at the initial stage i.e., prior to an agreement being entered into with an architect or contractor, so that suitable provision may be made, so far as possible, for normal audit check and financial control.

(c) With regard to maintenance such buildings as have been transferred to the administrative control of departments e.g., Posts and Telegraphs and Civil Aviation buildings shall be maintained by the heads of departments concerned who will make the entire arrangements for all ordinary repairs as well pertaining thereto, without reference to the Public Works Department except where it is not possible for them to do so. In all other cases the State or Central Public Works Department will continue to be responsible for maintenance and original works, irrespective of their cost.

Note 1:—The rules in [he above sub-paragraphs (a) 10 (c) do not apply to works and repairs in connection with sanitary, water-supply and electrical installations which will continue to be governed by Rule 4 of Appendix-5 of the Civil Account Code, Volume I.

The Sail Department however, is exempted from the operation of Rule 4(a) of the Appendix referred to and that department may continue to execute departmentally works and repairs connected with sanitary, water supply and electrical installations in Government buildings under its administrative control.

Note 2 :—When a portion of an existing structure is to be dismantled and replaced, if the cost of such replacement represent a genuine increase the permanent value of the property as an asset, the work should be classed, as original work, the cost (which should be estimated if not known) of the portion replaced being credit to the. Estimate for "original work" and debited to "repairs" in all other cases, the whole cost of the new work should be charged to "Repairs",

Note 3:—The capital value of any portion of a building which is abandoned or dismantled without replacement should be written off the total capital value of the buildings as recorded in the books.

III Basic Rules applicable to all Central Public Works Executed by the Public Works Department

3. There are four main stages in the project for a Central Works, viz., administrative approval, expenditure sanction, technical sanction, and the appropriation or re-appropriation of funds. These stages are described in the following rules:—

(a) Administrative Approval

4. For every work (excluding petty works and repairs) it is necessary to obtain, in the first instance, the concurrence of the competent authority of the administrative department requiring the work. The formal acceptance of the proposal by that authority is termed "administrative approval" of the work, and it is the duty of the local officer of the department requiring the work to obtain the requisite approval to it. An approximate estimate and such preliminary plans as are necessary to elucidate the proposals should be obtained from the Public Works Department, and subject to any orders which the State Government may prescribe, the Divisional Officer may be required to provide those on the requisition of the head of the department concerned, or of such officer as is competent to accord administrative approval to the work. In cases in which the approximate estimate exceeds Rs. 10,000, the estimate and plans should be forwarded to the requisitioning authority through the Superintending Engineer. The Divisional Officer must, however in each case, exercise his judgment on the demand made and it is his duty to oppose at this

stage any application of the real necessity for which he is not satisfied- In any case in which he feels that he cannot recommend the execution of a work called for by a duly constituted authority he should explain his objection to the officer concerned and if he fails to convince him. Should refer the matter for the orders of the Superintending Engineer. The procedure prescribed in this rule will apply also to modifications of the proposals originally approved, if by reason of such modifications, revised administrative approval becomes necessary (*vide* Rule 15) and two material deviations from the original proposals, even though the cost of the same may be covered by savings on other items.

Note 1:—All archaeological conservation works are to be classified as "Repair" work. Annual or Special, as the case may be. All such conservation works require the administrative approval of the Archaeological Department.

Note 2 :—In the case of works required not for a particular department but in the interest of the general public, e.g., communications and irrigation works no formal administrative approval is required, but the State Government should lay down such rule as may be necessary to ensure that submission and the scrutiny of preliminary designs and estimates before the detailed estimate is prepared for the purpose of technical sanction.

(b) Expenditure Sanction

5. Expenditure sanction means the concurrence of the Government of India in the expenditure proposed, in cases where this is necessary, *vide* Rule 16. In all other cases the act of appropriation or reappropriation of funds (see Rule 7) will operate as sanction to the expenditure concerned. The duty of obtaining expenditure sanction where necessary rests with the department requiring the work.

(c) Technical Sanction

6. Subject to the provisions of Paragraph 135 of this Code, for each individual work proposed to be carried out, except petty works, petty repairs and repairs for which a lump-sum provision has been sanctioned under Paragraph 147, properly detailed estimate must be prepared for the sanction of competent authority, this sanction is known as the technical sanction to the estimate and except in cases such as are referred to in Rules 8 and 25 must be obtained before the construction of the work is commenced. As its name indicates it amounts to no more than a guarantee that the proposals are structurally sound, and that the estimates are accurately calculated and based on adequate data such sanction will be accorded by the officer of the Public Works Department authorised, to do. In the case of an original work, other than a petty work the countersignature of the local head of the department on behalf of which its execution is proposed or of such other officer of lower status as may have been empowered to accord administrative approval to it, should be obtained to the plans and estimate in token of his acceptance of them before technical sanction to the latter is accorded. If subsequent to the grant of technical sanction, material structural alterations are contemplated, the orders of the original sanctioning authority should be obtained even though no additional expenditure may be involved by the alterations, see Rule 23.

Note:—It is not essential that expenditure sanction should invariably be obtained before technical sanction is given; in some cases it may be convenient to reverse the orders of these stages. But, until funds for the work have actually been allotted or promised by competent authority, Divisional officer cannot be required except by his departmental superiors, to prepare the detailed plans and estimates necessary for the purpose of technical sanction.

(d) Appropriation and Re-appropriation

7. Appropriation or re-appropriation represents the allotments of a particular sum of money to meet expenditure on a specified object and is operative only for the official year for which it is made.

(a) Summary

8. It follows from the provisions of Rules 4 to 7 above that, except in cases where the omission of one or more of the stages therein referred to is permissible under other rules, it is a fundamental rule that no work shall be commenced or liability incurred in connection with it until administrative approval has been obtained, a properly detailed design and estimate have been sanctioned, expenditure sanction has been accorded and allotment of funds made. If, in any case, whether on grounds of urgency or otherwise, an executive officer required by superior authority to carry out a work or incur a liability which involves an infringement of these fundamental rules, the orders of such authority should be conveyed in writing. On receipt of such written orders or in case of emergency, on his own responsibility, the officers may proceed to carry out the necessary work, subject to the condition that he immediately initiates to the Audit Officer concerned that he is incurring an unauthorized liability and states approximately the amount of the liability which he is likely to incur.

IV. Powers of Authorities to accord Approval or Sanction to Central Public Works**(a) General**

9. A group of works which forms one project shall be considered as one work and the necessity for obtaining the approval or sanction of higher authority to a project consist of such a group of works is not avoided by the fact that the cost of each particular work in the project is within the powers of approval or sanction of the State Government and officer concerned.

Note:—While no officer may sanction any estimate for a work which cannot be fully Efficient unless other works are also sanctioned, if the cost of all such works collectively exceeds his power of sanction, it is not the intention that (wo or more works should he regarded as forming part of a group works, merely because they are of the same nature if they are otherwise mutually independent.

(b) Administrative Approval

10. Subject in the case of residential buildings to the condition that the scale of accommodation supplied shall not exceed that which is appropriate to the status of the occupant, and to the restrictions mentioned in Rule 13 below, a local Government is empowered to accord administrative approval to a work required to meet the needs of a department other than one of the departments mentioned in Rule 32 provided that the estimated cost of the work does not exceed Rs. 20,000.

11. Subject in the case of residential buildings to the condition that the scale of accommodation supplied shall not exceed that which is appropriate to the status of the occupant, and to the restrictions mentioned in Rule 13 being, the authorities specified in Rule 32 are empowered to accord administrative approval to a work required to meet the needs of their departments, provided that the estimated cost of the work does not exceed amount specified in that rule against their names.

12. When the estimated cost of a work exceeds Rs. 20,000. or in the case of work required by one of the departments specified in Rule 32, the powers of any office of the department in question the administrative approval of the Government of India i the administrative department concerned must be obtained through the State Government

13. The exercise of powers are conferred by Rules 10 and 11 above are subject to the following restrictions:

(a) No authority is entitled to accord administrative approval to estimate ft alterations or additions to a residential building, if the effect of the expenditure contemplate would be to increase the capital cost of the buildings to a figure beyond that to which the authority in question is competent to accord administrative approval in the case of a net residence.

Note:—As an exception to this sub-rule, the Public Works Department of the State Governance may, in all cases accord administrative approval to estimates for alterations and additions to existing residential buildings up to a limit of Rs. 200 in each case except in special circumstances where higher limit has been fixed by the Government of India.

(b) The powers conferred do not extend to the provision of two or more houses for the same officer

14. The State Government may, as its discretion delegate its powers o administrative approval, in whole or part, to officers subordinate to it.

(c) Excesses over amount administratively approved

15. When the expenditure upon a work exceed or is found likely to exceed the amount administratively approved for it by more than 10 per cent, or the limit prescribe! in Rules 10 and 11, whichever is less, a revised administrative approval must be obtains from the authority competent to approve the cost not so enhanced.

Note:—No revised administrative approval, is however necessary if the excess is covered b requisite expenditure sanction.

(d) Expenditure Sanction

16. Expenditure sanction were such sanction is necessary under Rule 27(3) of fl rules in the Government of India Book of Financial Powers, can be given only by Finano Department of the Government of India. Application for such sanction should be mad through the Movement of India in the administrative department concerned.

(e) Modifications in expenditure sanction

17. Any excess over the amount to which expenditure sanction has been give requires a revised expenditure sanction which should be applied for as soon as such S excess is foreseen. For the procedure in case where savings are anticipated, see Rules. and 24.

(f) Technical sanction

18. The following officers are empowered to accord technical sanction to detailed estimates for works subject to the limits stated below which are exclusive of charge establishment and tools and plant :—

	Rs.
Chief Engineer	5, 00, 000

Superintending Engineer	1, 00,000 Divisional
Officer	10,000 (g) Excesses over technical sanction

19. A revised estimate must be prepared when the sanctioned estimate is likely to be exceeded by more than 5 per cent except in the cases provided for in Note 1 under Rules 21 and 22.

20. The powers of officers of the Public Works Department to accord technical sanction to revised estimates are the same as their powers to accord original sanctions,

21. An officer of the Public Works Department may pass excesses over estimates provided that the excess is not more than 5 per cent of the amount sanctioned and does not exceed the amount up to which he is entitled to accord sanction to an original estimate.

Note 1 :—As an exception to this rule, any officer named in Rule 1 may pass excess expenditure within a limit of Rs. 100 on sanctioned original works and repairs, irrespective of the total amount of the sanctioned estimate.

Note 2 :—No officer of the Public Works Department is entitled to pass any excess over a revised estimate sanctioned by a higher authority than himself.

22. When an excess occurs at such an advanced period in the construction of a work as to render the submission of a revised estimate, purposeless and the completion report is utilised as such revised estimate under Paragraph 215 of this Code, an officer of status not lower than that of Superintending Engineer may pass the completion report if the total expenditure in question is not greater than that which he is empowered to sanction in the case of a revised estimate under Rule

(h) Modification in amount technically sanctioned

23. In cases where a substantial sanction of a project sanctioned by a higher authority than himself has been abandoned, or where material deviations from the original proposals are expected to result in substantial savings the Superintending Engineer must revise the amount of the estimate and intimate both to the Audit Officer and to the Divisional Officer that the amount of the expenditure sanction should be reduced accordingly. In cases where the saving is due to material deviations of a structural nature from the design originally approved and the amount of the revised estimate is greater than that up to which the Superintending Engineer is empowered to sanction estimates technically, a revised technical sanction must be applied for from competent authority.

24. If at any time, either before or during the construction of a work, it is found that the original estimate for it is excessive for reasons other than those mentioned in Rule 23, an officer of rank not lower than Divisional Officer may sanction a revised estimate for it, even though the amount of such revised estimate may exceed that to which he is ordinarily empowered to accord sanction. When according such sanction he should intimate to the Audit Officer that the amount of the expenditure sanction should be reduced accordingly.

(i) Technical sanction to competent parts of a project

25. In exceptional cases where it is desirable to commence work on a project to which expenditure sanction has been accorded by competent authority before the detailed estimate for the whole project has been sanctioned, it is permissible for the authority

competent to sanction the final technical estimate as a whole to accord sanction to detailed estimate for component parts of the project, subject to the following conditions;

(1) For each such work or competent part there must be a fully prepared detailed estimate, and, in the expenditure sanction as a whole, there must be a clear and specific amount corresponding to the work or component part in question.

(2) The amount of the detailed estimate must not exceed the amount included in the expenditure sanction.

(3) The sanctioning authority must be satisfied, before according sanction, that no material deviations from [he whole project as prepared for the purpose of expenditure sanction are to be anticipated, and that the amount of the technical sanction for the whole projects is not likely to exceed the amount of the expenditure sanction.

Note:—Tins rule does not apply to estimates for pans of individual buildings.

(J) Appropriation and Re-appropriation

26. The State Government has full powers to appropriate funds out of the sums allotted to it to meet expenditure from central revenues upon public works; provided—

(a) thai the work for which supply is appropriated has received such administrative approval and expenditure and technical sanction as is required by the foregoing rules;

(b) that the amount appropriated to any work does not exceed the amount approved or sanctioned by a sum greater than the excess which may be authorised under these rules;

(c) thai the provision for "establishment" is not utilised to meet any excess over the sanctioned permanent establishment or the provision made for temporary establishment;

(d) that in the case of civil works, the lump-sum provision for "minor works" is not increased;

(e) that, provision made for a new major work is not appropriated to any other item or work included in the same sub-head; and

(f) that, savings accruing from provision made for original major works in progress are appropriated only to a work or works of the same category accounted for under the same head.

27. Subject to the above conditions, the State Government may re-appropriable sums from any primary unit of appropriation to any other such unit within the head "50" provided—

(a) that no re-appropriation shall be made to meet any expenditure, other than contingent expenditure, which is likely to involve further outlay in future financial year;

(b) that no re-appropriation shall be made from or to the units "grant-in-aid" or "pay of officers";

(c) that no re-appropriation shall be made to or from the sub-heads "Dr. Major Works", "Minor Works" and "Repairs".

28. Where the conditions specified in Rules 26 and 27 are not fulfilled, the sanction of the Government of India in the Department of Industries and Labour (Public Works Branch) is required to the appropriation or re-appropriation,

29. The State Government may delegate any or all of its powers of appropriation or re-appropriation to the senior engineering officer in the State provided that the officer in question is of a status not lower than that of a Superintending Engineer,

V. Lapse of Sanction

30. The approval or sanction to an estimate for any public work other than annual repairs will unless such work has been commenced, cease to operate after a period of five years from the date upon which it was accorded—See Paragraph 136 of this Code.

VI. Communication to audit of approvals and sanctions

31. Sanctioning authorities will be responsible for the communication, to the Audit Officer concerned, of all approvals and sanctions accorded under the foregoing rules, which are not included in the monthly returns prescribed in Paragraph 212 of this Code.

32. Powers of authorities to accord administrative approval to works required to meet the needs of the Central Department specified—see Rule 11 above.

Ecclesiastical Department

State Governments (in respect of Chaplains residence) 20,000

Customs Department

Central Board of Revenue 20,000

Collector of Customs, A.P. 2,500

Salt Department

Central! Board of Revenue 20,000

Collector of Salt Revenue, A.P. 2,500

Income Tax Department

Central Board of Revenue 20,000

Commissioner of Income-Tax . 2,500

Finance Department (Accounts)

Auditor-General

Accountant General, A.P.

Accountant-General. Posts and Telegraphs and Railways
and the Controller of Civil Accounts

Paper Currency Department		
Controller of Currency	5,000	5,000
Meteorological Department		
Director-General of Observatories	5,000	5,000
Public Works Department		
Slate Governments (in the case of Public buildings appertaining to the Government of India)		1,000
Miscellaneous		
Local head of any department not specially mentioned		50
Posts and Telegraphs		
Director-General of Posts & Telegraphs	10,000	20,000
Postmaster-General	10,000	10,000
Archaeological Department		
Director-General of Archaeology in India	10,000	10,000

Note ;—So as far the works in the Customs Outposts Department are concerned powers may! be exercised by the officers mentioned below to the extent specified, subject to the existence of] budget provision for the purpose in each case:

- (1) Works executed by the Public Works Department:
Collector of Customs.
Administrative approval in respect of non-residential buildings: 10, 0
- (2) Public Works Department Works-Deputy Commissioner of Salt and Customs Revenue
Administrative approval in respect of residential and non-residential buildings. 2,1

C.—PRE-AUDIT OF SANCTIONS

33. All sanctions of the State Government to delail estimates for works excess over estimates, appropriations or re-appropriations or financial sanctions pertaining to works expenditure from Central Revenue must be pre-audit. This is not however, necessary in the case of similar sanctions or orders of authorities subordinate to the S&tc Government.

D— PROJECT FOR MILITARY WORKS

34. The following rules will regulate the design and construction of fortifications under the administration of the Public Works Department of the State Government which are designed for occupation by regular troops or which may, in certain circumstances, be garrisoned by them and of which the cost in consequence is debitable to the Military Works estimates. These rules have been laid down by the Government of India and may not be modified by any other authority :

- (i) No new works or alterations or additions to existing works should be executed until the project has been examined and passed by the Army Head-quarters. For

this purpose the project duly countersigned by the responsible civil or political authority concerned, shall be forwarded to the General Officer Commanding the District in which the fortification is situated, for submission to the authority competent to sanction the execution of the work.

(ii) Military Engineer Officers alone are to be entrusted with the supervision and execution of works of this nature. Cases in which it is not possible to comply fully with this rule should be referred to the Government of India for orders.

35. The following procedure should be observed when the State Government consider that it is necessary to design or construct defensive works, for occupation by armed forces which in times of peace are under the orders of civil or political authorities:—

(i) The opinion of the General Officer Commanding the District in whose area the work is to be situated, should first be obtained as to whether the work in question should be classed as a work of defence under Army Regulations, India.

(ii) In the event of the General Officer Commanding not considering that the work in question should be classified as a work of defence, then no further military opinion is necessary and the work may be executed by the agency usually employed by the State Government

(iii) In the event of the General Officer Commanding considering that the work contemplated should be classed as a work of defence, then—

(a) The said General Officer Commanding should be consulted in regard to the conditions which should determine the siting and general design of the work, after which the designs and estimates should be prepared by an Officer of the Military Engineers under the orders of the State Government and should be submitted to the General Officer Commanding for his remarks. The State Government should then transmit the design and estimates, together with the remarks of the General Officer Commanding therein, to the Army Head-quarters, which after examining the projects, will forward them to the Government of India for disposal.

(b) When authorised the work should be carried out under the superintendence of an officer of the Military Engineers. If necessary, application should be made to the Government of India for the services of a Military Engineers Officer for the purpose.

36. All military buildings must be constructed according to the standard design fixed by the Government of India, when such have been published; and the sanction of that Government should be obtained when any deviation from the standard is considered desirable.

37. As regards regimental buildings for which no standard plans have been published, the approval of the Government of India to the proposed design must be obtained before the commencement of the work, even though its estimated cost is within the powers of sanction of the State Government.

38. All projects connected with the choice of permanent stations for troops, or for providing permanent accommodation for a large force than is at present quartered at a station, or for the provision of any military buildings which are not comprised in the general regimental or departmental standard schemes of accommodation require the sanction

Headquarters and forwarded by them, with the Command preliminary budget to Army Headquarters for approval by the Government of India. The orders of the Government of India will be sent through Command Headquarters to State Governments and final budgets will then be prepared and published for the information of all concerned.

45. Estimates for major works, if authorised under a general or special sanction (*Vide* Paragraph 11 above require administrative approval by the General Officers Commanding under their powers in Army Instruction (India) No. 381 of 1921. When they exceed one lakh and in all cases when unauthorized they should be forwarded through the Headquarters of the Command to the Government of India for approval.

46. Technical sanction to estimates for major works may be given by State Governments up to a limit of Rs. 50,000, exclusive of establishment and tools and plant.

47. All proposals for re-appropriation for works, etc., should be submitted to General Officers Commanding for approval under their powers in Army Instruction (India) No. 381 of 1921. Applications for addition or for surrender of funds should be similarly dealt with.

48. Expenditure should not be incurred, under any circumstances, until funds have been definitely allotted for the purpose, and necessary estimates sanctioned by competent authority.

**49. Provided previous administrative approval has
been accorded III. Revised and Supplementary
Estimates**

by competent authority to the increased expenditure by competent authority, the State Government are authorised to accord technical sanction to a supplementary or revised estimate for a military work, the original estimate for which was beyond their powers of sanction, when the supplementary or revised estimate does not involve an additional charge of more than 10 per cent of the original estimate and provided also that the share of such additional charge debitable to general revenues is not more than Rs. 50,000.

(Paragraphs 200, 204 & 449 of the P.W.D. Code, Tenth edition
and G.N.NO. 1459, W., Dt. 7-10-1921)

E.—ANCIENT MONUMENTS

50. Archaeology is a central subject and under item 6(a) of Part 11 of Schedule I of the Devolution Rules the care of ancient monuments as defined in Section 2(1) of the Ancient Monuments Preservation Act of 1904 which are for the time being declared to be protected monuments under Section 3(1) of that Act devolves on the Central Government. The functions of the Public Works Department in regard to these are detailed in Paragraphs 257 and 258.

**F.—CONSTRUCTION AND MAINTENANCE OF WORKS, POSTS
AND
TELEGRAPHS DEPARTMENT**

51-(1) (i) The head of a circle in the Posts and Telegraphs Department may sanction the construction or purchase of buildings, the purchase or acquisition of land for a building and additions and alterations to buildings including residential buildings or portions of buildings, used as residences, belonging to the Indian Posts and Telegraphs Department upto a maximum limit of Rs. 10,000 excluding overhead charges in each case on condition that;—

//. Administrative Approval and Technical Sanction

39. All works paid for from Military Works Funds require the administrative approval of the Government of India conveyed by general or special order. Most of the general sanctions are embodied in Army Regulations, India, either in detail in the tabular statement of authorised accommodation, or in general terms as roads, water-supply, etc, in the preliminary paragraphs. A few general sanctions are also to be found elsewhere in Army Regulations, India, and in various letters and circulars. Works thus sanctioned are regarded as authorised works. A special sanction applies only to the works named in that sanction.

40. Because a work is authorised or has been specially sanctioned, it does not follow that it should be put in hand when the works department has funds available for the purpose. Any funds that may be available should be applied to the execution of whatever - work may be most urgently required from a military point of view.

41. In the case of minor works (cost not exceeding Rs.10,000) carried out by Military Works Agency. General Officers Commanding-in-Chief, Commands are given control of the minor works fund allotted for their Commands- From these funds, the Command authorities give assignments to Commanders of Districts or Independent Brigades, who in their turn make allotments to Officers, Commanding Stations. The correct procedure is for the Deputy Assistant Director of Military Works, who corresponds to an Executive Engineer in the Public Works Department, to prepare in consultation with the local military authorities a list of the minor works considered necessary, showing their approximate costs. The Officer Commanding the station, who is often a Brigade Commander, decides on what works the funds at his disposal are to be expended; in case of authorised works costing up to Rs. 200 he sanctions the expenditure himself when commanding a station; for works costing more than Rs. 200, when not himself a Brigade Commander he applies for sanction to the Officer Commanding Brigade, who has powers up to Rs.10,000, In the case of every work proposed for execution, each financial authority should consider whether the work is authorised or not and for any unauthorised work administrative approval should be obtained through the usual channel before expenditure on it is sanctioned.

42. Minor works funds for stations mcharge of the Public Works Department are intimated to State Government by the General Officers Commanding-in-Chief of Commands and subsequently provided in the Public Works Department budget estimates, and the system described above should be followed in principle, the State Government placing the provision for minor works included in their budget estimate at the disposal of the District Commander or Commanders concerned.

43. Administrative approval to an estimate for an unauthorised minor work costing upto Rs.10,000 will be given by the competent General Officer Commanding concerned upto his powers laid down in Army Instruction (India), No. 381 of 1921; technical sanction can then be given by the State Government.

44. Sanction to expenditure on major works is managed on the same principle. In the first place the funds available for the coming financial year are distributed by Army Headquarters to Command Headquarters, certain important works being classed "A" works and given specific allotments. The Command then prepares its preliminary budget at the same time intimating to State Governments grants for works to be carried out by Public Works Department agency. On receipt of this information, the State Governments prepare their preliminary budgets for military works, which will be submitted to Command

(a) In respect of the constructions or purchase of buildings, the expenditure, if any, on the purchase or acquisition of the site or on the installation of sanitary, water-supply and electrical installations is taken into account for the purposes of determining whether the cost of the project falls within the prescribed maximum limit;

(b) in the case of additions or alterations to residential buildings, the capital cost of any such buildings is not thereby increased beyond Rs. 10,000.

(ii) A head of a circle may also sanction the execution of all ordinary repairs to buildings belonging to the Indian Posts and Telegraphs Department provided that the expenditure involved can be met from his budget allotment for such work.

Note 1:—In these rules a head of a circle includes a Postmaster General, Dy. Postmaster General in charge of a circle, Deputy Postmaster General, Railway Mail Service, Director of Telegraph Engineering in independent charge of a circle and the Director of Wireless.

Note 2 :—These powers are subject to the limitations and restrictions laid down in the Book of Financial Powers regarding the financial powers of authorities subordinate to the President.

Note3:—The powers of a head of a circle as defined in this rule also apply in respect of unitary, water supply and electric installations in buildings including residential buildings. New installations will be treated for this purpose as additions and maintenance of installations as "repairs".

Note 4:—Rules relating to residential buildings or portions of buildings used as residences do not apply to those intended for gazetted officers.

Note 5 :—Appropriation :—The sanctioned grants will be communicated to heads of circles in the shape of lump sums allotted under the primary units of appropriations as laid down by the Government of India for the Indian Posts and Telegraphs Department. A head of a circle will have power to appropriate sum to meet expenditure falling under these units within the amounts allotted to those units provided that the Director General has power to make this appropriation.

(2) In the case of works funds shall not be appropriated to any work until it has received due administrative approval and technical sanction and the amounts so appropriated shall not exceed the amount shown for that work in the estimate to which technical sanction has been accorded.

Note 6 :—Re-appropriation :—A head of a circle may re-appropriate funds from any primary unit of appropriation within his control to any other such units provided that the Director General has power to make this re-appropriation. No re-appropriation that would have the effect of increasing or decreasing the allotments placed at the disposal of a head of a circle to cover expenditure on the revision of fixed establishment and other recurring charges permissible.

G. —WRITE-OFF

52. The State Governments are authorised to write-off finally the recoverable value of stores or public money lost by fraud or negligence of individuals or other causes upto a limit of Rs. 10,000 but must report such losses to the Government of India when the loss exceeds Rs. 10,000.

The Chief and Superintending Engineers are empowered to write-off finally the loss in any individual case upto Rs. 500 and Rs. 300 respectively, provided that the loss does not disclose (i) a defect of system the amendment of which requires the orders of a higher authority, or (ii) serious negligence on the part of some individual officer or

officers which might possibly call for disciplinary action requiring the orders of a higher authority.

Note 1 '—The expression "value of stores" used in this paragraph should be interpreted as meaning "book value" where priced accounts are maintained and "replacement values" in other cases.

Note 2:—All sanctions to write-off under this rule should be communicated to the Accountant-Gen era].

(Article 227 - Civil Account Code, Volume r, and G.O.No. 597, Finance, Dt. 1-6-1920)

H. — INAUGURAL CEREMONIES

53. The State Government may sanction expenditure on inaugural ceremonies connected with important public works chargeable to Central revenues up to a limit specified in Paragraph 47 of the Book of Financial Powers of the Government of India - (*We page 31 of the A-P. Book of Financial Powers*).

/.—Sale and Dismantlement of Buildings

54. No permanent public buildings constructed from central funds, the book value of which exceeds Rs. 10,000/- may be sold or dismantled without the sanction previously obtained of the Government of India. Permanent public buildings constructed from central funds, of which the book value is Rs. 10,000/- or less may be sold or dismantled under the orders of the State Government. This rule does not apply to military buildings regarding which, see Army Regulations, India.

(Paragraph 305 of the P,W,D. Code, Tenth edition and G.O.No. 559, W., Dt. 20-4-1921)

Note 1:—The limit of Rs. 10,000/- prescribed above applies to the book value of the whole building and not to that of the portion proposed for sale or dismantlement, (G.O.No. 2905, W., Dt. 19-11-1921)

Note 2:—Departmental officers are not allowed to remove permanent fixtures such as record racks from buildings belonging to the Central Government which are maintained by State Public Works Department without the prior consent of the Public Works authorities.

(G-O.No. 1776,W.,Dt. 16-8-1927)

J.—RESIDENCES PROVIDED FOR POLITICAL PENSIONERS

55. The State Government are empowered to sanction expenditure on repairs and improvements to residences for political pensioners subject to the total annual limit of Rs. 10,000/-.

(G.O. of India, Foreign, and Political Department No. F-89) (0-29, Dt. 2-5-1929 and G.O.No. 1636, W., Dt. 4-6-1929)

K.—ELECTRICAL INSTALLATIONS IN POSTS AND TELEGRAPHS BUILDINGS

56. Work and repairs in a connection with electrical installations in all posts and telegraphs buildings will be executed by the Posts and Telegraphs Department, Telegraph Engineering Branch.

(G.O.Ms.No. 107, W., Dt. 21-1-55 & No. 1171, W, Dt. 7-8-25)

L—CONTRACTS

57. The following fundamental principles are laid down for the guidance of authorities who have to enter into contracts or agreements involving expenditure from central revenues :

- (1) The terms of a contract must be precise and definite, and there must be no room for ambiguity or misconstruction therein.
- (2) As far as possible, legal and financial advice should be taken in the drafting of contracts and before they are finally entered into.
- (3) Standard form of contracts should be adopted wherever possible, the terms to be subject to adequate prior scrutiny.
- (4) The terms of a contract once entered into should not be materially varied without the previous consent of the competent financial authority.
- (5) No contract involving an uncertain or indefinite liability or any condition of an unusual character should be entered into without the previous consent of the competent financial authority.
- (6) Whenever practicable and advantageous, contracts should be placed only after tenders have been openly invited, and in cases where the lowest tender is not accepted, reasons should be recorded.
- (7) In selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all their relevant factors.
- (8) Even in cases where a formal written contract is not made, no order for supplies, etc., should be placed without at the least a written agreement as to price.
- (9) Provision must be made in contracts for safeguarding Government property entrusted to a contractor.
- (10) The Auditor-General and under his direction, other audit authorities have power to examine contracts and to bring before the Public Accounts Committee any cases where competitive tenders have not been sought, or where high tenders have been accepted or where other irregularities in procedure have come to light

APPENDIX I-A

Rules for the Preparation of Estimates for Military Defence Works carried out through the agency of the Public Works Department

1. Works of defence are classified by the Chief of the General Staff, Army Headquarters, as Class I, Class II or Class III, according to their importance. When considered necessary and advisable by the General Officer Commanding-in-Chief, or the Chief of the General Staff in the case of Independent Brigade areas, clearance zones (Classes A, B, C) will be prescribed and clearly demarcated in the vicinity of all works of defence, and all land with such zones will be dealt with in accordance with the Indian Works of Defence Act, 1903.

When a clearance zone has been notified, except in so far as the notification may authorise modifications, to infringement of the restrictions imposed under the Act shall be permitted by any official or private person without the previous approval of the Officer Commanding or General Officer Commanding within their powers of exemption as specified in the Act, or the Government of India.

Without the previous sanction of the Government of India, no State land within the prescribed clearance zone shall be transferred, to sold to exchanged with, or permanently occupied by, any private person or municipality or corporation not immediately subject to the executive orders of the Government of India.

2. Whenever expenditure is to be incurred from Military Funds or whenever military land or buildings are affected proposals for new works of defence, or for additions or alterations to works of defence costing over Rs. 10,000 or for any changes in clearance zones, are to be submitted to the Chief of the General Staff who will obtain the sanction of the Government of India.

Additions and alterations to works of defence costing not more than Rs. 10,000 may be approved (as unauthorised works) by the following;

General Officer Commanding-in-Chief (Quartermaster-General in the case of districts or services directly under Army Headquarters) 10,000

General Officer Commanding District 2,500

General Officer Commanding or Officer Commanding Brigade or Brigade area 500

3. When a local administration wishes to construct a defence work, the entire cost of the work will be borne by the local administration.

4. Plans of all works of defence in their areas will be maintained in the Office of the Brigade Area of District Commander and at Command Headquarters.

Copies of plans of Class I defences will be maintained by the Chief of the General Staff.

The Brigade Area of District Commander is responsible for informing all concerned of any correction to the plans-[DCODE—16]

The plans will comprise a general plan of the whole defences showing the clearance zone; also large scale plans and sections of important portions.

5. A plan of the prescribed zone will be prepared on a scale sufficiently large to show all existing buildings, variations of ground-level, banks, hedges, trees, etc., the maintenance of which has been permitted. These will also be entered on a schedule attached to the plan. The original plan and schedule will be kept by the Officer Commanding Station who will be responsible for keeping them corrected upto date and for seeing that the deviations approved by competent authority have been noted on each, the number and date of the approving letter being quoted on the schedule. The original plan and schedule will never leave the station (a copy should be made when required).

6. Brigade Area or District Commanders are responsible for the condition of all works of defence in their areas, and for seeing that the rules regarding the demarcation and control of clearance zones are strictly observed. They will arrange for the annual inspection of every work of defence.

The Engineer Officer (military or civil) charges of those works of defence should submit an annual report to the General Officer Commanding District or Independent Brigade Area regarding the structural fitness of the work generally, and a certificate regarding encroachments in the clearance zone.

7. Whenever clearance zone which it is proposed to have prescribed contain land in the occupation of civil department the Officer Commanding Station will inform the civil authority concerned of the area affected and the restrictions which will be applied. Any subsequent modification will be similarly communicated.

8. Estimates for works of defence will be prepared by the agency executing the work.

1. If the work is to be carried out by any agency other than the Military Engineering Service the estimates will be prepared in consultation with the Commander, Military Engineers, or such Military Engineer Officer as may be nominated by the General Officer Commanding District or Independent Brigade Area, or higher military authority. The Commander, Military Engineers' or such Special Military Engineer Officer as may have been detailed, will be responsible for inspecting the work during construction in consultation with the agency charged with the execution, and on completion will furnish a certificate to the General Officer Commanding District or Independent Brigade Area regarding the fitness of the work, a copy of the certificate being given to the agency, executing the work.

9. Should the civil authority wish to use for the accommodation of their staff or for other purposes any portion of a work of defence which is maintained from military funds the question of rent, etc., will be dealt with under the ordinary rules, and occupation will be subject to the condition of inspection at any time by the military authorities and to the right of re-occupation without notice in case of emergency.

APPENDIX II**Contracts and Agreements involving Liabilities
on the part of the State**

The following rules are laid down to regulate the powers of the Government of India and of the State Governments and Administrations to enter into or sanction contracts and agreements involving liabilities on the part of the State, They are in force by virtue of Section 130 of the Government of India Act of 1919.

STATUTORY RULES

The following provisions and restrictions are prescribed by the President in exercise of the power reserved to him by Statutes 22 and 23 Vici. Chap- 41, Section 1, and shall apply to all concessions, grants, leases and contracts (except such as may be made under any special legislative sanction) made or entered into by the Government of India, or by a local Government or Administration or other authority in India, to or with any person, firm, company, syndicate, municipality, or other public body who or which has applied for the same for minings or any other industrial or manufacturing purposes or for the purposes of any railway, tramway, water-works or other undertaking of a like nature, not being for ordinary agricultural or settlement purposes or for the purposes of securing the exploitation of forest produce from Slate forests:

I. No concession, grant, or lease of land, or mineral or forest rights, or right of water power or to right of way or other easement or of any privilege in respect of land, mineral or forest rights, of right of water, power or of an easement and no contract involving the execution or maintenance by the Government of works, shall be made or entered into by the Government of India lo, with or in favour of any person, firm, syndicate, company, municipality or other public body for any of the purposes above mentioned without the express sanction of the President of India.

If such concessions, grant, lease or contract :

- (a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or cancellation by the Government of India at any time during such period on the expiry of six months notice to the effect, and imposes on the revenues of India an annual liability in excess of fifty thousand rupees; or
- (b) imposes on such revenues a charge or expenditure liability or damages in excess of twelve lakhs of rupees; or
- (c) involves the cession of property or rights of which the estimated value exceeds twelve lakhs of rupees.

II. No concession, grant or lease of land of mineral or forest righis, or right to water power, or of right of way or other easement or of any privilege in respect of land, of mineral or forest rights, of right to water power, or of an easement and no contract involving the execution or maintenance by Government of works, shall be made or entered into by any Slate Government or Administration or other authority in India to, with or in favour of any person, firm, company, syndicate municipality or other public body for any of the purposes above mentioned without the express sanction of the Government of India.

If such concession, grant, lease or contract:

- (a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or concealment by Government of India at any time during such period on the expiry of six months' notice to that effect, and imposes on the revenues of India an annual liability in excess of fifty thousand rupees; or
- (b) imposes on such revenues a charge or expenditure or liability to damages in excess of twelve lakhs of rupees; or
- (c) involves the cession of property or rights of which the estimated value exceeds twelve lakhs of rupees.

III. No such concession, grant, lease or contract shall be made by any State Government or Administration or other authority in India to, with or in favour of any person, firm, company, municipality, or other public body for any of the purposes above mentioned without the express sanction of the Government of India.

If such concession, grant, lease, or contract:

- (a) is intended to endure for a period exceeding five years, and is not accompanied by an unconditional power of revocation by the Government at any time during such period on the expiry of six months' notice to that effect, and imposes on the revenues of India an annual liability in excess of five thousand rupees; or
- (b) imposes on such revenues a charge or expenditure for liability to damages in excess of one lakh of rupees; or
- (c) Involves the cession of property or rights of which the estimated value exceeds one lakh of rupees.

IV. No transfer of any such concession grant, lease or contract, or of any part thereof, of any interest therein, or any under-letting, shall be recognised as valid except it be made with the express assent of—

- (a) Government of India in cases falling within Rule I, or
- (b) the Government of India in cases falling within Rules I or II.
- (c) the State Government or Administration in any other cases. And the Government of India, as the case may be, may in his or their absolute discretion refuse such assent.

V. In every writing intended to express any concession, grant, lease or contract which fall within these rules; it shall be expressly declared that such concession, grant, lease or contract is granted or made subject to them.

VI. When the assent of the Government of India is rendered by these rules necessary to the validity of any concession, grant, lease or contract, or to the transfer thereof, it shall be signified under the hand of an Under Secretary of State; and when the assent of the Government of India is so required, it shall be signified under the hand of a Secretary of that Government.

VII. The foregoing Rules I to VI inclusive, shall not apply to any concession, grant, lease, or contract for any of the purposes mentioned in Rule 1, if made under any Special rule, issued or approved, by the Government of India.

SUPPLEMENTARY RULES

Rule A—In cases where it is considered expedient to grant concessions or to make agreements, such as those contemplated in the Statutory Rules, the deed of concession or

the agreements, if the rights under it are transferable must be so framed that it will be beyond the power of grantees or contractees to transfer their rights' or any part of them, except with the sanction of the Government of India, or of State Government and Administration in cases coming within their cognizance,

Rule B—all such concessions and agreements will further be subject to any special provisions made by Government to meet particular cases.

Rule C—before any agreement or concession of the class referred to is submitted for the approval of the Government of India, its terms should be considered the Law Department of the State Government and by the highest legal adviser to that Government.

Rule D—the foregoing rules shall not apply to any concession, grant, lease or contract for any purposes mentioned in the Statutory Rules, it made under any special rules or approved by the Government of India.

APPENDIX III**Statement showing the different classes of Deeds, Contracts and other instruments which may be executed by the Public Works Department and the authorities empowered to execute them***(Vide Paragraph 159 of this Code)*

(G.O.Ms.No. 1632, General Administration (Services-C), Department, Dt. 24-10-1958) Contracts, deeds and other instruments - Persons authorised to execute on behalf of the Governor.

In exercise of the powers conferred by clause (1) of Article 299 of the Constitution of India, and in supersessions of all the notifications in force on the subject, the Governor of Andhra Pradesh hereby directs that the under mentioned classes of deeds, contracts and other instruments shall be executed as follows :

Subject**Authority
authorised
w**

In the case of Public Works Department (subject to any such limit fixed by departmental orders)—

- (a) All instruments relating to the purchase, supply and conveyance or carriage of material, store, machinery, etc.
- (b) All instruments relating to the execution of works of all kinds connected with buildings including electric installations), bridges, highways, canals, tanks, reservoirs, docks, harbours and embankments and also instruments relating to the construction of the water works, sewage works, the erection of machinery and the working of coal mines.
- (c) Bonds of auctioneers and security bonds for the due performance and completion of works.
- (d) Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint
- (e) Leases for grazing cattle on canal banks or road side; for fishing in a

By the Secy. to Govt., Public Works Dept., Chief Engineers, Supdtg. Engineers, Director, Engineering Research Department, Supdt. of Works, Divisional Engineers (Highways), Divisional Officers, sub-divisional Officers in the Highways, Buildings and Irrigation Branches and Water Works

canal, lake and reservoir for the cultivation of land under the Irrigation Department, leases of water for irrigation and other purposes and leases of water for power; and instruments relating to the sale of grass trees or other produce on road side or in plantations,

Note:—Sub-Divisional Officers are authorised to execute fishery leases and leases of grass and usufruct of trees to village panchayats upto a limit of Rs. 5 in each case and subject to the conditions that the period of the lease does not exceed one year and that the amount of the lease is not less than the average of previous three years.

(f) Lease of houses. Land or other

immovable property and grants made under the Crown Grants Act, 1895 (XV of 1895) of lands under the control of the P.W.D., and Highways Dept., provided that the rent reserved shall not exceed Rs. 5000 a month.

(g) All instruments connected with the reconveyance of properties given as security-

(h) All instruments connected with the Collection, framing of tolls at bridges, ferries or other means of Communication provided by the State Government.

(i) Agreements for the recovery of fines on account of the drift wood or other timber passing into a canal.

Supdt. of Works, Divisional Officers and Sub-Divisional Officers in the High-ways Buildings and Irrigation Branches and Water Works

o) By the Chief Engineers, Superintending Engineers, Director, Engineering Research Department, Superintendent of Works, Divisional Officers and Sub-Divisional Officers in the High-ways Buildings and Irrigation Branches and Water work.

Do.

Do.

By the Chief Engineers. Superintending Engineers, Director, Engineering Research Dept., Supdt. of Works, Divni. Officers in the Irrigation Branches.

Agreements relating to the loan of tools and plants to contractors and

others. Contracts and other [G.O.Ms.No. 104. G.A. (Ser. C), Dt. 20-1-

(k) instruments 1960] By the Sanitary Engineer to Govt.

relating to water-supply and drainage works in the Sanitary Engineering Branch except Hyderabad and Secunderabad.

(l) Contracts and other instruments

relating to water supply and drainage works in Hyderabad & Secunderabad.

(m) All deeds and instruments relating to any matters other than those specified in heads (1) to (1).

By the Executive Engineer, Hyderabad Water Works, Superintending Engineer and Chief Engineer (Buildings).

By the Secretary to Government, Public Works Department.

Contracts, deeds and other instruments connected with the administration and working of the Electricity Department.

Chief Engineer for Electricity and Addln. Chief Engineer for Electricity upto 31-3-1959 and Chief Engineer, Electricity Projects from 1-4-1959 and subject to any limits and conditions fixed by Departmental Orders by Superintending Engineers and by Executive Engineers incharge of Power Systems.

[G.O.Ms.No. 1709, G.A, (Ser. C), Dt. 1-12-1959]

Contracts and piece-work agreements connected with the execution of electrical works.

By the Chief Engineers (General and Buildings) and Electrical Engineer (General) and subject to any limits and conditions fixed by Departmental orders by Executive Engineers and Assistant Engineers of the Electricity Departments.

Local Administration (Engineering Branch) (1) Contracts and other instruments for the purchase, supply, conveyance and carriage of building material, stores machinery and the like, and the provisions of labour for buildings and other works.

(a) above Rs. 2, 50,000/- (To) upto Rs. 2, 50,000/- (c) upto Rs. 25,000/-

(d) upto Rs. 5,000/- (Piece-work agreements on standard forms).

(e) upto Rs. 5,000/-

(2) Mortgage deeds given as security in connection with the employment of clerks, cashiers etc., who are incharge of cash transactions or custody of securities.

(a) Full powers in respect of officer staff.

(b) Full powers in respect of officer staff.

(c) Full powers in respect of officer staff. By the Chief Engineer, Local Administration and Public Health.

By the Sanitary Engineer, or Superintending Engineer. |

By the Executive Engineer Public Health. C.I.B.. District Water Works, and Well Sinking Division. 4

Divisional Engineers, Local Administration (Asst. Engineer's rank).

By die Assistant Engineers, Public Health, C.I.B-, District Water Wort«| and Well Sinking. •

By the Chief Engineer, Local Adminis-, tration and Public Health.

By the Sanitary Engineer or Superintending.

By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division,

(c) upto Rs. 1,000/-

By the Executive Engineer, Public Health, C.I.B, District Water Works and Well Sinking Division, Divisional Engineers, Local Administration (Asst.) Engineer's rank).

(6) Lease of houses, land or other movable property and their re-conveyance.

(a) Full powers.

By the Chief Engineer, Local Administration and Public Health.

(b) upto Rs. 50,000 (value of property).

By the Sanitary Engineer or Superintending Engineer.

(c) upto Rs. 5,000 (value of property).

(7) Bonds of auctioneers and security bonds for the due performance and completion of works.

(a) Full powers.

By the Chief Engineer, Local Administration and Public Health-
By the Sanitary Engineer or Supdig, Engineer.

(b) upto Rs. 2, 50,000 (value of property to be auctioned and security deposited by the auctioneer).

By the Executive Engineer, Public Health, C.I.B. District Water Works and Well Sinking Division.

(c) upto Rs. 25,000 (value of property to be auctioned and security deposited by the auctioneer),

By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division ; the Divisional Engineers Local Administration (Assistant Engineer's rank); the Local Engineers (Sub-Engineers).

(8) Agreements relating to the loan of tools and plants to contractors and others.

(a) Full powers.

Chief Engineer for Electricity and Addnl. Chief Engineer for Electricity upto 31-3-1959 and Chief Engineer, Electricity Projects and Chief Engineer, Electricity Board from 1-4-1959.

Contracts of agreements in respect of supplies of coal to the Government Electricity Dept-, for which lenders have been accepted by the Chief Engineer (Electricity).

[G.O.Ms.No. 1709, G.A. (Ser. C), Di. 1-12-1959]

APPENDIX IV

Instructions Regarding the Preparation of Indents and the Examination of the English Stores

[Deleted]

Instructions regarding the Testing of Stores Purchased in India

Acids The list given in the margin indicates Cement, Portland
some of the materials which are Chemicals commonly sold in an
adulterated con-Disinfectants dition or of an inferior quality. Ingots—
Brass

Varnishes

Inspection during manufacture of structural work undertaken on behalf of Government by the Engineering firms in Bombay and Calcutta is provided for by the Indian Stores Department and the assistance of the Chief Controller of Stores (Inspection Branch) Indian Stores Department, may be obtained in suitable cases.

APPENDIX VI**Rules for the occupation of Inspection Bungalows***(Vide Paragraph 286 of this Code)***A****Rules applicable to an inspection bungalow to the use of which officers of the Public Works Department have no preferential right**

1. Each inspection bungalow is in charge of the Executive Engineer of the division, but its use is subject to the control of the Collector of the district.

2. In cases of emergency which render it imperatively necessary that accommodation should be reserved for officers of the Public Works or the Electricity Department, the Collector may, in consultation with the Superintending Engineer, Public Works Department, or the Chief Engineer for Electricity as the case may be accord a preferential right to the use of the bungalow to the officers of the Public Works and Electricity Departments as a Temporary arrangement, subject to the condition that as between officers of the Public Works Department and those of the Electricity Department, the former will have the prior right. Subject to this limitation, Hon'ble Ministers of Government, all gazetted officers of Government, non-official Presidents of Panchayat Raj, Panchayat Raj Engineers, District Health Officers and the President and Commissioners of the Hindu Religious Endowments Board on tour in their official capacity shall have the right to use the bungalow; but the Collector, in concurrence with the Superintending Engineer, may forbid any such officer the use of the bungalow, if it is shown that he had used improperly. Non-gazetted officers of Government, Zilla Parishad Assistant Engineers and District Panchayat Officers may not use the bungalow unless they have special permission from the Collector. Members of the general public may use the bungalow with the previous permission of the Collector; but the Collector, after consulting the Superintending Engineer, may reserve it for the use of the Government Officers, non-official President of Zilla Parishads, Panchayat Raj Engineer, District Health Officers and the President and Commissioners of the Hindu Religious Endowments Board on tour in their official capacity either temporarily or permanently.

The Collector of a district may accord general permission for the use of the inspection bungalow in the district to members of the Legislative Council, the Legislative Assembly and Parliament and District Panchayat Officers who may apply for it before undertaking a journey through the district. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars for the use of specified inspection bungalows in the district in places where no other suitable accommodation is available for mem.

Note:—Tourism members of the Federated Association in the Eastern Touring Federation and foreign tourists who possess the Tourist Introduction Cards issued by the Government of India are permitted to occupy the bungalow at any time without first obtaining the permission of the Collector concerned or of other officers in whose charge the bungalow may be, subject to the following conditions;—

- (1) that accommodation is actually available at the time;
- (2) that they pay the stipulated fee;

- (3) that they do not occupy the bungalow for more than 18 hours;
- (4) that they vacate the bungalow immediately without dispute if accommodation is wanted for a Government official even during the period of their occupation;
- (5) that if they desire to extend the period of occupation beyond 18 hours they should obtain forthwith the sanction of the competent authority in the normal course;
- (6) that when accommodation has already been previously reserved by the Collector, or under his order, the members of the Automobile Association and the foreign tourists as such, should not occupy the bungalow, on any day it is so reserved even if, when they arrive, it is unoccupied-except for the purpose of taking a meal which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected; and
- (7) that they show to the watchman of the bungalow their current Federated Associations in the Eastern Touring Federation Membership Cards, signed by the Secretary of the Association and bearing the Association seal, and Tourist Introduction Cards issued by the Government of India respectively,

3. The order of precedence for the occupation of inspection bungalows of this class will be as shown below :—

- (1) Hon'ble Ministers,
- (2) Parliamentary Secretaries to Hon'ble Ministers,
- (3) Heads of Departments having jurisdiction throughout the Presidency,
- (4) District Collectors and other Gazetted Officers of the Revenue Department, Deputy Inspector-General of Police, Superintending Engineers, Conservators of Forests and other Gazetted Officers of Government, who have jurisdictions over more than Revenue district,
- (5) Members of the State Legislature, the Lok Sabha and the Rajya Sabha,
- (6) Gazetted Officers of the rank of District Officers of other departments,
- (7) Other Gazetted Officers of the Government,
- (8) Non-official Chairman of Zillah Parishads, the President and Commissioner of Ae Hindu Religious Endowments Board,
- (9) Non-Gazetted Officers of the Government, District Panchayat Officers, Assistant Commissioners of the Hindu Religious Endowments Board and the Consulting Engineer and Architect to Hindu Religious Endowments Board,
- (10) Members of the general public.

A member of any of the above categories may be required to vacate after 24 hours' occupation in favour of any other member of the same category as his and after six hours' occupation in favour of any member in any category higher than his own.

In cases of civil disobedience, the District Magistrate will have discretion to vary the normal order of precedence in respect of the Gazetted Officers of the Police Department provided the Hon'ble Ministers are not affected.

Note 1:—The expression "General Public" occurring in the above rule includes non-gazetted officers of Indian States,

Note 2:—The term "Chairman of Zilla Parishad" includes a President-delegate or a Vice-President, while discharging the function of a President.

Note 3:—Gazetted Officers of Indian States may occupy the inspection bungalow in the district adjoining Indian States on the same conditions as the Gazetted Officers of the Government of Andhra Pradesh-

Note 4:—The Inspector, Military Indian Army Service Corps, the Collector of Military Accounts, Southern Command, and the Deputy and Assistant Controllers and Deputy Assistant Controllers of Military Accounts will be ranked among the Gazetted Officers of the State for purposes of these rules.

Note 5:—The Controller of any Army Factory Accounts, the Director, Geological Survey of India, the Gazetted Officers of their staffs will be ranked among the State Gazetted Officers while the non-Gazetted Officers of their staff will be ranked among State non-Gazetted Officers for purposes of these rules.

4. All persons occupying the bungalow will be charged fees at the following rates:

	First	Second
	Class	Class
Fee payable for a single day of 24 hours		
bungalow bungalow		
A single person	2-00	1-50
Married couple or a single person accompanied by a member of his family		
4-00 3-00		

Note '.—Family includes the wife and children including an adopted son and step-children of a Government servant residing with and wholly dependent on him - *vide* Rule 2 of the Andhra Pradesh Travelling Allowances Rules.

(i) A fee of 0.50 paise per day in the case of a first class bungalow and 0.25 paise per day in the case of second class bungalow will be charged for every additional member of a touring officer's family accompanying him, in excess of one but not more than four.

No fee shall be charged for the son and daughters of an officer who have not attained the age of 18-

An assistant or any other person who is not a member of the family of the officer should be charged as for a member of the family when only one set of rooms is available for occupation. If on the other hand the other set of rooms is also available for occupation at the time, such a person should be charged as an independent occupant though he does not occupy it, but occupies the same set of rooms as the officer.

(ii) For parties exceeding five in number, the fee will be five times, the fee chargeable for a similar occupation by a single person.

(iii) A day's fee will be charged for an occupation of 12-24 hours duration and half a day's fee will be charged for a period less than 12 hours.

Note:—This rule will apply in all cases whether the total period of occupation is less than 24 hours or more than 24 hours.

(iv) Payment of full fees for the occupation of a bungalow gives me right to pitch tents in the compound without extra charge. When the bungalow is not occupied, half the

A person occupying the bungalow should enter under the column headed 'name' his own name and below that state the particular member or members of his family, if any, that has accompanied him specifying merely the relationship.

7. All persons occupying the bungalow shall be responsible for any damage they or their servants or followers may cause to the buildings or to the fittings.

8. All officers' subordinates and members of the general public occupying a bungalow are required to pay without fail the rent due before they vacate the bungalow. Any case of failure on their part in this respect will be brought to the notice of the Executive Engineer and, if, necessary, to that of the Collector.

9. Occupation of a bungalow by an officer or married couple or a single person accompanied by a member of his family shall only give exclusive right of occupation of one set of rooms.

10. Whenever the bungalow is occupied, the occupants should ask the watcher to produce the sweeper for doing scavenging service and pay the sweeper at the rates fixed by the Public Works Department in accordance with the local scavenging wages. The fact of having paid the scavenger's wages should be entered in a column in the inspection bungalow book by the occupants before they vacate.

On the days on which more than one set of rooms in the bungalow are occupied, the sweeper's daily wages should be paid in equal shares by the occupants.

Note 1 '.—This rule is applicable only to inspection bungalows within municipalities which do not levy scavenging tax and also to those within Panchayat Board limits.

Note 2:—The Executive Engineer of the division concerned should enter at the foot of the copy of the rules, hung in the bungalow, the rate of daily wages that should be paid to the sweeper in accordance with the local scavenging wages.

11. Any laxity on the part of the inspection bungalow watcher should be noted in the book that is maintained in the bungalows.

12. A copy of the rules is to be hung in each bungalow, stating the class of that bungalow and whether it is available for use by the general public.

B

Rules applicable to an inspection bungalow to the use of which officers of the Public Works Department have a preferential right

1. Each inspection bungalow of the class is in charge of Executive Engineer of the Division, but its use is subject to the control of the Collector of the District.

2. "Ministers of Government have a preferential right to the use of the Bungalow, Officers of the Public Works and Electricity Departments, R & B, have the next preferential right in respect of the Inspection Bungalows in non-Municipal areas, subject to the condition that as between officer of Public Works Department and those of the Electricity Department, R&B, the former will have the prior right". Officers of other departments of Government, non-official Presidents of Districts Boards, District Board Engineers, District Health Officers, the President and Commissioners of the Hindu Religious Endowments Board, Zilla Parishad Assistant Engineers and District Panchayat Officers or tour in their official capacity and members of the general public may occupy the bungalow on the understanding that they should vacate it at once if required by an Hon'ble Minister of Government or an Officer

of the Public Works Department or the Electricity Department, Non-Gazetted officers other than those of the Public Works Department and the Electricity Department, Zilla Parishad Assistant Engineers, District Panchayat Officers and members of the general public should obtain special permission from the Collector for using the bungalow. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars, for the use of specified inspection bungalows in the district in places where no other suitable accommodation is available for mem. The Collector of a district may accord general permission for the use of the inspection bungalows in the district to members of the Legislative Council, the Legislative Assembly and the Council of State and District Panchayat Officers who may apply for it before undertaking a journey through the district. The Executive Engineer concerned may reserve any such bungalow for the use of Government officers of departments other than the Public Works and Electricity Departments on tour in their official capacity, subject to the clear understanding that they should vacate it immediately if required for the use of officers of the Public Works Department and the Electricity Department.

Note:—Touring members of the Federated Association in the Eastern Touring Federation and Foreign tourists who possess the Tourist Introduction Cards issued by the Government of India are permitted to occupy the bungalow at any time without first obtaining the permission of the Collector concerned or of other officers in whose charge the bungalow may be, subject to the following conditions :—

- (1) the accommodation is actually available at the time;
- (2) that they pay the stipulated fee;
- (3) that they do not occupy the bungalow for more than 18 hours;
- (4) that they vacate the bungalow immediately without dispute, if accommodation is wanted for a Government official even during the period of their occupation;
- (5) that if they desire to extend the period of occupation beyond 18 hours, they should obtain forthwith the sanction of the competent authority in the normal course;
- (6) that when accommodation has already been previously reserved by the Executive Engineer, the members of the Automobile Association the foreign tourist as such, should not occupy the inspection bungalow, on any day it is so reserved even if, when they arrive, it is unoccupied except for the purpose of taking a meal which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected; and
- (7) that they show to the watchman of the bungalow their current Federated Association in the Eastern Touring Federation Membership Cards signed by the Secretary of the Association and bearing the Association seal, and Tourist Introduction Cards issued by the Government of India respectively.

3. All persons occupying the bungalow will be charged fees at the following rates:

<i>First</i> <i>Second</i>		<i>Fees payable for a Single day of 24 Hours</i>		<i>Class</i>	<i>Class</i>
bungalow	bungalow				
	A single person		2-00	1-50	4-00
	Married couple		3-00		

Note:—Family includes the wife and children including an adopted son and a step-child of a Government servant residing with and wholly dependent on him - *Vide* Rule 2 of the Andhra Pradesh Travelling Allowance Rules.

(i) A fee of 0.50 paise per day in the case of first class bungalow and 0.25 paise per day in case of a second class bungalow, will be charged for every additional member of a touring officer's family accompanying him, in excess of one but not more than four.

No fees shall be charged for the sons and daughters of an officer who have attained the age of 18.

An assistant of any other person who is not member of the family of the office should be charged as for the members of the family when only one set of room is available for occupation. If on the other hand the other set of rooms is also available for occupation at the time, such a person should be charged as an independent occupant though he does not occupy it, but occupies the same set of rooms as the officer.

(ii) For parties exceeding five in number the fee will be five times the fee chargeable for similar occupation by a single person.

Note:—Parties of person's will be permitted to occupy the bungalows only when the bungalow can be made wholly available for their use but not when only one set of rooms therein is available. The previous permission of the Collector should be obtained in all such cases.

(iii) A day's fee will be charged for an occupation of 12-24 hours and half a day's fee will be charged for a period less than 12 hours.

Note:—This rule will apply in all cases whether the total period of occupation is less than 24 hours or more than 24 hours.

(iv) Payment of full fees for the occupation of a bungalow gives the right to pitch tents in the compound without extra charge. When the bungalow is not occupied, Half the ordinary fee should be paid for the privilege of pitching tents. An officer occupying bungalow has prior claim to the use of out-houses and stables attached to the bungalow. Subject to this condition, they are available without further charge for the use of office occupying tents in the compound. A charge of 0-25 paise per day will be levied for the use of the stables, coach house, motor-shed or such out-houses only.

(v) In cases where an officer sends his saman in advance with the object of occupying the bungalow or of pitching tents in the compound, or vacates the bungalow before his camp equipment is moved, rent will be charged for the days the officer actually stays, provided that the saman is stored for not more than 24 hours before the arrival and after the departure of the officer. Rent at half rates will be levied for period in excess of this limit.

(vi) In the case of inspection bungalow which have electric installations, enhanced fees shall be paid as specified in the supplemental rules which will be issued by the Executive Engineer of the Division concerned after obtaining the approval of Government to enhanced fees. A copy of the supplemental rules shall be hung in the bungalows by the side of the printed rules already exhibited therein.

Such additional fees should be charged whether electric energy is used or not in so long as the electric installation is in working order. But when the electric installation is in a working order or under repairs or renewal, the occupant should not be charged either for the electric installation or for the electric energy. The additional fees for electric installation

Should not also be charged, if only tents are pitched in the compound of the inspection bungalow.

(vii) If a bungalow which is reserved for a specific period for an officer reference to the last sentence of Rule 2 above is occupied by him from the first day of reservation but is vacated before the expiry of the full period of reservation, rent should be recovered from him only for the actual period of his occupation, provided his departure is promptly notified to the nearest Public Works Department official and the notice of reservation hung up in the bungalow is removed immediately after it is vacated. If the bungalow is not occupied by the officer on the first day of reservation and the reservation is not cancelled before that date, rent should be recovered from him for the days covered by the reservation until the date he occupies it or until the reservation is cancelled whichever is earlier.

4. The Collector of the district is authorised to charge higher fees, whether temporarily or permanently, for special reasons after consulting the Superintending Engineer.

5. Subject to the preferential rights of the Hon'ble Ministers of Government and the officers of the Public Works and the Electricity Departments, the order of precedence for occupation of these bungalows will be shown below:

(1) Gazetted Officers of other Departments of Government.

(2) Members of the State Legislative, of the Assembly and Council and the Council of State.

(3) Non-official Presidents of Zillah Parishads and the President and the Commissioners of the Hindu Religious Endowments Board.

(4) Non-gazetted officers of other Departments of Government and Consulting Engineer and Architect to the Hindu Religious Endowments Board, A.P.

(5) Zillah Parishads Assistant Engineers, District Panchayat Officers, members of the general public and Consulting Engineer and Architect to the Religious Endowments Board, Hyderabad.

A member of any of the above categories may be required to vacate after 24 hours' occupation in favour of any other member of the same category as his and after six hours' occupation in favour of any member in any category higher than his own.

Note 1:—The expression 'general public' occurring in the above rule includes non-Gazetted Officers of Indian States.

Note 2:—the term 'President of Zilia Parishad' includes a President-delegate or a Vice-President, while discharging the functions of a President.

Note 3:—Gazetted Officers of Indian States may occupy the inspection bungalows in the district adjoining Indian States on the same conditions as the Gazetted Officers of the Government of Andhra Pradesh other than the officers of the Public Works and Electricity Departments,

Note 4 :—The Inspector, Military Indian Army Service Corps, the Controller of Military Accounts, Southern Command and the Deputy and Assistant Controllers and Deputy Assistant Controllers of Military Accounts, will be ranked among the Gazetted Officers of the State for purposes of these rules.

Note 5 :—The Controller of Army Factory Accounts, the Director, Geological Survey of India, and the Gazetted Officers of the staffs will be ranked among the State Gazetted Officers while

the non-Gazetted Officers of their staffs will be ranked among State non-Gazetted Officers for purpose of these rules.

Note 6:—as a reciprocal arrangement, the officers of the Irrigation Branch of the Punjab Government, visiting of the A.P. State on duty, may use these bungalows free of rent, with the previous approval of the Chief Engineer (Irrigation).

6. A book shall be kept at the bungalow in which all persons stopping there shall be required to enter their names, time of arrival and departure and the fees due and paid. A person occupying the bungalow should enter under the column headed 'name' his own name and below that state the particular member or members of his family, if any, that has accompanied him specifying merely relationship.

7. All persons occupying the bungalow shall be responsible for any damage they or other servants or followers may cause to the buildings or fittings.

8. All officers, subordinates and members of the general public occupying a bungalow are required to pay without fail the rent due before they vacate the bungalow. Any case of failure on their part in this respect will be brought to the notice of the Executive Engineer and, if necessary, to that of the Collector.

9. Occupation of a bungalow by an officer or married couple shall only give exclusive right of occupation of one set of rooms.

10. Whenever the bungalow is occupied, the occupants should ask the watcher to produce the sweeper for doing scavenging service and pay the sweeper at the rates fixed by the Public Works Department in accordance with the local scavenging wages. The fact of having paid the scavenger's wages should be entered in column in the inspection bungalow book by the occupants before they vacate.

On the days on which more than one set of rooms in the bungalow are occupied, the sweeper's daily wages should be paid in equal shares by the occupants.

Note 1:—This rule is applicable only to inspection bungalows within municipalities which do not levy scavenging tax and also to those with Panchayat Board limits.

Note 2:—The Executive Engineer of the division concerned should enter at the foot of this copy of the rules, hung in the bungalow, the rate of daily wages that should be paid to the sweeper in accordance with the local scavenging wages-

11. Any laxity on the part of the inspection bungalow watcher should be in the book that is maintained in the bungalow.

12. A copy of the rules is to be hung in each bungalow, stating the class of bungalow and whether it is available for use by the general public.

APPENDIX VII**Agreement for Hiring Government Tools and Plant**

(Vide Paragraph 340(4) of this Coda)

AN AGREEMENT MADE the..... day of..... 198..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of one part and... (here after called the Hirer which expression shall where the context so admits include his heirs, successors, administrators, legal representatives and assign) of the other part.

WHEREAS the hirer has applied to the Government of A.P, (hereinafter called the Government) for the hire of the tools and plant described in the schedule hereto for use on (here enter the work "Government Works" or "non-Government Works" or "Work of the Municipality" or "Work of the Zillah Parishad", as the case may be) (and has deposited with the Government the sum of Rs... as security for due performance- and observance of the terms, conditions and stipulations herein contained).

NOW IT IS HEREBY AGREED as follows:

1. The Government shall let to the hirer and the hirer shall take and hire from the Government from the date hereof the tools and plant which are specified in the schedule hereto and which are hereinafter called the said tools and plant for the period months.....

from this day.—..... (Days or not exceeding one calendar month)

2. The Hirer shall pay in cash to the Government an advance on the..... day of each month (the 1st of such..... payments to be in arrears on the day of each month (the last of such payments to be made)

Payment to be.....made on the day following the last day of the hiring).

As rent for the hire of the said tools and plant at the rate of Rs..... for each complete month and at the rate of Rs,..... per diem for a fraction of a month subject to the maximum of the monthly rent, during continuance of the hiring which will be from the time the said tools and plant leave stores at...-.... till they are returned to the said stores.

If after the said tools and plant has been taken charge of by the hirer any alterations or improvements are made at the cost of the Government the Hirer shall pay such enhanced monthly/daily rent as may be fixed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, A.P., under the rules with reference to the enhanced value of the said tools and plant.

Note:—If the hire is for a period less than one month, then for the portion of the above clause relating to the day of payment, the following should be entered:

in advance on..... day of..... 197.....

In arrears on—..... day following the last day of hiring.

3. The Hirer shall not use the said tools and plant on any non-Government works.

Note :—Strike out this clause if the tools and plant are issued on hire to Municipalities and Zillah Parishads, Panchayat Samithis, Panchayats for use on works of those bodies or to contractors Special', for use on non-Government works-

4. The Hirer shall keep the said tools and plant in good order and condition and make good all damage (fair wear and tear being excepted) whether by accident or fire or otherwise, and shall at the determination of the period of hiring pay to the Government the cost of replacing or repairing such of the said tools and plant or parts thereof as may be broken missing or specially damaged or lost during the continuance of the hiring as explained in clause 2, supra. The cost of repairing damages will be that actually incurred for the purpose by the Workshops at,- including the usual indirect and cartage charge, while the cost of replacement will be either the original book value of 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 returnable to the Hirer on the due fulfillment of the terms of this agreement.

5. All repairs due to fair wear and tear during the [first two years of] the period of hire shall be *borne* by the Government [and thereafter by the Hirer]. The decision of the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, A.P., for the time being shall be final as to what repairs should be borne by the Government.

[Strike out the word in brackets in cases where the period of hire is two years or less]

6. The Hirer shall bear all charges connected with packing, handling in the stores, conveyance and other incidental expenses in connection with the dispatch of the said tools and plant 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 tools and plant to the Public Works Workshops for repairs, all conveyance and incidental charges to and fro shall be borne by the Hirer.

7. It shall be lawful for officers authorised by the Government at all reasonable times view the state and conditions of the said tools and plant

8. Officers authorised 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 tools and plant or any of them may then be and remove and can away the same and the Hirer shall not claim compensation for such action [except the refund of the proportionate rent for the unexpired portion of the period for which rent has already been recovered in advance].

[Strike out the words in brackets, if the hire is paid in arrears]

9. 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 of the said tools and plant.

10. Upon the determination of this agreement, whether by efflux of time or otherwise, officers authorised by the Government shall be at liberty to enter any house, premises or place where the said tools and plant may have been lodged, remove and carry away the said tools and plant and for that purpose to do all things reasonably 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 money 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 sums that may from time to time be due and payable by the hirer as if it were an arrear of land revenue.

IN WITNESS whereof acting on behalf of and by the order and direction of His Excellency the Governor of A.P., and...-,,,-,,-,--- the Hirer have hereunto set their hands and seals the day and year first above written.

SCHEDULE

Description of tools and plant hired

Singed, sealed and delivered by the named..----- in the presence of..
signed, sealed and delivered by the above named in the presence of.....

Note:—When tools and plants are hired out to Zillah Parishads, Panchayal Samilhis. Panchayats and to contractors carrying out Government work. the portion enclosed within brackets in the preamble to the agreement and also last sub-paragraph of clause 4 of the agreement should be omitted.

APPENDIX VIII-A

Agreement for Deposit Works (Irrigation)

(Vide Paragraph 207(6) of this Code)

I/We..... of..... agree to pay into Treasury to the credit of the Executive Engineer,
Division, within such period as may be..... me/us at my/our last known place of Abode by the said Executive Engineer the sum of Rs-*..... which together with the preliminary deposits of..... Rs...;.....,-.. paid by me/us will amount lo Rs..... being the estimated cost of construction/one part of the estimated cost of the construction— .of a.— -located at..... and to further pay such amount/proportionate contribution in excess of the said Rs.**.....as the work after construction may be found to have cost, provided that if the work actually cost less than the said Rs.**-...--...The Savings/A proportion share of the savings on the estimate shall be refunded lo us/me. [*Here enter the actual amount paid, i.e., amount equal to the amount of

the estimate minus Rs—..... (Preliminary deposits) **Here enter the amount of estimate]

I/We further agree to the following conditions:

- (1) that the execution of the work shall be carried out by *the* Public Works Department;
- (2) mat the work on completion becomes the absolute properly of the Government of Andhra Pradesh ;
- (3) that the Government do not guarantee to defray the cost of upkeep of the work from public funds and that it is open to Government to remove the work at any time;
- (4) that in the event of failure by me/us to further..... amount—proportionate contribution, in excess of the said Rs.....-,-.-. as the work after completion may be found to have cost, the amount.—.-.....- proportionate contribution so payable may be recovered by the Government as arrears of land revenue.

APPENDIX VIII-B**1 Agreement for Deposit Works (Irrigation)**

(Vide Paragraph 207(8) of this Code)

We..... of-,,..... village in the taluk of the.—,—,—,of the.—,—,..district having paid the sum ofRs. 30 (Rupees thirty only)....., into the.....Treasury to the credit of the Executive Engineer..... Division, as a deposit for the preparation of plans and estimates for the work of.—,—, to be executed at my/our partly at my/our cost do hereby agree as follows:

- (1) that, after the preparation of the plans and estimates for the above-,,,-..., ,,, I/We shall, within a fortnight of notice to do so, from the Sub-divisional Officer, Subdivision, enter into an agreement in the authorised form and abide by the terms of the same;
- (2) the failing to comply with the above condition or with the terms of the Agreement to be entered into will entail forfeiture of the said deposit of Rs. 30 (Rupees thirty only) unless the work is dropped owing to the objections of third parties.

(Signature)

APPENDIX IX

Deleted

APPENDIX X**Sale Notice for Lease of Grass and Usufruct of Trees, etc. ,**

Notice is hereby given that the right of..... in the sources described in the annexed schedule for a period of,,,-,—.— from..... Will be sold in public auction by the..... at..... on the day of..... at.....O'clock subject to the conditions Hereinafter set forth:

Conditions of sale:

1. Any person or body intending to bid must deposit a sum of Rs.....as Earnest money with the selling officer on or before the date of sale. Such of the person as have not complied with this condition 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 to the highest bidder, but the right is reserved to the officer conducting the sale to reject any bid without assigning any reason therefore.
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 9 below.

5. The sale will not be considered as completed unless it is confirmed by the..... who reserves the right to refuse to confirm the sale without assigning any reasons therefor.

6. The successful bidder will not be permitted to do any act under the lease until fee sale is confirmed by the..... and until conditions 7 and 8 below are fulfilled.

7. Immediately after a bid is accepted by the Officer conducting the sale, the successful bidder shall deposit on the spot a sum equal to—

(i) 25 percent of the lease amount for one year, if the lease is for a period of more than one year and for a sum exceeding Rs. 100 on the whole, or

(ii) 25 per cent of the total lease amount, if the lease is for one year or less or for a sum not exceeding Rs. 100.

8. (a) In the first case referred to in clause 7, the above successful bidder shall within one week of the date of receipt of the order of confirmation by the competent authority, execute at his own cost an agreement (duly stamped) in annexed Form No. 1. Such successful bidder shall also pay the balance of 75 per cent of the lease amount and the first year within one week of his signing the agreement and the amount due for each of the succeeding years of the lease within the first week of each year.

(b) In the second case, the successful bidder shall pay the balance of 75 per cent of the total lease amount within week of the date of receipt of the order of confirmation by the competent authority. The successful bidder need not, however, execute an agreement as in the first case but the enjoyment of the lease shall be on the terms laid down in the form of agreement applicable to the first case:

Provided, however, that, if the successful bidder is a village panchayat such panchayat shall in all cases and irrespective of the duration of or the rent payable under the lease and within the time limited in sub-clause (a) above execute an agreement (duly stamped) in Form No. 1 annexed hereto with such modifications as may be necessary. Such panchayat shall also within such period execute a supplemental agreement in Form No. 2 annexed hereto. The balance of the lease amount due by the panchayat shall be paid within the period provided in sub-clause (a) or (b) as the case may be.

9. If the lease is for a sum exceeding Rs. 100, the successful bidder shall also deposit as security of the due fulfillment of the conditions of the lease a sum equal to 5 per cent of the total lease amount of rate entire period of the lease. The earnest money paid by the successful bidder at the time of the sale will be retained and credited towards this security deposit. If the earnest money is more than the required security deposit the excess will be refunded to the successful bidder, after conditions 7 and 8 have been fulfilled. If, on the other hand, the earnest money is less than the required security deposit, the difference shall be paid by him before his signing the agreement. The security deposit will be refunded to him on the expiry of the full period of the lease if the conditions of the lease have been duly fulfilled:

Provided however, that, if the successful bidder is a village panchayat, no security deposit shall be demand from or paid by such panchayat. The earnest money paid by such panchayat under the provisions of clause 1 above shall be returned to the panchayat after conditions 7 and 8 have been fulfilled.

10. In the event of failure on the part of the successful bidder to comply with conditions 7, 8 and 9 above or any of them, the sale shall stand cancelled and resale held

and the earnest money and other amounts, if any, already paid will be forfeited. It shall not be incumbent upon the selling officer to give notice of such cancellation or resale to the defaulting bidder. Resales under this condition will be at the risk of the defaulting bidder who will have no claim to the profit, if any, on account of such resale and who, in the event of loss, will be required to make good the difference between the total amount payable by him for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale. In the latter case, the forfeited amounts will be deducted from (he amount of loss arising from the resale and the balance, if any, with interest at 12 per cent per annum will be recoverable from him as arrears of revenue under the provisions of the Revenue Recovery Act,

11. The conditions mentioned above are intended solely for the benefit of the Government of Andhra Pradesh, with a view to safeguard their interests and so any omission on the part of the officers acting on behalf of the Government to enforce them strictly and indulgence or concession that may be granted to the licensee with or without notice shall not affect the rights of the Government to enforce them (the conditions) against the license and shall not afford the licensee a right to plead such omission, indulgence or concession as a bar to any action that may be brought by the Government in respect thereof.

Agreement Form for Lease of Grass on Government Lands other than
Compounds of Government Buildings

This Indenture made the..... day of One thousand nine hundred and.....
Between his Excellency the Governor of Andhra Pradesh (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and*..... —.....— son of.....residing at the village of-..... taluk

of...-.., in the district of.....(hereinafter called the licensee which expression shall where the context so admits include his heirs executors and legal representatives) of the other part.

*If the licensee is a village panchayat, the second party to the indenture should be mentioned as "the Village Panchayat of..... Village in the taluk of....., -..- in the district of..... (hereinafter called [he licensee, which expression where the context so admits shall include its successors and assigns) of the other part.

Whereas the ownership of the lands situated in Survey No..... in the village of..... in the registration district of-.,, -..- and registration sub-district of-.,, -..-more particularly described in the schedule thereto vests in Andhra Pradesh State, Government of Andhra Pradesh and Whereas the Governor has agreed to grant a licence and the licensee has agreed to accept the licence hereinafter described on the terms and conditions hereinafter contained *(And Whereas the licensee has paid the sum of Rs..... as and for security for the fulfilment and observance by him of the conditions covenants and stipulations contained in these presents).

Now this Indenture Witnesseth as follows:

1. In pursuance of the said agreement and in consideration of the covenants and agreements on the part of the licensee hereinafter contained the Governor both grant into the licensee the sale and exclusive right to cut all the grass now growing or that many hereafter during the period of this licence grow on all that parcel of land more particularly described in the schedule hereto and delineated and marked on the map or plan hereto annexed and colored thereon for the term of -., -.... years from the day of 198 yielding and paying therefor yearly the sum of Rs.

II. The Licensee hereby agrees with the Governor:

(1) to pay to the Government of A.P. (hereinafter called the Government) the sum of Rs..... the balance due in respect of the first yearly payment on or before the..... day of-.-.....198..... ;

(2) to pay the subsequent yearly payments on or before the..... day of.....in each year. Provided however that if the Licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the licensee shall pay interest at 12 per cent per annum such amounts from the dates on which they were so payable up till the date of payment or recovery;

(3) to permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence and remove therefrom all such quantity of grass as may be required for use by any officer of the Public Works Department or dig and remove therefrom any earth soil and the Licensee shall not be entitled to any compensation in respect of the grass or soil so removed ;

(4) to use said lands only for the purposes aforesaid and not for any other purpose;

(5) to permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof;

[(6) not to assign or underlet the benefits arising under this licence or any part thereof without First obtaining the written consent of] ;

[Should be omitted (the subsequent clauses being re-numbered) if the licensee is a village panchayat]

(7) not to allow cattle to graze on the said lands or dig up or allow to be dug up any grass by its roots;

(8) not to obstruct people or cattle from passing along the usual paths on the said lands or any annoyance to same;

(9) not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materials stacked on the said lands;

(10) to deliver up to the Government at the expiration or sooner determination of the said term of this licence the premises the subject-matter of this licence in all respects in such state and condition as shall be consistent with the due performance of the several covenants herein contained.

(III). The Governor covenants with (he Licensee as follows;

(1) to permit the licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them ;

[(2) to return to the licensee the sum of Rs..... deposited by the licensee of hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created],

[Should be omitted if the licensee is a Village Panchayat]

IV. It is hereby expressly agreed and declared :

(a) that should the licensee fail to pay the annual rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his pan to be observed and performed then and in any such case the Executive Engineer.....Division, may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in. writing addressed to the licensee and shall be at liberty to sell by public auction or private sale the rights of the licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should, however, the same be less than the amounts payable by the licensee under terms of this agreement for the whole term thereof the Government shall be entitled (to make good the difference from the deposit made by the licensee and to recover any balance that there may be still remaining due from the licensee) ;

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the licensee to fulfill any of the terms of this agreement he shall "(forfeit the deposit made by him as security and will also) pay the Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained ;

"Office licensee is a village panchayat, then, for the words within brackets in clause (a) of Paragraph 4, the words "to recover the difference from the licensee" should be substituted; and the words within brackets in clause(c) of the same paragraph should be omitted].

(d) the officers and servants of the Government and any lessee from the Governor or person employed or authorised by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of the licence and to do such acts and things thereon as the Government on their duly authorised officers may thin fit or authorise by without-prejudice to the rights of the licensee under these presents and the licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer, ...Circle, considers that the same is payable ;

(e) that any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the licensee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or the meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of..... and his decision thereon shall be final.

IN WITNESS WHEREOF..... acting on behalf of and by the order and direction of His Excellency the Governor of A.P. and the licensee have hereunto set their hands and seals the day and year first written.

The Schedule above referred to..... SIGNED, sealed and delivered by the.-,-,- in the.....— above named..... presence of.....

SIGNED, sealed and delivered by the above named.....-,-,-,..... in the.....presence of-,-,-.....

Agreement Form for Lease of Grass in the Compounds of Buildings

This Indenture made the-...-... day of..... one thousand and-...-...-... nine hundred and..... BETWEEN HIS Excellency the Governor of A.P. (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and-...-...-... son of..... residing at-...-... the village of..... taluk of..... to the district of-...-... (hereinafter called the licensee which expression shall where the context so admits include his heirs, executors, administrators and legal representatives) of the other part.

WHEREAS the ownership of the lands situated in Survey No.-.....' in the village of..... in the Registration District of..... and Registration sub-district of.....more particularly described in the schedule hereto vests in Government of the A-P., and whereas the Governor has agreed to grant a licence and the Licensee has agreed to accept the license hereinafter described on the terms and "conditions hereinafter contained AND WHEREAS the licensee has paid the sum of Rs..... and for security for the fulfilment and observance by aim of the conditions covenants and stipulations contained in these presents). [The recital clause within brackets should be omitted if the licensee is a village panchayat]

NOW THIS INDENTURE WITNESSETH as follows :

I. In pursuance of the said agreement and in consideration of the covenants and agreements on the part of the Licensee hereinafter contained the Governor doth hereby grant unto the Licensee the sole and exclusive right to cut all the grass not growing or that may hereafter during the period of this licence grow on all that piece or parcel of land more particularly described in the schedule hereto and delineated and marked on the map or plan hereto annexed and coloured..... thereon for the term of..... years from the..... day of-.....-198..... yielding and paying therefor yearly a sum of Rs.....

II. The licensee hereby agrees with the Governor

(1) To pay to the Government of A.P. (hereinafter called the Government) the sum of Rs..... the balance due in respect of the first yearly payment on or before the..... day of..... 198..... ;

(2) To pay the subsequent yearly payment on or before the.....day of.....in each year- Provided however that if the licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on such amount from the dates on which they were so payable up till the date of payment of recovery ;

(3) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence and to cut and remove therefrom all such quantity of grass that-.....

may be required for use by any officer of the Public Works Department or dig and remove therefrom any earth or soil and the licensee shall not be entitled to any compensation in respect of the grass or soil so remove the use of the said lands only for the purpose of said and not for any other

(5) To permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof.

(6) To remove grass by moving only and only between the hours of 7 a.m. and 5 p.m. on each day,

(7) Not to remove grass from the garden area or use spades for scrapping the grass.

(8) Not to allow cattle to graze in the compounds.

(9) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of.

"[Clause (9) in paragraph II should be omitted (the subsequent clauses being re-numbered) if the Licensee is a village panachyat]

(10) Not to allow cattle to graze on the said lands or dig up or allow to be dug up any grass by its roots.

(11) Not to obstruct people or cattle force". passing along the usual paths on the said lands or cause any annoyance to same.

(12) Not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materials stacked on the said lands.

(13) To deliver up to the Government for and on behalf of the Governor at the expiration or sooner determination of the said term of this licence the premises the subject-matter of this licence in all respects in such state and condition as shall be consistent with the due performance of me several covenants herein contained.

HI. The Governor covenants with the Licensee as follows—

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in tiniest for them.

(2) To return to the Licensee the sum of Rs..... deposited by the Licensee as hereinafter mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created.

[Clause (2) of paragraph III should be omitted if the licensee is a Village Panchayal]

IV. It is hereby expressly agreed and declared—

(a) that should the Licensee fail to pay the annual rent or be guilty of a breach of non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer ... Division, may

at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction of private sale rights or the Licensee under this agreement and be entitled to and retain the whole amount for which the said right shall be sold. Should however the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term thereof the Govemmsni shall be entitled

** (to make good

the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

*[if the Licensee is a Village Panchayat, then, for the words within brackets in Clause (1) of paragraph IV the words "to recover (he difference from the Licensee" should be substituted and the words, within brackets in Clause (3) of the same paragraph should be omitted]

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the Licensee to fulfill any of the terms of this agreement he shall (forfeit as the deposits made by him as security and will-also) pay to the Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained; [If the licensee is a village panohayat, then, for the words within brackets in clause (1) or paragraph IV the words "to recover the difference from the licensee" should be substituted and the words, within brackets in clause (3) of the same paragraph should be omitted].

(d) me officers and servants of the Government and any lessee from the Governor or person employed or authorised by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorised officers may think fit or authorise but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer.....Circle, considers that the sum is payable;

(e) that if any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and Licensee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions herein contained the said disputes or difference shall be referred for settlement to the arbitration of.....-,,.....-

and his decision thereon shall be final.

IN WITNESS whereof-.....-...-...-,,acting on behalf of and by the order and direction of His Excellency the Governor of A.P. and the Licensee have hereunto set their hands and seals the day and year first written.

This first schedule above referred to.—,,.—,,.....

Signed, sealed and delivered by the above named.....

in the presence of.....

Signed, sealed and delivered by the above named-

.....;.....

in the presence of.....

Agreement Form for (he Lease of Coconut Trees

AGREEMENT made the.....day of..... One thousand nine hundred and BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor with expression shall where the context so admits include his successors in office and assigns) of the on part and*.....-,, son of,.....-,,-- residing at the village

of..... in the district of..... (hereinafter called the Licensee which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns of the other part.

"[If the Licensee is a village panchayat, the second part to the indenture should be mentioned as "The Village Panchayat of.....village in the taluk of..... in the district of..... so admits Shall include its successors and assigns, of the other part"]].

WHEREAS the Licensee was on the..... day of..... declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the coconut trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the terms of..... year at the sum of Rs..... per year" (AND WHEREAS the Licensee has deposited with the Executive Engineer of the Division hereinafter called the Executive Engineer the sum of Rs..... as security for the due performance by him of the provisions of this agreement). AND WHEREAS one of the conditions of such purchase was what the Licensee should enter into such an agreement as in hereinafter contained.

Now it is hereby agreed and declared as follows:

I. The Governor hereby grant unto the Licensee the sole and exclusive right to gather, remove, dispose of and otherwise enjoy the usufruct of the coconut trees standing on the piece or parcel of land situated at..... in the Restriction District of..... in the Registration sub-district of...-...- and more particularly described in the schedule hereto and of which trees the total number is given column 6 of the said schedule for the term of.....years from the day of.....paying therefore the annual of Rs.....

n. The Licensee covenants with the Governor as follows :

(1) To pay to the Government, A.P., herein called the (Government) the sum of Rs—....— the balance due in respect of the first yearly installment on or before the..... day of...-...- 198-...-...

(2) To pay the subsequent yearly payment on or before the..... day of..... in each year. Provided however that if the licensee shall fail to pay the Government the rein and other amounts (if any) payable under these presents on the irrespective dates on which they are made payable hereunder the Licensee shall pay interest at 12% per annum on such amounts from the dates on which they were so payable up till the date of payment of recovery.

(3) To trim the trees standing on canal and channels banks so as to allow a clear headway of 3 meters above the top of the said banks.

(4) To dig round the bottom of each and every tree, to trim the roots thereof and to manure them with cattle dung or other manure once in every year during the rainy season.

(5) To have the last removal of ripe cocoanuts from any of the said trees made under the supervision of the nearest subordinate of the Public Works Department not below the rank of Lock Superintendent on the Licensee giving previous intimation to such subordinate in writing of his intention so to remove and the date and hour proposed for such purpose.

(6) To preserve the said trees and their foliage in a good state of cultivation and not except as hereinbefore provided permit the same to be cut damaged or injured in any

way howsoever provided however that the Licensee may collect use and otherwise dispose of all leaves that may have become ripe and detached from the said trees.

(7) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence, to view the state and condition of the trees and to dig and remove therefrom any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(8) Not to remove or collect from any of the said trees any tender coconuts during the month preceding the expiry of the term hereby created.

(9) Not to extract toddy from the said trees or any of them and for such purpose tap the same or permit the same to be tapped.

[(10) Not to assign or underlet the benefits arising under this licence or any pan thereof without first obtaining the written consent of.....].

[The recital clause within brackets should be omitted if the licensee is a Village Panchayat]

(11) To yield up and hand over the said trees at the determination of the term hereby created in good and proper state of cultivation and order as shall be in compliance in all respects with the covenants hereinbefore contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

III. The Governor covenants with the Licensee as follows :

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them-

[(2) To return to the Licensee the sum of Rs..... deposited by the Licensee as here in before mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created].

[Clause (10) in paragraph II and clause (2) under paragraph 111 should be omitted (the subsequent clauses being renumbered) if the Licensee is a Village Panchayat]

IV. It is hereby expressly agreed and declared:

(1) That should the Licensee fail to pay the yearly rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should, however, the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term **there of the Government shall be entitled ""(to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

"[If the licensee is a Village Panchayat, then, for the words within brackets in clause (1) of paragraph IV, the words "to recover the difference from the Licensee" should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted]-

[DCODE—18]

(2) that the yearly rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(3) that in the event of the failure by the Licensee to fulfill any of the terms of this agreement he shall ** (forfeit the deposit made by him as security and will also) pay to the Government any damages occasioned to the Govt. by reason any breach of the covenants and conditions herein contained ;

**[If the licensee is a Village Panchayat, then, for the words within brackets in clause (1) of paragraph IV, the words "to recover if the difference from the Licensee" should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted],

(4) that in the event of any of the said tree dying failing to produce fruit or becoming unprofitable or useless during the said period or being cut or otherwise damaged by earth being thrown pits being dug or materials being stacked by the officers and servants of the Government, the Licensee shall not claim or be entitled to any compensation or reduction of rent for such failure or loss but shall continue to pay rent as if the said trees were alive productive and in full vigor nor shall the licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods storm or otherwise however ;

(5) that in the event of any of the said trees being cut down, damaged or injured by the Licensee or his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the case may deem reasonable of which he shall be the sole judge ;

(6) that in the event of the Excise department granting permission during the currency of this agreement to any toddy shop renter for tapping toddy from any of the trees included in this agreement after the prior consent of the Public Works Department authorities has been obtained, such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the licensee for such period shall be reduced by an amount calculated on the basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement;

• (7) the officers and servants of the Government and any lessee from the Governor of Andhra Pradesh or person employed or authorised by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this license and to do such acts and things thereon as the Government or their duly authorised officers may think fit or authorise but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer, Circle, considers that the same is payable;

(8) that if any dispute or difference shall, at any time hereafter arise between the Government or their officers on the one part and the Licensee as to the rights and duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of and his decision thereon shall be final.

IN WITNESS WHERE OF acting on behalf of and by the order and direction of His Excellency, the Governor of Andhra Pradesh and the Licensee have hereunto set their hands and seals the day and year first written.

The schedule above referred to—

Name, if any extent trees (1)	Survey No. (2)	Taluk in (3)	Village in (4)	Boundaries (5)	Number of the properly which situated (6)	and which situated

)Signed, sealed and delivered by the above named in the presence of.....

Signed, sealed and delivered by the above named in
the presence of,—.

Agreement Form of the lease of Palmyra, Punga and other Fruit bearing Trees

AGREEMENT made the..... day of..., - one thousand nine hundred and..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (here inafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and "—..... son of..... residing at the..-.-.. Village of..... in the taluk of-.-.-., in the district of...-.-..... (here inafter called the Licensee which expression shall where the context so admits include his heirs.....executors, administrators, legal representatives and assigns) of the other part- *If the licensee is Village Panchayat, the second party to indebtore should be mentioned as "The Village Panchayat of....., Village in the taluk of..... in the district of..... (hereinafter called the licensee, which expression where the context so admits shall include its successors and assigns) of the other part"].

WHEREAS the Licensee was on the,-,-.-... day of..... declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the..... trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the term of,.....-... years at the sum of Rs..... per year *(AND WHEREAS the licensee has deposited with the Executive Engineer of the..... Division (here inafter called the Executive Engineer) the sum of Rs.....— as security for the due Performance by him of the provisions of this agreement) and whereas one of the conditions of such purchase was that the license should enter into such an agreement as is hereinafter contained.

NOW IT IS HEREBY AGREED AND DECLARED as follows:

I, The Governor hereby grants unto the Licensee the sole and exclusive right to gather, remove, dispose of and otherwise enjoy the usufruct of the trees standing on the piece or parcel of land situated at..... in the Registration district of..... in the Registration of..... sub-district and of more particularly described in the. schedule Here to and which trees the total number is given in column 6 of the said schedule for the term of—.....— ,,,. years.....from the-,,..... day of.....vending and paying therefor the annual rent of Rs.....—,——.

II. The licensee covenants with the Governor as follows:

(1) To pay to the Government of Andhra Pradesh hereinafter called the Government the sum of Rs— the balance due in respect of the first yearly payment on or before the..... day of 198.....

(2) to pay the subsequent yearly payment on or before the.....—, day of..-,..... in each year. Provided, however, that if the Licensee shall fail to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 percent per annum on such amounts from the dates on which they were so payable up till the date of payment or recovery.

(3) To use the said lands the subject-matter of this licensee only for the purposes aforesaid and not for any other purpose.

(4) To preserve the said trees and their foliage in a good state of cultivation and not permit the same to be cut, damaged or injured in any way however provided however that the licensee may collect use and other-wise dispose of all leaves that may have become ripe and detached from the said trees-

(5) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence, to view the state and condition of the trees and dig and remove there from any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(6) Not to tap Palmyra and other toddy yielding trees for toddy nor to assign me licence herein contained to any person save with the consent in the writing of the Executive Engineer.

[(7) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent].

[Clause (7) in paragraph ill should be omitted (the subsequent clauses being renumbered) if the licensee is a Village Panchayat]

[(8) (a) Notwithstanding anything hereinbefore contained the Licensee shall be entitled from time to time to cut, remove and dispose of leaves from the palmyra trees the subject-matter of the licence provided, however, that there shall be left on each such tree at any one time leaves not less than eight in number.

(b) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliance to enter upon this said land the subject-matter of this licence and cut and remove from the trees thereon alt such number of palmyra leaves as may be required for use by the Public Works Department of the Government and in respect of the leaves so cut and removed the Licensee shall be entitled to compensation at the rate of Rs-...—.. per thousand leaves and so in proportion for any smaller number of leaves.

(c) Not to cut more than once twigs of greater size than half an inch diameter]. **[In the case of palmyra trees, clause (8)(c) above of paragraph II will be deleted. In the case of panggalree, clauses (8)(a) and (b) of paragraph II will be deleted. In the case of ordinary fruit (rees. clauses (8)(a), (8)(b) and (8)(c) of paragraph II will be deleted].

(9) To yield up and hand over the said trees at the determination of the term hereby created in a good and proper state of cultivation and order as shall be in compliance in all respects, with (he covenants hereinbefore contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

III. The Government covenants with the Licensee as follows:

(1) To permit the licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government of any person rightfully claiming under or in first for them.

[(2) To return to the Licensee the sum of Rs..... deposited by the Licensee as hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created].

[Clause (2) of paragraph III should be omitted, the subsequent clause being re-numbered if the licensee is a Village Panchayat]

IV. It Is hereby expressly agreed and declared:

(1) that should the Licensee fail to pay the yearly rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold- Should however the same be less than the amount payable by the Licensee under the terms of this agreement for the whole term thereof the Government shall be entitled *[to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee];

*[If the Licensee Is the Village Panchayat, then for the words within brackets in clause (1) of paragraph IV, the words "to recover the difference from the licensee" should be substituted and the words within brackets in Clause (3) of the same paragraph should be omitted],

(2) that the yearly rent and other amounts payable under this agreement may be ' recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(3) that in the event of the failure by the Licensee to fulfill any of the terms of this agreement he shall **[forfeit, the deposit made by him as security and will also pay to the Government any damages occasioned to the Government by reason of any breach of the covenant and conditions herein contained];

*[If the Licensee is the Village Panchayat, then for the words within brackets In clause (!) of paragraph IV, the words "to recover the difference from the licensee" should be substituted and the words within brackets in Clause (3) of the same paragraph should be omitted],

(4) that in the event of any of the said trees dying, failing to produce fruit or becoming unprofitable or useless during the period or being cut or otherwise damaged by earth being thrown, pit being dug or materials being stacked by the officers or servants of the Government, the Licensee shall not claim or be entitled to any compensation or • reduction of rent for such failure or loss but shall continue to pay rent as if the said trees

were alive productive and in full vigor not shall be the Licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods storm or otherwise howsoever;

(5) that in the event of any of the said trees, its branches or leaves being cut down, damaged or injured by (he Licensee, his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the case may deem reasonable of which he shall be the sole judge;

(6) mat in the event of the Excise Department granting permission during the currency of this agreement to any toddy shop rented for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the Licensee for such period shall be reduced by an amount calculated on this basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement; !

(7) the officers and servants of the Government and any lessee from the Governor or person employed or authorised by such lessee shall have liberty and power to enter and upon the said lands the subject matter of this licence and to do such acts and things thereon as the Government or their duly authorised officers may think fit or authorised but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer..... Circle, consider that the same is

payable;

(8) that if any dispute to difference shall at any time hereafter arise between the Government or their officers on the one part and the Licensee as to the rights, duties or liabilities of either part, in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions, herein contained the said dispute or difference shall be referred for settlement to the arbitration of.....

and his decision thereon shall be final.

IN WITNESS where of..... acting on behalf or by the order and direction of his Excellency the Governor of Andhra Pradesh, and the Licensee have hereunto set their hands and seals the day and year first written.

SIGNED, sealed and delivered by the above named in the presence of-SIGNED, sealed

and delivered by the above named in the presence of.....

Agreement Form for the Lease of the right to Plant and maintain Coconut Trees on the Banks of Irrigation Works (For adoption with necessary Modifications, if any)

AGREEMENT made the.....day of.....—.....one thousand nine hundred and BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor which expression shall where the context so admits include his successors in the office and assigns) of the one part and s/o in the District

.hereinafter called the Licensee (which expression shall where the context so admits include his heirs, executors, administrators, and legal representatives) of the other part.

(1) The Licensee will within six months from the date thereof plant in such places as the Executive Engineers from the time being in charge of the,,-,,-,.....division (hereinafter

• called the Executive Engineer) may from time to time approve on the,,-,,-,.....slopes of the bank on the..... side of the,,-,,-,.....channel between the,,-,,-,,-,,-,,-,.....kilometers.....

Hectometre and Kilometers,,-,,-,.....Hectometre,,-,,-,,-,,-,,-,..... Coconut trees in manner hereinafter provided.

(2) The trees shall be planted at a minimum distance apart of 6 meters and so as not to interfere with the passing along the bank by the Inspecting Officers of the Public Works Department and no free shall be planted with 30 meters of any masonry work connected with the said channel.

(3) The Licensee will maintain such trees and will replace any trees that may die within the period of two years from the date hereof by others so that at the expiration of such period of two years after which no fresh trees shall be replanted the full number of..... trees shall be growing on the said bank-

(4) All trees so planted shall be the property of Government of Andhra Pradesh, and tree that shall be or become barren or die shall be reported by the Licensee to the Executive Engineer for the purpose of removal under the orders of the latter.

(5) The Licensee shall cultivate and maintain such trees so as to bring same into bearing at the usual period and as from the date of any commencing to rear fruit, the Licensee shall pay to the Executive Engineer, in the month of February of each year in advance, the sum of Rs.....,,-,,-, by way of tree tax for each such tree, failing which the

tax due and payable to Government shall be recovered as if it were an an-ear of land revenue. Licensee have here unto set their hands and seals the day and year first written,

(6) The Licensee shall be entitled in every year so long as the trees or any of them bear fruit, but subject to termination as hereinafter mentioned, to gather and remove the produce (i.e., the coconuts and leaves) of any tree in respect of which he may have paid such tree tax but the Licensee shall not be entitled to tap any tree for toddy nor shall the Licensee assign the licence herein contained to any person save with the consent in writing of the Executive Engineer.

(7) In the event of the Excise department granting permission during the currency of this agreement to any toddy shop renter, for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities, such trees will be excluded from the scope of this agreement for the period of the toddy tapping Licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement and the lease amounts payable by the Licensee for such periods shall be reduced by an amount calculated on the basis of the ratio which the number of trees so excluded bears to the total number of trees leased under this agreement.

(8) The Licensee will indemnify the Government of Andhra Pradesh (hereinafter called the Government) in respect of any damage that may be caused to the said channel banks by reason of the planting maintenance or gathering the produce of the said trees or any of them and will on demand pay to the Executive Engineer the cost of all repairs or works required for the said banks by reason of the exercise of any rights under the terms hereof.

(9) If the opinion of the Superintending Engineer,.....Circ]e, for the time being hereinafter referred to as the Superintending Engineer, it is desirable, that all or any of the said trees shall at any lime at times hereafter be cut down such trees may after the expiry of one week from the service on the Licensee of notice of the intention to remove same be cut down and removed according to the directions of the Executive Engineer and the Licensee shall not be entitled to compensation in respect of the removal of all or any of such trees.

(10) In the event of the breach by the Licensee of any of the provisions of the agreement the Executive Engineer,....—.....may be notice in writing address to the Licensee at his last known place of abode cancel this agreement and on the expiry of seven days from the date of such notice, this agreement shall stand cancelled and all the provisions hereof shall cease and determine and the Licensee shall forthwith hand over to the Executive Engineer,.....for and on behalf of the Government the land in his occupation together with the trees thereon in good condition and the Licensee shall not be entitled to any compensation in respect of such cancellation of this licence or to a refund of all or any portion of the tree-tax already paid by him

(11) In the event of any difference or dispute arising as to the meaning of any of the terms thereof or the breach by the Licensee of any of the condition herein contained or as to any matters arising in connection herewith such difference or dispute shall be referred to the Superintending Engineer whose decision thereon shall be final, and conclusive and altogether binding on the parties hereto-

(12) Nothing herein shall amount to or be construed as a demise or agreement to make a demise of or creating any interest in the land forming the said channel bank or any part thereof.

IN WITNESS whereof..... the Superintending Engineer of the.....,.-....Cin]e acting on behalf of and by the order and direction of His Excellency the Governor of A.P, and the Licensee have hereunto set their respective hands, the day and year first above written.

SIGNED by the above named in the presence of... SIGNED by the
above named in the presence of...

Form of Supplemental Agreement to be executed in the case of Lease or Grass and of Fruit Trees to Village Panchayats

AGREEMENT made the..... day of-...,., - one thousand nine hundred and.....,.,, BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Lesser which expression shall where the context so admits include his successors in office and assigns) of the one part and THE VILLAGE PANCHAYAT. ... village in the taluk of..., in the district of..... (here in after called the Lessee which expression shall where the context so admits include its successors and assigns) of the other part and supplemental to an agreement of lease, dated the....-.,.,, day of..... 19..... and made between the same parties as hereto (hereinaft;; referred to as the principal indenture) WITNESSETH :

THAT the Lessor hereby gives and grants full and free consent and licence unto the Lessee to demise or underlet the rights, privileges and benefits comprised in the principle

INDENTURE.

PROVIDED ALWAYS that such demise or underlease shall contain nothing which may prejudice or affect any of the covenants, conditions or provisions contained in the principle indenture and on the part of the lessee to be observed and performed and that the consent and licence hereby given in upon the express condition that the demise or underlease to be made under or by virtue thereof shall contain a covenant by the underlease that such Lessee will not assign or underlet without the previous consent in writing of the Lessor and also provision for re-entry and termination of the underlease or grant in case the underlessee shall admit any breach of such covenant.

AND THE LESSEE hereby covenants with the Lessor that the Lessee will not without previous consent or licence in writing of the Lessor release or waive the said covenant against assigning, underletting or otherwise parting with the possession of the premises to be comprised in the said demise or underlease or any part thereof but will in case of any breach of such covenant forthwith re-enter upon the same premises under the provision in that behalf to be contained in the said demise, or underlease as hereinbefore provided unless the Lessor shall otherwise contract in writing.

PROVIDED ALWAYS that the provision for re-entry by the Lessor contained in the principle indenture shall extend to and exercisable in case of any breach by the Lessee of the covenants hereinbefore contained as well as the breach of any of the covenants contained in the principle indenture and on the part of the Lessee to be observed and performed AND that if any damage is caused by the underlessee to the said lands the assessed value of such damage shall be paid by the Lessee.

IN WITNESS whereof..... Sub-di visional Officer, Public Works Department
..... Sub-division..... Division acting on behalf of and by the order and direction
of His Excellency the Governor, A.P. and the..... acting for and on behalf of the
lessee have hereunto set their respective hands and seals the day and year first above written.

SIGNED, sealed and delivered by the above named..... in the presence of—.....

SIGNED, sealed and delivered by the above named,,.....—....—,in the presence of.....—

SIGNED, sealed and delivered by the above named.....in the presence of.....

RULES

Rules relating to the lease of grass, usufruct of trees, etc., on Public Works Department canal, channel, drain, porambokes, etc.

1-A. Concession to village panchayats:—(i)(a) Executive Engineers are authorised to grant to village panchayats constituted under the A.P.Z.P. Act, the lease of grass, usufruct of trees, etc., on Public Works Department canal, channel, drain and tank parambokes and flood banks, subject to the conditions mentioned below. Panchayats shall be preferred even if there are higher bids from other persons or bodies.

(1) The panchayats shall pay annually to the Government a sum equal to the average annual revenue realised during the preceding five years.

(2) The panchayats shall conform to the usual conditions imposed on individual lessees- The Executive Engineer concerned shall have the power to cancel the lease of grass, etc., flood banks, if, in his opinion, any damage is caused and the panchayat is responsible for it.

(b) Executive Engineers shall furnish to the panchayats a list of all leases which are open to the panchayats in their respective village limits in the form annexed to this appendix, shall add to the list new items of lease, if any, as and when they arise and intimate the addition to the panchayats so that the panchayats may take up the lease, if they so desire and remit the lease amount by the date fixed in each case. The areas included in the lease may not necessarily cover all the Public Works Department lands in panchayat limits and the areas not mentioned in the schedule or specifically excluded shall not be included in the lease. They will be usually of the nature of lock, inspection bungalows or office compound or of quarters of establishment. The panchayats should also be told that unless they offer to take up the lease by the date specified for the renewal of the respective leases and remit the lease amounts by that date, it will be assumed that the panchayats do not wish to take up the lease and action will be taken accordingly.

(ii) The panchayats will be allowed to appropriate the income from withered and wind fallen trees on canal and drain porambokes (included in the areas leased) the right to cut grass and to enjoy the submit of trees on land which has been leased to them. Before such trees are removed by the panchayats the prior approval of the Sub-divisional Officer should invariably be obtained. Trees willfully damaged will not be included in this concession.

Note:—Agreements shall be entered into with panchayats in the form prescribed in Appendix 'X' of the A-P. Public Works Department Code both principal and supplemental subject to the following modifications :

- (a) Where, under Paragraph 346 of the A.P. Public Works Department Code, the principal agreement is not in the prescribed form (Appendix 'X') the supplemental agreement shall, with the assistance of the local Government Picador, be suitably modified so as to indicate that the principal agreement is not in the prescribed form,
- (b) Where the principal agreement is for a lease amount of Rs. 50 and less, the President of the Panchayat shall be required to execute supplemental agreement which shall be modified by omitting the words "and.....—a member" in the concluding ,
portion of the supplemental form of agreement. - J
- (c) Where the principal agreement is for a lease amount of more than Rs.20 the officer empowered to approve such agreements should execute the supplementary agreement. This can be done by scoring out the words "Sub-divisional , Officer,-.-...Sub-division" and entering "Executive Engineer" "Superintending Engineer" as the case may be in concluding portion of the supplemental form of agreement.

1-B. Concession to societies of communities eligible for help by Labour Department :—(1)(a) If the panchayats do not want the lease or do not remit the lease amounts by the rates prescribed, the lease shall be granted to societies of communities eligible for help from the Labour Department in the order of preference given below, subject to the payment of the average rental for the preceding five years. Even in cases where a larger amount than the average rental may be realised by auction, the lease should be granted to the said societies,

- (1) If there is a registered co-operative Society of the Village in which the property: is situated, the lease shall be granted to that society in preference to any other society. ;
- (2) If there is no registered co-operative society, the lease may be granted to any • other registered society of the village, and, in its absence, to an unregistered society of the village.

(3) If there are more than one registered co-operative society, or registered (under Act XX of 1860) or unregistered society, the lease shall be auctioned among the competing societies of each class of the particular village in which the property is situated, the order of preference being as indicated above.

Note :—(1) Executive Engineers may, in their discretion, grant the lease to societies, outside the boundaries of a village in which the property to be tessed lies, if (here is no society in the village or the society of the village does not apply for the lease).

(2) Executive Engineers are authorised to grant! without auction lease of the right to cut grass in tanks and river margins to societies of communities eligible for help from the Labour Department subject to the conditions mentioned in Rule (1) above.

Exception:—Trees on the beds of tanks in charge of Public Works Department (including those for the maintenance of which a special staff of watchman etc., is employed by the Public Works Department) are under the control of the Revenue Department and the Collector should arrange for the disposal of the produce of such trees.

ANNEXURE

Form referred to in Rule 1-A (i) (b)

Name of the Village Panchaya	Description of property to be leased to entirely within the limits of the panchayat board concerned	Dale from which properly is available for lease and period of lease	Date by which intimation of willingness to take up lease or the contrarv should be given to the Executive Engineer •	Last date by which lease amount should be paid	Remarks if any
(1)	(2)	(3)	(4)	(5)	(6)

APPENDIX XI**Procedure to be followed in the case of Emergent Works****(Vide Paragraph 17 of this Code)**

Subject to clause 4 below, where an emergent work is done through a contractor or a piece-worker, a piece-work agreement should be entered into with him by the office on the spot before work starts. This form of agreement is particularly suitable, as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form in the particular case, disapprove of any of the terms. When the circumstances are so emergent that even a piece-work agreement cannot be signed, it will be sufficient to have a written order for the work signed by both the piece-worker or the contractor and the office on the spot as indicated in clauses 2 and 3 below-

2. If the local Public Works Department official is unable to leave the spot to enroll labor, he will probably have to engage it through a contractor or piece-worker vide paragraph 292, A.P. Public Works Account Code. In such a case written work order, which need not necessarily be on the printed form, should be signed on the lines indicated below:

Breach at kilometre, Main canal

Agreement to supply daily so long as the sub-divisional officer or his duly authorised representative may require.....

100 men (working 9 hours a day) at...—.....-...— .Rupees a day.

40 women (working 9 hours a day) at.....-...Rupees a day,

N.B. :—Tools will be supplied departmentally. Contractor's profit at 10 per cent on cost of labor.

(Signed) A.B.

(Signed) C.D. P.W. Officer.

Contractor.

Date:

3. When the emergent work is to be carried out by a piece-worker or a contractor and not departmentally by labor engaged through a manuscript work order should be signed in the first instance as indicated below:

Breach at Kilometre, Main Canal

Agreements 10 carry on the work at the following rates until terminated by the Sub-1 divisional Officer or his duly authorised representative.....

Per one

Cub- M.

Earthwork—Closing breach including breaking clods and ramming in 22mm layers, initial rate

Extra lift (average 3 Meters) Extra Lead (average

30 Meters)

Total;

(Signed) A.B.

(Signed) C.D.

*P.S.V. Officer.**Contractor. Date...*

These work orders may be written in a note-book or any available sheet of paper, but should no paper be available at the moment, the work may be started without it, but the order should be signed as soon as paper can be procured-

4. The object of these rules is to explain in what manner local officers and subordinates should meet their responsibilities in emergent cases under paragraph 173. It is however most important that the first agreement shall not commit Government to any expenditure beyond what has to be incurred in an emergency at the discretion of the local officer and it is for this reason that the first agreement shall be only of the nature of a piecework agreement. Ordinarily, such agreements should be signed only by officers not below the rank of a Sub-divisional Officer, as those below that rank have no powers to sanction any works and cannot consequently accept agreement, but in works of exceptional emergency, a subordinate officer may give a work order when, for example, the Sub-divisional Officer is absent. Such action should, however, be reported as soon as practicable to the Sub-divisional Officer or other senior officer, if possible by telegraph.

5. When the steps as indicated in the above paragraphs have been taken to meet the emergency and the work has been started, there should be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of (he competent authority. The rates agreed to in the emergency in accordance with the procedure indicated in the above paragraphs cannot be revised by a higher authority for me portion of the work already done. There should be also no avoidable delay in liquidating a liability already incurred vide sub-paragraph to paragraph 30-B of Andhra Pradesh Financial and Account Code, Volume I, and paragraph 363 of the Andhra Pradesh Public Works Account Code.

6. In cases of real emergency and subject to the foregoing provisions, officers are empowered to pay such higher rates, as compared with normal rates, as may be found absolutely necessary. Care should however, be taken to see that the emergency rates are suitable to the circumstances and are not higher than are really necessary to get the emergent work done.

APPENDIX XII**Sanitation of Camps and Mazdoors lines, measures to be adopted for preserving the health of the workers**

The essential requirements for the maintenance of the health of workers are housing and ventilation, food, water and conservancy.

2. Housing and Ventilation:—In the first place, the selection of a suitable site is of the greatest importance. This should always be done in consultation with the Director of Public Health. High and dry ground having a natural slope is the ideal site for houses and ought to be chosen wherever possible. The neighborhood of jungle, rank grass or vegetation and places, having a high sub-soil water level should particularly be avoided as they are likely to be malarious. When naturally high and dry ground cannot be procured, special attention should be paid to surface drainage, and, if necessary, to the sub-soil drainage of the site.

After the site is selected, the lay out should be prepared in consultation with the Director of Public Health. Roads and house-plots should be carefully marked out. Main roads should have maximum width of 7.5 meters at intervals of every 100 meters secondary roads have a minimum width of 6 meters should be provided. The object of providing main and secondary roads is to secure free perflation of air. Stagnation of water should be prevented by providing drains of proper gradient on the sides of the roads. There waste water including sullage and sewage should be disposed of properly as, for example by irrigation on suitable land and then discharging the effluent, if any, into a water course not used for drinking purposes,

Huts can easily be constructed at small expenses in most parts of the country and will be sufficient for the accommodation of the workers- They should be constructed in regular lines facing the main and secondary roads. Back-to-back huts must never be permitted. It is very important that there should be no over-crowding. As in large works of permanent or semi-permanent nature, the work people usually migrate with their families, the huts should be of a sufficient size for the occupation of a family. Ordinarily a hut should consist of a room not less than 3.5 MX 3 Width a front and rear veranda having a minimum width of 1-5 meter the eaves being not less than 1.5 meter from the level of the basement, A portion of the back veranda may be partly enclosed by a honey-combed wall in order that it might be used as a kitchen. The main room should be provided with two windows not less than 1.0 x 0.75 M each. It told be advantageous to have one or two cup boards in the walls for keeping articles of food. This will also help to keep the huts free from rats. In camps which are expected to be occupied for a considerable period, the structural details can be improved. Every possible care should be taken to see that the huts are kept clean and in proper order.

3. Food :—to most parts of the presidency, no difficulty will be experienced in getting a sufficient supply of good food. No special arrangements need be made in the case of camps where workers can obtain their food supplies without difficulty from a neighboring market. Where no such facilities exist, it is necessary to establish a bazar and to provide for the sale of wholesome food in sufficient quantity. Besides the ordinary articles of diet such as rice, hall, oil, condiments, etc., a sufficient variety of other food stuffs such as meat, fish, eggs, milk and fresh vegetable should be available,

4, Water:—The provision of a good and pure drinking water-supply is of the (most importance in maintaining the health of the work people. All proposals and plans relating to drinking water supplies should be submitted to the Director of Public Health and the works started only after his approval is obtained.

The best sources of drinking water-supply are deep wells. Failing these, tube-wells are next best. Shallow wells, tanks and rivers are dangerous sources on account of their ability to pollute and should as far as possible be avoided.

The sites for sinking of wells should be selected with care. They should be kept free from any chance of contamination by sewage or other filth. The natural slope of the ground will assist in determining the sites for wells.

The sites having been chosen, the question whether the construction of a deep-well, tube-well or a shallow well is feasible and whether the soil yields portable water, should be decided by a preliminary inspection of existing wells in the locality or by boring explorations:

Provided conditions are favorable, preference should always be given to deep-wells. 'this is not possible; tube-wells should be sunk. Only when conditions for the sinking of imp wells or tube-wells are unfavorable should shallow wells be constructed- If on account of the saline nature of the soil, wells yielding fresh water cannot be constructed. Tanks and rivers should be resorted to as the last alternative. Bathing or washing should be unlikely prohibited in the case of tanks set apart for drinking purposes. Where river water has to be used, tube-wells sunk in the banks are often successful. It must be recognised that river water is always polluted water and before using it some method of purification essential.

Wells, deep or shallow, should always be lined with masonry or cut stone, and the inner surface of the lining should be impervious. The wells should have a parapet wall of not less than 1 metre in height and have a masonry cemented platform to a minimum width of 2 metres all round. Suitable drains with proper gradient for the disposal of waste should be provided, the spill water being disposed of in a garden laid out for the purpose in the neighbourhood of the well or in filter trenches situated at a distance of not less than 30 metres from the well. Bathing or washing should not be allowed in or near any drinking water well. A separate well may, if necessary, be provided for these purposes. In the case of tube wells, platforms and drains are also necessary. Directions given for the prevention of the bathing and washing equally apply to tube-wells.

The best methods of distributing drinking water from wells, tanks and rivers is to be the water by means of pump driven by an oil engine, gas engine, steam engine or electric motor, as may be most convenient to a high level reservoir or iron tank of sufficient capacity from which pipes with delivery taps can be laid to all parts of the camp. These arrangements should be adopted especially in the case of large camps. The next best alternative for obtaining water from these sources is by means of hand pumps or water elevators similar to those described in G.O.No. 248, P.H., dated 5th February, 1926. As a competent staff is always attached to works of any considerable size, skilled labor will always be available to look after the pumps, and no difficulty need therefore be anticipated about their upkeep and repair. If, for any reason, power pumps, hand pumps or water elevators cannot be used, wells should be provided with pulleys and the water drawn by means of public buckets and ropes, the use of private vessels being strictly prohibited. The method of water by these methods should be adopted even in the case of tanks and rivers;

this may be done by constructing one or more revetments on which the pumping installation or scaffolding for pulleys may be erected.

The object of these arrangements is to prevent as far as possible the contamination of drinking water and the spread of water borne disease.

As a general precaution the people living in the camps should be advised to boil all drinking water before it is used. This remark applies with special force to water derived from tanks, rivers and shallow wells.

5. Conservancy :—The camps and their vicinity should be kept clean at all times. For sweeping roads and pathways, menials should be employed at the rate of one sweeper for 750 people. In the case of larger camps, maistri should be employed to supervise the work of menials at the rate of one maistri for every 12 menials. For smaller camps at least one maistri should be employed in any case. One Sanitary Inspector should, be appointed for every 3,000 persons living in a camp-

Public dust-bins were provided at intervals of every 100 metres for the temporary storage of road-sweeping and domestic rubbish pending their removal by conservancy carts. Hand-carts or bullock-carts should be employed for the removal of refuse to a central dumping ground. The best method disposal of sweeping at the rubbish depot is by burning. Cheap incinerators similar in design to the ordinary lime kiln will serve this purpose. If incineration is not feasible and if there is a demand for refuse, it may be sold on condition that it is removed at once. Otherwise it should be covered over with a layer of 30 to 45 cms. of dug earth in order to prevent nuisance and the breeding of flies. Promiscuous dumping of rubbish should not be permitted on any account.

Public latrines should always be provided for the use of workers. Sites for latrines should be selected with the greatest care; they should be situated as far as possible from sources of drinking water supply, but at the same time, they should be within easy reach of the people.

Separate latrine accommodation should be provided for the two sexes. In the case of large camps where they are expected to be in existence for some years, permanent masonry type design sanded latrines should be built. The minimum requirement is one seat | for every 25 people. Scavengers should be in constant attendance to keep the latrines clean. In the case of permanent or semi-permanent latrines, hand-carts with metal drums should be provided for removing the excreta to a trenching ground. Trenching grounds should be selected with care and in consultation with the District Health Officer and should be situated at considerable distance from the camps. The trenches should not be more than 45 cms. in depth, 30 cms. wide and the length of the trenches should ordinarily be 6 metres, i A distance of 60 cms. should intervene between adjacent trenches, Night soil should be deposited in the trenches to a depth of not more than 15 cms. and it should be immediately covered with the earth previously removed from the trench. The trenches should not be disturbed at least six months or until such time as is necessary for the complete disintegration of the faecal matter. Ground which has been once used for trenching should be suitably cultivated before being again brought into use. Approximately one acre is required for every thousand persons. In the case of less permanent camps, shallow trenches enclosed by thatti screens are the best. The remarks previously made regarding the distance of latrines from drinking water sources apply specially to this type. Every morning one or more fresh trenches should be dug according to requirements- The trenches should not be more than 45 cms. deep and every time the trench is issued, a quantity of earth should be thrown over the stool- At the close of each day, the trenches should be completely filled

to. Used trenches should be suitably marked in order that the ground may not be again opened up before complete decomposition has taken place.

6. The provision of lighting arrangements should not be lost sight of in constructing workmen's camps.

7. Medical relief:—Wherever any large body of workmen is collected, a small dispensary manned by a medical unit consisting of a Sub-Assistant Surgeon, a compounder, a ward-boy and a total are necessary. In most cases, however, central establishment will be sufficient for several kilometers of work. The dispensary should ordinarily be reserved for treating accidents and cases of a trifling nature in which early recovery is expected. As a rule, it is advisable to transfer persons suffering from any serious illness to the nearest station where there is a well-equipped hospital. In this connection, a motor ambulance will be found very useful especially when a large body workers is employed-

8. The dispensary referred to in the previous paragraph is for the treatment of simple ailments. Diseases which are liable to become epidemic require separate and special consideration. Under this head, the following diseases have to be considered.

9.(i) Cholera :—The appearance of even a single case of cholera should receive immediate attention. The officer in charge should promptly notify the occurrence to the Health Officer, the Health Inspector and the Medical Officer. The following precautions should be taken in connection with the patient :

(a) He should be removed without delay to the Infection Diseases or Isolation Hospital, If no such hospital exist the patient should be isolated in a separate hut or preferably in a shed specially put up for the purpose, and communication with the rest of the camp should be forbidden.

(b) The germs of cholera are extracted in the stools and vomit of the patient and are also present in soiled clothing. The discharge should be received in paddy husk or saw dust mixed with kerosene oil or cresol and then burned. If the discharges be voided upon the ground, straw should be burned on the spot and a strong solution of cresol (1 in 200) should be subsequently poured over it- The earth should then be dug up and removed fresh earth provided.

(c) All soiled bedding and mats, rags and clothing should be burnt. If, on account of the cost of the articles, burning is objected to, they should be soaked in a solution of cresol (1 in 400) and subsequently boiled in water for 15 minutes.

(d) Vessels and other articles used by the patient should, before removal from the room, be soaked in disinfecting lotion and boiled in water for 15 minutes,

(e) The patient should be isolated for at least three weeks after convalescence, in the absence of proper bacteriological tests.

(f) Every infected hut and its contents should be treated with cresol (1 in 200).

(g) No washing of clothes, utensils or persons, especially from a house in which a case of cholera has occurred should be allowed in or near any water source or in any situation from which the washing water is likely to flow into such sources.

(h) Care should be taken not to allow flies to settle upon the patient or his discharges as these insects readily convey the germs of cholera to milk and other foods, and spread infection-

[OCODE-19]

(i) The number of attendants on the sick should be kept at a minimum. This should be very careful about their personal cleanliness. Their clothes whenever soiled with cholera discharges should be at once disinfected. When leaving the patient, they should wash their hands in cresol lotion and then with soap and water. They should not be allowed to prepare food either for themselves or for others.

(j) No food should be partaken of in the sick room either by the attendance or by anybody else. Chewing of betel leaves there is also dangerous.

(k) Early treatment is of the greatest importance. The best medicines for this purpose are Misturea Pro-Diarrhoea (10 to 15 drops 15-30 minutes till the diarrhoea stops) and potassium permanganate pills (1 every 15 minutes). This treatment should be continued until the arrival of the Medical Officer.

(l) The bodies of persons who have died of cholera should be carefully and thoroughly burned. If they have to be buried, this should be done at a considerable distance from wells, tanks and streams. Burials should not be permitted in ground sloping toward water-supplies. The men engaged in the removal and disposal of the corpses should disinfect their hands and clothes immediately after their work is finished and before they take any food.

(m) There must be no funeral feast in the hut in which a death from cholera has occurred.

As soon as a case of cholera occurs, the Health Officer should institute within delay careful and exhaustive enquiries in order to determine the source of infection and prevent further infection from the same source.

The following facts regarding the origin and spread of cholera and the means of prevention should be remembered :

(1) Water is the most usual means by which infection is conveyed. In an outbreak of explosive violence, it is certain that the infection has been conveyed by the general water-supply. If the outbreak persists, the indication is that more than a single pollution of the water has occurred. If the outbreak is more limited, it may be due to some local vehicle, such as a dirty pool from which only a certain number have drunk, or some contaminated food of which only a certain number have partaken. But there is always urgent danger of a subsequent contamination of the general water-supply.

(2) The most minute attention should therefore be paid to the purity of water-supply. All wells should be chlorinated or treated with potassium permanganate daily until all danger has disappeared.

(3) If a well or other source appears to be in the origin of infection, if possible, be put out of use for the time being, and for as long as any known source of pollution continues to act. A polluted well should not be taken into use again, until it has been emptied, cleaned out, and chlorinated or disinfected with potassium permanganate.

(4) When a pure or disinfected water has been provided, every effort should be made to see that it is alone issued. Dirty or suspected pools, tanks, wells etc., should be filled up or rendered inaccessible, or the water in them may be rendered undrinkable by adding coal-tar, kerosene, or any other similar odorous non-poisonous substance which impairs its palatability.

(5) Cholera germs are easily killed by boiling. People should be advised to drink nothing but boiled water.

(6) Vessels used for cooking, eating and drinking should be thoroughly scrubbed and washed with clean boiled water.

(7) Cholera is frequently conveyed by flies which carry infection from filth to food. The dangers of fly infection should be pointed out to the people and they should be advised to keep all articles of food and drink properly covered up.

(8) All food should be eaten freshly cooked and hot and cold food cooked the previous day should be avoided. Such food is frequently very dangerous as flies may have carried cholera germs to it and infected it.

(9) Raw and unripe or over-ripe fruit predisposes to cholera and therefore should be avoided when cholera is present or threatens to appear.

(10) It is good agreement, if possible, to have a separate bazaar for the camp in order to have proper control over the articles sold therein.

(11) Every one should be warned to report at once any diarrhoea, however slight it may be, so that it can be promptly treated. Even if the attack does not happen to be actual cholera, it is the most frequent precursor of the disease and demands immediate treatment. As persons will apparently slight ailments do not always realize the importance of going to the Medical Officer, it is a good plan to have pre-diarrhoea mixture, cholera pills; etc., in the hands of the more intelligent overseers and contractors for distribution to those who need them. But these men should be definitely instructed to keep the Medical Officer informed of what is going on.

(12) Careful attention should be paid to the general sanitary arrangements of the camp and of the houses. The more perfect they are, the less the risk of spread of infection by flies.

(13) It is absolutely necessary to have suitable latrine arrangements, and to see that every one uses the latrine, and does not resort to the banks of the streams or tanks, etc., for the purposes of nature. The latrines should be kept clean at all times and disinfected at least once in 24 hours with cresol solution. The staff of latrine sweepers should be sufficient to ensure that every motion is immediately covered up with dry earth or disinfected and that the latrines are always kept clean and tidy. These instructions should be carried out with method and intelligence.

(14) As fatigue lowers resistance to disease, people should be encouraged to take proper sleep and rest and not spend the nights in singing, tom-tomming and so forth.

(15) Great care should be taken to prevent the importation of the disease from neighboring infected villages. If it can be arranged no food supplies should be brought in from such villages. Any supplies so received should be boiled or cooked before use.

(16) All persons coming or returning from infected villages should be kept under surveillance for ten days-

(17) In case of necessity, additional medical aid should be called for without delay.

(18) The officer in charge should by his example show his men that he himself believes in the measures that he recommends.

(19) Every attempt should be made to protect the workers and their families with anti-cholera vaccine. Inoculation causes practically no pain or discomfort and it protects the individual against infection for some months. The vaccine may be obtained from the Institute of Preventive Medicine, Hyderabad. The District Health Officer will make arrangements for obtaining the vaccine and carry out the inoculations.

(20) In seasons of the year when cholera may be expected to break out although no cases may have occurred, it is wise to anticipate possible outbreaks by attending the sanitary rules mentioned in the above paragraphs.

(21) A daily report of cholera, and other infectious diseases should be submitted in the annexed form by the officer in charge of the camp to the Health Inspector, Medical Officer, District Health Officer, the Director of Public Health, the Superintending Engineer of the Works and the Chief Engineers.

(ii) Smallpox:—As a rule, this does not occur in epidemic form among adults, all new-comers to the camp should, however, be re-vaccinated without delay. When workmen bring their families with them, all children should be vaccinated or re-vaccinated with as little delay as possible, on the appearance of a case of smallpox, no matter how slight it may be. The patient should be isolated in the manner indicated in the previous paragraph. All contacts should be re-vaccinated and kept under surveillance for a period of 14-18 days. Arrangements should be made for the attendance of the patients removed to the isolation shed. Person selected for this purpose should themselves be protected against smallpox either by having had an attack of smallpox previously or by recent re-vaccination. The Medical Officer of the camp should take all measures for the treatment of patient and the disinfection of infected material. Convalescents should be provided with new clothing. After convalescence or death, the patient's clothing and all other infected articles should be burnt. By strict attention to these instructions the changes of the disease assuming an epidemic form will be averted. In the event of an outbreak of smallpox a vigorous vaccination and re-vaccination campaign should be undertaken under arrangements with the District Health Officer,

(iii) Plague:—The occurrence of Plague in human beings is invariably preceded, by rat-fleas and excessive mortality among rats. This is due to the fact that Plague is chiefly;

a disease of rats. The rat-fleas leave the rat when it dies of the disease and may bite man and infect him. The occurrence of any rat-flea or of a case of a Plague should be reported immediately to the Health Inspector, Medical Officer and Health Officer. Rats can be excluded from this house by storing food grains properly and by keeping the house and surroundings free from refuse and remains of food. Rat traps and poison baits should also be used, barium carbonate in the form of pills being the most efficient poison to use. The importation of foodgrains from Plague-infected areas should as far as possible be avoided. If, however, there is no other source of supply, the grain bags must be opened up and the grain exposed to the sun before it is taken into the camp. As soon as Plague occurs every person should be inoculated with anti-plague vaccine as soon as possible. The Health Officer will arrange to get the vaccine from Institute of Preventive Medicine, Hyderabad and carry out the inoculation. Such persons as refuse to be inoculated should be segregated in a health camp specially constructed for the purpose.

When Plague cases have occurred in small houses or huts, the roofs should be removed and the interiors exposed to the sun. Any rats found should be killed and put in

boiling water or burned in kerosene oil. In the case of pakka buildings, the roof of which cannot easily be dismantled, disinfection should be carried out with kerosene oil emulsion which will be prepared and supplied by the officers of the Public Health Department,

Detailed instructions for the Prevention and Control of Plague will be found in the A.P. Plague Regulations.

(h') Malaria :—*If the camp is situated in a waterlogged area or any other locality where malaria is likely to be prevalent, special precautions are necessary to safeguard the health of the labourers, lest the efficiency of the operations in the works should suffer. Malaria is conveyed by mosquitoes which breed in the water of tanks and rivers and even in small collections such as are to be found in thattis, tins, old pots, etc., in and near the houses. Any tanks, wells, pools in or near the camps should be kept free from vegetation and should be oiled at least once a week. People should be instructed not to allow water to collect in tins, pots and such vessels in their huts or in the vicinity and any failure to carry out instructions should be severely dealt with.*

When an undue prevalence of malaria is anticipated or is in existence a plentiful supply of quinine both for treatment and for pre-phylaxis should be maintained.

(v) Relapsing Fever :—The germ which produces relapsing fever is spread by the bite of the louse. Personal cleanliness, especially that directed towards the destruction of lice, is the most important preventive measure. Persons harbouring lice should have their hair cropped. If there is any objection to cropping, kerosene oil or vinegar (Kadi) should be rubbed into the hair, which should then be combed with a fine comb. The clothing should be immersed in boiling water for ten minutes and then dried in the sun. If an epidemic of relapsing fever occurs, a sufficient quantity of salvarsan should be obtained for the treatment of patients.

10. The question of medical supervision has been referred to in paragraphs 7 and 8 supra. It is advisable, as has already been stated that a medical officer with a small dispensary should be attached to each large gang or set of gangs of workmen. A weekly report should be submitted by the Officer in charge of the dispensary to the District Medical Officer who should effect regular supervision of the work done by the former.

11 Duties of the Superintending Engineer:—It will be the duty of the Superintending Engineer to see that all orders connected with the health of the camps are duly carried out. Contractors in charge of gangs of mazdoors should be compelled to see that all orders laid down by officers of the Medical and Public Health Departments are duly carried out.

12. Cost of sanitary measures to be debited to contingencies of Estimates.

Any reasonable outlay for such temporary shelter as may be needed for bodies of work people of considerable magnitude; and the marking out, clearing and draining of their temporary station; also for entertaining temporary establishments to look after the latrines, policemen, and hospital establishments, will be authorised by the local Government as forming part of the contingent outlay on the work under execution.

(G.O.Ms-No. 1333, W., Dt. 24-9-1926 and No. 129, W., Dt. 19-1-1927)

APPENDIX XIII

Form of Agreement for Adoption in cases in which Government Buildings are leased out to private individuals

THIS INDENTURE MADE the.....day of..... 19.,-... BETWEEN r
EXCELLENCY THE GOVERNOR OF A.P., hereinafter called the 'Lessor' (who expression shall where
the context so admits include his successors in office and assign of the one part and..... residing
at..... and carrying on business as.....hereinal
called the 'Lessee' (which expression shall where the context so admits include his he executors,
administrators, legal representatives and assigns) of the other part WITNESSE' as follows:

1- In consideration of the rent hereby reserved and of the covenants by Lessee herein contained
the Lessor demises unto lessee ALL that piece or parcel of IE together with the building and premises
known as situate in the Registration sub-distrid in the Registration district of.....-,bearing
S.No.....for the term of.....ye
from the.....day of....., - 19..... PAYING therefor in advance the monthly rent
Rs..... clear of all deductions the first of such payments to be made on the...
day of.....19.....

2. The Lessee covenants with the Lessor as follows: —

(1) To pay the reserved rent on or before the 1st day of each month
advance and in manner aforesaid,

(2) To bear pay and discharge all existing and future taxes, charg
assessments and outgoings payable in respect of the said premises,

(3) To keep the exterior and the interior of the demised premises and additions thereto and
the boundary wall and fences thereof and the drains, soil and do pipes and sanitary and water apparatus
and electric fittings and fixtures thereof in good;
tenantable repair and condition.

(4) Not to make or permit to be made under any circumstances any alleratic in addition to
the demised buildings without the previous consent in writing of the LCS! or by the Executive Engineer
for the time being of..... division (hereinafter called I
Executive Engineer) PROVIDED ALWAYS that if the lessee is permitted to make a alterations by the
Lessor or the Executive Engineer the Lessee shall not claim nor will be entitled to any set-off or
diminution of the reserved rent therefor and he shall not entitled to any compensation therefor.

(5) To permit the Lessor and his authorised officers or agents with or with workmen or
others at all reasonable times on giving one day's previous notice to en upon the demised premises and to
view the condition thereof and upon notice being give by the Lessor or his authorised officers to repair
within one month from the service off notice in accordance therewith.

(6) To use the demised premises only as a....and not for any purposes trade.

(7) Not to assign underlet or part with the possession of the demised premise or any part
thereof without first obtaining the written consent of the Lessor or his author officers.

(8) To yield up the demised premises with all fixtures and additions thereto at the determination of the tenancy in good and tenantable repair and condition in accordance with the covenants herein contained.

3. The Lessor covenants with the Lessee as follows:

(1) That the Lessee paying the rent hereby reserved and observing and performing the several covenants and stipulations herein on his part contained shall peaceably hold and enjoy the demised premises during the said term without any interruption by the Lessor or any person rightfully claiming under or in trust for him.

(2) To carry out all repairs to main walls, roof and foundations due to fair reasonable wear and tear and the decision of the Executive Engineer.....as to the necessity for such repairs shall be, final.

P 4. PROVIDED ALWAYS and it is hereby expressly agreed by and between the parties hereto as follows;

(1) If the rent hereby reserved or any part thereof shall be unpaid for 14 days after becoming payable (whether formally demanded or not) or if any covenants on the Lessee's part therein continued shall not be performed or observed or if the Lessee or other person in whom for the time being the term hereby created shall be vested shall become insolvent then and in any of the said cases it shall be lawful for the Lessor or his authorised officers at any time hereafter to re-enter upon the demised premises or any part thereof in the name of the whole and thereupon this demise shall absolutely determine but without prejudice to the right of action of the Lessor in respect of the breach of any of the Lessee covenants herein contained.

(2) If either party shall desire to determine the present demise and shall give to the other party three calendar months previous notice in writing of such his desire then immediately on the expiration of the three calendar months, the present demise and everything herein contained shall cease and be void but without prejudice to the remedies of either party against the other in respect of any antecedent claim or breach of covenant.

(3) 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 lessee as if it were as arrear of land revenue.

IN WITNESSETH whereof..... acting on behalf of and by the order and direction of His Excellency the Governor of Andhra Pradesh..... and..... have hereunto set their hands and seal the day-.....-....., first above written.

SIGNED, sealed and delivered by the above named in the presence of.....

SIGNED, sealed and delivered by the above named in the presence of.....

exterior and interior of the said premises hereby demised and all additions thereto and the boundary wall and fences thereof and the drains soil and other pipes and sanitary and water apparatus and in particular (subject as hereinbefore provided) at his own cost and expense to maintain an electric installation consisting of such number of lamps as in the opinion of the Executive Engineer..... shall be sufficient to properly light the demised premises and at least..... fans.

(iv) If the Lessee shall desire to determine the present demise and shall give to the Lessor three calendar months previous notice in writing of such desire and shall up to the time of such determination pay the rent and perform and observe the covenants on his part hereinbefore contained then immediately on the expiration of such three calendar months the present demise and everything herein contained shall cease and be void but without prejudice to the remedies of either party against the other in respect of any antecedent claim or breach of covenants.

(v) That in the event of any officer or servant of the Lessee in occupation of the said premises during the period of the said tenancy requiring any structural alterations in or additions thereto the Lessor will not make or permit the same to be made without the consent in writing of the Lessee being first had and obtained and any enhancement of rent which the Lessor may demand in consequence of such alterations and additions being first agreed to.

(vi) That the Lessor will on the written request of the Lessee made three calendar months before the expiration of the term hereby created grant the Lessee a lease of the demised premises for the further term of.....years and containing like covenants

and proviso as are herein contained including the present covenant for renewal,

4. PROVIDED ALWAYS and it is hereby expressly agreed and declared by and between the parties hereto that in case the Lessor shall for one month after notice in writing given by the Lessee or the Executive Engineer..... make default in respect of the said repairs or the maintenance of the said electric installation or in payment of any such taxes, rates, assessments or other outgoings and deduct the expenses of such repairs and works or such payments as the case may be out of the rent which shall then be or hereafter shall become payable under or by virtue of these presents.

IN WITNESS whereof the Lessor and.....acting on behalf of and by the order and direction of His Excellency the Governor of A.P. have hereunto set their respective hands and seals the day and year first above written.

The schedule above referred to..... House and ground bearing municipal door No..... situate in..... bounded on the north by,-,..... on the east by,,.....- on the east by on the west by,-,..... and on the south by..... comprised in Collector's Certificate No...—..... bearing old Survey No.....

Re-survey No. :.....—.....

SIGNED, sealed and delivered by the above named in the presence of—.....

SIGNED, sealed and delivered by the above named in the presence of.....

APPENDIX XIII-B
Form of order of grant of all kinds of Government lands in
charge of the Public Works Department for temporary
occupation for agricultural purposes

The land specified in the schedule is hereby granted to..... for temporal occupation for a period of..... years commencing from..... subject to the following conditions to which the aforesaid granted has agreed:

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the officers sanctioning the grant or that there was an irregularity in procedure. Cancellation on any of these grounds may be ordered by an authority to whom the sanctioning authority is administratively subordinate,

(2) the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall pay the sum of Rs., .. equivalent to month charge as and for security for the fulfilment and observance by him of the condition contained in the grant. The sum so deposited shall be liable to be forfeited to the Government under the orders of the assigning authority in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

Note :—The amount of deposits should vary according to the period of the grant, OBI month's charge being demanded for a grant of three months, two months, charge for a grant for six months, three months, charge for a grant for one year and six months, charge for a grant exceeding; one year.

(4) The grantee shall, so long as the grant be in force, pay clear of all deduction! a sum of,—.-.....—, for credit to the general revenues of the State and a further sum of account of rates, taxes, assessments and outgoings payable by the Government to the municipality as a result of his occupation of the land. The consolidated charge shall be payable to the Government in advance annually/monthly the first of such payments to be made on the day.....and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(5) In the event of the municipality varying its demand, the assigning authority shall be at liberty to revise without notice, the second part of the charge referred to in condition (4) as the sum payable by the grantee on account of taxation by the municipality and on such revision any balance shall become immediately payable by the grantee.

Note:—In the case of lands in non-municipal areas, conditions (4) and (5) should be replaced by the following conditions:—

- "The grantee shall so long as the grant be in force pay in advance to the Government annually/monthly a sum of Rs., .. clear of all deductions, the first of such payments to be made on the.....-day of.....—and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months".

(6) The grantee shall not use the lands or suffer it to be used except for the purpose for which it is granted.

(7) The land shall not be used for political meetings.

(8) The grantee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the land aforesaid to view the condition and state thereof.

(9) The grantee shall not assign or underlet the benefits arising under this grant for any part thereof without the previous written permission of the assigning authority.

(10) (a) The Government reserve to themselves the rights to all sandalwood trees and their branches and roots which exist at the time of the grant (which are described in the schedule attached) as well as those which may grow subsequently on the lands granted and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land in question and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove them or cause them to be cut or remove without the permission of the Executive Engineer;

(b) the grantee shall take all reasonable measures to the satisfaction of the assigning authority for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land ;

(c) the grantee shall take steps to see that the remarks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with ; and

(d) in the event of the infringement of, or failure to observe any of the conditions mentioned in (a), (b) or (c) above, the grantee shall pay to the Government such compensation as is determined, by the assigning authority for any loss or damage caused by such infringement or failure on his part. The Government shall also at liberty to cancel the grant and re-enter on the land and the whole land shall thereupon vest absolutely in the Government. In the case the grantee shall not be entitled to any compensation whatever.

Note:—When lands are granted in the districts noted below, the conditions (a) to (d) above relating to the reservation of sandalwood trees should be scored out:

Godavari East and West, Nellore, Cuddapah, Gunter, Krishna, Visakhapatnam.

(11) The grantee shall not erect any buildings, fences or structures of a permanent or a temporary character on the land without the previous written sanction of the assigning authority.

(12) The grantee shall not cut any live trees without the previous permission of the assigning authority. The withered and wind fallen trees shall also be the property of the Government and shall be handed over to the Public Works Department Supervisor.

(13) The sale-proceeds of withered and wind-fallen trees and those cut under condition (15) shall be credited to the Government-

(14) The grantee shall have no rights whatsoever to any trees standing on the land or to other usufruct-

(15) The usufruct of the trees may be leased out in auction by the officers of the Government according to the practice obtaining in the district and the grantee shall allow the right of passage to persons to whom the usufruct of the trees is so granted by the Government

(16) The grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land except as provided in condition (6).

(17) The grantee shall, on the termination or revocation of this grant, restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(18) The grantee shall be answerable to the Government of A.P. for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(19) The Government may revoke the grant wholly or in parts if the sums specified in condition (4) above or any part thereof shall remain unpaid for fifteen days after they have been repayable whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures hereon and the grantee shall not be entitled to any compensation therefor.

(20) If the amount specified in conditions (4) and (5) above or any part thereof is in arrear it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(21) The grant hereby given may be revoked by the assigning authority after giving.... months, notice in writing and by the Government or Chief Engineer without notice in an emergency (the said Government or Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving to the assigning authority..... months notice in writing but without prejudice to any right of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not in case of such revocation or termination be entitled to any compensation in respect of any improvements effected by the grantee to the land or for the loss caused by the interruption of his occupation.

(22) In the event of termination of the grant under conditions (19) or (21) the Government shall at liberty to levy proportionate rental up to the date of such termination,

(23) The sum of Rs... deposited by the grantee under condition (3) or such portion thereof as may be returnable to him shall be returned to him on the expiration or • sooner termination of the grant.

(24) If any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the grantee as to the rights, duties or liabilities of either party in respect of any matter or things relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained, the said dispute or difference shall be referred for settlement to the arbitration of the Chief;

Engineer and his decision shall be final.

(25) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the land are however reserved and are in no way affected by the grant ,

**Form of Order of Grant of all kinds of Government Lands in
charge of the Public Works Department for Temporary Occupation
for Non-Agricultural purposes**

The land specified in the schedule is hereby granted to..... for temporary occupation for a period of..... years/months commencing from..... subject to the following conditions to which the aforesaid grantee has agreed:

(!) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to miss-representation of fraud or in excess | of the limits of authority delegated to the officer sanctioning the grant or that there was an irregularity in the procedure. Cancellation on any of these grounds may be ordered by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall not transfer to any other person the rights hereby conveyed to him, without the previous sanction of the authority which has made the grant.

(4) The grantee shall pay the sum of Rs..... equivalent to..... month's charge as and for security for the due fulfillment and observance by him of the conditions contained in the grant- The sum so deposited shall be liable to be forfeited to the Government under the order of assigning authority in the event of failure by the grantee to fulfill and observe any of the conditions of the grant.

(5) The grantee shall so long as the grant be in force, pay clear of all deductions a sum of Rs..... for credit to the general revenues of the State and a further sum of

Rs..... on account of rates, taxes, assessments and out-going payable by the Governments to the Corporation/Municipality as a result of his occupation of the land. The consolidated charge shall be payable to the Government in advance annually/monthly, the first of such payments to be made on the.....day of..... and the subsequent annual monthly payments on the corresponding day of the succeeding years/months.

(6) In the event of the Corporation/Municipality varying its demand, the assigning authority shall be at liberty to revise, without notice, the second part of the charge referred to in condition (5) as the sum payable by the grantee on account of taxation by the Corporation-Municipality and, on such revision any balance due shall become immediately payable by the grantee.

Note :—(i) In (he case of grants in non-municipal areas, conditions (3) and (6) should be replaced by the following conditions :

The grantee shall, so long as the grant be in force, pay in advance to the Government annually/monthly a sum of Rs..... clear of all deductions the first of such payments to be made on the.....day of.....and subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(ii) The amount of deposit referred to in condition (4), should vary according to the period of the grant, one months' charge being demanded for a grant for three months, 1

months' charge a grant for six months, three months' charge for a grant for one year and six months' charges for a grant exceeding one year.

(7) The grantee shall not use the land or suffer it to be used except for the.....
Purpose of the..... which are the following.

(8) The grantee may erect..... in accordance with the plan (s) annexed.

(9) The land and the buildings thereon shall not be used for political meetings.

(10) The grantee shall not except as provided in condition (8) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority. The grantee shall permit the assigning authority or other officers or others authorized by him on his behalf with or without workmen at all reasonable times to enter upon the land and alt sheds, buildings or other structures built or erected with reference to condition (8) above and to view the state and condition thereof and upon notice being given by the said assigning authority or other officer authorized on his behalf to repair in accordance therewith.

(11) The grantee shall maintain the said land in a clean and a sanitary condition to the satisfaction of the assigning authority and, shall also maintain the structures, if any, erected thereon as aforesaid, in good substantial repair to the satisfaction of the assigning authority.

(12) The grantee may uproot, cut down or destroy such trees plants, groves or brushes, as in the opinion of the assigning authority it is necessary uproot, cut down or destroy to make the land fit for the purposes of.....and may take them free of charge

and dispose of them in any manner he likes. The grantee may level the ground by removing embanked pathways and filing up low-lying places on the land so as to make the ground fit for the purposes of.-

.....and may now and then cut the grass thereon and dispose of

the same in any manner he likes and do any work on the land which in the opinion of the assigning authority is necessary for such purposes.

Note:—If the trees are valuable it may be stipulated that the tree growth cut should be handed over to the assigning authority or any officer by him in this behalf for disposal.

(13) The grantee shall remove immediately any unauthorized building, fence or structure on receiving notice from the assigning authority and in default or immediate compliance with any such notice, the assigning authority shall have power to remove the same and the grantee shall, upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed and take delivery of the same. The grantee shall have no claim to any materials removed under these conditions which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand as aforesaid.

(14) The grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (7).

(15) The grantee shall, on the termination or revocation of this grant, restore the said land to the assigning authority in as good a condition as is consistent with foregoing conditions.

(16) The grantee shall be answerable to the Government of A.P, for all or injure or damage done to the said land and other Government property thereon except as i permitted by the foregoing conditions.

(17) The assigning authority may revoke the grant wholly or in part if the charge specified in condition (1) or any part thereof shall remain unpaid for fifteen days after has become payable whether formally demanded or not, or if the grantee shall have broke any of the conditions of the grant herein contained and assume control or otherwise dispel of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefore.

(18) If the amount specified in condition (5) above or any part thereof is arrear it shall also be competent for the assigning authority to recover the same from the grant as an arrear of land revenue.

(19) The grant hereby given may be revoked, by the assigning authority after giving.....month's notice in writing and by the Government or the Chief Engineer

without notice for emergent reasons (the said Government the Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving 10 th assigning authority..-.,..., month's notice in writing but without prejudice to any right

of action or remedy of the assigning authority in respect of any antecedent breach of an of the foregoing conditions. The grantee shall not in case of such revocation for terminati6;

be entitled to any compensation in respect of any buildings, fences and structures on th land or of any other improvements effected by the grantees to the land but he may, before the revocation of termination of the grant, takes effect or if the grant is revoked without notice, within such time as may be allowed by the assigning authority in that be NI remove such buildings, fences and structures.

(20) The sum of Rs..... deposited by the grantee under condition (4) or sue!

portion thereof as may be returnable to him, shall be returned to him on the expirations sooner termination of grant,

(21) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and th customary rights of Government and the public in roads and paths and rivers, and channel running through or bounding the land and the right to Government to the mines and quarries, subjacent to the said land are, however, reserved and are in no way affected t;

the grant.

SCHEDULE

District	Taluk	Town or Village	Ward No. & Block No.	Serial No,	Area	Boundaries
(1)	(2)	(3)	(4)	(5)	(6)	(7) *
1						
Acs.	North					South
						East
						West

In witness whereof I (name and designation) acting for and on behalf of and by order and direction of His Excellency the Governor of Andhra Pradesh have hereunto set by hand this.....day of.....19.....

Place and Date:

**Signature and designation
of the assigning authority,**

Annexure

Plan(s) if any (to be specified)

APPENDIX XIV

European Cemeteries and Tombs

(Not Printed)

[DCODE-20]

APPENDIX XV**Destruction of Records**

[Vide Paragraph 84 of this Code]

A.—RULES

1. The Ellis-Tomkins system contemplates the maintenance of sub-files for papers which can suitably be dealt with separately from the main file, sub-files should therefore be opened whenever possible and closed as soon as their particular subjects are disposed of. Main files should also be closed as soon as the main subject is disposed of. For example, the main file regarding the construction of a new work should be closed when the completion report is sent in. Matters not immediately connected with the construction of the works, which may arise for orders during construction should be dealt with in the sub-files which should be closed when the side issues with which they deal are disposed of. Subsequent transactions with regard to the work which arise after the main file is closed should be dealt with in separate sub-files.
2. When a file or sub-file is closed, the Manager or the Accountant or the Head Draftsman or the Personal Assistant, as the case may be, should look through it and end any papers which should be retained permanently when the main subject of the file or the sub-files is not one for permanent retention. The papers so extracted will be made into a separate sub-file, and retained as such.
3. Files which are to be retained permanently will be stamped "R" Files which are to be destroyed after a certain period of years will be stamped "D" in the year in which they are to be destroyed being specified. The year will be that in which the file will fall for destruction according to its main subject as classified in the list in Section B attached to these rules.
4. Files which were closed finally before the 1st April, 1921 will be marked for retention or destruction in accordance with their main subject. No attempt should be made to split up these files. They should be 'stacked separately', the Record-keepers in each office should prepare lists of them, as he can find time, in the form attached to these rules and submit the lists for approval to the head of the office.
5. File should be arranged in the record-room as follows:—Files and sub-files bearing the same file number will be arranged together, those that are to be retained being put first and then in order chronologically according to the year of destruction those that are to be destroyed—
6. Registers, statements, accounts, etc., which are closed should be scrutinized by the head of sections concerned and the period of their retention should be clearly marked on them in accordance with the list in section B and stamped "R" or "D" in ...-" as directed in Rule 3. in any case where the orders in the list in Section B are not clear, the head of the section concerned should take the orders of the head of the office in regard to the period of their retention. The registers, statements, accounts, etc., should be kept separate in the Record room and destroyed as they fall due for destruction.
7. The stamping of files, registers, etc., enjoined in Rules 3 and 6 should be initialed and dated by the head of the section concerned,

8. In February each year the Record-keeper should pick out all the files, registers, statements, accounts, etc.. which are marked for destruction in that year and should prepare a list of them and submit it to the head of the office for approval through the Head Clerk who will be responsible for the proper scrutiny of the list. When the list is approved, the Record-keeper should destroy the files, registers, statements, accounts, etc., and certify on the list that he has done so. The list should, then be filed and kept permanently.

**B—LIST SHOWING THE PERIODS UP TO WHICH
RECORDS SHOULD BE PRESERVED**

Circle and Divisional Offices

A.B.C- statement (annual—Three years) Absentee statements

(monthly—To retained be permanently)

Acquaintance rolls for pay and allowances (other than traveling allowance) when maintained separately from pay bills—Six years.

Administrative reports—Three years.

Administrative Accounts—Printed copies of—Three years.

Advance Sanctioned to—One year.

Advances to construct buildings—Three years after the advance has been fully recovered.

Advances to purchase conveyances—One year after the advance is fully recovered

Advertisement Charges—Sanction to—One year.

Advice to transfer debit and credit—Three years.

Age Fifty-Five years' statement—Three years.

Agreements books—Five years after completion of the work or till audit objections, if any, relating to it are cleared to the satisfaction of audit authorities or have been reviewed by Public Accounts Committee whichever is later.

Agreements relating to lease for cutting canal, shrubs, gathering fruit from trees, etc.—Twelve years from the date of their terminations, if no suit is threatened or pending in connection therewith.

Agreements—Cases of delay of more than one month and more in the completion of—For works costing Rs. 10,000—Statement showing—One year.

Allotments—Application for modifications of—One year.

Allowances—Sub-division allowances—One year.

Amanath Register—Six years from the date of the last entry in the register.

Appointments—Three years.

Appropriations Register—Three years.

Architectural remains—Report on—To be retained permanently if one objects of interest; otherwise to be destroyed after three years.

Army list (quarterly), Indian—One year,

Arrears list—One year.

Assignment deeds—Succession certificates—Powers of attorney, etc., generally connected with making payments for works done—Ten years.

Assumption of charge—Sanctions to—One year,

Attachment of salaries of the members of the Public Works Department—to be retained for:

one year after the decretal amounts have been paid up.

Attachments of bills of contractors—To be retained for one year after the decretal amount? have been paid up.

Attendance register—One year. Audit notes—Should be filled with the monthly accounts and destroyed with them.

Audit of amounts due to piece-workers and others—One year after the outstanding have been finally settled.

Audit slips and correspondence connected therewith—Three years after submission of the completion report of the work to which they relate.

Award statements—Correspondence regarding land—Three years. Bill

register showing progress in check and Payment of—Three years. Boats,

Punts, etc., register—Three years.

Boat notes—Counterfoils and triplicate copies to be preserved in the supplying division like measurement books i.e., for ten years after the completion of the work for which supplies are recorded in the boat notes. Duplicate copies to be preserved in the receiving division for three years.

Boiler licenses—One year after the grant of a fresh license.

Breaches in canals and distributaries—Five years.

Bridges and Roads—Important—Return of—Three years.

Budget appropriations and re-appropriations—One year.

Budget—Three years.

Budget estimate of an office—Detailed—Five years.

Budget—Office copies of—sent by Divisional Offices—Three years

Budget—Educational—Completion Certificates for—Three years.

Buildings—Educational—Return of expenditure on—One year.

Buildings—Non-residential and Residential—Annual return of repairs—Estimate—This| years.

Buildings—Purchase and sanction to execution of works—to be retained permanently,

Buildings—register of—To be retained permanently.

Buildings—Sale or demolition of—To be retained permanently.

Buildings—Rents of—Three years

Buildings—Rent—Data statement of—To be returned permanently.

Buildings—Rents—Data Statements—Correspondence relating—Five years.

Buildings—Hire of—Three years. Buildings—Transfer of—Three years. Buildings—Certificate of absence—Three years. Buildings—Occupation of rest-house and other—One year. Buildings—Extracts of the register of—One year. Buildings—Capital and Revenue Accounts of Buildings let—To be retained permanently. Camp Receipt Register—Three years. Camp Despatch Registers—Three years. Camp—List of papers sent to—One year, Canals—Closure of and correspondence relating thereto—To be retained permanently. Cars—Annual inspection of—One year. Cash Books of Executive Engineers and other issuing officers—Twenty years. Cash abstract book—Three years. Cash extracts—Twenty years. Cash balance statement—Three years, Casual leave—Corresponding regarding—One year. Cattle—Impounding of—One year—Cemeteries and tombs—Reports on the condition—Three years, Cemeteries—Erection and endowments—To be retained permanently. Census Correspondence—Three years. Cheque—Indent for books—One year. Cheque—Register of Drawn—Five years. Cheque—Counterfoil books—Five years. •Cheque—Correspondence regarding dishonoring of—One year, Eel Map—Corrected up to the end of—Return of—Three years. ‘Rulers—To be retained permanently. 1 Service Regulations—To be sold as waste paper on receipt of new editions. Classification of fields, dry and wet—To be retained permanently. (Fcrks Recommended for trial for Divisional Accounts—List of—Three years. Codes—Public Works Department Codes—To be sold as waste paper on receipt of new editions. Commander-in-Chief—General order by—To be retained permanently. Completion reports—Office copies—Three years. Completion reports of works which are filed in the offices of final record—To be retained permanently.

Confidential sheets, reports and records relating to officers and subordinates of the department after the date of their retirement, resignation, removal or dismissal—Five years.

Confidential sheets, reports and records relating to deceased officers and subordinates the department after the date of their death—One year.

Contingent bills and vouchers—Three years.

Contingent charges—sanction to—One year.

Contingent expenditure—Register of—Five years.

Contract agreements—Five years after final payment is made and the completion report sent or till such time, audit objections, if any, are cleared to the satisfaction of the aid authorities or have been reviewed by Public Accounts Committee, whichever is later

Contractors' ledger—Five years after claims have been finally settled.

Contractors' ledger—extracts from—One year after final settlement.

Contractors' complaints and civil suits—Three years.

Contracts—Indian Stores Department—Annual rate contracts—Five years or till such time audit objections, if any, are cleared to the satisfaction of audit authorities or have been reviewed by Public Account Committee, whichever is later.

Conveyance allowances—Sanction to—One year.

Correspondence connected with the sale, audit, etc., of miscellaneous properties—Five years after the expiry of the concerned leases if no dispute is pending at the end of the period. If any dispute is pending at the end of the period, the records will be kept for such longer period as may be necessary.

Credit—Applications for letters of—One year. Criminal charges for injury to irrigation works, etc.—Three years—Cultivation—Unauthorised—Ten years.

Day books—Three years.

Demarcation stones on channels—Payments for—Three years.

Deposits—Register of security—Five years. Despatch Register—Five years.

Note — Registers of 1918 to 1927 will be retained permanently and 1928 to 1931 will be retained for three years.

Despatch number books—Abstract—One year.

Descriptive memoirs—Correspondence regarding submission of—One year from the date of publication of the memoirs.

Diary books—Three years.

Diary bundles, i.e., unimportant papers for which there is no file number—Three years

Directories—To be sold as waste papers after Three years.

Distribution returns division office copies—Three years.

Distribution returns classified list, etc.—To be retained permanently in the Chief Engineer's Office and for five years in other offices.

, 'Division—Creation and closing of—Three years-' Divisional

Accounts—Corresponding relating to—Three years.

Duplicate keys of cash chests—Deposit in Treasury correspondence—One year.

Electric Installations, etc., Maintenance charges for the return of—Three years.

Embankments—Annual inspection note of river—Five years.

Encroachments—Correspondence and B. memoranda—Ten years,

Endowed monuments—Report on—Three years.

Establishment—Annual return—(books of establishment)—Thirty-five years. ,

Establishment—Retrenchment and Reduction to be retained permanently.

Establishment, temporarily—Three years.

Establishment, works—Three years.

Establishment, changes in—Three years.

Establishment, suspension, dismissal, resignation, promotion and reversion—Ten years.

Establishment, increments and fines—Three years.

Estimates—Original—Sanctioned—of all works—To be retained permanently.

Estimates—Register of sanctioned—To be retained permanently. . Estimates files—

Ordinary and petty repairs—One year.

Estimates—Return of sanctioned—One year.

Estimates special repairs—Three years.

Estimates—Court of Wards Works—Correspondence relating to the scrutiny of Five years.

Estimates—Zillah Parishad Works received from Chairman of Zillah Parishad—Correspondence relating to the scrutiny of—Five years.

Estimates—Minor Irrigation Works received from Collectors—Correspondence relating to the security of—Five years.

Estimates—Municipal Works received from Chairman, Municipal Councils—Correspondence relating to the security of—Five years.

Estimates—School buildings works received from the Director of Public Instruction—correspondence relating to the scrutiny of—Five years.

Estimates—Repairs—Abstracts of—Ten years.

Examinations—One year.

Exchange accounts with other departments, etc.—One year.

Expenditure—Statements of monthly progressive expenditure and correspondence relating to any discrepancy in the figures—Two years.

Experimental cultivation—To be retained permanently.

Explosives—Return of—Three years.
 Famine correspondence—Three years,
 Famine relief works—Board's and Collector's proceedings—Five years.
 Fire—Destruction of buildings, etc.,—One year.
 Forest produce—Supply of—One year.
 Forms—Accounts of—Three years.
 Gate Pass Books—One year.
 Gazette—"Fort. St. George" Portions containing matters of general interest to be retained; others to be sold as waste paper after Three years,
 Gazette—District—Portions containing matters of general interest to be retained; others be sold as waste paper after three years.
 Gazetted Officers—weekly reports of—One year. |
 Gazetted Officers—Statement showing the full names of—with information of the district in which they own lands—Three years.
 Gazetted Officers—Monthly list and History of Services—To be retained for five years,
 Gazetted Officers—Quarterly list—To be retained permanently in the Office of the Chief Engineer (General) and for Five years in the Circle and Division Offices,
 General charges—Account books of—Five years.
 General number books—One year. Grant and outlay
 statements—One year.
 Gratuities Records relating to the grant of—To be retained till the date on which mf gradualists would attain their 55th year; or to be destroyed earlier, if the fact of gratuilani's death is known.
 Guides—Postal and Telegraph—One year.
 Guides—Railway—One year,
 Heirs—Correspondence regarding payment of salary and traveling allowance to the the deceased—Five years.
 Impress accounts—Three years.
 Impress—Sanction to drawing accounts and—One year,
 Impress—Extracts—Three years.
 Income-tax—Three years.
 Indents for Stationery—Three years.
 Indents for forms—Three years,
 Indents for measurement books—Three years.
 Indents for Postage labels—One year,
 Inspection—Superintending Engineer's report —Of Divisional Offices—Five years.
 Inspection—Executive Engineer's report—of sub-Divisional Offices—Five years.

Inspection—Accountant-General's—Reports of divisional office and connected correspondence—Five years.

Inspection notes on works by Executive Engineer—Three years after completion of the work.

Inspection notes on works costing over Rs- 50,000/- by Superintending and Chief Engineers— To be retained permanently.

Inspection notes on other works—Superintending and Chief Engineers—Three years after completion of the work.

Inspection notes of subordinates and sub-divisional officers—Five years.

Inspection notes—Lands vacant and in charge of P.W.D. quarterly return—Three years.

Inspection bungalow—Correspondence regarding occupation of One year.

Insurance—Postal—Fund correspondence—One year.

Investigation—T.R.S. Progress Reports—Monthly—Three years.

Investigation—T.R.S. Progress Reports—Half yearly—To be retained permanently.

Invoices of M. Books supplied to sub-divisional officers—Three years.

Irrigation—General important questions—To be retained permanently.

Irrigation—Application for supply of canal water—Three years.

Irrigation Conferences—Paper relating to—Two years.

Irrigation—Important minor works handed over to the Revenue Department—Statement of—To be retained permanently.

irrigation—Investigation of scheme—Quarterly progress reports—Five years. .

irrigation systems—Statement of additions and alterations carried over Head Works—Correspondence, etc.—To be retained permanently.

All labour—Supply of—One year.

[Journals—Technical—Ten years.

Kudimaramath—Works—Correspondence relating to recovery from riots—Three years after the amount has been fully recovered.

Land acquisition Correspondence—To be retained permanently in the Division Office and for three years only in the Circle Office.

Land Register—To be retained permanently. Land sales of—To be retained permanently. Land—Leasing out of Public Works Department land—To be retained permanently.

Land—Relinquishment of Public Works Department lands to Revenue Department—Five years.

Land—Temporary occupation of—Five years.

Land—Assistant Engineers and officers of the Indian Service of Engineers—Return of—To be retained till retirement of officers to whom the individual returns relate.

Leave—List of officers requiring—One year. Leave application—Three years.

Letters issued by the division officers to treasury officers fixing the limit up to which divisional officers can draw on sub-treasuries—Two years,

Leveling books—May be destroyed after ten years from the date of the last entry completion of the book.

Liabilities—Register of—Three years.

License forms and toll tickets—Three years.

Lightning conductors—Three years.

Locks—Daily Traffic Register—Five years.

Local purchase of European stores—Three years.

Losses—Write off of—Three years.

Materials accounts and 7-F accounts—Three years.

Materials supplied—verified advices of—Three years.

[Measurement books—May be destroyed after ten years from the date of final record in division office.

Measurement books—register of—To be retained permanently].

[G.O.Ms.No. 8B9, P.W, Dt. 21-3-1031]

Measurement Books—Register of review of—Three years. Measurement

Books—Loss of—One year. Measurement books—Correspondence

relating to—Three years. Medical establishment for projects—Five

years. Memorandum books—Form E.No. 184—One year.

Meteorological results—To be retained permanently,

Miscellaneous objections statement—should be filed with the monthly accounts destroyed with them—Three years.

Miscellaneous Returns—Register of—One year.

Modification statement—One year.

Monthly Accounts, office—copies—Three years.

Motor Vehicles plying on Government Roads licensing of correspondence regarding Three years.

Muchilikas—To be retained permanently.

Municipal tanks—Supply of water to—To be retained permanently.

Municipal taxes for Government Building—Three years.

Navigation receipt and charges—Three years.

Nil returns—One year,

Nominal muster roll—Three years.

i Non-commissioned officers, birth, death and marriages, etc.—Three years.

Non-Gazetted Officers—Monthly report of—Three years. Objection statement of items held under objection—Three years. Objection books—Five years.

Office furniture, tents—Sanction to purchase of—One year.

Offices—Weekly report—Three years. Order books—One year.

Order communicating sanctions to estimates under the open capital account of Irrigation systems—till the completion report for the work is recorded.

Pass books—Three years—Pay—Sanctions to transit and allowances—One year. Pay—Last pay certificate—Three years. Pay—Disallowances list of—Three years.

Pay Bill of Government servants for whom no establishment returns are submitted or no service books are maintained—Thirty-five years.

Pay bills and acquittance rolls where these are maintained separately, of inferior Government servants—Forty-five years.

Pay Bills of other classes of Government servants—Six years.

Pay Bill of Gazetted Officers—Six years.

Pension papers—till the pensioner dies and final payment is made on his behalf.

Office copies of pension papers in Divisional Offices—Five years after retirements.

Pension cases (including the service cooks and leave accounts attached to them) in which invalid or compensation pensions have been sanctioned—Twenty-five years.

Note :—Service books and other papers relating to a claim for a gratuity should be retained until the claimant attains 55 years of age or dies, whichever is earlier, and also until final orders have been passed in the claim.

Note :—In regard to service books of Government servants who have been dismissed or discharged or have resigned or died whilst in service, see Rules 14 to 16 of the subsidiary rules under Fundamental Rule 74(a)(iv).

Pensioners' quarterly list—Specially recommended for employment—One year.

Personal files—Three years from the date of retirement or death (whichever is earlier) of the Government servant concerned.

Personal files of clerks, draughtsmen, etc., who have left service—Three years. Personal register in C.F. 410—Five years from the date of last entry in the register. Petitions, unimportant—One year. Piece-work—Agreements—Three years.

Plans for earthwork and repairs to—

(a) Tanks—

- (i) Completed plans five years, if the standards for repairs are the same as laid down in the Tank Restoration Scheme memoirs.
- (ii) Original plans prepared for sanctioning the Tank Restoration Scheme estimates and deviations from the standards in the Tank Restoration Scheme memoirs—To be retained permanently.
- (iii) Tanks for which no Tank Restoration Scheme memoirs are yet prepared the L.S. and other sheets except the Correction Slip sheets—To be retained until regular Tank Restoration Scheme investigation is completed.

(b) Channels and rivers (including modasal works)—Five years, provided the proposals do not involve any change in standards.

Postage—Account books—One year.

Postal—Returns of and Telegraph buildings—One year.

Printing and other contingent charges—One year.

Productive public works—Programme of—Five years.

Profession-tax—One year.

Progress report—Monthly individual—Five years.

Prosecuting of persons for breach of rules—Three years.

Sanction for—Correspondence regarding.

Provincial objectionable atomic Statement and correspondence relating thereto—One year. after all the items—in the statement have been adjusted.

Pumping installations in irrigation—To be retained permanently Works. Qualified persons of the College of Engineering—Printed list of—One year.

Rain and Water Registers—To be retained permanently.

Rainfall returns—Twenty-four years.

Receipt Registers—To be retained permanently.

Receipt registers of abolished sub-divisions—Five years.

Receipt books—One year.

Receipt hand receipt books—To be retained permanently.

Receipt counterfoils of (No. 20—E) books—To be retained ten years.

Receipt, Counterfoils or temporary (P.W.D- III—15) books—To be retained five years,

Recommendations rolls of clerks, draughtsmen, etc.,—So long as the men are in service,

Records—Carriage of office—One year.

Record Racks and Record rooms of Taluk—Three years—And Divisional offices—Report; regarding.

Reference—Unanswered Lists—Three years.

Register of buildings—Extracts from—One year. Register of service books—to be retained permanently. Register of suspense transaction—Three years. Remittance books—Three years.

Remittances Memorandum of cash—Form F.No. 267—One year.

^ Rent—Monthly return of rents recoverable other than from Government buildings—One year. Rent—Register of buildings—

Three years.

Reports—Transfers of Section Officers and Executive Engineers and of correspondence relating to additional charge held by them—Three years.

Requisitions—Counterfoils of—One year.

Rest-houses—Occupation of—One year.

Returns—Due from Executive Engineers, etc.. Superintending Engineers and from Superintending Engineers to Chief Engineer, etc., List of—One year.

Returns—Expenditure incurred on maintenance of buildings occupied by civil departments—Three years.

Returns—Half-yearly—Showing the names of supervisors who know Orriya—One year.

Returns—Periodical—Due from sub-divisional officers—One year.

Returns—Periodical—Additions and alterations in the list of competent works of irrigation system during the year—To be retained permanently.

Revenue—Register of—To be retained permanently. River diagrams and discharge calculations—To be retained permanently.

River diagrams and discharge calculations Return and correspondence relating to—One year.

River charts—Returns and correspondence relating to—One year.

Road—Half-yearly return—Three years.

Roads—Trunk—Inspection report of Superintending Engineers and correspondence relating to the maintenance estimates received from the Chairmen, Municipal Councils and Zillah Parishads—Five years.

Roads—New—Completed by Public Works Department—Report on—Three years.

Routine matters generally—One year.

Run off observations—To be retained permanently.

Rushikulya—Poramboke lands commanded—To be retained permanently,

Rushikulya—Dry lands commanded—To be retained permanently.

Rushikulya project—Tank—beds and lands under—To be retained permanently -

Rushikulya—Monthly statement of area irrigated—To be retained permanently.

Savings Bank Pass book—Three years.

Schedules of rates and data for different sorts of sub-heads of works—Three years.
Schedules of work done in workshops—Ten years.
Service books—Correspondence regarding verification of—To be retained permanently.
Stationery accounts—Three years.
Stock—Daily records of the—Issues and receipts in the Public Works Stores—Five years,
Stocks—Reserve limits—Three years.
Stock book of stationery articles—To be retained permanently.
Stock accounts and abstract book—Three years. "
Stores—Indents for English—Three years.
Stores—Indents for Counterfoils—Three years.
Stores—Daily records of the stock issues and receipts in the Public Works-Stores—Five years.
Stores—Return of iron works contracts given to private firms and correspondence—One year.
Stores—Return of expenditure on stores purchased in England and forecast of expenditure—Five years.
Students—Engineer and Subordinate—Report on progress of—One year. Students—Printed list of qualified—One year.
Sub-jails—Certificates (annual) of examination—One year or until the next certificate is submitted.
Suits—Civil—Against Government—Three years from date of decision.
Summons—Service of—One year.
Sluices—Orders regarding opening of canal—Distribution of—To be retained permanently.
Survey reports—Sanctions of Superintending Engineer to—Three years.
Surveying books relating to periodical surveys of lankas governed by the A.P. Rivers Conservancy Act—To be retained permanently.
Surveying books—After completion of work.
Surveying books not relating to lankas—After completion of work,
Tanks—Railway affecting—To be retained permanently.
Tanks on patta lands—To be retained permanently.
Tanks—Progress report on—Restoration scheme works—Three years.
Tanks—Sale lists of waste and poramboke lands—To be retained permanently.
Tappal books—One year.
Tappal challan forms—One year.
Telephone lines—Canals—Return and correspondence relating to—To be retained permanently.

Tender—Copies of—One year.

Tent registers—To be retained permanently

Tent—Purchase of—One year.

Tide tables for Indian ports—Three years.

Toll cash extracts—Three years.

Toll Tickets Memorandum Book—Counterfoil of—One year.

Tools and Plant—Daily receipt and issue of—Three years.

Tools and plant—Purchase and transfer of—Sanctions to—One year.

Tools and plant—Monthly receipts and issues and balances of—Three years.

Tools and Plant—Papers relating to—Lending of—To other Departments—One year.

Tools and plant—Yearly returns—Three years

Tour programme—One year.

Traffic returns—Five years.

Transfer—Acceptance of—Of books debit and credit—Three years.

Transfer entry book—Three years.

Transfer entry orders (white back orders)—Counterfoils of—Three years.

Transfer Reports of Accounts—Three years.

Transfer Reports of Sub-divisional Officers—Three years.

Travelling allowance bills—Disallowance list on—One year.

Travelling allowance bill and acquittance rolls relating thereto—Three years,

Travelling allowance—sanction of special—One year.

Travelling Journals of Superintending Engineers and Executive Engineers—Three years.

Treasury—Receipts for payments into—Three years.

Treasury—Examination of—And grant of certificates—One year.

Vouchers including those but not submitted to the Accountant-General—Certified copies of—Ten years (or in the case of large projects until five years after the closing of the estimate, whichever is later).

Sub-vouchers—Three years.

Warm clothing—Correspondence—six years after supply of clothing.

Water registers—Supply to municipal tanks and factories—To be retained permanently.

Water supply (except annual applications which should be kept for three years)—To be retained permanently.

Water daily returns—One year.

Water reports—weekly and tri-weekly—One year.

Weather telegrams—One year.

Weather charts—Three years.

Work abstract except those for works in progress—Three years.

Work books—To be retained permanently.

Work register—To be retained for ten years subsequent to the completion of the work the expenditure on which is recorded in it.

Works—Applications and orders of sanction for extension of the closing date of works under the old expenditure heads—"49" and "43" and under the present heads "68" "XVII" and "18"—To be retained permanently in the offices of final record and for one year in other offices.

Works—Clerk—measured, by Executive Engineers—List of—One year.

Works—Completed original works—Ordinary correspondence relating to—Five years from date of completion of works.

Works—Register of—Abstract—Three years.

Works—Estimate copies—Three years.

Works order and estimate books—Ten years.

Workshops—Correspondence with—Regarding repairs and supply of instruments—Three years.

Workshops—Outturn statement and accounts—Three years.

Workshops—Supply of materials from—Three years.

Workshops—Three years after completion of works to which they relate.

Note:—The documents for permanent record in connection with a work under construction will be the original sanction and any revision thereof; the plans estimate, and report and the completion report and the final completion plans, if any.

Ordinary annual and petty repairs estimates files may be destroyed after one year, subject to the retention of such information as may be necessary to check the average expenditure on repairs. Special repair estimate files may be destroyed after three years. The registers, statements, etc., should be examined by the Accountant, if they relate to accounts matters and by the Head Clerk in other cases.

APPENDIX XVI

Dutch Auction System

(Omitted)

Appendix XVII**Rules Regulating the Payment of Bonus to Contractors****(Vide note to Paragraph 150 of this Code)**

1. In the case of work done on the contract based on the lump-sum tender system, See Paragraph 150 of this Code, the contract agrees to complete the work generally before a specified date. If the local administrative officer considers that the completion of the work before a certain date would be to the advantage and in the interests of Government but this could not be reasonably accepted under normal conditions, it is permissible to offer the inducement of a bonus. The payment of a bonus should not be recommended if the date fixed for the completion of work is not far in advance of what could be reasonably expected under normal conditions, Free provision for bonuses in such cases should be included in the approximate estimates submitted for administrative approval. In submitting the approximate estimate for the approval of Government, the head of the department concerned should among other things explain this reason for recommending the provision of a bonus. It will then rest with Government to decide whether the clear provision should be allowed to stand.

2. When the sanction to an estimate provides for the payment of a bonus, the Chief Superintending or Executive Engineer should, when calling for tenders, notify the conditions which must be fulfilled in order to earn the bonus.

3. When a bonus is proposed, the terms should be specified in a separate bonus agreement in the form given below. The amount of the bonus paid should be charged to the work.

4. (a) No bonus should ordinarily be provided for any work costing less than Rs. 5,000. This limit does not apply to Irrigation works. Otherwise than with the sanction of Government in exceptional cases, the amount of bonus should not exceed 5 per cent of the total value of the work excluding the cost of materials supplied by Government.

(b) Bonus should never be sanctioned in the case of annual or ordinary. repair and maintenance works except with the special sanction of the Superintending Engineer.

Note:—Executive Engineers and Superintending Engineers are empowered to sanction the payment of bonuses and enter into bonus agreements in respect of parts of a work even though there is no provision for a bonus in the sanctioned estimate, up to the limits of Rs. 50 and Rs. 250 respectively, provided the amount of bonus exceed 5 per cent of the value of the work forming the subject of the bonus agreement, less the cost of Government materials.

5. Executive Engineers should submit with their monthly accounts a statements showing the following details, so as to enable the Audit Office to carefully scrutinise payments of bonus made with reference to the above rules :—

- (i) Number of voucher for the payment of bonus and schedule docket to which attached.
- (ii) Amount of bonus. (in) Date of completion of work.

(iv) Whether bonus is separately provided for in the estimate sanctioned competent authority.

(v) Whether a bonus agreement was duly signed by me Contractor price his undertaking the work.

Name of work..... No.-.....of 19..... 19.....,

Name of piece worker/contractor..

Agreement made the.....day of one thousand nine hundred and....., between His Excellency the Governor of A.P. (which expression shall where the coin so admits include his successors in office and assigns) of the one part and.....herein called the piece worker/Contractor (which expression shall where the context so and includes his heirs, executors, administrators and legal representatives) of the other pay

It is hereby expressly agreed by and between the parties hereto as follows:

(1) in the event of the piece worker/contractor fully completing the work (or balance of the work or the items of work entrusted to him as per a agreement No.,.....

of,.....) as detailed in the sanctioned estimate No..... and plans No.-..., a estimated to amount to a total cost of Rs..... (about) by the bonus of Rs....., will be paid over and above the sums due on the rates at which he has contracted to the work.

It is however, a condition that failure to so complete the work, due to any way whatsoever, entails forfeiture of all title to the above bonus or any part of it.

(2) It is open to the office sanctioning the agreement for work to give an extension of time, as an act of grace, under exceptional circumstances, but it is to be clearly understood that extension cannot be claimed as a right on any ground whatever.

(3) Except, under the provisions of clause (5) below the bonus will under, circumstances be given in part; it must either be fully earned or no bonus will be given

(4) This bonus agreement may be cancelled and terminated at any time by the Government of A.P. (hereinafter called the Government) if the value of the work turned out at the date of such cancellation bears a less proportion to the value of the whole work than the time which has passed since the execution of the bonus (or, in the alternative when the above is unsuitable),

(5) This bonus agreement may be cancelled and terminated at any time by the Government if the value of the work turned out at the date of such cancellation is less than that indicated below:

(a) Rupees.....By date-,

(b) Rupees.....By date.,

(c) Rupees.....By date...,

(d) Rupees.....By date....

(6) If it should be decided for no fault of the piece worker/contractor to terminate the piece work/contract agreement for the execution of the work forming the subject of the bonus agreement before its completion, the contractor will be entitled to the payment

such proportion and no more of the whole bonus as the value of the work turned out bears to the value of the whole work forming the subject of this bonus agreement.

In witness where of the Superintending Engineer, Circle, Executive Engineer, Division acting on behalf of and by the order and direction (of His Excellency the Governor of A.P. and the piece worker/contractor have hereunto set their respective hands the day and year first above written-

SIGNED by the above named in the presence of.....

SIGNED by the above named in the presence of.....

[G-O-No. 254, Public Works, Dt 9-2-1938;

APPENDIX XVIII

Deleted

APPENDIX XIX

Rules regarding the relation of Public Works Officers to Collectors of Districts and other Local Heads of Departments

Rule 1. (Rule 1 deleted as per G.O.Ms.No. 1931, P.W.D. (D-I), Dt. 8-8-1966, vide P.R- Code).

Rule 2. The Collector is the administrative head of the District and the assistance and professional advice of the Public Works Department are wholly at his disposal, if required. Any information he may call for should be promptly supplied. The Collector may for any special reason, issue any definite instruction to the Executive Engineer. If the Executive Engineer considers that such instruction is not in the public interests and if time allows, he should send the Collector a statement of his opinion and reasons and ask him to refer the matter to the Superintending Engineer and the Collector should at once do so enclosing a copy of the Executive Engineer's opinion and reasons- If the Superintending Engineer disagrees with the Collector he should forward the case to the Government through the Chief Engineer for orders informing the Collector that he has done so. Otherwise the Collector's instructions shall be complied with.

Rule 3. The Collector has the right to propose the construction of new and repairs to existing works and such proposals should be disregarded only for reasons to be recorded and communicated to him by the Superintending Engineer. When forwarding to the Superintending Engineer the budgets submitted by the Executive Engineer the Collector should note the relative urgency of the minor works and repairs relating to the Land Revenue Department. The programme of Minor Works in the Buildings and Roads Branch will be framed by the Board of Revenue for the building works relating to the Revenue Department have regard to the relative urgency of the works required to be executed in the State as a whole and the alterations made during the course of the year will also be directed by the Board. The Superintending Engineer when he receives intimation of his allotments for minor works and repairs, should redistribute them in accordance with the order of urgency indicated by the Collector in the case of repairs and by the Board of Revenue in

the case of minor works. If this order is to be departed from, the Collector should be informed of it and the reasons for the change. The Collector may also make recommendations in regard to other Public Works matter which concern his district and such recommendations shall be duly considered and promptly replied to. The Collector should also be furnished by the Executive Engineer with a copy of quarterly progress report on major works and an extract from the monthly progress report in Form X including all major and minor works of the Laud Revenue Department.

Note:—In the agency tract of Visakhapalnam and East Godavari, the Agents exercise general control over all works irrespective of the department to which they relate the officers of the Public Works Department will prepare plans and estimates at the request of the officer of the department to which the work relates and forward them to the requisitioning officer who will submit them through the Agent to the Head of the Department.

Rule 4. It is desirable that Superintending and Executive Engineers should, as much as possible, consult Collectors and Divisional Officers personally in regard to the Public Works interests and needs of the district and all officers of the Public Works and Revenue Department should co-operate cordially and readily. All proposals for important changes in the distribution of water or in any other branch of the Public Works administration should be forwarded to the Collector for remarks before submission for sanction to the Superintending Engineer or to Government and the Collector should be furnished with information as to any such changes decided upon before they are carried out.

Rule 5, Officers of the Public Works Department will assist the local heads of all departments with advice and information when asked for without delay and in cases which differences of opinion may exist, will discuss the matter fully with them.

—(G.Os.No-W,, Dt. 17-9-1934 and No- 2087, W., Dt, 7-11-15)

APPENDIX XX

Rules for the Construction and Maintenance of Zillah Parishad

and Panchayat Samithis and Municipal Roads on Canal and Channel banks

(V7de paragraph 208-A of the Public Works Department Code)

Note:—these rules do not apply to roads on the banks of rivers or tanks,

A—METALLED ROADS

Now new roads shall be formed along any canal or channel bank in charge of the Public Works Department without previous permission, in writing, of the Superintending Engineer of the circle, obtained through the immediate supervising authority and the Executive Engineer of the division concerned.

2. The minimum height of such roads above the canal or channel fully supply level shall in each case be laid down by the Public Works Department.

3. No masonry or other works which will let water into or out of the canal or channel shall be constructed, and no such existing work shall be altered, without this previous permission, in writing, or the Superintending Engineer of the circle and the approval by him of the plan of the proposed work.

4. The Public Works Department shall have the right at any time to build, in or under the road, any sluice, culvert, bridge or other work, which may be required in connection with distribution from supply to, or surplus from, the canal or channel- While such work is under construction, the Public Works Department shall, wherever possible, make temporary diversion of the road at the place and on completion of the work, restore the disturbed portion of the road. The clear width of roadway over such structures shall be that given by the Zillah Panchayats and Panchayat Samithis concerned to similar works on the same road or other roads of the same class,
5. The roadway over the masonry and other works which belong to the Public Works Department shall be in charge of the Zillah Panchayats and Panchayats concerned, but the structures themselves will remain in charge of the Public Works Department,
6. The surface of the road, the inner (canal) slope for one meter (vertical) down from top of the road, the outer slope of the bank with the reservation in Rule 9 below, and all ramps on the outer side of the road shall be in charge of the Zillah Panchayats and Panchayat Samithis concerned. The inner slope (except the one meter down from the top of the road) and all ramps and "cattle slopes" on that side shall be in charge of the Public Works Department.
7. All trees, grass, etc., growing on the outside edge and slope of the road shall belong to the Zillah Panchayats and Panchayat Samithis concerned. No trees shall be planted along the inner edge without special permission of the Public works Department, No trees shall be planted within 50 meters and no trees of the big family within 100 meters of any masonry work without the previous permission, in writing, of the Superintending Engineer of the circle.
8. The carriage of silt from canal and channel clearances across the road and its deposit on or against the outer slope shall not be prevented, provided it does not interfere with the efficient drainage of the road surface, does not injure avenue trees, and is so placed that none of it can be washed on to the surface of the road.
9. Occupation of the canal beams or slopes for deposit of materials or other purposes shall be regulated by the rules already in force.
10. Toll bars shall not be established on such roads without the approval of the Superintending Engineer of the circle.
11. In cases of disagreement between the officers of the Public Works Department and of the Zillah Panchayats and Panchayat Samithi in the application of these rules or in carrying out by either department of any works in connection with roads to which these rules apply the decision of the Chief Engineer for Irrigation shall be final.
12. These rules shall apply *mutatis mutandis* to the construction and maintenance of municipal roads. [G.Os.No, 3216. W., Dt. 4-12-1990; No- 423-1, Dt. 11-2-1929 and Ms.No. 77W,Dt. 9-1-1931]

B.—UNMETALLED ROADS AND CART-TRACKS

1. Formation of new roads:—Zillah Panchayats, Panchayat Samithis and Panchayats may prepare the plans and estimates for new earthen roads. These plans and estimates should be approved by the Public Works Department, who will see that the proposed works are generally suitable, and that irrigation interests are adequately safeguarded. When the plans have been approved, the Zillah Panchayats, Panchayat Samithis and Panchayats may

execute the earthwork. The Public Works Department will carry out any alterations to their masonry works necessitated by the new road at the expense of Zillah Parishads, Panchayat Samithis and Panchayats. When the roads are completed, Zillah Parishads, Panchayat Samithis and Panchayats should inform the Executive Engineer concerned who will arrange for an inspection. If, on inspection, the Executive Engineer is satisfied that the work has been completed according to approved plans and estimates, the road will be taken over by the Public Works Department and opened for traffic.

2. Maintenance of roads;—Maintenance of canal and channel banks must necessarily be with the Public Works Department as irrigation interests are involved and therefore the Public Works Department alone should undertake to maintain the roads at the cost of Zillah Parishads, Panchayat Samithis and Panchayats. Maintenance charge should be fixed by the Superintending Engineer of the circle at reasonable rates in consultation with the Panchayatraj Engineer. Cartage charges for the maintenance of earthen roads need not be levied. If Zillah Parishads, Panchayat Samithis, Panchayats do not pay the prescribed maintenance charges, the Executive Engineer will carry out the repairs and recover the charges with interest from them—

3. These rules shall apply *mutatis mutandis* to the construction and maintenance of municipal roads.

Note'.—Where roads of channel banks are not maintained as thoroughfares by Zillah Parishadi! Panchayat Samithis and Panchayats but merely or communications to the fields below the banks at Govemifleni cost. Superintending Engineers of circles are authorized lo grave! them at Government expense where necessary for the preservation of the banks. This concession will apply only to such roads or cart-tracks which will be of immediate benefit to adjacent villages only (as distinct from roads likely 10 become thoroughfares).

[G.O.Ms-No. 575, P.W., Dl. 26-2-1944, and O.O.Ms-No. 1106, P.W-, Dt. 2-5-193!f

Note applicable to all districts ;

(i) In the case of rivers protected by bunds, which are required for the purp of the irrigation system and also carry Zillah Parishads, Panchayat Samilhis, Panchayat 1 roads, the cost of repairs in cases of scours or breaches in the bunds should be met in eq shares by the Public Works Department and Panchayatraj, centage charges payable by I Zillah Parishads, Panchayat Samithis, Panchayats being waived. This will apply to all repairs or protective works above the benn or padugai levth (or rear ground level where padugai or berm does not exist). The cost of all repairs r protective works below padugai or berm level (or rear ground level where padugai or been does not exist) shall be borne by the Public Works Department.

(ii) In the case of bunds which are not required for the purposes of the irrigatn system, but carry Zillah Parishads, Panchayats Samithis, Panchayats fund roads the full cm of repairs caused by scours or breaches inclusive of the usual centage charges should In borne by the Zillah Parishads, Panchayat Samithis, Panchayats concerned.

(iii) The Superintending Engineer concerned shall decide whether particular rep) are necessary and whether they fall under item (i) or item (ii) above; and in cases web the Superintending Engineer differs from the Sarpanch, Zillah Parishads, Panchayat Samiti Panchayats in regard to the necessity for repairs or their classification, the matter should be referred to the Chief Engineer for Irrigation.

(iv) In regard to the repairs, necessitated by erosion or scours to roads, formed Zillah Parishads, Panchayat Samithis and Panchayats on channel banks, the Zillah Parish

Panchayat Samithis, Panchayats concerned should bear the cost of protection to retain the margin required for the road, where the Public Works Department decides that such protection is not required in the interests of the channel. In the case of existing road by the side of which a new channel is subsequently taken, a margin for the channel should be demarcated and the cost of protecting such margin should be borne by the Public Works Department.

(v) As regards the responsibility of Government for the maintenance of banks, on which a right of way exists but which have been abandoned by the Public Works Department as no longer required for their purposes, the Government are under no obligation to maintain the abandoned banks, but care should be taken that the Public Works Department do not by any possible act, e.g., by removal of earth, interfere with the bank. It will also be expedient in such cases for the Public Works Department to inform the local authority concerned of the abandonment of the flood bank and the desirability of transferring the flood bank to it, subject to such conditions as may be considered necessarily should be considered in such cases.

Note:—for purpose of these rules, the term "earthen road" included graveled roads and treated with quarry rubbish.

Rules for the Construction and Maintenance of Zillah Parishads, Panchayat Samithis and Panchayats and Municipal Roads on the Bunds of Tanks in charge of the Public Works Department

1. If a Zillah Parishad, Panchayat Samithi/Panchayat or Municipal Council proposes to repair or construct any road which passes over the bund of a tank in charge of the Public Works Department, the previous permission of the Superintending Engineer of the Circle should be obtained in writing for carrying out the work as far as the tank bund is concerned. In the case of new roads, the Superintending Engineer of the Circle may impose such conditions with regard to the width of the road and class of surface as he may deem necessary and these conditions shall be carried out by the Zillah Parishads, Panchayat Samithis, Panchayats or Municipal Council at its own expense.
2. The Public Works Department shall have the right at any time to build, in or under the road, any sluice, escape, culvert, or other work which may be required in connection with distribution, or surplus, from the tank. While such work is under construction, the Public Works Department shall, wherever possible, make a temporary diversion of the road at the place, and, on completion of the work, shall restore the disturbed portion of the road. The clear width of roadway over such structures shall be that given by the Zillah Parishads, Panchayat Samithis, Panchayats or Municipal Council to similar works on the same road, or on other roads of the same class.
3. If at any time it is found necessary to raise the bund of the tank and thus interfere with the existing road over it, it shall be the duty of the Public Works Department to make the new surface of the road of the same width and material as before, provided that, in the top width of the bund over which the road way ran exceed 6 meters before raising the new top width of the bund need not exceed 6 meters.
4. The roadway over masonry and other works which belong to the Public Works Department shall be in charge of the Zillah Parishads, Panchayat Samithis, Panchayats or Municipal Council, but the structures themselves shall remain in charge of the department.
5. The surface of the road and the front and rear slopes for one meter (vertical) down from the top of the road shall be in charge of the Zillah Parishads, Panchayat Samithis,

Panchayat or Municipal Council unless the M.W.L. of the tank is less than one meter (vertical) from the road surface, in which case the portion between the road surface and on foot above M.W.L. shall be in charge of the Zillah Parishad, Panchayat Samithi, Panchayat or Municipal Council, The rest of the slopes of the bund, front and rear, shall be under the charge of the Public Works Department. All traffic "ramps" in rear of the bund shall be in charge of the Zillah Parishad or Panchayat Samithi or Panchayat or Municipal Council

6. All trees, grass, etc., growing on the tank bund shall be in charge of the department which before the promulgation of these rules had charge of them. No trees shall be planted on the road or bund without the previous permission, in writing, of the Executive Engineer concerned.

7. No permanent occupation of the bund for the deposit of materials or other purpose shall be allowed, and no materials shall be deposited even temporarily on the front or inner slope of the bund without the previous permission in writing, of the Executive Engineer.

8. No toll bars shall hereafter be established on any tank bund without the approval of the Superintending Engineer of the Circle.

9. In cases of disagreement between the officers of the Public Works Department and of the Zillah Parishad/Panchayat Samithi/Panchayat or Municipal Council in the application of these rules, or in carrying out by either department of any works in connection with roads to which these rules apply the decision of the Chief Engineer for Irrigation shall be final.

Note 1:—Where roads on tank bunds are not maintained as thoroughfares by Zillah Parishad Panchayat Samithis, Panchayats but merely as communication to the fields below the bund Government cost. Superintending Engineers of circles are authorised to gravel them at Government expense where necessary for the preservation of the bunds.

Note 2:—Centage charges need not be levied from Zillah Parishads/Panchayat Samithi Panchayats on the cost of maintenance of earthen roads on tank bunds. For purposes of these rules the term "earthen Road" includes graveled roads and roads treated with quarry rubbish.

Rules for the Construction and Maintenance of Zillah Parishads/Panchayat Samithis/Panchayats and Municipal Roads on the Banks of Drains

Ordinarily no road (metalled or unmetalled) or cart-track shall be allowed to be formed along side drains or on banks of drains in charge of Public Works Department, if drainage from the adjacent lands should have free access to the drains. Occasionally, a road may have short drain or have to be carried on the drain bank for short lengths to the construction and maintenance of roads or cart-tracks in such cases, shall be governed by the rules contained in Sections A and B above.

A.—Rules for the Construction and Maintenance of Zillah Parishads/

Panchayat Samithis/Panchayats Roads on River Embankments

in Districts

(Charges to be provided for from the funds of Zillah Parishads/Panchayat Samithis/Panchayats.)

1. The cost of widening an existing or adding to the width of a proposed embankment to enable it to carry a road.

2. The cost of all ramps required to allow traffic to reach or leave the roadway on embankment.
3. The cost of maintenance of the top surfaces of the embankment and of maintaining all lamps leading to, or from, the roadway in connection with made or unmade roads carrying wheeled traffic. This excludes ramps for village crossings, which would have to be made and maintained where the embankment not used as a road.
4. New embankments constructed at the cost of Government, whether river, flood or canal, will not be available for wheeled traffic without the express permission of Government, unless and until the maintenance of the top surface and of ramps has been provided for by Zillah Parishads/Panchayat Samithis/Panchayats. Where there is no prescriptive right of way, other traffic will be admitted to or excluded from embankments not combined with roads at the discretion of the District Engineer or Executive Engineer in charge.

B.—Rules for the Construction and Maintenance of Roads on River

Embankments in the TanJore District.

(Not printed)

APPENDIX—XXI

Section-A: Ordinary Fire Rules for Government Buildings (Non-Residential)

CHAPTER I

Scale of Fire Applications

1. Chemical fire extinguishers and water or sand in buckets are first-aid appliances to be used for attacking a fire at the out-set to enable it to put out immediately or at least to keep it under control until the arrival of the Fire Brigade.
 2. For purposes of the supply of ordinary i.e. appliances, buildings are divided into two classes, viz, :—
 - (i) Ordinary; and
 - (ii) Buildings where there is a special danger of oil, chemical or electrical fires.
- (I) Ordinary buildings :—**(1) Costing Rs. 10,000 and below—
- (a) For a superficial area of 100 Sq.Metre and below—Four fire buckets 30 cms. high and 25 cms. deep, always filled half the number with water and half with ...mid. . .
 - (b) For a superficial area more than 100 Sq. Metres—The number of fire buckets is to be increased from four at the rate of one for every 50 Sq. Metre.
- (2) Costing more than Rs. 10,000—
- (a) For a superficial area of 500 Sq.Metres less—six fire buckets and one 10 liters capacity soda-acid type extinguisher.

(b) For a superficial area of over 500 Sq.Metres—The number office buckets is to be increased over that specified at (2)(a) above, at the rate of one for every 100 Sq.Metres in excess of 500 Sq.Metres. The number of soda-acid type extinguishers will be on the same scale as under (2)(a).

(II) Buildings where there is a special danger of oil, chemical or electrical fires—(a) For superficial area of 500 Sq.Metres—Twelve fire buckets of the specified size, but filled with and instead of water, and one foam,—type chemical extinguishers of 500 Sq.melres.

(b) For superficial area of over 500 Sq.Metres—The number of fire buckets specified at (II)(a) above is to be increased at the rate of one for every extra 50 Sq.Metres over 500 Sq.Metres. The chemical extinguishers will be on the same scale as in (II)(a).'

Note (1) '.—A (Ire bucket 30 cms. high and 25 cms deep means one that measures 30 cms., high on the outside and is 25 cms, deep on the inside. The top diameter is usually 30 cms. and the. bottom diameter is slightly less but not less than 23 cms.

(2) Superficial area:—this is the surface area of each door of a building and not toe plinth area. The plinth area will be the superficial area for the ground floor only. The actual superficial area in the case of the upper floors should be considered separately in each case for purposes of the supply. The articles meant for a particular floor must be placed in that floor only.

(3) In assessing the cost of a building for purposes of classification, the cost at'. that particular detached building only should be taken into consideration-

(4) A list of suitable chemical fire extinguishers with the names of firms where they can be purchased, could be obtained from the concerned Executive Engineer, who ' may consult the latest Indian Stores Department price list for fire extinguishers and refills.'

3. Telephone :—Wherever, there is a non-automatic exchange, telephone room, i a receiver will be fixed in a glass case outside the exchange room- Wherever there is an automatic exchange the watchman should be trained to dial the fire station number. In case of fire, the watchman detecting the fire will break open the glass case, take the receiver and call "The Fire", The telephone exchange will at once communicate to the nearest fire brigade station and inform them of the locality in danger- There will also be placed in a convenient place nearby, a crowbar, with which the watchman can force upon the door of, any room inside which there is fire, in order to put it out.

CHAPTER II

Precautions against fire

1. No temporary shed required in the compound of any Government building should be built of combustible materials without the permission of the Executive Engineer, The erection of thatched or mat buildings within fifteen metres of a permanent Government' office is prohibited.

2. Galvanised iron buckets with water or stand and chemical fire extinguishers \ should be kept in easily accessible places in every building for use during fire. They should be located as far as possible at the top and bottom of the staircases or at the commencement and Junctions or important corridors in each floor. The number of buckets and fire extinguishers to be provided should be as per scale separately fixed and the head of each officer should ensure that this equipment, which will already have been provided in most

offices, is in good working condition. The Executive Engineer may be consulted when required in connection with this initial supply. For buildings for which an adequate supply of water is not available within a convenient distance, water should be provided in covered tanks sufficiently large to fill the buckets ten times,

3. When portable fire engines are provided, the engine, its hoses, other appurtenances and accessories should be complete and in working order. The hoses should be of sufficient length to reach top of the buildings. Certain important buildings, such as, [he Secretariat buildings in Hyderabad are provided with hydrants and hoses, and these are fixed in glass cases at convenient places. They should be periodically examined and kept complete and in working order.

4. All attenders and peons should be given a practice drill at least once a month in the use of fire appliances and the head of each office concerned should make arrangements for the proper conduct of these drills. Where a telephone exists, attenders and peons should be instructed in its use for the purpose of obtaining assistance.

5. The head of each office should see that the following precautions are carried out:—

(a) That before closing the office for the night the manager or head clerk or under his written authority a clerk named by him, visits each room and sees that all lights are put out, that in offices in which electric fans and lights are provided the switches are turned off; and that all waste paper must be removed, and that in hill stations where fire is kept in fire places to keep the room warm, all fire is effectively extinguished.

(b) That none but safety matches are used in offices.

(c) That kerosene oil or any easily inflammable material is always stored in an out-building or godown.

(d) That the sealing of papers is always done under the direct supervision of a responsible clerk who should see that due care is taken.

(e) That no naked lights are used in any office. All candles and wicks must be protected by glass.

(f) That fire-places for the preparation of pastes or glue are not allowed in or near any building.

(g) That waste paper is not allowed to accumulate in large quantities in any office. One or more receptacles is provided outside that buildings for waste paper and is sufficiently distant from the main building. Every evening the waste paper of the day is collected and put into one of the receptacles.

(h) That fire buckets are always full of sand or water or in some cases it may ; found suitable to keep half the number of buckets filled with water and half with sand.

(i) That old furniture is not left lying about but disposed of at once. (j)

That smoking in record rooms is strictly prohibited.

(k) That dried leaves and other litter is removed from the top of terraces at intervals.

(t) That all restrictions and rules regarding lighting issued by the local, municipal or A.R.P. authorities are strictly followed.

(m) That in al-1 hill stations where there are fire-places for warming office fire-guards of metal gauge or netting are provided inform of all fire-places.

6, One bell gong or more according to the size of the building should be fixed in each building which should be sounded for giving fire-alarm. When this is sounded, is the duty of the men listed for fire-fighting to rush up to the places of fire for fighting;

CHAPTER 111

On the outbreak of We

1. On the outbreak of fire, electric current should be switched off at the mail
2. Fire caused by ignited oils should be smothered at once by means of earth (sand kept in receptacles placed in suitable positions for the purposes, and water should o no account be used.
3. Immediately a fire is detected, the alarm must be given as explained in paragrap 6 of Chapter II and intimation also be given to the nearest fire brigade, to the nearest policy station by phone or otherwise as described in paragraph 3 of Chapter I.
4. Immediately on the alarm being raised, every man should proceed to the pa to which he is told off and make such effective efforts as he can lo put out the fire, pending the arrival of the fire brigade. If buildings are equipped with fire-house and hydrant connected to the overhead tanks, they should be used to the best advantage, as it wills b possible to put out major fire by a timely use of these appliances.
5. All movements should be carried out with silence and rapidity *scads* special cal must be taken to see that there is no crowding in passages and staircases.
6. As a draught of air will tend to increase the fire, all doors and windows, which it is not necessary to use for ingress or egress, should be closed.
7. All inflammable materials near the fire should be collected and carried to plat of safety.

CHAPTER IV

General Instructions

1. The rules in Chapters I to III are applicable for ordinary Government nor residential buildings. These rules should be printed in English and vernaculars and be hua up in conspicuous places in every building-
2. As regards the appliances to be provided, for fire protection the Execute Engineer, who is in charge of the building will advise the head of the office of the numbi of fire buckets and chemical extinguishers required according to the scale fixed taking aim consideration the cost of the building and the superficial area of each floor. The responsibility of seeing that the equipment is according to scale and is kept in working trim is that Fad head of the office.
3. In the case of important buildings where there is insufficient means ofacffi to the roof, the Executive Officer should consider the possibility of providing ladders (suitable length for gaining access to any part of the roof.
4. The initial supply of fire buckets and fire extinguishers together with other appurtenances, such stands, buckets etc., as well as all renewals of, and repair to the fu

buckets and fire extinguishers shall be made by the heads of the offices concerned—such works being treated as assigned to the departments concerned. If in any case, professional skill or assistance is considered necessary the Executive Engineer or the Sub-divisional Officer shall be consulted.

5. When a building is occupied by officers of more than one department, the department responsible for precautions under these rules shall be the Revenue Department filibeg one of the occupants and if not the department of the Local Government occupying the major portion of the building to be decided in each case by Superintending Engineer concerned. If, in such cases, a department of the Central Government happens to be one of the occupants, the cost of the fire appliances supplied or of the repairs thereto in respect of the portion of the building occupied by such department shall be recovered from that department.

6. A building should be the unit for purposes of fire protection- In cases where a building (whether owned by Government or hired) is used partly as an office and partly as a residence for a Government officer the department to which the office belongs shall be responsible for the provisions of fire protection appliances for the entire buildings.

7. The supply of buckets and tanks, etc., to buildings rented as offices will be arranged for by the heads of offices, occupying the buildings.

8. Responsibility for fire perfection for buildings not in charge of Public Works Department is that of the head of the office occupying it.

9. The main principle underlying the rules is that the head of the office should see that his office building is protected. On that principle it is for him to supply the buckets and other appliances- For him to get the rules translated, printed and hung up, and for him to make good (with the assistance of the Executive Engineer where necessary) any other defects.

CHAPTER V

Practice drill

1. The head of the office should fix an officer who will be responsible for the training of the men to take part in putting out fires during day and night and conducting periodical drills. The practices must be as realistic as possible and should include relaying of sand and water from a nearby source by forming a chain of all staff available.

2. For day time the services of the several attendees and peons on duty should be utilized but for night, special watchman should be engaged.

i 3. Fire practices in the use of these appliances should be given by the officer appointed once a week until all the attendees, peons and night watchmen have had sufficient instruction in the use of various appliances. The chemical fire extinguishers should not be operated in these practices. The Officer should explain to the men the working of the appliances and the method of using them in case of actual fires. The descriptive leaflets and instructions which are supplied free by the suppliers to the purchaser of these appliances will be helpful to the officer in this matter. If there is still any doubt, the officers should consult the local Public Works Department Officer who will explain matters.

4. After the initial instructions, these should be periodical refresher instructions, for new men as well for those previously informed on the use of the fire appliances at intervals of one month. As already mentioned in paragraph 3 above, the chemical fire

extinguishers should not be actually used, since any accidental damage to the glass acid tube inside may result in wasteful release of the contents. The officer should orally examine the men individually to ensure that each of them understands clearly the working of fire appliances and how to use them on occasions when there is a fire. He should also test the weight of the extinguisher and the alkalinity of the solution, as detailed in the instruction sheets issued by the supplying company, and satisfy himself that the materials have not deteriorated. Once a year, however, the complete drill should be carried out with actual use of the contents of one or two of these chemical fire extinguishers, so as to form a regular practice test.

5. A sufficient stock of refills, for chemical fire extinguishers, say 5 per cent spares should always be kept. New refills should be loaded immediately after use in a real fire accident and after the regular practice test once a year referred to in paragraph 4 above. The instructions issued by the supplying companies contain detailed description of the procedure to be adopted in such cases which should be closely followed. If there is any doubt, the local Public Works Department Officer should be consulted.

6. A suitable day in the first week of every quarter should be selected for fire drill but the hour should not be fixed nor intimated. On the day selected an alarm should be given by the officer in charge of the arrangements at different parts of the building each time and the practice drill with appliances gone through under the guidance of the officer in as orderly a manner as possible. This should be witnessed by the head of the office or his assistant deputed for the purpose. Similar drill should be gone through during night time during the same week but on a different day.

7. A register should be kept of all such exercises and of the defects noticed in any of the appliances. This register should be inspected by the head of the office on the same day or the day following and he should take action to set right the defects.

8. A register should be kept showing the issue or the refills for the chemical fire extinguishers after each practice of fire-fight.

9. Where special hydrants are fixed inside the building and fire-hose are kept in glass cases, all the hydrants should be tested with the hoses on the drill day to ensure that they function all right and the men are fully acquainted with their uses. On the morning of the practice, the glass cases should be kept open. After the practice is over the cases should be cleaned, aired and kept in the proper places and the glass cases closed.

CHAPTER VI

Night Watchman

1. The watchman will be on duty from 6 a.m. every day. They will go round as soon as they come on duty to see that all doors have been locked. They will take times (where there are more than one watchman on duty) in going around the office and record the same at the toll clock (where these are provided) every half-an-hour patrolling only; the verandahs and corridors round the office rooms. They will carry a whistle and a long bamboo, 1.5 metres long.

2. Where there is a head watchman or a superintendent, he will visit the watchman at uncertain hours during the night to see that they are doing their duty. During such visits he will carry on his person the set of duplicate keys of all the offices sealed in a bag. If there is only one watchman, he will have these duplicates with him,

3. Action to be taken in case of a fire should a watchman on his round to observe any outbreak of fire he will at once whistle for other watchman, and sound the fire alarm bell. He will act in accordance with paragraph 3 of Chapter I. The telephone exchange will at once communicate to the nearest fire station and inform them of the locality in danger. Where there are no telephones information should be communicated to the nearest police station.
4. If the fire is inside any one of the rooms, which can not be readily opened, the watchman and the head watchman or superintendent if available of the spot, will immediately force upon the door by means of a crowbar (which will be kept in the custody of the watchman at an approved location) and try to put the fire with the chemical fire extinguisher available. In the meantime the other watchman will get the fire buckets and pumps into operation. They will also whistle and call the watchman of the neighboring offices, if any. (G.O.Ms-No. 2532, Public Works. Dt- 22-8-1974)

APPENDIX XXII**Standard Scale of Electrical Fittings for Court Houses, Etc.***(G.O.Ms.No. 1919, P.W.D., DL 18-9-1963)*

1. Court Houses;—Electric fans for Court-Houses may be on the following scale:

(i) Dais	One ceiling fan.
(ii) Bar table	One ceiling fan.
(iii) Presiding Officer's retiring room (with the exception of Stationery Sub-Magistrates)	One table fan.
(iv) Sarishtadars of District and Sub- Courts and Head Clerks of Sub- Courts where there is no Sarishtadar.	One ceiling fan.
(v) Office rooms in Courts where there are more than three clerks working in places which can be said to be particularly hot.	Ceiling fans, according to actual requirements,

Electric lights should be proposed only for such Courts or for such rooms only where work is done habitually after Bar. In such cases the number of lights should be reduced to the minimum absolutely necessary.

2. Police Stations:—Ordinarily fans need not be provided for police stations. In cases where it is decided to do so, a small size ceiling fan should preferably be allowed.

3. Jails and Sub-Jails Ceiling fans :—A large size ceiling fan may be allowed for the office room of the Superintendent of a Central-Jail, District Jail or a Brutal Institution or a Headmaster of Certified School- Fans for clerks should be allowed only in rooms where three or more clerks work. Any exception may however be made where e.g., a store or manufactory keeper or a clerk has to work in a very ill-ventilated room and it is impossible to improve conditions by structural alterations.

Table fans:—Jailers and Deputy Jailors and Officers of similar rank in Brutal and Certified Schools may be allowed table fans.

Lights:—Electric lights may be provided in clerk's rooms if they work habitually after dark.

Lights may be allowed for the main gates, verandahs, passages, guard rooms,, association blocks, dormitories and cells in which literate prisoners accustomed to study are confined. Lights should not be provided in other prison-cells and in association blocks and cells for literate prisoners in sub-jails.

4. Hospitals:—The Government do not propose to issue any general orders in regard to the provision of fans in general wards in miasmal hospitals.

5. Veterinary Hospitals and Dispensaries:—A small size ceiling fan may be allowed in each of the Veterinary hospitals and dispensaries for the use of the Veterinary

Assistants-in-charge. Two fans for each institution will be allowed only when there are two Veterinary Assistants.

6. Offices-General:—The following general principles will be supplemental to the instructions issued in memorandum No.710-C/34-2, dated 23rd August, 1934.

- (i) Electric fittings should not be provided for temporary offices.
- (ii) No fans should be allowed for any single head ministerial officers if he is lower in rank than a taluk serishtadar.
- (iii) (a) Officers such as Collectors, District Judges, District Superintendents of Police, District Medical Officers and Executive Engineers and all superior District Officers, may be given a big size ceiling fan in their office rooms and a table fan in their retiring rooms ;
(b) Fans, if any, to be provided for individual non-gazetted officers should generally be table-fans. But in the case of consulting rooms in the out-patient department of the Government Hospitals occupied by Sub-Assistant Surgeons, small ceiling fans may, if necessary, be allowed.
- (iv) In officers with one or two clerks, or where only one or two clerks occupy a room, fans need not be provided except for special reasons; and
- (v) Wall-plugs, table-lights and table-fans should not be provided in rooms which are provided with lights and fans, except in the case of record rooms where there may be a necessity for a hand lamp.

APPENDIX XXIII

Standard Scale of Electric Fittings for Government Residences

(G.O.Ms.No. 1919, P.W.D., Dt. 18-9-1963)

		<i>For Officers of the Rank of District Officers and above</i>			
Sl. No.	Room	Lights		Ceiling Fans	
		No	type of Shade	number	Size
(1)	(2)	(3)	(4)	(5)	(6)
0)		(2)		(4)	(5)
1.	Sitting or drawing room	2		•A	1 L
2.	Writing-room	1		,A	1 S
3.	Bed room	1 or 2 according to area less than 300sq.ft.		*C	1 L
4.	Dressing room	1	DorC		1 S
5.	Bath room	2		C	— —
6.	Dining room	1		*C	1 L
7.	Kitchen	1		D	— —
8.	Servant or matey room	1		D	— —
9.	Larder or Stores	1		D	— —
10.	Office room	1		A	1 L
11.	Clerks room	1		C	— —
12.	Survey room	1		A	1 —
13.	Landing from stairs	1		C	— —
14.	Gangway, corridors or Verandahs and lobby in Verandahs	1		C	— —
30Rft.		for every Complete		for each every reside	far mci RfL
15.	Arch	1		C	— —
16.	Servants quarters	1		D	— —
17.	Staircase hall 100 Sft. or above 1 excluding stairs and landing	1		C	— —
18.	Consulting room 100 Sft. or above 1	1		C	— —
					1 ~J

***[Meiiiio.No.J25/Cf/79-2, Tr., Rds., Bids. (C) Dept., D(- 2-3-1979)]** |

Add the following under columns 3 & 8 against Items No-1, 3 and 6 in Append ix-XXIU Andhra Pradesh P.W-D- Code.

"of which one fitting shall be fluorescent box typed (without bulb)".

***For Officers of the Rank below that of
District Officers***

Sl.no	Room	Lights No.	Ceiling Fans Type of	number	size	Wall socket
1,	Sitting or drawing room	2	*A	1	L	1
2.	Writing room	1	A			—
3.	Bed room 1 or 2 according as the area is than or over 300sq.ft.	less	*C .	1	L	—
4.	Dressing room	1	D or C	—	—	1
5,	Bath room	1	C	—	—	—
6,	Dining room	2	*C	1	L	1
7.	Kitchen	1	D	—	—	—
8,	Servery or matey room	1	D	—	—	—
9,	Lander or Stores	1	D	—	—	—
10,	Office rooms	1	A	1	S	1
11,	Clerks room	1	f			—
12,	Survey room	1	A	1	L	1
13,	Landing from stairs	1	f			—
14,	Gangways, corridors or Verandahs and lobby in Verandahs	1	C	—	—	1 for each residence
			SI			
15.	Arch	1	C	—	—	—
16.	Servants quarters	1	D	—	—	—
17,	Staircase hall 100 Sft. or above excluding stairs and landing	1	C	—	—	—
18	,Consulting room 100 Sft, or above	1	C	—	—	1

Light Fillings:

A. T/i inches Helophase or Equilxue or similar extension shade. B. 10 inches x 5 inches
green and white opal shade.

C. 10 inches x 5 inches white opal shade.

D. 10 inches x 5 inches metal shade,

Celling fans :

L, Large size fans.

S. Small or baby size fans.

Wall Sockets : Five amperes combined switch and plug.

1. Proposals for the provision of such fittings in excess of the above scale as may found necessary should be submitted to Government for sanction.

2. The Chief Engineer for Electricity is given the discretion to alter the position of fittings suitably in consultation with the occupants if necessary.

3. In the case of out-houses, latrines etc., water tight fittings may be allowed up to a maximum of 2 for each residence in addition to a light in each room excepting! garage.

4. No portable fittings such as table fans and table lights will be provided by Government. The tenant should arrange to provide these at his own cost.

5. The installation of an electric refrigerator or similar appliance will be allowed only on condition the occupant bears the entire cost together with the cost of a separate connection and undertakes to bear the cost, if any, of disconnection if his successor the residence does not want it.

6. The supply and renewal of bulbs should be made by the tenants at their own cost.

7. In the quarters occupied by N.G.O's (above Class IV) a maximum of two fluorescent box type fittings (without tube) may be allowed in lieu of an equal number,

Incandescent lights.

8. In respect of residential buildings occupied by the ministers, any type of fittings may be provided, based on the specific requisition of the ministers], i [Added by Memo-No. 125/C1/79-2. Tr.Rds.Blds. (C) Dept, D1. 2-3-i]

PART TWO

EXECUTIVE INSTRUCTIONS

Government Orders, Circulars and other Rules issued by the Government of Andhra Pradesh from time to time during the last 50 years on various subjects of "The A.P. Public Works Department Code", "The A.P. Public Works Accounts Code", and "The A.P. Detailed Standard Specifications" are collected. All the said G.Os., Memos, etc., are printed subject-wise. Rules and Instructions issued by the Panchayat Raj Engineering Department and also of Public Health and Municipal Engineering are printed in Part Two.

Section No. 1**Arbitration Awards****Review of Arbitration Awards - Recommendations of Public Accounts Committee - Revised time schedule for Review by Chief Engineers and Government.**

[G.O.Ms.No. 296, P.W. (Y) Dept; Dt. 24-2-1970]

Ref:—G.O.Ms.No. 1925, P.W.D., Dt. 13-12-1967.

Order:—In the Fourth Report on the Appropriation Accounts 1962-63 and Audit Report, 1964, the Public Accounts Committee suggested that Government should evolve machinery for reviewing arbitration awards. Where awards are against Government, the reasons for the same should be examined so that suitable action may be taken to set right any lacunae in the rules and procedure and also to fix responsibility for lapses.

(2) The Government examined the recommendation of the Public Accounts Committee and considered that evolving such a procedure for review of arbitration awards would not only bring to light any lacunae in the rules of procedure so that they could be set right, but also provide opportunity to review the decisions given by the arbitrator from the point of view of the Government and accordingly issued orders in the G.O. read above prescribing the procedures for review of arbitration awards. The time limit for communicating the acceptance or otherwise of the award by either party to the contract was fixed as two months in the G.O. read above. The Chief Engineer, Nagarjunasagar Canals has slated that the above time limit may be raised to four months and also raised certain other points. The Accountant-General, Andhra Pradesh suggested that preliminary specifications to APDSS and the LS agreement form be amended so as to provide for review of the arbitration awards by the Chief Engineer or the Government and the time schedule prescribed in the G.O. read above.

(3). The various points referred to above have been examined in detail.

(4) The Government are advised that the time limit of two months fixed in the G.O. for communication of acceptance or otherwise of the award by either party is inconsistent with the provisions of the Limitation Act and has to be amended suitably.

(5) The Government are also advised that Section 14(1) of the Arbitration Act, 1940 requires the arbitrators or umpire to serve a notice in writing of the making of the award, time (i.e., 30 days under the Indian Limitation Act) being to run from the date of service of the notice of the making of the award. If any party has objection to the award made, of which notice has been given he can make an application to the Court within 30 days for the filing of the award in Court. The power of a party to apply to the Court to direct the filing of the award does not depend on the service of a notice under Section 14(1) of the Arbitration Act. As soon as a party knows that an award has been made, it is open to him to file an application to the Court to direct the award to be made. Time will however, not run against him till a written notice has been served upon him as required under Section 14(1).

(6) In case the award has been filed by the Arbitrator with or without any proceeding by either of the parties under Section 14(2) calling the arbitrator to file the award, mere knowledge of the filing of the award in the Court would not be sufficient and the Court

should give notice in writing in conformity with Section 14(2). But if a proceeding is initiated by either of the parties calling upon the arbitrator to file the award and if, in such a proceeding. When both sides are represented by counsel and the arbitrator files the award in Court to the knowledge of the respective counsel, notice under Section 14(2) thereafter may not be necessary- Where one of the parties objects to the filing of award on the ground that there has been no compliance with Section 14(2) and requests the Court to pass an order on those objections, and the Court orders notice of filing award to be issued to the parties, the limitation would commence only from the date the notice is served on the parties.

(7) Accordingly, in supersession of the orders issued in (he G.O. read above, the Government direct that the following revised procedure should be adopted for review of arbitration awards.

(i) As soon as an arbitrator passes any award he should arrange for the service of the notice of the making of the award on the parties concerned.

(ii) Arbitration awards whose value is below Rs. 20,000:—The Chief Engineer is authorised to accept arbitration awards below Rs. 20,000 in value. The Chief Engineer should make a review of the arbitration award within 15 days of service of the notice of the making of the award in consultation with the local counsel and if in his opinion the award has to be contested, he should arrange to file an application for the filing of the award in the Court within 30 days of service of the notice of making of the award and to contest the award.

If, for any reason, the Chief Engineer considers it inadvisable to act according to the advice of the local counsel, he should refer to the matter to the Government for examination within 15 days of the service of the notice of the making of the award.

***(iii) Arbitration awards whose value is Rs. 20,000 or above :—**The Chief Engineer should make a review of the arbitration awards whose value is Rs. 20,000 and above and submit a report to the Government in the Technical Cell in the Public Works (Projects Wing) Department within 7 days of service of the notice of the making of the award. In such cases, a summary of the case, a copy of the agreement for the work, the facts pressed before the arbitrator by the parties, along with the recommendations of the Chief Engineer should be furnished to the Government for a full appreciation of the case. The Government will then take a decision in consultation with the Law Department whether the award should be accepted or not and communicate the same within 25 days of service of the notice of making of the award to enable the Chief Engineer either to take action on the basis of the award or to file an application in the Court within 30 days of service of the notice of the making of the award, for filing of the award for contesting it.

(8) The Chief Engineer should review the arbitration awards covered by the categories of cases in items (ii) and (iii) above and furnish to the Accountant-General as well as the Government quarterly reports of payment authorised as a result of arbitration in the form approved in Govt. Memo, No. 34-Y/69-I, PWD, dated 1-2-1969. The review should include suggestions, if any, for setting right any lacunae in the rules and procedure etc., and also fixing responsibility for lapses, wherever necessary.

(9) The award of the arbitrator shall be final, and binding on the parties unless Contested by either party in a Court of law.

• See Memo. No. 841-Y/71-2, P. W.D., Dt. 23-12-1971 printed in the next page.

(10) These orders will apply to the projects under the control of the Public Works (Projects Wing) Department also.

(11) The following amendments are issued to A.P.D.S.S.

(Please Note:—AH the amendments issued to A.P.D.S-S. under this G.O, have been carried out in the main book i.e., **A.P.D.S.S.)**

Contesting awards - Delegation of powers to Chief Engineers.

[Memo. No. 841-Y/71-2, P.W.D., Dt. 23-12-1971]

Ref. —G.O.Ms.No. 296, P.W.D., Dt. 24-2-1970.

Order :—In the G.O, cited it was ordered, among other things that in respect of awards whose value was Rs. 20,000 and above, the Chief Engineer should make a review of the award and submit a report to Government within 10 days of service of notice of the making of the award so that the Government might take a decision on its acceptance or otherwise and communicate the same to the Chief Engineer to enable him to file an application for filing of the award or contesting it, as the case may be, within the time limit of one month-

The Government have since reconsidered the matter. As the time available for taking a decision is short, the Government considers that it would be desirable to delegate powers to the Chief Engineers themselves to contest the awards if they consider that they can be contested. They therefore, direct that, if the Chief Engineer considers that an award can be contested he should take action in consultation with the Government Pleader to file an application in the Court within the period of one month stipulated for contesting the award. In cases where the Chief Engineer considers that the award can be accepted or if the Government Pleader does not consider it appropriate to contest the award, the matter should be referred to the Government for scrutiny within the prescribed period of 10 days of service of notice of the making of the award.

Orders in Para 7 (iii) of the G.O. cited are deemed to have been modified to the above extent.

Contesting arbitration awards - Instructions - Issued.

[Memo. No. 64-Y/72-6. P.W.D.. Dt. 1-6-1972]

Ref. ,—(i) G.O.Ms-No. 296, PW, Dt. 24-2-1970.

(ii) Govt. Memo. No. 721-Y/70-4, PW, Dt. 22-8-1970.

(iii) Govt. Memo. No. 841-Y/71-2, PW, Dt. 23-12-1971.

Order :—Departmental officers are often called upon to work as arbitrators. The findings of the arbitrator are binding on both parties. The same can be contested on grounds of lack of jurisdiction and can be set aside under Section 30 of the Arbitration Act, 1940; if it can be proved that the arbitrator misconducted the proceedings. Under Section 15 of the Act, the awards can be modified if the award is imperfect in form, contains any obvious errors, clerical mistakes, etc. The award is not vitiated on the ground that the arbitrator has not indicated the principles of law on which he has proceeded. It is clear that the responsibility cast on the arbitrator is very grave indeed. It is, therefore, desirable that

the departmental officers should take adequate steps to arrive at a proper conclusion. Often a large volume of documentary evidence is placed before them. Oral evidence may also be tendered. It will be better if a brief memorandum is kept by them in regard to the evidence taken. It is essential that the issues are already defined before proceeding to the evidence. A little time and care expended on this will pay rich dividends later while formulating the award. The award should be a document which shows the issues", the evidence taken in brief, discussion of the evidence, reasons for conclusions and finally the conclusions.

Chief Engineers are requested to bring this to the personal notice of all Superintending Engineers in department and should inform that all of the papers are to be kept in the impersonal custody of the Superintending Engineers. The charge list should mention this item whenever there is a change in incumbent.

Levy of Court fee on applications of contractors for arbitration - Levy of stamp duty on arbitration awards, etc. - Clarification - Issued.

[Memo. No. 1758-Y/71-14, P.W. Dept., Dt. 13-10-1972]

Ref. :— 1. From the C.E. (MI&GI) Lr-No.Rc.A2/62331/68-14, Dt. 3-11-71.

2. from the I.G. of Registration and Stamps, Lr.No-L.Dis. 3788, Dt. 1-3-1972.

Order:—The Chief Engineer (Major Irrigation and General) has made the following suggestions:—

(t) A fee may be levied in the form of stamp duty on the applications of contractors seeking arbitration.

(2) It may be laid down that applications of contractors seeking arbitration giving notice of dispute or difference should be given within a maximum period of one year from the date of final payment to the contractor and that no application made after that period shall be valid for invoking the provision for arbitration under clause 73 of P.S. to A.P.D.S.S.,

2. The Government have examined the above suggestions in consultation with the Inspector General of Registration and Stamps etc., and issue the following instructions:

Suggestion (1) above :—Applications of contractors seeking arbitration should bear a Court fee stamp as per clause 10(K) of Schedule II to the Andhra Pradesh Court Fees and Suits Valuation Act, 1956 but no stamp duty need be levied.

The awards passed by arbitrations shall be made on stamped paper the value of which should be according to the value of the claim to which the award relates as per Art. 12 of Schedule I-A to the Indian Stamp Act.

If the parties to the dispute give an undertaking to abide by the decision of the arbitrator the document containing such undertaking shall be made on a stamped paper of the value of Rs. 230 under Art- 5(C) of Schedule I-A to the Indian Stamp Act, when the award is contested in a Court of Law. The stamp duty shall be borne by the party making appeal against the award.

Suggestion (2) above :—The Government are advised that any stipulation of time limit in arbitration agreements for filing arbitration petitions by the contractors would be inconsistent with the provisions of Arbitration Act. The suggestion is, therefore, not acceptable to the Government.

Change of arbitrator - Authority for Approval - Clarification - Issued.

(Memo. No. 392-Cadn/74-8, P.W.D.. Dt. 13-9-1974]

Order:—Clause 73 of Preliminary Specification to the APDSS which forms part of L.S. agreement provides for appointment of Superintending Engineer of the nominated circle as arbitrator in case of dispute or difference between the contractor and the department. Whenever a change of arbitrator is necessitated approval of the Government is being sought.

The Chief Engineers are informed that so long as the Superintending Engineer of the nominated circle, irrespective of changes in incumbents functions as arbitrator, reference to the Government is not necessary even if the individual is transferred from the circle. Appointment of arbitrator is by mutual agreement only and in case both the parties viz., the contractor and the Department agree to nominate a person other than the one already mentioned in the agreement a supplemental agreement to that effect must be executed. Such an agreement may be entered into by the authority who entered into the original agreement. If, for no valid reason, the contractor insists for a change in the arbitrator but if the Government do not see any ground for making such a change the contractor is bound by the original agreement to refer the matter to the arbitrator already agreed upon.

Arbitration and Claims of Contractors

Claims of contractors in Arbitration cases - revised procedure - Orders - Issued.

[G.O.Ms.No. 430, Irrigation firr. V) Dept.. Dt. 24-10-1983]

Ref. :—G.O.Ms.No. 876, PW., Dt. 31-7-1975.

Order:—In the G.O. read above, orders were issued introducing the system of arbitration by a Panel of Arbitrators as detailed below :

<i>Value of amount</i>	<i>Panel of Arbitrations</i>
1. Claims up to Rs. 20,000/- in value.	Superintending Engineer of another Circle,
2. Claims of Rs. 20,000/- above up to	1. Supdt, Engineer of another Circle, Rs. 1.00 lakh.
	2. Directors of Accounts/Dy. Chief Accounts Officer.
	3. Chief Engineer.
3. Claims of Rs.1.00 lakh above.	1. Chief Engineer.
	2. Representative of the Finance and Planning Dept. to be nominated ; and
	3. Director of Accounts or Dy. Chief Accounts Officer.

2. The question of the revising the above procedure has been receiving the attention of Govt. for some time past. The Govt. after careful consideration of various aspects of issues involved direct the procedure be revised as follows;

*Value of amount**Panel of Arbitrations*

1. Claims up to Rs.10, 000/-	Superintending Engineer of another Circle in the same Department.
2. Claims above 10,000/- and up to Rs. 50,000/-.	(a) Another Chief Engineer of the same Department. (b) Where there is only one Chief Engineer, in the Dept., the Chief Engineer will submit proposals to Govt. in the Administrative Dept. for nomination of another Chief Engineers as Arbitrator by Govt.

XXX

[3. Xxx

3. All claims above Rs. 50,000/- shall be decided by a Civil Court of competent jurisdiction by way of a regular suit-]
(Amended by G.O.Ms.No, 160, Irrigation & CAD (PW) Dept., Dt. 1-6-1987)

4- Claim means all claims in that contract.

5. The orders referred to in pares 2 and 3 above shall be applicable to all the agreements entered into by Government from the date of issue of this order and will be applicable to all the Engineering Department, in the State Govt- referred in Para (6) *Supra*.

6. The Engineer-in-Chief is requested to submit necessary suitable draft amendments to the codal provisions wherever necessary including amendment to the A.P.D.S.S. urgently.

7. Government also direct that pending amendments to the codal provisions and A.P.D.S.S. referred to in Para (5) above, the Chief Engineers/Superintending Engineers of Irrigation Department, and the Chief Engineers of other Departments, i.e., Panchayat Raj, Roads and Buildings and Public Health Depts., Chief Engineer (Electrical) are hereby directed to take necessary action in regard to incorporation of the revised procedure referred to in pares 2 and 3 above in all the future agreements to be entered into with the contractors with immediate effect.

Claims of contractor on Arbitration cases - revised procedure.

[G.O.Ms.No. 20, Irrigation & CAD (PW) Dept... Dt. 31-1-1989]

Ref. -- 1. G.O. Ms, No. 430, Irr. (Irr. V) Dept. dated 24-10-1983-

2. G,0. Ms. No. 456, Irr. (Irr. V) Dept, dated 10-11-1983.

3. G.O. Ms. No. 160, Irr- (Irr, & CAD (P.W.) Dept. daied 1-6-1987.

4. G-0- Ms- No. 212/Cod/86-7, Irr- and CAD (P.W.) Dept. dated 1-6-1987.

Order:—In regard to the procedure for referring cases to adjudicate the disputes between the contractors executing the Public Works and the Govt. Departments, clear instructions have been issued in the Government orders read above. Inspire of these instructions, instances are still coming to the notice of the Government that variations in the drafting of clauses in the agreements is giving scope for varied interpretations resulting in confusion.

2. The Government therefore considers it expedient to communicate the following standard clause for incorporation in all the agreements for uniformity and to avoid any ambiguity—Except as otherwise provided in the contract, all disputes and differences arising out, of or relating to the contract shall be referred to adjudication as follows:—

(1) (i) Settlement of all claims up to Rs. 50,000/- in value and below by way of arbitration to be referred as follows :—

- (a) Claims up to Rs.10, 000/- Superintending Engineer of another Circle, in the same Department.
- (b) Claims above, 10,000/- and Another Chief Engineer of the same up to Rs. 50,000/- Department.

The arbitration proceedings will be conducted in accordance with the provisions of the Arbitration Act, is to be prepared from time to time. The Arbitrator shall invariably give reasons in the award,

(ii) *Settlement of all claims above Rs. 50,000/- in value:*—All claims above Rs. 50,000/- in value shall be decided by a Civil Court of competent jurisdiction by way of a regular suit and not by arbitration.

(2) A reference for adjudication under this clause shall be made by either party to the contract within six months from the date of intimating the contractor of the preparation of final bill or his having accepted payment,

(3) The relevant clauses of Andhra Pradesh detailed standard specification stand modified to the extent provided in this clause.

3. The Chief Engineers under the administrative control of In. and CAD Department including Projects Wing are requested to take necessary steps for incorporation of the above clause uniformly, in all tender schedules and agreements while concluding contracts for the works pending issue of the amendments to the Andhra Pradesh Detailed Standard Specifications.

**Claims of Contractors on Arbitration cases - Revised procedure - Orders - Issued -
Nomination of Chief Engineers in Irrigation and Projects in respect of claims above Rs. 10,000/- up to Rs. 50,000/-.**

[G.O.Ms.No. 456, Irrigation (V) Department. Dt. IQ-fi-1983] Ref. :—G.O.Ms.No. 430,
Irrigation, dated 24-10-1983.

Order:—In the G.O- read above, orders have been issued prescribing the revised procedure on claims of contractors on Arbitration cases,

2. In the orders issued in the G.O. read above, Govt. direct that :

I. In respect of claims up to Rs. 10,000/- the Engineer-in-Chief shall nominate another Superintending Engineer of a circle as Arbitrator,

II. In respect of claims above Rs. 10,000/- up to Rs. 50,000/- the following Chief Engineers are nominated as Arbitrators as indicated in columns (2) below :

<i>Name</i>	<i>of</i>	<i>the</i>	<i>Unit</i>
<i>Arbitrator</i>			

1. Chief Engineer, Major Irrigation	Chief Engineer, Sriramsagar Project. Chief
2. Chief Engineer, Medium and Minor Irrigation-Chief Engineer, Nagarjunasagar Project (Dam, Right & Left Canals).	Engineer, Srisailam Project.
Chief Engineer, Srisailam Project. Chief Engineer, Sriramsagar Project.	Chief Engineer, Medium & Minor Irrigation.
Telugu Ganga Project (Including Somasila Project)	Chief Engineer, Major Irrigation. Chief Engineer, Nagarjunasagar Project. Engineer-in-Chief

Section No. 2

*Rules relating to Registration of Contractors

[G.O.Ms.No. 521, irrigation (Projects Wing) Dept., Dt. 10-13-1984]

Ref:—1- O.O.Ms.No. 1077, PWD, Dt. 10-7-1967,

2. Govt. Memo. No. 13/Cod/83-1, Irrign. (PW) Dept, Dt, 21-1-83.

3. From the Engineer-in-Chief, Irrigation & Power Department, Lr.No.Rc.ENC. Al/8119/83-3, Dt. 23-5-1983.

Order:—In the G.O. 1st read above, the rules relating to enlistment of contractors of various categories under Public Works Department (Irrigation & R & B) were codified and issued. These rules classified contractors into various classes under the categories of Civil, Sanitary works, Furniture and Electrical works, and fixed monetary limits and qualifications for registration at different levels. The Government order first read above also provides for review of list of contractors every year and deletion of contractors with poor and indifferent performance.

2. Due to efflux of time, the monetary limits required revision and it is also "necessary to introduce a few more categories of contractors. A new situation has emerged which has rendered reviewing the rules imperative, to enable the Govt. to take penal action against contractors for badquality of work, unethical conduct, misappropriation and unauthorized sale of Government materials.

Note:—These rules are amended by G.O. Ms. No. 178, Irrigation and CAD (PW - COD). "• Dept., Dt. 27-9-1997, and this G.O. is printed at page 365 of this book.

Note:—These rules are modified by G.O. Ms. No. 8, Tr., R. and Bids. Dept. Dt. 8-01-2003, and this G.O. is printed at page 729 of this book.

3. Accordingly, revised rules for registration of contractors were framed which were placed before the Board of Chief Engineers and were further discussed at a meeting held on 19-9-1983 in the chambers of Secretary to Government, Irrigation Department, in which all the Chief Engineers and representatives of other Departments were present.

4. The Government after careful consideration and in supersession of orders issued in G.O.Ms.No. 1077, P.W.D-, Dt. 10-7-67 issued the rules governing Registration of Contractors as detailed in the annexure to this order.

Andhra Pradesh Rules for Registration of Contractors, 1984

PART—A

1. The Contractors registered will be called as Contractors of all Engineering Departments of A.P, State Government.

2. The Registration of the Contractors will be done in the following categories

(i) Civil Contractors (of all Public Works Departments,)

(ii) Public Health Engineering.

(iii) Furniture.

(iv) Electrical.

(v) Transport,

(vi) Fabrication and Erection of structural scheme.

3. Registration of Contractors in each category will be done in the following[^] classes, separately under each one or more of the Classes as they may desire.

(1) Special class (See Note I below)

(2) Class I. (See Note 1 below)

(3) Class U.

(4) Class m.

(5) Class IV, (See Note I below)

(6) Class V. (See Note I below)

Note I: — The Special Class and Class I, the Registration shall be on the basis of Specialization, as indicated hereunder for the Civil Contractors-

(a) Tunnelling.

(b) Foundation treatment.

(c) Bridges and other structures.

(d) Buildings.

(e) Earth work and canal lining.

(f) Bituminous asphaltic highway works.

(g) Public Health and Engineering works.

Note 11:—The Contractors of Special Class, Class I, Class II and Class III are eligible to take up the works throughout the State. The Contractors of Class IV and Class V can tender for works only within the circle where Registration is done.

[Statement]

5. Procedure for Registration:—The Contractor shall submit an application in the preformed given in Annexure (2) to the concerned authority together with the necessary documents in support of his application (as mentioned in Para (6) below). The authority competent to register the contractor in the concerned Class will take action to verify the credentials and antecedents of the contractor and issue suitable order registering the contractor. Before registering in any class or category the Contractor shall be asked to sign in the code of conduct which shall be appended to the Divisional copy of the A-P.D.S-S. A draft form for issuing orders of registration to be adopted by the Registering authority is given in Annexure (3) of this G.O.

6. The following documents shall be submitted along with the application seeking Registration as a Contractor in a particular class or category.

6.1. Application form (in the preformed prescribed in Annexure (2) with Rs.2/-Court fee stamp, affixed thereon.

6.2. Treasury challan in proof of payment of Registration Fees.

6.3. A Solvency Certificate (See item 7 below).

6.4. A list of works executed by the Contractor during the past five years duly certified by the concerned Departmental Engineer of the rank of an Executive Engineer or equivalent Officers.

6.5. Latest income tax and sales tax clearance certificate (See item 8 below).

6.6. Copy of the partnership deed in the case of Registration of Partnership/Partners/Companies.

6.7. Form 'C' issued by the Registrar of Firms in the case of Partnerships/Companies.

6.8- A copy of the Engineering Degree in the case of employed Engineering Graduates.

7. Solvency Certificate :—(a) The solvency certificates for the amounts shown under item (iv) of the statement shall be obtained from the Officer of the Revenue Department, of the rank not below that of a Tahsildar in the proforma in Annexure I(a).

(b) The Certificates may also be obtained from a Scheduled Bank in the proforma given in Annexure (b).

(c) The solvency certificates shall be valid for a period of one year only from the dates of their issues.

8. Income Tax clearance certificate:—The names of the Firms/individuals shall be registered and included in the approved list of contractors only when they produce income tax clearance certificate in the form approved by the Income Tax authorities. No exemption from this requirement shall be granted even to the Cooperative Societies.

9. Rules for Registration:—

9(a) .01- The Registration of the contractor in any class once done shall be in force only for five years in that particular class. The Contractor shall register himself afresh every five years [hereafter. The registration shall however be done only twice in a year (a) January and June. The existing Contractors shall be given six months time for registration as contractors afresh under these rules, from the date of issue of this order.

9(a) .02. While submitting the application for fresh registration in the same class

or for registration in a higher class, the Contractor shall furnish the certificate of his performance issued by the Executive Engineer in charge of the works as detailed under Part IV, Sl.No.5 and Note II against that item.

9(a) .03. The cases of firms or companies, though newly formed may be considered provided concerned Firms or Companies have recruited or already consist of highly skilled professional Engineers and Experts, in their organization.

9(a) .04. A contractor can register his name in more than one category.

9(a) .05. The contractor shall not apply for Registration in his name and also in the name of Partnership/Company which runs in his name in the same class or category at a time.

9(a) .06. Contractors of other States shall get themselves registered in this State before offering their tender for works in this State.

9(a) .07. Application of the Contractors for registration in Class I and Spl. Class may be recommended by the individual Chief Engineers to Engineer-in-Chief for placing them before the Board of Chief Engineers for its consideration and decision.

9(a) .08. The contractor already registered in a particular class can form a partnership firms in the same class and category only by a separate registration at the time of biennial registration as mentioned in Class 9.01 above.

9(a) .09. In the case Partnerships/Companies/any changes in the partners shall be reported to the registering authorities immediately.

9(a) .10. The registration certificate shall be in the form of Booklets, serially numbered for each unit and in distinct color for each class of Registration.

9(b). The following certificate is required to accompany the application for registration:

Certified that I will employ qualified technical personnel with suitable complimentary staff to meet the requirements of the works as per G.O.Ms.No. 158, Dt- 21-2-1975.

PART—B

Standard Code for Registration, Demotion, Removal, Suspension of Business and Black Listing of Contractors

1. General:—The broad guiding principles governing registration, demotion, removal, suspension of business, black listing etc., of contractors have been enunciated in the code.

2. Registration :—(1) It is desirable that every engineering department which is required to undertake construction works should maintain lists of approved contractors of various categories and classes and normally works for execution should be entrusted to contractors of different categories and classes based on financial resources, technical capability, past performance etc., of each contractor as ordered in the G.O.Ms.No- 1077, PWD, Dt. 10-7-1967.

(2) It is also desirable that the lists of registered contractors in different categories and classes should be reviewed periodically by the Registering Authorities for weeding out from the approved lists such contractors who have not secured any work during a period of three consecutive years.

3. Demotion to a lower class: — (1) The registering Authority may demote a contractor to a lower class, if he:

- (i) fails to execute a contract or executes it unsatisfactorily or is proved to be responsible for constructional defects; or
- (ii) has no longer adequate equipment, technical personnel or financial resources; or
- (iii) Violates any important conditions of contract; or
- (iv) is responsible for any other matter which may justify his demotion to a lower class; or
- (v) is litigious by nature.

(2) The fact of and the reasons for demotion shall not be communicated to the contractor. But if for administrative reasons, it is considered essential to make such a communication, it must be only a bare intimation of the demotion and if representations are received care must be taken not to assign any reasons for the action orally or in writing.

(3) Copies of the orders together with a memorandum containing reasons for demotion should be forwarded to the Government through the concerned Chief Engineer and to the Engineer-in-Chief.

(4) In case of a contractor registered for more than one category of work (viz., Civil, Sanitary, Electrical, Transport and Fabrication and Erection of Structural steel), the order regarding demotion would apply only to one category unless otherwise stated in the orders.

4. Suspension of Business :—(1) Suspension of business with a contractor may be ordered by the Registering Authority for an indefinite period pending full enquiry into the allegations, if the Registering Authority is *prima facie* of the view that the contractor is guilty of an offence in relation to the business dealings which, if established, would result in his removal, black listing and it is not desirable to continue business with the contractor.

(2) The fact of and the reasons for suspension of business shall not be communicated to the contractor concerned- But if for any administrative reasons, it is considered essential to make such communication it must be only a bare intimation of the suspension of business and if representations are received care must be taken not to assign any reasons orally or in writing for the action taken.

(3) Copies of the orders together with a memorandum containing reasons therefore should be forwarded to the Government through the concerned Chief Engineer and the Engineer-in-Chief-

(4) Suspension of business with the contractor for a specific period may be ordered by the Registering Authority when the contractor is responsible for minor Technical offence(s) or when he fails to furnish the I.T.C. In such a case the fact of suspension should be communicated to the contractor giving reasons for the same. This action need not be reported to the Government.

5. Removal from the approved list :—(1) Registering authority may remove the name of a contractor from the approved list, if the contractor :

(a) has on more than one occasion failed to execute a contract or has executed it unsatisfactorily; (or)

(b) fails to abide by the conditions of registration or is found to have given false particulars or information at the time of registration;

(c) persistently violates any important condition(s) of the contract; (or)

(d) is proved to be responsible for construction defects in a number of cases;

(or)

(e) is declared or is in the process of being declared bankrupt/insolvent wound up/dissolved or partitioned; (or)

(f) persistently violates the labour regulations and rules.

(2) The fact and the reasons for removal from the approved list shall not be communicated to the contractor concerned. But if, for any administrative reasons, it is considered essential to make such a communication it must be only a bare intimation of the removal from the approved list and if representation are received, care must be taken not to assign any reasons for the action either orally or in writing.

(3) Copies of orders together with a memorandum containing reasons therefore should be forwarded by the registering authority to the Government through concerned Chief Engineer and the Engineer-in-Chief.

(4) In respect of contractors register for various categories of work (Civil, Sanitary, Technical, Transport and Fabrication and Erection of Steel Structures) orders regarding the removal should apply only to the particular category unless otherwise stated.

6. Black listing:—Only the administrative department will black list the contractor.

(1) The Head of the Department (Chief Engineer) may blacklist a contractor with the approval of Government where:

(a) There are sufficient and strong reasons to believe that the contractor or his employee has been guilty of malpractice(s) such as bribery, corruption, fraud including substitution and interpolation in tenders, smuggling, pilfering or unauthorized use or disposal of Government materials issued for a specific work ;

(b) A contractor continuously refuses to pay Government dues without showing adequate reasons;

(c) A contractor or his partner or his representative has been convicted by a Court of law for offence involving moral turpitude in relation to business dealings; (or)

(d) Security considerations including suspected disloyalty to the State so warrant.

(2) Orders for black listing of a contractor should not be communicated to him

(3) Copies of such orders together with the reasons for the action taken as also At names of the partners and list of allied concerns coming within the effective influence of the black listed contractor will be forwarded to the Secretary of the concerned administrative department who will in turn intimate the other Departments in the Government for ordering immediate cessation of all future business with the contractor.

(4) Decision for black listing of a contractor under sub-Para 61(c) will be

by the concerned Administrative Department and communicated to the concerned Chief Engineer giving reasons for black listing the contractor as also the names of all the partners of the contractor and allied concerns coming within the effective influence of the black listed contractor. Black listing orders would however be issued by the Chief Engineer. The Chief Engineer concerned need not furnish the reasons for black-listing to the contractor.

(5) Action for black listing a contractor should be taken only where it is established that the offence was committed in order to secure advantage to the contractor and not where the object may be to secure advantage to any employee or representative of the contractor personally.

(6) Care should be taken to see that the contractor black listed does not transact business with Government under a different name or title.

7. The Administrative Department in the Government will examine any case of black listing of a contractor may refer doubtful marginal cases for advice to the Law Department wherever considered necessary.

8. Once the black listing orders are issued they should ordinarily not be revoked unless:

(a) On review the Government is of the opinion that the punishment already undergone is adequate in the circumstances of the case.

(b) In respect of the same offence, the accused has been honorably acquitted by a Court of law.

9. The Engineer-in-Chief shall be responsible for keeping up to date list of black listed contractors (including those black listed at the instance of the Government) and circulate the list periodically to the Chief Engineers of all the Engineering Departments. The Engineers-in-Chief will also circulate every quarter a list of additions and revocations during the previous quarter.

10. Restoration:—Upgrading a demoted contractor revoking the suspension of business, restoring registration, withdrawal of black-listing, etc., may be considered at an appropriate time on the merits of each case by the authority who has passed the original orders. Copies of restoration order should also be furnished to the concerned Administrative Departments of the Government.

(Sd/-) xxx

Head Draughtsman.

ANNEXURE-I (a)

Form of Solvency Certificates by Tahsildar

I,..... Tahsildar of..... do hereby certify, on being satisfied by the Examination of Revenue and other records and local enquiries that.....
(here the name and address of the contractor should be mentioned) is solvent to the extent of Rs..... (Rupees.....).

Dale:

Tahsildar :

Place:

Seat of the Office

Taluk;

ANNEXURE—1(b)**Form of Solvency Certificate by Banks**

I,.....Managing Director/Manager/General Manager/Agent of.....Bank Limited do hereby certify that..... (here the Name and address of the contractor) to be solvent to the extent of Rs.....- (Rupees.....) as disclosed by the information and record which are available with the aforesaid Bank.

For the.....-.....Bank.

Date:

Place:

Designation of the Officer authorised to sign

ANNEXURE—2

Form of Application for Registration of Contractors Civil/Public Health Engineering/Furniture/Electrical/Transport/Fabrication and Erection of Structural Steel Contractor

To

The Chief Engineer,
Major Irrigation & Medium Irrgn. Minor Irrigation, Hyderabad.

Sir,

Sub.:—Contractor - PWD I&P Dept. - Application for registration as Class. I/II contractor!
- Submitted.

1. Sri-..... (in the case of individual)

Sri.....anaging partner of.....(in the case of Firm).....

M/s.....Engineers and Contractors..... P.W.D., Resident.....

Village..... Taluk..... District,.....a registered Class.....

Contractor's.....of Govt./Corporation etc, request you to kindly register my name/our Firm as..... Class contractor in the category of Civil/Public Health Engineering/ Furniture/Transport/Electrical/Fabrication and Erection of structural steel contractors and communicate the orders.

2. In this connection, I enclose the following prescribed documents for your information.

(i) Treasury Chalan No.....dated.....for Rs..... Creditable to the Executive Engineer,.....P.W.D. Division..... Under the Head of "882. Cash Remittanad towards Registration fees.

(ii) Solvency certificate issued by Competent Authority for Rs.....
(The solvency certificate shall be not more than one year old).

(iii) A list of works carried out by me in the past five years with their valuta certified by Departmental Engineers of the rank of E.E. or equivalent rank.

(iv) Latest sales tax/income tax clearance certificate.

(v) Certified copy of the partnership deed (in the case of firm). (vi) Form (C) issued by the Registrar of Firms (in the case of firms only certified).

(vii) Copy of the Engg. Degree certificate issued by a Recognised University (in the case of Engg. Degree holders seeking registration).

3. I enclose & certificate to the effect whether the applicant or any of the partners or share holders or any of the personnel working under the applicant is/are dismissed Govt. Servant(s).

4. I certify that I would not get myself registered under more than one name.

5. I will get my registration renewed within five years from the date of registration.

ANNEXURE—3

Proceedings No.,..... Dated-,.....

Contractors - Registration of Class I and Special Class (Civil) Contractors - Orders - Issued.

Order:—The Board of Chief Engineers examined the applications received from the contractors referred to for registration as Class I/Special Class (Civil) contractors and its meeting held on,..... and decided that their names might be registered as Class I/Special Class (Civil) contractors for all Branches of Engineering Departments of the State Government.

2. The Chairman, Board of Chief Engineers', A.P., Hyderabad accordingly register the names of the following contractors as Class I/Special Class (Civil) Contractors qualified to tender for works costing above and up to Rs...-,-.....in terms of the rules prescribed and subject to the condition stipulated-

Sl-No.	Name and Address of the Contractor
1.	
2.	
3.	
4.	
5.	
6.	

3. The Managing Partner/Partners of the firms if any, which are now registered as Special Class(Civil) contractors shall intimate the changes in the partnership deed, if any, and produce fresh solvency certificate in the name of the substituting partners. Failure to notify the changes to the registration authority in time will entail the firms to forfeit their registration and firms will be debarred from tendering for works.

5. The registration will be valid up to 5 years from the date of registration. The registering authority reserves the right to cancel or demote without notice and without assigning any reasons.

6. Application for renewal of registration after 5 years if desired should be submitted to this office before one month from the date of expiry of validity of registration,

ANNEXURE—4(a)

Case (i) Where contractor himself desires that his name may be removed.

To

REMOVAL FROM THE APPROVED LIST Dear Sir(s)

1. As desired by you, your name is removed from the approved list of contractors of this command/area/division/Circle/Unit/Project.
 2. Action to release your security deposit/standing security bond amount is in hand.
- Yours faithfully. Copy to all concerned

ANNEXURE—4(b)

Case (II) Where contractor fails to submit a valid Income Tax clearance certificate

To

REMOVAL FROM THE APPROVED LIST

Ref. :- This office Letter No.....

Dear Sir(s)

As you have failed to furnish a valid income tax clearance certificate in spite of the notices issued to you under this Office letter(s) quoted under reference, your name is hereby removed from the approved list of this Division/Circle/Unit/Project. i

2. Action to release your security deposit/standing security bond amount is in ' hand.

Yours faithfully,

Copy to all concerned

ANNEXURE—4(c)

Case (iii) For any other reason mentioned in the standardized code To

REMOVAL FROM THE APPROVED LIST

Dear Sir(s)

Your name is hereby removed from the list of approved contractors of this division/
Circle/Unit/Project.

Yours faithfully, Copy to alt concerned

Amendment to Rules relating to Registration of Contractors.

(G.O. Ms. No. 17&, Irrigation and CAD (PW - COD). Dept.. Dt. 27-9-1997)

Ref. •— 1. 0.0. Ms. No. 521, Irr. (PW) Dept., dated 10th December, 1984.

2. G.O. Ms. No. 15, I & CAD (PW-COD) Dept., dated 9th February, 1995.

Order:—Government have, for sometime, been considering the need for modification of Contract Rules, Standardisation and Streamlining of Sanctioning and Tendering procedure. Orders were issued in G.O. Ms. No. 15, I & CAD (PW-COD) Dept., dated 9th February, 1995 constituting a Committee of experts to examine the Streamlining of Tendering Procedure with a view to introduce comprehensive reforms in Works Departments of the State Government, since the inadequacies in the existing procedure are resulting in adoption of unfair methods by some of the contractors at the time of tendering, low quality of work, avoidable litigation and malpractice. Accordingly, the report submitted by the said Committee was examined in detail in a series of meetings by this department which was attended by representatives of other departments, including Engineers- in-Chief and Chief Engineers.

2. As it is observed that the existing monetary limits fixed for the registration of contractors vide G.O. Ms. No. 521, (PW) Department, dated 10-12-1984 are not sufficient, Government after careful consideration issue the following orders :—

(i) The revised monetary limits for the registration of contractors shall be as indicated below :—

Sl. No.	Class of Contractor	Monetary Limits	
		<i>Existing</i>	<i>Revised</i>
1.	Special Class	Above Rs. 10,00 lakhs	Above Rs- 500.00 lakhs
2.	Class I	Rs. 30-100 lakhs	Rs. 100-500 lakhs
3.	Class II	Rs. 10-30 lakhs	Rs. 40-100 lakhs
4.	Class III	Rs. 5-10 takhs	Rs. 10-40 lakhs
5.	Class IV	Rs. 1-5 lakhs	Rs. 2-10 lakhs
6.	Class V	Up to 1.00 lakh	Up to Rs, 2.00 lakhs

(ii) It is directed that a regular review of registered contractors once a year shall be conducted by a separate cell for weeding out, demoting and black listing of defaulting

contractors. Special attention will be paid through computerized information system for observing the performance of contractors up to and including Class III. Identity cards will be issued to the Contractors, by the registering authority -

(iii) It is further directed that a higher class contractor also shall be allowed to tender for works falling in lower class (es), without getting himself registered in the lower category.

Section No. 3

BLACKLISTING OF CONTRACTORS

Standard Code for Black Listing of Contractors Note —This Code is printed at page 358 of this book.

Section No. 4

ADVANCES TO CONTRACTORS

Advance to Contractors - General Policy - Laid down.

[G.O.Ms.No. 512, Public Works (Y) Sept.. Dt. S9-5-1973]

Ref. :—1. G.O-Ms.No. 510, PWD, Dt, 14-3-1962.

2. From the Chief Engineer (R&B), Lr. No. Re. L3/34119-55-316, Dt. 7-3-1969,

3. From the Acctn. Genl., A.P., Letter No.WAD.II/C/Genl./?!, Dt. 4-11-19S9,

Order:—Sanction of advances to Contractors is as a rule prohibited under para 197 of the A.P.W.D. Code. However, for special reasons advances had to be sanctioned by the Government in quite a few cases depending on the merits of each case. The Government have considered that it is desirable to lay down a uniform policy to be followed in respect of tenders to be called for in future.

After careful examination, they have decided as follows :

1. Normally no advances should be given.
2. Advances may be given for purchase of new machinery of special type, which the contractors are not generally supposed to possess, if such machinery is required for| execution of Government works and if that cannot be hired out by the Government,! Machinery should not however, be purchased with the object of hiring out to contractors,! Sanction of advances even for purchase of such new machinery may be allowed only if exceptional cases-Sanction of such advances is also subject to the following conditions:
 - (a) In respect of contracts exceeding Rs,10 lakhs only loans may be given i machinery specifically acquired for the work and brought to size at 75% of the purcha price of the new machinery subject to a maximum of 6% of the value of contract or Rs.lfi lakhs whichever is less, provided the Chief Engineer considers the price reasonable a that such plant and equipment are necessary for the purpose and not in excess to requirements.

(b) Interest should be charged at the Reserve Bank of India rate prevailing at the time of sanction of the advance + 3%.

(c) The machinery should be hypothecated to the Government and necessary undertaking obtained from the Contractor to ensure that this machinery is not sold away and is also kept in good condition. In addition to hypothecation of machinery bank guarantee also shall be obtained.

(d) The amount of advance should be recovered from the running account bills in proportion to the value of work done rounded off to the nearest thousand in such a way that the entire amount of advance together with interest is fully recovered by the time 80% of the work of the contract value is completed. Interest should be recovered after the last instalment of the principal amount is recovered.

(e) The probability of granting loans for purchase of machinery should be indicated in the notices inviting lenders where requirements of special machinery for execution of Government works are anticipated and that should be done after approval of the Government.

The practice of giving advances to contractors who undertake execution of major bridge works involving high tensile steel wire, anchorage cones etc., was in vogue even prior to 1962- The Chief Engineer (Highways) stated that sanction of advances was desirable where materials had to be imported from abroad and if no advances were given progress of works would suffer. It was, therefore, ordered in G.O.Ms.No, 510, P-W.D., Dt. 14-3-1962, that advance payments to the contractors who undertake execution of major bridge works involving high tensile steel wire etc., may be made to the extent of 75% of the value of materials brought to site. The Accountant General, Andhra Pradesh recommended adoption of this procedure in the State Public Works Department on the ground that it would result in competitive rates-

The Govt. have examined the above proposal also and have decided as follows:

Advances may be sanctioned against the materials brought to site by the Contractors up to 75% of the value of materials as assessed by the Executive Engineer where the collection of materials in advance is essential in the interests of work. Sanction of such advances shall be subject to the following conditions:

The materials brought to site against which advance is proposed to be sanctioned should be imperishable in nature and a formal agreement should be drawn up with the contractor under which Government secures a lien on the materials and the interest of Government is safeguarded against losses due to the contractor postponing the execution of the work or to the shortage or misuse of the materials and against expense entailed for their proper watch and safe custody. Payment of the advance should be made only on certificate of the Executive Engineer that the above conditions have been fulfilled. The recovery of these secured advances should be made as and when materials are consumed on the work. No interest will be charged on this type of advance,

The Chief Engineer (Major Irrigation and General) is requested to suggest suitable running account bill forms for approval of the Government.

Section No. 5**PROCEDURE FOR FIXATION OF HIRE CHARGES****Hiring of the Tools and plant to Contractors - Collection of hire charges ~ Procedure in the Nagarjuna Sagar Project Organisation - Adoption in Public Works Department - Instructions - Issued.**

{G.O.Ms.No. 400. Public Works (Y) Department, Dt. 25-3-1972}

Ref. .—Govt.Memo.No. 3562/Y/67-23, P.W.D, Dt. 24-1-1970.

Order:—When heavy plant and machinery belonging to the Public Works Department is let to other divisions, Government Departments, local bodies and to contractors for use on Government works, hire charges are leviable at the rates fixed in para 340(7) of the A.P-P.W. 'D' Code. The rate of interest of 5% included in the hire charges is below the Government's borrowing rate and the hire charges do not include P.O.L. costs, crew charges, etc.

2. The Government consider that the procedure for fixation of hire charges followed in the Nagarjuna Sagar Canals and the Nagarjuna Sagar Dam shall be followed in the entire Public Works Department including Roads and Buildings Department also, They, therefore, direct that the procedure as indicated in the annexure to this order be followed in the entire Public Works Department including Roads and Buildings Department also.

3. Even the rates adopted in the Nagarjuna Sagar Project Organisation requires in view of the increase in the P.O.L. charges, interest rate etc. All the Chief Engineers should therefore, revise the hire charges urgently. They should also review the charges every year and fix suitable rates as already ordered in G.O.Ms.No. 1925, P.W.D., Dt. 2-8-1965.

ANNEXURE**Procedure for fixation of hire charges**

I. Life of the Machinery :—The life of the Machinery for the purposes of depreciation shall be as follows :

1. Crawler Tractors and Rubber-tyred dozers	10,000 Hours
2. Scampers	10,000 Hours
3. Dumpers	10,000 Hours
4. Graders	10,000 Hours
5. Shovels and Draglines up to and including 1 1/2 cyd. when used as Crane	12000 hrs.
allow 25% more for life.	
6. Shovels and draglines above 1 1/2 cyd. 15,000 hrs. when used as Cranes	allow 25% more for life,
7. For Electrically operated shovels and draglines up to 1 1/2 cyd.	18,000 Hours
8. For Electrically operated shovels and draglines above 1 1/2 cyd.	22,500 Hours
9. Cranes up to 12 Tons capacity	10,000 Hours

10. Cranes above 12 tons	12,000	Hours
11. Sheep foot rollers	20,000	Hours
12. Rubber-tyred tractors	10,000	Hours
13. Water tankers	20,000	Hours
14. Ripper (or rooter)	20,000	Hours
15. Desintegrators	20,000	Hours
16. Ball Mills	10,000	Hours
17. Air compressors 1 to 6000 c.f.m. (All types i.e., Diesel, portable & Stationery)	15,000	Hours
18. Air compressors above 600 c.f.m. electricity driven		
19. Jack hammers	10,000	Hours
20. Wagon drills	15,000	Hours
21. Diamond and Caly drills	4,000	Hours
22. Diesel Road Rollers	6,000	Hours
23. Electrical Generators	10,000	Hours
24. Pumping sets Diesel up to 5" suction	10,000	Hours
25. Pumping sets Diesel above 5" suction	12,000	Hours
26. Electrical pumping sets	12,000	Hours
27. Pan mixers and concrete mixers Diesel driven	12,000	Hours
28. Plan mixers and concrete mixers Electrical driven	6,000	Hours
29. Local Diesel	10,000	Hours
30. Track rails	15,000	Hours
31. Tipping Wagons	6,000	Hours
32. Diesel, Trucks, Jeeps, Vans and Trailers up to 3 tons	9,000	Hours
33. -do- between 3 to 5 tons	12,000	Hours
34. -do- above 5 tons	20	Years 5
35. Trucks Gasoline up to 3 tons		
36. -do- 3 to 5 tons		
37. -do- above 5 tons		

For rest of the items batching plants, crushers etc., not covered above, the lives suggested in the Guide book on transfer of equipment may be adopted.

II(A). Maintenance and repairs :—The following percentages of depreciation be provided to cover major and field repair charges.

1. Heavy earthmoving machinery, crawlers and tyred tractors, scrapers, dumpers, excavators and draders	miles 2 lakh
100%2. Locos and Cranes	miles 1,12,500
Compressors (All)	90%3. miles 1,50,000
[DCODE—24]	90% miles

4. Mixers and pumping jets (All)	75%
5. Jeeps, Trucks and Vans including types	90%
6. Tipping Wagons	30%
7. Jack Hammers, Wagon drills and diamond drills	100%
8. Diesel Road Rollers and Electric generators	90%

II(B). Tyre life :—(To be adopted as per Guide Book) same as given in Guide Book for abrasive material.

1. Scrapers	2,500 hours
2. Dumpers (Bottom}.	3,000 hours
3. Dumpers (End)'.	2,500 hours
4. Tractor	2,000 hours
5. Rubber Belt for Loaders	2,500 hours
6. Drawn Scrapers	3,500 hours

///. Crew Charge:—This is to be provided on average pay scale plus 50% to cover idle period, excepting for heavy earthmoving machinery in which case, it should be Rs. 3/- per hour.

IV. P.O.L. Charges :—This should worked out based on the quantity of fuel arrived at, based on the formula recommended in Rates and Cost Committee Report at the latest prevailing rates of fuels. For lubricants and other consumables, 50% of the cost of the H.S.D. Oil should be allowed.

V. Hire Charges :—For machinery hired on daily basis 8 hours of working will be reckoned as a day- The calendar day is from 12 mid night to !2 mid night. For levy of charges 4 hours of less will be reckoned as half a day and more than 4 hours to 8 hours as full day. In the case of break-down of the machine, the Executive Engineer at his discretion can charge only the actual hours of working. In a calendar day any extra charges over and above those included in the hire charges, incurred for crew for intermittent work, should be recovered from the contractor. The minimum charges during the month shall not be less than the charges for 20 days.

The earthmoving machinery should not ordinarily be given lo contractor on} aaP they should be worked departmentally. When machinery is given, out to contractors, other divisions, Government departments, and local bodies on hire the rate of hire charges should include interest charges at 2½ % over the prevailing borrowing rate of Government. The hour for working out hire charges shall be clock hours.

Section No. 6

AUTHORITY TO DECLARE MACHINERY AS SURPLUS -PRINCIPLES FOR THE DISPOSAL OF THE MACHINERY

Classification of Machinery - Authorities Competent for Declaration as Surplus - Principles to be followed for the Disposal of the Machinery.

[G.O.Ms.No. 404. Irrigation & Power (Projects V/ing) Dept... DI. 14-SS-1979]

Order:—Government have examined *de novo* the principles to be followed for the classification, declaration, of surplus and the procedure for disposal of equipment and machinery available in the Irrigation Department including Project Wing. The Government consider that the release value and the terms of payment, etc., cannot be uniformly applied for transactions with other State Governments, Central Government, other Projects, and Departments in the State, Local Bodies, Private parties, etc. Different principles have to be adopted for disposal of machinery to these different organisations/parties. The Government of India, Ministry of Agriculture and Irrigation, Department of Irrigation have suggested that in respect of transfer of machinery to the Central Govt. and other State Governments, the principles laid down in the Revised Guide Book (1975) issued by the Central Water Commission may be followed by all the States as a measure of uniformity. The Government after careful consideration of the issues involved agrees with this suggestion, subject to some modifications to suit local conditions. In respect of transactions within the State with Government Departments, and State Public "Sector undertakings and private bodies, however, the Government proposes to follow some what different procedures. *In supersession of all orders issued earlier Government therefore order as' under:*

1. Classification of Machinery/Equipment :

(i) All machinery/equipment used in construction, operation or maintenance of works shall be classified into the following categories:

(A) Machinery/Equipment in good working order.

(B) Machinery/Equipment not in working order but can be economically repaired and put to use.

(C) Machinery/Equipment not in working order nor repairable economically and unfit for further use due to obsolescence or other causes.

(ii) The classification of machinery/equipment shall be done half yearly, that is, January and July each year.

(iii) The authority competent to classify the machinery/equipment will be Superintending Engineer of the Circle owning the machinery provided, however, that in the case of Civil Superintending Engineers the order of classification shall be issued on the written advice obtained from an Engineer of the rank of Superintending Engineer, Mechanical available nearest to the Circle.

2. Declaration of surplus Machinery/Equipment:

(i) Machinery/Equipment shall be considered to be surplus if there is no likelihood of its being utilized in any Division under a Circle or in a project during the next twelve (12) months.

(ii) The declaration of surplus machines shall be made half yearly, that is, in January and July each year and a copy of the surplus list communicated to the Secretary, Screening Committee in the proforma in Annexure-I, who should circulate the surplus lists with the State, etc. Projects State and Central Govt. Departments and Public Service Undertakings - State and Central.

(a) "The surplus 'C' Class machinery/equipment can be disposed off by the authority competent to declare it as "surplus" as per para 3(ii) of the G.O. read above without referring to the Screening Committee".

(G.O.Ms. 288, In-, & Power (P.W.) Dept., Dt. 26-6-1981)

(iii) The authority competent to declare machinery/equipment as surplus shall be as under:

Executive Engineer : Original Book value not exceeding Rs. 25,000 each.

Superintending Engineer: Original Book value not exceeding Rs. 5.00 Lakhs each.

Chief Engineer : Full Powers.

3. Authority for disposal of Surplus Machinery/Equipment;

(i) Surplus Machinery/Equipment of Category 'A' or 'B' shall not be disposed by any officer without clearance from the Screening Committee appointed by the Government.

(ii) Surplus Machinery/Equipment of Category 'C'¹ can be disposed of by the authority competent to declare it surplus under these rules.

4. Transfer to other State Government and Central Government Projects:

(i) The release value and the terms and conditions of transfer of surplus machinery/ equipment to other State Government and Central Government Projects will be in accordance with pares (2) to (14) of the 'Guide Book on Transfer of used equipment—Revised Edition 1975' issued by the Govt. of India, Central Water Commission, subject to the following modifications :

(a) In para (2) of the Revised Book 1975, the following sentence may be added after the first sentence :

"Provided that if facilities on spares for repairs of 'B' Class machinery are not available with the owning project, the cost of repairs necessary may be estimated as mutually agreed to and the estimated cost of such repairs be deducted from the depreciated value of the machinery to arrive at the release value".

(b) In the last sentence of note under para (3), the following expression shall be omitted:

"Corporations and such other Government bodies".

(ii) The Executive Engineer (Disposals) in the Unit of Chief Engineer (Mechanical) will be Liaison Officer for sending returns of surplus machinery and on other related matters to the Central Water Commission, Govt. of India and for sending the surplus lists to other State/River valley projects,

5. Transfer to other Projects/Department in the State to Public Sector undertakings of State or Central Government :

(i) **Release value:**—The Release Value of surplus machinery of 'A' and 'B' shall be determined as under:

(a) The Book Value of the machine will be arrived by adding to its original cost price ex-stores of the department, all taxes, duties, transportation, erection, incidental charges etc.. but not including storage or supervision charges if any plus the cost of auxiliary equipment purchased new or second hand and in the case of equipment procured second hand, by including the cost of overhauls and repairs carried out after it is purchased but before it is put to use and also including the cost of additional equipment if any.

If additions or improvements are made to increase the utility or efficiency of the equipment, the book value may be increased by the amount spent for such modifications.

(b) The Scrap Value of the machine will be ten (10) per cent of its original Book Value.

(c) Depreciation shall be calculated by the straight line method in proportion to the hours worked (or K.M. ran in the case of transport vehicles like trucks, cars etc.) to the life of the machine in hours (or K.M. as the case may be) starting from the Book Value and ending with the Scrap Value during the life of the machine. Depreciation shall also be calculated in proportion to the age of the machines in years up to the month of the January or July immediately preceding the date of disposal, to the life of the machine years. The average of the two values shall be taken as depreciation of the machinery for working out the Release Value provided however the depreciation so calculated shall not be more than 75% of the Book Value for these categories of machines.

(d) Book Value less depreciation as worked out in (c) above will be the Release Value of the machinery,

Note 1:—In the case of earth moving machines found surplus the cost of tyres shall be deducted from the cost of the machine and depreciation worked out separately for the basic machine and the tyres to arrive at the depreciated cost of the machine as a whole.

Note 2—The life of machines in hours/K.Ms. /Years for the purpose of this order is given annexure II. The life of Earth Moving tyres shall be assumed as 4,000-6,000 hours depending upon the operating conditions.

Note 3 :—For machines not listed in Annexure-II the life will be determined by the Chief Engineer, Mechanical.

Note 4:—A period of six months or above will be treated as one year and less than six months treated as half year for the purpose of calculating depreciation.

(e) In the case of 'B' category machinery the depreciated value as arrived above shall be further reduced by the estimated cost of repairs to bring it in good working order, The resultant reduced value will be the Release Value of machines for this category subject to the condition that this shall not be less than 10 per cent of the Book Value.

(ii) The release value of 'C' category machines will be the Scrap Value i.e., 10 per cent of the Book Value of the machines.

(iii) Release of surplus spare parts along with surplus machinery:—In the case of transfer of machinery of Category A or B the transferee is bound to accept spare parts of the machine transferred, to the extent of not more than 10 per cent of the Book Value of the machine for fast moving spares and 6 per cent for slow moving spares, if such spares are also found surplus. The cost for such spares shall be worked out at the issue rate normally applicable for departmental purposes.

(iv) Terms of payment:—90 per cent of Release Value shall be payable at the time of delivery and the balance 10 per cent within thirty (30) days thereafter. In case of dispute in the Release Value the initial payment of 90 per cent shall, however, be made subject to final payment of balance price within thirty (30) days of the settlement of the dispute. If the initial payment is found to be more than the finally settled price, then the excess paid shall be refundable within thirty (30) days of the settlement of the dispute.

(v) Disputes and Arbitration:—A11 disputes arising out of transfer of machinery under this clause shall be referred to the Chief Engineer, Major Irrigation and General who will be the sole Arbitrator and his decision will be final and binding on both the parties,

6. Sale of partly owned Public Sector undertakings. Local Bodies and Private Parties:

(i) Release Value :—In the case of sale of surplus machinery to partly owned Public Sector Undertakings, Local Bodies and Private Parties, the Release Value shall be determined as under: -.*

(a) For A & B Class machinery the market value of a new machine of similar capacity to do similar jobs including all taxes, duties etc., shall be substituted for the Book Value and Release Value determined following the procedure indicated under para 5(i) above.

(b) In case of 'C' Class category machines, the Release Value will be 10 per cent of the Market Value determined in para 6(i)(a) above.

(ii) Direct offers for purchase :—Offers received from any of the parties mentioned above for the sale of approved surplus machinery at the Release Value worked out according to sub-para (i) above should be accepted on a first-cum-first served basis.

(iii) Terms of Payment:—Orders releasing the equipment shall be issued only on advance payment for the full Release Value.

7. (i) Disposal on Open Tender System :—If no offers are received for the surplus machinery for a period of one year from the date of first declaration as surplus by the authority competent to declare the machinery as surplus from any of the sources indicated in paras 4, 5 and 6(1) above such machines should be notified to the Executive Engineer. Disposals in the Unit of Chief Engineer, Mechanical, for disposal by the open tender system.

(a) [The 'C' Class machinery can be disposed off by the authority competent to declare it as surplus without waiting for a period of one year from the date of its first declaration as surplus.] [G.O.Ms.No- 288, Irr.&Power (P.W.) Dept., D, 26-6.1981]

(b) [The Chief Engineers under the Administrative control of Irrigation and Power (PW) Department are permitted to dispose off 'C' Class machinery under their control by open tender system without referring to the Chief Engineer Mechanical alter its declaration as surplus], [G.O.Ms.No. 288, Irr, & Power (P.W.) Dept., D, 26-6.13]"³

(ii) Powers for Acceptance of Tenders :

(a) The following powers are delegated to the concerned office] the Project for the disposal of surplus machinery on open tender system in case the bids released are below the release values :

Executive Engineer	Up to 5% below the Release Value.	Superintending Engineer	Up to
	10% below the Release Value,	Chief Engineer	Up to 15% below the Release Value.

(b) The Executive Engineer (Disposals) in the Unit of Chief Engineer (Mechanical) will, after the receipt of tenders, prepare a comparative statement and evaluate, the bids and send it to the concerned.

(Hi) The powers of write off of the difference between the depreciated book value (release value) and the highest tender price are as follows:

Executive Engineer	Up to 5% below the Release Value.	Superintending Engineer	Up to 10% below the Release Value.
Chief Engineer	Up to 15% below the Release Value.		

8. These rules are applicable to Irrigation and Power Department including Project Wing. All pending cases where Release Value has not been settled or where final payment is not received shall be disposed of in accordance with these rules.

ANNEXURE—

1

List of surplus equipment indicating particulars:

- (a) Serial Number
- (b) Project identification Number;
- (c) Particulars of Equipment
 - (i) Nomenclature
 - (ii) Make
 - (iii) Model
 - (iv) Manufacture's Sl.No,
- (v) Particulars of Engine
 - (i) Horse Power
 - (ii) Make
 - (iii) Model
 - (iv) Serial Number
- (d) Capacity
- (e) Dale of Purchase
- (f) Acquisition Cost
- (g) Total No. of Hrs./K.M. worked up to (h) Present conditions of machine (i) Release value

ANNEXURE—II

List of Machinery

Machinery		Life of Machinery		
No,	Category	Capacity	Years	Hours
<i>Excavators:</i>				
S1. 15.000	Shovels & Draglines	Up to 1-5 cu yds.	10	12,000 1.5 to 3.0 cu yds. (Diesel)
				12

Compactors :

Self-propelled	10	1200
Sheepsfoot Roller		
Drawn Sheeps—Foot Rollers	8	10,000
Vibratory Rollers	8	8,000
Smooth drum Roller8		
Smooth drum Vibratory Rollers	8	10,000
Pneumatic tyred Rollers	8	8,000
Highspeed Compactors	10	16,000
Water Sprinkler::	10	16,000

Canal Trimmer and Lining**Equipment above 200 cuys/Hr.**

Drill	16	20,000
Blast hole drills	10	10,000
Core Drills 8		
Wagon Drills 8		
Tricone rotary Drills	8	8,000
Compressor! :		
A,—Diesel Compressors		
(i) Portable up to 300 cfm,	8	8,000
(ii) Portable above 300 cfm.	10	12,000
B.—Electric Compressors		
(i) Portable up to 300 dm	.10	16,000
(ii) Portable above 300 cfm	.12	20,000
(iii) Stationery	20	30,000
12.Blowers :	12	--

12.Blowers :

13.Cooling Plants :

(i) Aggregate Cooling Plant	20	40,000

	18	30,000
(ii) Ice Plant	10	10,000

14.Batching and mixing Plant :

(i) Cement handling Batching & Mixing Plant	10	6,000

16. Well point	12	
Cranes :		
(i) Mobile (Pneumatic Wheeled)		
4 tons	10	
8 to 12 tons	12	
15 to 25 tons	12	
26 tons & above	12	
(ii) Crawler Mounted		
Upto 3 tons	10	
4 to 10 tons	10	
over 10 tons		12
(iii) Tower Crane		20
(iv) Truck mounted		10
18. Transport Equipment :		
A.—Heavy Transport Vehicles		
(a) Trucks Highways Dumpers		10
(i) Diesel upto 3T		10
Diesel 3 to 5T		10
5T and above		10
(b) Tractor Trailers		10
Upto 5T		2,00,000km
5T and 10T		20,000km
10T and above		
B.—Light Transport Vehicles		2,50,000km
(i) Jeeps	20	2,50,000km
(ii) Station Wagons		
(iii) Can		20,000km
(iv) Ambulance Cars		20,000km
C.—Ariel Transport		1,60,000km
(i) Ropeways	10	
(ii) Cableways	20	1,60,000km
D.—Rail Transport Locomotives :		1,60,000km
Diesel	20	

19. Diesel Generating Sets:

10 20,000

15 30,000

Up to 50 Kva. Above 50 Kva,

Classification of Machinery and principles to be followed for the disposal of surplus Machinery - Applicability of orders to other wings of PWD.*(G.O. Ms. No. 9]. Transport, Roads and Buildings (B-I(2) Dept., Dt. 17-2-5^86)**Ref. :— 1. G.O. Ms. No. 404, Irrgn. and Power (PW) Dt. 14-11-1979.*

Order:—The Government, after careful consideration, hereby order that while disposing of any surplus machinery in the Roads and Buildings Department the orders issued in the G.O. first read above shall be made applicable to all other branches of the P-W.D. also.

2. The Chief Engineers under the control of the Transport, Roads and Buildings Department are hereby directed to follow the instructions contained in the G.O. first read above, in the matter of disposing of any surplus machinery.

Section No. 7**PURCHASE OF MATERIALS AND MACHINERY -FORMS OF PURCHASE ORDER****Purchase of materials and machinery - Forms of Purchase Order, etc.***[G.O.Ms.No. 603, Transport. Roads & Buildings (CS) Dept., Dt. 20-7-1976]**Ref. ,—G.O.Ms.No. 368, P.W.D. (PW), Dt. 15-10^66.*

Order:—In the G.O. read above the Government approved the forms of purchase order for adoption in Nagarjuna Sagar Dam and Canal Units of the Nagarjunasagar Project. It has been observed that there is no uniformity in the procedure and the forms of purchase order etc., adopted in various branches of the Public Works Department. The Government considers that it is necessary to adopt common forms in all branches of the Public Works Department. They accordingly approve the forms of purchase order etc., as appended to this order and direct that they be adopted in future in the Public Works Department (Roads and Buildings) and Irrigation and Power Departments including the Projects Wing.

The orders in the G.O. first read above are deemed to have been cancelled.

APPENDIX**GOVERNMENT OF ANDHRA PRADESH****Tender Notice No.....**

due at-.....P.M. on.....

Sealed Tenders for the supply of..... M..... Will be received by the..... Engineer..... and will be opened at..... on the same day. The tender schedules and other documents can be had from this office during office hours from..... up to.....

on payment of Rs.....in cash/or through remittance by Money Order/Bank/Treasury Challan for each set towards the cost of Tender Schedules. The money should be credited to the head of account.....The money is not refundable under any circumstances. The Department is not responsible either for non-receipt or late receipt of tender schedules sent by post.
.....Engineer,

GOVERNMENT OF ANDHRA PRADESH

Enquiry Form

Office of the..... Engineer.....

Enquiry No..... Dated.....
To

M/s.....

Dear Sirs,

Please send sealed Tenders (in duplicate) for Ac supply of machinery/spares detailed in schedule enclosed. Sealed Tenders should reach this office on or before..... and Tenders will be opened on the same day at..... in the presence of the tenderer who may desire to be present.

The tenderer shall go through the "Terms and Conditions" herein enclosed which are binding on the tenderer.

Yours faithfully, ...Engineer,

SCHEDULE TO ACCOMPANY ENQUIRY FORM No.

Sl.No.	Description	part.no&	quantity	Rate per	Amount	Amount in
	Of item on	specification				words

Terms and Conditions

1. Tenders shall be typed neatly or written in ink on plain paper or the Tenderer's letter-head and shall be signed by the tenderer or his authorised agent. If a specific form is provided, it is obligatory on the part of the tenderer to quote in the form provided,
2. Tenders written in pencil will not be valid-
3. Erasures or over-writings shall be avoided. If any correction is to be made, the portion to be corrected shall be neatly scored out and the correct matter neatly written duly attesting the correction.
4. Tender shall be submitted in duplicate. The tender in duplicate shall be enclosed in a plain cover duly passing the flap. The cover shall then be placed in another cover. This

second cover shall be closed and sealed to prevent tempering. The particulars and reference of tender and time and date of opening of tender shall be subscribed on the cover on top in addition to noting of address, etc.

If the tender is for different types of equipments, the Tenderer shall furnish individual tenders in duplicate for each type of equipment, but shall enclose all the offers in the same cover.

5. Telegraphic quotations will not be accepted,

6. Tenderers shall quote their Sales Tax Registration number.

7. Price quoted shall be for delivery F.O.R. Destination Station

8. The price quoted shall be valid for a period of 2 months from the date of tender.

9. The price quoted shall clearly mention the cost of articles, duties payable in addition, if any, packing, forwarding and insurance, etc., charges. The rate and amount of sales tax payable, if any shall also be indicated in the tender.

In case of supplies from outside the State, which are subject to levy of Central Sales Tax at the concessional rate, the concessional rate shall only be quoted- Necessary 'D' form will be issued as and when it is required by the Dealer by giving full details of R.R., date, etc.

10. Unless otherwise stated quotations shall be in metric units.

11. (a) The tender shall be accompanied by E.M.D- (Earnest Money Deposit) in the shape of Bank Draft drawn in favor of..... on State Bank of India/Hyderabad, excusable

it,.....,—for Rs..... The amount shall not bear interest.

Tenders not accompanied by E.M.D. will be rejected.

(b) In the case of a tenderer who has deposited a standing Earnest Money of Rs, 50,000/- with the Chief Engineer only a sum of Rs..... (Rupees..... has to be paid as Earnest Money Deposit.),

(c) The Earnest Money Deposit will be refunded to the unsuccessful tenderer, after intimation is sent about the rejection of the tender or on receipt of an application from the tenderer on the expiry of one month/two months/three months after the last date prescribed for receipt of tenders, whichever is earlier..

(d) Any short fall in Earnest Money Deposit consequent on the increase in the total value of the contract shall have to be made good by the successful tenderer if and when the tender is accepted. The Earnest Money Deposit will be retained in the case of successful tenderer and will not carry any interest.

12. The specifications given in the tender schedule are only for guidance. The tenderer may quote for near sizes, if he so desires. The specifications given are for complete equipment. The tenderer may quote for accessories, etc., separately if he feels that the same will make the equipment complete and facilitate obtaining better performance and output of the machine.

13. In the cases of machines the supplier shall furnish list of spares recommended for 2,000 hours operation and their cost and the purchaser shall reserve the right to procure the spares along with the equipment.

14. The specifications of the items offered shall be clearly indicated duly supported by Illustrated literature so as to enable the purchaser to assess the merits of equipment, capacity, [performance, etc.

15. The country of origin of equipment shall be stated. If import of equipment is necessary from abroad, the tenderer shall make his own arrangements unless otherwise agreed to by the purchaser.

16. In the case of spares, the original manufacturer's trade name shall be mentioned if the items are brought out items and not manufactured by the tenderer.

17. The time required from the date of receipt of purchase order for delivery at destination shall definitely be stated and this shall form the essence of contract.

18. In the case of supply of machinery, the tenderer shall agree to maintain at the site of work, a qualified service engineer for a period of 2 months to assist the purchaser in erection or assembling of machine and to train local men to secure the best output, if so required by the purchaser, and he should mention the additional cost thereof.

19. The tenderer shall give guarantee to maintain adequate stock of both fast and slow moving spares for the machinery supplied by him and also to comply with indents within a reasonable time- The after sales services that will be afforded shall be indicated-

20. The tenderer shall give a guarantee for troublefree performance and against manufacturing defects for a period of one year from the date of commissioning of the equipment. He shall agree to replace or repair parts or whole equipment found defective at his own cost, within a reasonable time after receipt of intimation from the purchaser regarding the defects,

21. Payment will be made in full after receipt of material at site and verification, unless otherwise stated.

(a) In the event of any payment being made in advance of delivery, the Tenderer Shall deliver the material strictly in conformity with the specifications set forth in the Schedule annexed to the Purchase Order and in accordance with the Terms and Conditions of the Contract and in the event of the material not being so delivered for any cause whatsoever, the amount so paid in advance of delivery shall be refunded by the tenderer at the option of the Purchaser within..... from the date of receipt of communication of the exercise of the said option by the Purchaser.

(b) The purchaser reserves the right to reject any or all of the tenders without assigning any reasons therefor. The Purchaser also reserves the right to increase or decrease the quantity as well as withdraw any of the items of the tender.

22. (a) The Purchaser will advise the successful tenderer to remit a further amount so that the amount along with the amount remitted earlier as E.M.D- will make up 5% of the value of the contract. The amount equivalent to 5 per cent of the value of the contract shall be termed as "Security Deposit" and will be retained by the Purchaser as Security till successful completion of contract and will be dealt with as hereunder,

(h) In the case of contract for supply of spares Purchaser shall further retain 5 per cent of the value of supplies as and when payments are made, towards Further Security Deposit (F.S.D.) for completion of contract in all respects.

23. On receipt of the amount towards Security Deposit, the purchaser shall issue a Purchase Order setting forth the conditions and terms with dates of delivery, etc., by Registered Post Ack. Due.

24. The successful tenderer who will be hereinafter called the Contractor shall give in writing his unconditional acceptance to the Purchase Order and commence supplies. The delivery period shall be reckoned from the date of receipt of Purchase Order by the contractor.

25. No price variation on any account will be allowed on the prices mentioned in Purchase Order.

26. The Purchaser on receipt of consignment shall verify and set forth defective supplies, if any, in writing to the Contractor, within 10 days from the date of receipt of supplies at destination.

27. The Contractor shall arrange to repair or replace defective supplies at his own cost to the complete satisfaction of the Purchaser within a month from the date of receipt of intimation from the Purchaser setting forth the list of defects. The penalty for default is enumerated in clauses infra.

28. The supplies shall be made strictly within the delivery period stipulated in the Purchase Order. The Purchase Order stands automatically cancelled on the expiry of the delivery period stipulated, entailing levy of penalties mentioned in Clauses further below, unless the date of delivery is extended by the Purchaser.

29. **Penalties:**—should the Contractor fail to deliver the equipment or any consignment thereof within the period prescribed, or fail to rectify or replace defective supplies within a reasonable time after receipt of intimation the Purchaser shall be entitled at his option to act as

Under;

(a) to recover from the Contractor as agreed liquidated damages and not by way of penalty, a sum of 2 per cent of the price of any stores which the Contractor has failed to deliver as aforesaid for each month or part of a month during which the delivery of such stores may be in arrears, subject to a maximum of 5 per cent; or

(b) to purchase elsewhere, without notice to the Contractor, on Contractor's account and at Contractor's risk, the stores not delivered or others of a similar description (where others exactly complying with the particulars are not in the opinion of the purchaser readily procurable such opinion being final) without cancelling the contract in respect of the consignment not yet due for delivery; or

(c) to cancel the contract or portion thereof and if so, decide to purchase the stores at the risk and cost of the Contractor; or

(d) to forfeit the Security Deposit in part or full at the discretion of the Purchaser.

In the event of action being taken under (a), (b) or (c) above, the Contractor shall be liable for any loss which the purchaser may sustain on that account but the Contractor shall not be entitled to any gain on repurchases made against default.

30. The Security Deposit along with Further Security Deposit will be returned to the Contractor on application within 2 months after making final payment or at the expiry of the Guarantee period whichever is later.

31. Notwithstanding anything contained in terms of the by suppliers no suit in regard to any matter whatsoever, arising out of contract entered into by the Purchaser, shall be instituted in any Court save the Court of competent authority under the jurisdiction of the High Court of Judicature, Andhra Pradesh.

32. The Purchaser referred to in the context shall be the Officer of the Public Works Department, Government of Andhra Pradesh, placing the Purchase Order for and on behalf of the Government of Andhra Pradesh or an Officer authorised by the Purchaser.

.....Engineer

BY REGISTERED POST-ACK. DUE

Office of the..... Engineer,
Purchase Order No..... Dated:--.....
To,
M/s-.....

Dear Sirs,
Sub:-

Ref :— 1. Our Tender Notice/Enquiry No..... Dt.....

2. Your Tender/Quotation No..... Dt.—.....

With reference to correspondence cited, your offer for supply of the items noted in the schedule enclosed herein is accepted. Please supply the items specified in the schedules enclosed subject to the terms and conditions enumerated in this order.

Dispatching Instruction:

1. Goods securely packed are to be delivered to the consignee mentioned below during office hours on any working day within the period of delivery specified.
2. Goods securely packed are to be despatched to the consignee mentioned below by Passenger/Goods Train, freight paid and relative R.R. along with packing slip/Note in duplicate, sent by Registered Post to the Consignee.
3. One copy of packing slip/note duly received with remarks regarding discrepancies or shortage in supplies, etc., will be returned by the Consignee to the supplier on receipt of goods after verification.
4. The Supplier shall at his own expense mark each bale or package distinctly with the Consignee's Name and Address. Gross weight, the name of Supplier and distinctive number or marks which are also to be shown on Supplier's packing slip/note to be placed in each package.
5. If a consignment contains more than one package, the serial number of each package shall be indicated as numerator and the total number of packages as the denominator, thus the marks "2/8" on a package will indicate that it is a second package out of a consignment of eight packages.

Consignee :.....

..... Engineer.

Forwarding of Bills :

6. Bills should be prepared in triplicate by the Suppliers and marked distinctly at 'Original', 'Duplicate' and 'Triplicate' and despatched to the consignee quoting reference to

Purchase Order. . I

7. In the case of spare parts, the make, model and serial number of the machine for which spares are meant should also be given.

8. Correspondence relating to all matters arising out of this Purchase Order shall be addressed to this office.

9- All correspondence relating to acceptance of consignment and payments for supplies made shall be carried on with the consignee.

Terms and Conditions:

10. The price mentioned in the Purchase Order is firm and no price variation on any account will be allowed.

11. The period of delivery shall form the essence of Contract. The Purchase Order shall automatically stand cancelled entailing levy of penalties on the expiry of the stipulated delivery period unless extended by the Purchaser.

12. Supplies shall conform strictly to the specifications and details selforth in the schedule.

13. The consignee on receipt of consignment shall verify and set forth defective supplies, if any, in writing to the contractor, within ten days from the date of receipt of supplies at deist nation -

14. The Contractor shall arrange to repair or replace the defective supplies at his own cost lo the complete satisfaction of the Purchaser within a month from the date of receipt of intimation from the consignee and shall obtain a certificate therefor from the Purchaser or from any authorised officer of the Purchaser. Failure on the part of the Contractor will entail him to the penally clauses mentioned further below.

15. In the case of supply of machinery, the tenderer shall maintain at the size of work, a qualified service engineer for a period of 2 months to assist the purchaser In erection or assembling of machine and to train local men to secure the best output, if so required by the Purchaser at an additional cost of Rs..... Failure on the pan of the Contractor will entail levy of penalty-

: 16. The Contractor shall give a guarantee for trouble free performance and against manufacturing defects for a period of one year from the date of commissioning of the equipment. *The* tenderer shall agree 10 repair or replace at his own cost defective parts or whole equipment. found defective during the agreement period, within a reasonable time after receipt of intimation from the purchaser regarding the defects. Default on the part of the Contractor shali entail levy of penalty.

17. The tenderer shall give guarantee to maintain adequate stock of both fast and slow moving spares for the machinery supplied by him and also to comply with indents within a period of.....

: 18. in the case of contract for supply of spares, 5 per cent of the value of bills shall ' be deducted and retained as Further Security Deposit (F.S.D.) for fulfillment of the Contract.

19. (a) Payment will be made in full after receipt of materials at site and verification unless otherwise stated in special conditions.

(b) In the event of any payment being made in advance of delivery, the tenderer shall deliver the material strictly in conformity with the specifications set forth in the Schedule -herewith annexed and in accordance with the terms and conditions of the contract and in the event of its not being so delivered for any cause whatsoever, of" the material delivered non-conforming to the specifications mentioned in ihe tender Purchase Order the amount so paid in ^,advance of delivery shall be refunded by the tenderer at the option of the Purchaser within.....
.from the date of receipt of the communication of the exercise of the said option.

[DCODE-25]

20. The Security Deposit of Rs..... paid by the Contractor through Demand Draft No. ———— D.L. along with F.S.D. will be returned on application from the Contractor, Within 2 months after the date of final payment of bills, or from the date of application by Contractor, or 2 months after the expiry of guarantee period whichever is later.

21. The date of receipt of Purchase Order shall be taken for purposes of determining delivery period.

22. **Penalties:**—should the Contractor fail to deliver the equipment or any consignment thereof within the period prescribed, or fail to rectify or replace defective supplies within a period of..... after receipt of intimation, the purchaser shall be entitled at his option to act as under:

(a) to recover from the Contractor as agreed liquidated damages and not by way of penalty a sum of 2% (two per cent) of the price of any stores which the Contractor has failed to deliver as aforesaid for each month or part of a month during which the delivery of such stores may be in arrears subject to a maximum of 5% (five per cent); or

(b) to purchase elsewhere, without notice to the Contractor, on Contractor's Account and as Contractor's risk the stores not delivered or other of a similar description (where others exactly complying with the particulars are not in the opinion of the Purchaser readily procurable such opinion being final) without cancelling the contract in respect of the consignment not yet due for delivery; or

(c) to cancel the contract or portion thereof and if so, decide to purchase the stores at the risk and cost of the Contractor; or

(d) to forfeit the E.M.D. or S.D. or F.S.D. in part or full at the discretion of the Purchaser.

In the event of action being taken under (a), (b) or (c) above, the Contractor shall be liable for any loss which the Purchaser may sustain on that account but the Contractor shall not be entitled to any gain on repurchases made against default-

23. Notwithstanding anything contained in terms of the offer by supplier no suit in regard to any matter what-so-ever, arising out of contract entered into by the Purchaser shall be instituted in any Court save the Court of competent authority under the jurisdiction of the High Court of Judicature, Andhra Pradesh.

24. The Contractor shall acknowledge the receipt of the Purchase Order and give his unconditional acceptance to the conditions before effecting supplies,

Yours faithfully,

.....Engineer.

for and on behalf of the Governor of Andhra Pradesh.

SCHEDULE

To accompany Purchase Order No,—.....

Dated ————,.....

Sl.No	Description of items	Description of items	Part No. or Code No	Quantity	Rate per	Amount

Terms & Conditions:

1. The price is for delivery F-O.R.
2. Sales Tax at..... % will only be paid extra on the cost of the article.
this is an Inner-Slate Sale to Andhra Pradesh State and subject to levy of Central Sales Tax at the concessional rate, the concessional rate shall only be billed for. Necessary 'D' form will be issued as and when it is requested by the dealer by giving full details of R.R. No. and date etc.
3. The supplies enumerated above shall be delivered at destination before.....
4. Special conditions-

.....Engineer.

(For and on behalf of the Governor of Andhra Pradesh)

BANK GUARANTEE

In consideration of (he..... Engineer..... for and on behalf of the Governor of Andhra Pradesh, Hyderabad (hereinafter called "Government" having agreed to exempt.....(hereinafter called "The said Contractors") from the demand under the terms and conditions of Purchase Order No....., dated..... entered into by Government with..... (hereinafter called the said order) of security deposit for the due fulfilment by the said Contractors of the terms and conditions contained in the said order on production of Bank Guarantee for Rs..... we the..... do hereby undertake to indemnify and keep indemnified the Government to the extent of Rs..... against any loss or damage caused to or suffered by the Government by reason of any breach by the said Contractors of any of the terms and conditions contained in the said order. We the..... farther agree that the guarantee herein contained shall remain in full force and effect during the period that would be taken for the performance of the said order and that it shall continue to be enforceable till all the dues of the Government under or by virtue of the said order have been fully paid and its claims satisfied or discharged or till the.....

Engineer..... certifies that the terms and conditions of the said agreement have been fully and properly carried out by the said contractors and accordingly discharges the guarantee, subject however, that the Government shall have rights under this bond after the expiry of 12 months from the date thereof.

We-..... Bank Ltd., also agree that the decision of the Chief Engineer, P.W.D. for the amount or amounts due or the amount or amounts of damage or loss caused to or suffered by the Government is final and be binding on us and undertake to pay the amount guaranteed hereunder or part thereof as required within one week of the same being demanded by the Chief Engineer, P.W.D. without reference to the contractor and without questioning the right of the C.E., P.W.D. to make such demand or the propriety or legality of the demand.

We the..... lastly undertake not to revoke this guarantee during its currency except with previous consent of the Government in writing.

AGREEMENT

An agreement made this..... day..... One thousand nine hundred and..... age..... years (Designation)..... of (Firm's names and Address) hereinafter called the Contractors, which expression shall, unless excluded by or repugnant to the subject or

context, include their successors, representatives, heirs, executors and administrators of the one part, and the Governor of Andhra Pradesh hereinafter called the Government, which expression shall unless so excluded by or repugnant to the subject or context, includes his successors in office and assigns, of the other part."

WHEREAS quotation No.....-...-...,, dated,-,,-,... tendered by the Contractors has been accepted on terms and conditions (stated in purchase order No..... dated..... hereinafter referred to as the said order, which expression shall include any amendment thereof or additions or modifications thereto which has been issued in favor of the contractors setting forth in detail the specifications, quantities, price, delivery terms and special conditions governing the supply.

The agreement witnessed as follows:

1. The Contractors hereby agree to supply the stores strictly in accordance with the specifications and as per approved sample (s) and all other terms and special conditions stipulated in the said order.
2. The Contractors hereby further agree that the said order, together with the Schedule, Instructions and all Special Conditions, shall be deemed to form part of this agreement as though separately set out herein and are included in the expression contract wherever used in connection with the said order.
3. The Contractors agree that in all matters of dispute as regards the condition of supplies, after arrival at destinations, the decision of the consignee shall be final and binding on the parties hereto.
4. The delivery period stipulated in the said order shall be deemed to be of the essence of the contract and the contractors hereby agree that the delivery period/date, as mentioned in the said order, is guaranteed and in the event of the Government agreeing to accept supplies after the expiry of the said delivery period/date noted in the said order for each installment, or for the entire quantity where no installment supply is stipulated, the Contractors agree to pay to the Government liquidated damages at the rate mentioned in the special condition under the heading "Penalties" (Annexed to the said order) without prejudice to the right of the Government to exercise option under the said special condition or prevailing remedies available to the Government under clause 5 hereof.
5. It is hereby further agreed between the parties here-up to that failure on the part of the contractors to make supply, whether of a portion of the material or the entire quantity as per the terms of the said order, or non-performance or non-supply in time or regularly or supplying material which does not conform to specifications quality prescribed, or the sample (s) approved, or which is found defective in any other way or for breach of any of the conditions stipulated either in the said order or in this agreement shall entail enforcement of one or more of the following :—

(r) Cancellation of the said order in part or in whole.

(ii) Forfeiture or adjustment of Security Deposit which may be in the form of Bank Guarantee or otherwise or permanent Security Deposit against Registration of Contractors, in whole or to the extent considered necessary by the Purchaser, and

(iii) Recovery of extra cost, if any, incurred by the Purchaser in procuring the material from other sources by way of repurchase at the risk and expense of the Contractors.

5. (a) In case of any payment made by the Purchaser in advance of delivery of material, the Contractors undertake to deliver such material in accordance with the terms and conditions of the contract and in accordance with the special conditions and specifications mentioned in the Tender/Purchase Order; and in the event of such material not so delivered by the Contractors for any case whatsoever, the Contractors undertake at the option of the Purchaser to refund the advance amount so paid by the Purchaser within

from the date of the exercise of the said option.

6. Whenever under that terms of the said order, any sum of money is recoverable from and payable by the Contractors, the Purchaser shall be entitled to recover such sum by appropriation in part or whole, the Security Deposit or permanent security deposit against registration, made by the Contractors in the event of the security being insufficient or if no security has been taken from the Contractors then the balance of the total sum recoverable as the case may be, shall be deducted from any sum then due, which at any time thereafter may become due to the Contractors under any other Department of Government of Andhra Pradesh-

7. On due fulfilment of the terms and conditions of this agreement by the Contractors, the amount of Security Deposit and/or further Security Deposit herein before mentioned will be refunded after expiry of the guarantee period, if any, stipulated or on satisfactory completion of supplies in all respects,

8. Payment will be made to the Contractors as per terms stipulated in the said order and where no such stipulation is made within a reasonable period, after inspection and acceptance of stores by the consignee.

9. The Contractors hereby further agree that no suit in regard to any matter whatsoever arising under or by virtue of this agreement shall be instituted in any Court save the Court of the competent authority under the Jurisdiction of the High Court of Judicature, Andhra Pradesh.

In witness whereof the Contractors have hereunto set their hand and the Governor of Andhra Pradesh has caused Sri.....(Designation)..... of.....

Public Works Department..... for and on his behalf to set his hand hereunto, the day and year first above written.

Signed by the said Contractors in the presence of :

1st witness ;

Address and occupation:

2nd witness:

Address and occupation:

Contractor's Signature.

Signed by Sri.....-in the Office of the.....-Engineer, ...
For and on behalf of and by the order and direction of Governor of Andhra Pradesh.

Section No. 8**TRAINING OF JUNIOR ENGINEERS AND SUPERVISORS****Chief Engineer's Instructions to Executive Engineers or other Officers deputed for Training of Junior Engineers and Supervisors**

[G.O.Ms.No. 1996. Public Works Department. Dt. 9-7-1947]

1. Supervisors in the Madras Public Works Department, are posted to ;—

(a) Regular section charges.

(b) Special section charges.

(c) Investigation section charges.

(d) Work as Personal Assistants to Executive Engineers and also work in Technical sections of Chief Engineer's Office, Superintending Engineer's Office etc.

2. The jurisdiction of a regular section charge extends ordinarily over a taluk and sometimes over more than one taluk. In non-deltaic tracts it is confined to portions of taluks with reference to the irrigation unit such as a particular river or canal and its branches and distributaries. The section officer of the regular section is generally under the direct administrative and technical control of the Sub-divisional Officer and is the first responsible Public Works Department Officer on whose efficiency a great deal depends. He is in charge of all the Government buildings, all the major irrigation sources such as major and minor tanks in charge of Public Works Department, rivers, canals and drains in charge of Public Works Department, He is entrusted with the preparation of surveys, plans and estimates, construction of new works, maintenance of works, water regulation and distribution of water, and disposal of all references emanating from Public Works Department, Revenue and other departments and local bodies- In fact he is the initial unit representing the Public Works Department in the locality. He should be conversant with all the rules and regulations applicable to the department, and discharge his duties efficiently and well. He should develop tact in dealing with the general public, members of other departments, his own subordinates and superiors and the contractors and labour employed by him departmentally or by the contractor. He should possess a genial temper, considerable patience, a spirit of good will, a high sense of duty and exemplary character and conduct and thereby uphold the traditions of the department for good and efficiency service. In short he should conduct himself as a gentleman in thought, word and deed and should be plain, simple and kind and get the good-will and appreciation of one and all with whom he comes in contact, be he a member of the general public, his own subordinate or superior or a member of a sister department.

3. Supervisors posted to special sections are entrusted with special works, such as execution of major works or some special jobs as taking gaugings in a river. These have limited jurisdiction or no jurisdiction at all, and have to concentrate on to work entrusted to them to completion- Their posts are temporary for the duration of the work. The supervisor posted for investigation charges, have to do lot of field work by way of reconnaissance, taking preliminary surveys of the area to be investigated and take preliminary levels, final levels, examine the nature of the country, soil particulars by putting trial pits, etc., and prepare detailed drawings of all the leveling and surveying and frame proposals and work out by hydraulic and engineering calculations and finally prepare the estimate including a report of the work, done and a report to accompany the estimate. The work also involves

collection of lot of particulars such as rainfall, statistics, runoff calculation, nature of crop raised, period of each crop, availability of labour, density of population, their occupation, economic resources, etc., connected with his work.

The Supervisor posted to work as a Personal Assistant or in the technical sections of certain important offices have to examine the proposals of schemes, designs and estimates received from other offices critically from an engineering, financial and administrative side, so that they may be sound, economical and workable.

The general outlook and spirit of work indicated in paragraph (2) above should be aimed at by all supervisors to whatever work they are posted, to ensure success in the long run.

4. The work of a Supervisor is broadly classified as :

(a) Preparation of plans and estimates for original works and repairs work and their submission to the sub-divisional officer for obtaining sanction.

(b) Execution of works for which estimates are received sanctioned.

(c) Preparation of bills for work done.

(d) Maintenance of accounts connected with the works.

(e) Attend to water regulation and distribution.

(f) Disposal of references.

(g) Maintenance of registers, such a B.F.P.R., C.P.R., D.F.P.R. and M.P.R.

(h) Preparation of submission of certain returns.

(i) Enquiries into complaints by riots, contractors and subordinate staff.

The section officer should carefully study the following books of the department | to facilitate his work as a Supervisor:—

(1) Madras Detailed Standard Specification with its addenda.

(2) Public Works Department Code and Public Works Account Code. The ; Account Code, Volumes I and III.

(3) Schedule of rates and data statement,

(4) Book of Forms—vide pages 213 to 383 of the Madras Account Code, Volume III.

(5) Government Servant's Conduct Rules.

(6) Manual of Special Pay and Allowance including traveling allowance, tic,

(7) Rules and regulations relating to enquiries and disciplinary cases,

| Preparation of charge sheets, explanation and manner of their disposal.

6. Preparation of plans and estimates :—(a) An estimate for an original work whether it is a building or an irrigation work, requires preparation of a site survey showing H: all the salient features at the proposal site where the work has to be constructed, survey boundaries, north point, scale, soil particulars by digging one or more trial pits taken to sufficient depth below proposed or probable foundation levels water-level if met with in the trial pit, L.W.L., O.F.L.,*and M.F.L., of canals and rivers, spot levels bench mark, and

its level, level field book in which levels are recorded, etc., and details of the work with its sub-structures, if any, to serve as a key map to locate the structure and mark the work for execution when it is received sanctioned.

(b) Then the detailed drawings should be prepared showing longitudinal section and cross section, if the estimate is for a channel, or detailed drawing plan, elevation, cross section and details of important portions of the structure, to make the drawing intelligible and easy to take out quantities for preparing estimates. The drawing should be prepared carefully adopting suitable scales, decimal scales as 1/100, 1/1,100, 1/10,000 natural, for irrigation works, and 1"-4 feet or multiples of 4 feet for buildings drawings. Plain drawing sheets should be used for site surveys, and ruled drawing sheets for preparation of detailed plans and drawings to facilitate accuracy and secure quickness in drawing. The drawings should be supported by hydraulic calculations in support of the water levels, adequacy of vents, gradients, bed width of channels, etc., and the thickness of walls adequacy of foundations, thickness of lintels, arches, the terrace and every important member of the structure should be calculated and should conform to engineering rules and other orders on the subject that may be issued by the Government. Chief Engineer and other officers of the department. On the drawings should be noted the salient hydraulic particulars of the design and also a description showing the types of doors and windows, nature of floor, plinth area, etc., for ready reference. After the preparation of the plans, detailed estimates should be. Prepared by taking out quantities for the following items: -

- (a) Excavating foundations.
- (b) Concrete for foundations,
- (c) Brickwork in foundations and basements.
- (d) Brickwork in superstructure.
- (e) Arch work.
- (f) Cutstone Lintel work.
- (g) R.C. lintel work.
- (h) Doors of different sizes.
- (i) Windows of different sizes.
- (j) Wood work wrought and put up.
- (k) Madras terracing work.
- (l) Parapets work.
- (m) Iron work wrought and put up.
- (n) Flooring.
- (o) Plastering walls and ceiling.
- (p) Painting work.
- (q) Clearance of site.
- (r) Baling water if necessary.
- (s) Miscellaneous items or unforeseen items.

- (t) Petty supervision and contingencies at 5 per cent.
- | | |
|---|----------------------|
| The unit for earthwork is | 1,000 c.ft. |
| The unit for Brickwork and other masonry is | 100 c.ft. |
| The unit for custoned R.C. work is | 1 c.ft. or 100 c.ft. |
| The unit for timber is | 1. c.ft. |
| The unit for iron work is | 1 lb. |
- The unit for plastering and painting white-washing, color-washing is 100 s.ft.

In these and the following instructions, the instructor must work out a large number of actual cases and prepare and circulate sample calculations showing correct method of preparation. A few examples are appended to guise notes, but the instructor must cover a larger field, supplement these instructions and get the candidates to work out numerous examples of differing and various kinds. Written tests must be held and the answer books corrected to watch the progress of the candidates,

(c) Then data sheet must be prepared from the costs given in the schedule of rates current for the year adding for the cartage and carriage of the several materials involved in an item and a certificate that the lead for the various materials adopted in the data are correct must be entered in token of having correctly ascertained the leads.

A note on schedule of rates :—Based on several experiments, standard data have been worked out showing the quantity of different materials and labour required for one unit of different items of finished work commonly occurring in the department. (The new supervisor must study this data book carefully) based on the prevailing rates for materials and labour in the locality, current schedule of rates for the different materials and labour and cartage are fixed for each division, district or taluk according to the ruling prices and the rate for each item finished work is worked by adopting these rates for materials and labour in the standard data for the items. For materials, their basic cost is taken and cartage from the place where it is available to the work site is separately added in accordance with an approved table of cartage giving cartage rates, in half mile stages for metalled roads and unmetalled roads or cart tracks and earthen roads separately. These cartages are called "Leads for materials" and the correct leads for the different materials should be ascertained and noted as correct as possible. For materials for which no rate is approved by the Superintending Engineer, e.g., for materials to be purchased from firms such as iron, steel, paints, cement, etc., ruling firms prices are to be taken.

(d) An abstract of the estimate for the servant items for which quantities have been taken out previously, adopting the rates arrived at in the data must be prepared, a report to accompany the estimate describing briefly the circumstances leading to the preparation of the estimates, need for the work, a brief specification of the important items in the work, and other details relating to the sanction and execution of the work must be prepared and added to the estimate. On the docket of the estimate abstract form, the several particulars, name of work, village, taluk, district, where it is to be located, the head of account to which the expenditure is to be debited, the agency for execution, whether it is an original work, or a contribution work, or a repair work, estimate amount, etc., should be noted and the whole file containing the site surveys, drawings, calculations, estimate, etc., should be submitted to the Sub-divisional Officer with a covering or forwarding letter, in which all the enclosures should be clearly and serially entered and sent by registered

post to ensure the whole record reaching the Sub-divisional Officer. The section officer must be given a few drawings of the works, say:—

- (a) A head sluice of a distributaries.
- (b) A distributaries channel.
- (c) A cross drainage work.
- (d) A 'B' class bridge,
- (e) Quarters of Deputy Superintendent of Police. (i) Quarters of Police Sub-Inspector. (g) Police constables huts.

A number of copies (say) 50 in each one of the above may be taken and supplied to each supervisor under training and asked to estimate for these works at a particular locality. They may also be taught how to prepare the drawings, estimate, data, report to accompany the estimate and a forwarding letter,

7. Execution of works for which estimates have been sanctioned:—The section officer should ascertain as soon as an estimate is received, sanctioned, whether there are sufficient funds allotted during the official year for executing the work. If the work is a major one costing more than Rs. 10,000 or minor work costing more than Rs. 2,500 the Executive Engineer or the Superintending Engineer will call for tenders and select contractors and enter into an agreement in L.S. Form or K-2 Form and intimate to the section officer. Here the instructor must read the relevant paragraphs relating to tenders in the Public Works Department Code, paragraphs 150 to 156 and 176-A of the Public Works Department Code, and any Chief Engineer's orders and explain how tender notice, schedules, tender forms and comparative statements of tenders are prepared. It should be pointed out that draft agreements without rates should be also prepared and kept ready so that the formal agreement can be completed by filling in names of selected contractors and rates and time saved and delay avoided as soon as the contract is decided. If the work is less than Rs. 2,500 but more than Rs- 1,000 the Sub-divisional Officer will ordinarily call for tenders and if it is less than Rs- 1,000 he may entrust the work to a contractor selected by him or nominated by him and take an agreement from him for rates not exceeding those in the sanctioned estimate. In all cases the duty of preparation of agreements devolves on the Sub-divisional Officers, or his superiors, but in certain cases the section officer may be asked to send a written understanding or a chit agreement or K-2 agreement form to , facilitate the Sub-divisional Officer drawing it up and approving quickly. There are three types of agreements in the Public Works Department. They are :

L.S. Agreement-

K-2 agreement or piecework agreement.

Chit agreement or written understanding.

The essence of the L.S. agreement is time and the essential item in the contract is completing the work as per programme agreed to in the agreement. K-2 agreement is paying for work at stipulated rates for each item of work constituting the entire work. Chit agreement is resorted to for petty works.

(a) Lumpsum contract:—Is on the basis of payment of a definitely settled amount for a completely finished work—work finished in all respects for all the items of work

envisaged in the plans and schedule of quantities in accordance with the Madras Detailed Standard Specification and any additional specifications mentioned in the contract; the whole work to be completed within a specified time from the date on which the site is handed over. Under this contract, the work to be done is well defined by detailed plans and site plan and the several specifications attached to the contract. It is the responsibility of the contractor to provide for all materials, labour and technical staff required marking out and complete the work as per plans and specifications and the functions of the Departmental Officers are to check and enforce compliance with such plans and specifications. But power is reserved to the Department for making any change in the design and features of the work as may be considered necessary during the course of the work. The quantities of several items of work given in the "Schedule of quantities" attached to the agreement are only approximate; and the work is to be done purely based in accordance with the detailed plans and specifications. This contract, while specifying a lump sum payment to the contractor on his completing the work as per plans and specifications also gives the option to the contractor or to the department to ask for or intimate a payment on the basis of detailed measurements of work done. The Executive Engineer in charge of the work will be the final authority in all matters relating to the quality and standard of work, with reference to specifications. If any change in the design or features of the work is ordered by the competent authority involving any addition or reduction in the quantities of items of work, such additions or omissions will be measured up as authorized additions or omissions and evaluated at the rates specified in the schedule of quantities attached to the agreement. If any new items of work are to be done for which no rate is found in this schedule, the rate for such new items shall be deducted from the schedule of items if it is so deducible and if not, rates for such items shall be worked out and agreed to on the basis of reasonable rates for materials and labour. In all cases of dispute in interpretation or rates, there is a provision in the agreement for arbitration by a specified officer of the rank of a Superintending Engineer of a circle outside the one in which the work lies, whose decision on such dispute shall be final. This contract also stipulates the payment by the contractor of a specified sum as security deposit for the due performance of the terms of the contract. A time-table or schedule showing the rate of progress to be shown by the contractor from time to time till completion also forms part of this contract. Penalties that may be levied in the case of slow progress, non-compliance with any terms of the contract, or non-completion within the specified time are also mentioned and the rules to be observed before any penalty is levied are also noted. Though the contract specified the L.S. amount to be paid on satisfactory completion of the work, it is also permissible to make interim payments, usually once a month, on the basis of 90 percent of the value of the work done. This valuation of the work for the intermediate payments may be by reasonable judgment by the competent officer with reference to the proportion of work done in accordance with the contract plans and specifications or by actual measurements and pricing of the various items of work done on the basis of the rates specified in the agreement. Such valuation of the work must be certified to by the Sub-divisional Officer for intermediate payments and by the Executive Engineer for the final payment.

b) Piecework contract:—this contract provides for payment on the basis of a specified rate for specified unit quantity of work for each item of work to be done, without reference to any time-limit; but gives powers to the departmental officer to levy a fine for slow progress of work. Though called a "Piece-work" contract, it is still valid and enforceable between the parties for the whole of the work and the Contractor is bound to execute the whole of the work as Government are bound to allow him to execute the whole of the work; but Government reserve the right to terminate the contract at any time. The peculiarity

in the piecework agreements consists only in the method of arriving at the amount payable to the contractor; each item consisting the entire work is measured and the amount due to the contractor in respect of each sanction is calculated at rates agreed to between the parties, and the aggregate amount is paid to the contractor. It is usual to give the contractor a schedule of approximate quantities and it is the responsibility of the departmental staff to mark out the work to be done. This form of contract is adopted mostly in cases where the work cannot be well defined and be limited by detailed plans. In these cases, the contract provides for the contractor to deposit 5 per cent of the total value of work to be done under the contract as security deposit for the due fulfilment of the contract and any penalty to be levied on him. For any default is not to exceed this amount.

(c) In cases of piecework contract for small works (approximate value of contract being below Rs. 1,000) there is another form of piecework agreement called the chit agreement. Please see Public Works Account Code Form No.,.....While this form is

more or less similar to K-2 agreement form mentioned in paragraph (b) above, there is no provision in this form for any security deposit by the contractor nor to levy of any penalty on the contractor for slow progress or other default in work; the only course in cases of such default being to determine his contract and close his accounts and report against him for being removed, from the list of registered contractors of the division, in such default in his part warranted it.

The instructor should go over the preliminary specification of Madras Detailed Standard Specification clause by clause and explain the meaning of the several clauses. The sanction officers under training must be asked to prepare agreements under the three types of forms by given them copies of a few sanctioned estimates and put in the way. They should also study half a dozen accepted agreement in K-2 and L.S. forms with the concerned estimates and understand that every item, provided in the estimate and has to be carried out by the contractor, finds place in the agreement and that the agreement describes the items to be carried out clearly and unambiguously, the units of measurement and payment in words and figures, the Madras Detailed Standard Specification item according to which the work has to be carried out, the rate in words and figures and how to make use of the agreements in preparing bills.

8. Works are generally executed through the agency of contractors under agreements but sometimes it so happens that works are executed departmentally due to want of contractors or due to their demanding exorbitant rates or due to difficulty in arriving at a rate for certain class of works or due to special facility the department may have in doing it departmentally. In such a case the materials are acquired through the suppliers at stipulated rates and the labour employed departmentally on what are known as Nominal Muster Rolls or Nominal Muster Rolls Service.

Departmental Works:—In all cases where work is being done departmental labour, a muster roll is to be maintained in common Form No. 474 or 475 as the case may be. The Nominal Muster Roll form is in three parts. In Part I, is noted the names of all labour employed skilled and unskilled each class separately in serial order for each works with the father's name (for identification) also noted for each laborer and the daily attendance is to be marked in ink or indelible copying pencil both fore and afternoons by the person authorized to mark such attendance and the total attendance for each class of laborer daily noted and initialed by him immediately at the bottom. The compelled roll should be produced for check by the Supervisor to Sub-divisional Officer or Executive Engineer. When the Supervisor does not stay at the worksite throughout the work, he should visit,

check and attest the roll as often as possible. Departmental labour may be paid at suitable intervals, say, daily or once a week or ten days or month but prompt payment and as often as necessary as one of the best ways of holding labour and ensuring good work. At the close of the pay-period, the roll should be closed by totalling the number of days to be paid for each worker and the amount to be paid at the rate fixed for each worker. Within three days, of such closing, the section officer should measure up in the measurement book the work done by the labour during that period, record and abstract (as made out in the measurement book) in Part II of the Nominal Muster Roll, of the different items of work done showing their estimated value as per current schedule of rates for the locality and compare it with the actual labour employed. In cases where the cost of the actual labour employed is more than the estimated value of work turned out by them during the period, the reasons therefor should be explained to show whether it is justifiable by any special conditions of work such as intermittent inclement, whether, working under water or working under disturbances of public traffic or such unavoidable causes or purely due to the negligence of the workers or ineffective supervision and if latter, the action to be taken against the defaulters. It will be the responsibility of the departmental supervisory staff to see that proper and sufficient outturn is maintained for the labour employed on the job. In cases of works where some items of work are well defined and measurable and some are not susceptible of measurement, measurement and pricing at current schedule rates for measurable items should be made out. For items not susceptible of measurement, the actual labour employed on each such item should be noted and their cost noted for each item. The section officer should then submit the measurement book and nominal muster roll to the Sub-divisional Officer within 3 days for pass order. The Sub-divisional Officer will then scrutinize and pass the roll (with or without check measurement according to the importance and magnitude of the works) and return the nominal muster roll to the section officer with a temporary impress cast for disbursement to the workers- The section officer should then personally disburse the amount due to each laborer and attest with his dated initials in the appropriate column in taken of such payment. In cases of importance or big amount the Sub-divisional Officer may also himself disburse the amounts to the workers and attest such payments.

In cases where departmental labour of a petty nature is employed for a short duration, say a day or two another and simple form, viz, casual labour roll form may be used, where the names of the workers need not be given; and the amount being petty, the section officer himself may pass the roll and pay it from his permanent imp rest if he has an imp rest or sent the roll to the Sub-divisional Officer for being supplied with a temporary imp rest amount to cover the roll. In other respects, it is similar to the Nominal Muster Roll; This form is also used with permission of superior officers on works with a large concentration of labour for short periods where the preparation of the ordinary Nominal Muster Roll is difficult. Generally for flood or breach closing works.

In departmental works on Nominal Muster Roll where any departmental material is used, a note should be recorded of the quantity of such materials used up and a materials statement attached to the Nominal Muster Roll showing a quantity of each item of work done, quantity of the departmental material required as per standard "rates" for the work and the total of such requirements compared to the actual quantity of departmental material used. The instructor should show examples of Nominal Muster Rolls properly maintained and abstracted in Part II and ask the Supervisors to prepare similar Nominal Muster Rolls and abstracts giving some assumed data and complete the entries in measurement book and make it ready for pass order; and later for payment.

9. The execution of the work consists in clearing site, marking out the work as per sanctioned drawing and as per site survey, excavating the foundations to the required depth and laying concrete in foundations at the proper level checked by a level instrument in proper order and adjustment and then making masonry and raising it to basement level and then fixing the doors, windows, cupboards, shelves, etc., and then fixing the roof timbers and trusses and finishing the roof or the terrace and then flooring, plastering and fixing doors, and windows and painting and white washing, all the while seeing that every item of work is progressing as per programme drawn up for the work, every item being executed as per specification no item not provided for in the sanctioned estimate or in the approved agreement being executed by the contractor without proper approval of the Sub-divisional Officer or higher officers. An order book should be maintained at the site of each important work and instructions and orders obtained in it from inspecting officers and in case oral instructions are given about change of design or material alterations in the work, they should be got promptly confirmed.

10. Recording - Measurements of works done:—As the work progresses the contractor may require payment for the work done. The work done should be measured and entered in a measurement book. (Please see instructions on the fly leaf of a measurement book.) These should be read and explained paragraph by paragraph. The measurement book is a very important document in the department and should be used, maintained and kept with great care and should be transmitted only by registered parcel post. It is the initial record of all transactions in the department whether of work done or of materials supplied to the department. In every case, there is an accepted agreement or work order which specifies each item of work clearly with necessary specifications of details or components. In the Public Works Department no one below the rank of a section officer (with a very few exceptions in the case of some Divisional Storekeeper, etc.), is authorised to record measurements in a measurement book and usually it is the section officer who is entrusted with the measurement books and recording the measurements of works done or materials supplied. The measuring officer must satisfy himself that the work had been done according to the agreement and relevant plans, measure and record the measurements of the different items of work in a job, at suitable intervals, in the order of sequence of these items, in a work- In the case of items of work which are likely to be covered up after some time, (e.g., foundations) such items should be measured up as soon as each item is completed or reaches a well defined and measurable stage and got checked by the next superior officer. Before recording any set of measurements the name of the sanctioned estimate in full with estimate amount and sanction number, locality of work, name of the contractor and the number of the agreement or contract for his work and the date of measurement should be entered. At one corner should also be noted the serial number and form of bill in which the set of measurement will be incorporated. At the end of each set of measurement, the measuring officer shall sign and date his signature. All measurement shall be recorded in the measurement book on the worksite in ink or indelible pencil. The contents column may be filled in later but only in ink. Any slip or inadvertent mistake should be neatly, scored out, attested with his initials and the correct figure noted legibly. There should be no unattested corrections in the measurements book, and there should be no overwriting. At the end of each set of measurements the acknowledgment of the contractor or the authorised agent should be obtained in some such form as below ;—

"I agree to the above measurements.

(Sdy-).....

The following are some of the points to be remembered in recording measurements of different kinds of work, in addition to seeing to their being executed as per agreement and relevant specifications.

(a) Earth Work:—It should be seen that all the pits have diagonal thandus or deaden left in them uniformly with reference to the pits. In a long line or lines of pits along a river or channel or in a tank bed, they should be numbered as far as possible measured in an easily identifiable way with reference to mileage or furlong length the reaches. If need be, identification pegs with numbers may be left in a larger work involving lines of rows and pits. The length should always be measured along the L.S. of the river or canal or tank-bed and the width measured transverse to the above. In large pits, care should be taken to check the depth in a few representative places and arrive at the mean depth. Care should be taken to note the soil classification for the pit and the number of extra leads and lifts for each pit. In the case of earthwork pits in river margins or beds or tank-beds which are liable to be submerged by floods, care should be taken to measure up work in completed and well-defined reaches as and when ready and promptly get them check measurement in time before the pits get flooded or submerged. Immediately on check measurement, intimation should be given to the contractor to remove the thandus and dead men within a reasonable time, say a week or two according to quantity or work involved, and inspect and record a certificate in the measurement book against the relevant measurements about the removal of lhandus noting date of inspection after removal. It should be understood that such thandus and dead men are included in the pit measurements and are left in the first instance only for purpose of check for the depth.

(b) Buildings:—Measurements should be recorded promptly as and when each item or items of works, of a well defined stage and measurable separately, should be measured as far as possible in (heir sequence of execution and in the case of items such as excavation in foundation and foundation work, before they are covered up. Pits should be of dimensions (length and breadth) 10 a foot and depth measured up to point one decimal accuracy. The instructor should show typical examples of measurements correctly recorded, abstracted and check measured of all kinds of work and get the candidates to prepare similar records.

(c) In the case of materials supplied, measurements should be to arrive at the quantity in terms of units of supply specified in the agreement. In the case of road materials like metal, gravel and sand, they should be in standard section stacks as noted in the relevant Madras Detailed Standard Specification- When materials are received from the Public Works Workshops and Stores or from firms, reference to the divisional indent or order for the articles and to the workshops or firm's invoice number and date should be noted.

After measurements of work done are recorded, bills should be prepared promptly and at as frequent intervals as may be necessary, depending on the size of work as below—

It should be realized that prompt payments will inspire confidence in labour and contractors and ensure good progress on works.

K-2. Contract:—In the case of intermediate bills, a bill form Public Works Account No.....should be used, and the columns filled up from the corresponding figures in the abstract quantities and cost made out in the measurement book- There are also running account bills and are all for finished items of work done.

Final account Bill:—When a whole work is completed in all respects and measured up and quantities abstracted, the Final Accounts Bill Form "C" in Public Works Account Form No..... should be used. When final measurements for a work are recorded the

Contractors' or his agents' acknowledgement should be obtained in the measurement book in token of acceptance of final measurements for the work. The different columns in the bill follow easily from the abstract in the measurement book-

First and Final Bill:—In the case of K-2 contracts which are to be paid once for all completion, without any intermediate payment, this bill form (P-W.A.No.-.....) should be used.

In the case of lump sum contract, there are special forms for intermediate payments and for the final payment. The instructor should show typical bill forms with complete entries and get the candidates to prepare similar bills giving them necessary data.

11. Impress Cash:—Most of the section officers will have to make, off and on, some petty payment, e.g., for cartage of materials, for petty labour engaged on departmental work or for petty purchases of materials for departmental work. In such cases, they are generally given a permanent or standing imp rest by the Sub-divisional Officer and the amount is presumed to be part and parcel of the sub-division cash. Such imp rest cash should be accounted for in what is known as the "Permanent Imp rest" cash book in P.W.A, Form-....., Transactions should be noted in the register then and there the same day. For each item of payment, the full name of estimate, the name of payee and nature of a bill paid and reference to measurement book and page should be noted in the imp rest book. When the imp rest amount is nearly spent and the balance is only just sufficient to carry on till, it is recouped, the account should be closed and balance struck, and duplicate copy of the account should be torn off the book and sent to the Sub-divisional Officer along with the paid vouchers tagged, and the account will be recouped with cash to the value of the paid vouchers sent. This permanent imp rest amount may be increased or reduced by the Sub-divisional Officer according to the frequency and amount and occurrence of such petty payments in the section.

Temporary Impress Cash :—When any special voucher or bill or Nominal Muster Roll has to be paid through the section officer, which could not be covered from his permanent imp rest, the Sub-divisional Officer will send him, along with such bill or bills, a temporary imp rest cash to cover the payments and the section officer will record these transactions in a separate impress cash register set apart as "temporary impress cash register", though similar in all respects to the permanent imp rest register. Monthly salary bill of the work-charged established of the section should also be accounted for in the temporary impress book. The instructor should show forms of impress account duly completed and certified ready for recumbent and a set of vouchers and get the candidates to prepare similar accounts.

12. Materials at Site :—All materials got for works either by purchase by transfer from other works or from other divisions should be accounted for in the "Materials at Site Account". This is in two forms—(1) in form P-W.A. No..... for minor and repair works and (2) for major works costing more than Rs. 10,000 where the account is maintained sub-headwar in P.W.A. Form.

7-F. Account—Minor:—The account is maintained in the section in a register providing a running account from month to month for a whole year. Each work is noted at head in "red-ink" with consecutive serial number for the different works, with sufficient

lines left below each work for noting all the materials likely to be accounted for under that work. There should be sub-number for each material of each work. Every month, in the last week, an extract giving the item No. (with sub-numbers for the material, should be prepared for the articles which have transactions in that month and sent to sub-division. A complete accoimi for all the materials for each work should be sent when completion report Js sent for the work or when the final year closes or when there is a change of incumbency of section officers. Only a numerical account of the materials is kept and their cost need not be noted in the register.

7-F. Major:—The transactions are to be maintained both for the quantity of , materials and their cost. Whenever any material is used on work, the name of the sub-head of work on which it is used should be noted, Account forms properly filled in and maintained should be shown by the instructor and candidates asked to prepare newly such accounts from data given.

13. Tools and Plant Account:—All tools and plant in die department are accounted for under the following categories :

Mathematical and Scientific Instruments :—Instruments such as the odolites, levelling instruments, staves, prismatic compasses, place table, measuring chains, tapes, ranging roads, ten feet rods, mathematical instrument boxes, scale boxes, T squares, plan meter pantographs, etc.

Provincial Tools :—Tools and plant purchased for general use without reference to any particular work, and such as spades, crowbars, bill-books, iron rammers, road rollers (hand rollers), shovels, lanterns, pulleys, etc.

Tools Charged to Works:—Tools purchased under the account of some particular work or works and maintained in the tools and plant account.

Office Furniture :—Such as tables, chairs, record boxes, almirahs, tapal boxes, office tapal trays, time-pieces and clocks, office lanterns, letter weighing scales, etc.

Heavy plant and Machinery:—Such as power rollers, air compressors etc. Account of tools and plant is maintained in Form No....., noting the article with a serial number under the different categories noted above with columns for opening at the end of the year, issues during the year and closing balance, receipts for the 12 months, total receipts and balances balance at die end of the year. All receipts and issues of tool and plant should be posted in this register under the month, with a brief note about the nature of the transaction and a monthly account of receipts and issues of tools and plant should be sent by each section officer to the Sub-divisional Officer at the end of each month. For the scientific and mathematical instruments, a register is also maintained showing the descriptive mark and number on each instrument as left by the maker with the condition of the article. All tools and plant are to be verified by the Sub-divisional Officer once a year as soon as possible after end of September. Parts II and III of the Tools and Plant Return regarding articles sent out loan or missing must be explained as also the distribution return as between several section officers in a sub-divisional unit. Actual examples of tools and plant accounts properly maintained and of distribution return should be shown and the candidates asked to prepare such returns-

14. Stock Account:—Apart from the materials, required for use on any specific work and purchased for the work and accounted for under "Materials at site" account of that work there are occasions when certain materials like cement, paint, bolts and strews

[OCODE—26]

of different sizes, are to be got and held in stock (instructor 10 explain difference between materials at site, tools and plant and stock) against the need for them on works that may arise during the course of the year. This will be specially the case when it will be difficult or involve delay in getting the things after the estimate is sanctioned and in such cases if there is a stock of the materials in the division it could be drawn upon for the requirements of each work. Thus, by its very nature this stock account is, with reference to that anticipated requirements of different works in the division during a year, and is classified under suspense account, as it could not be booked to any particular work, in the first instance, Materials purchased and kept under such account are called "stock" materials and separately accounted for in Form No..... For each materials purchased and kept under stock account, sanction of the competent authority will be taken in each case.

15. Revenue Receipts:—Revenue receipts and their credit into the treasury under the proper head of remittance should be understood. Temporary receipts should invariably be given for the amounts realized in the proper form and there should be no delay in remitting the amount and submitting the challenge with the treasury remittance slip to the Sub-divisional Officer and the Executive Engineer. The normal sources of receipts of revenue are—

(a) Sale of dead or fallen trees.

(b) Inspection bungalow rent collection.

(c) Sale of usufructs, lease of plots, brem rents and fishing rights, etc.

(d) Sale of dismantled articles after approval of survey report. Instructor to show remittance forms and treasury chaplains duly filled in and the permanent and temporary receipts forms, and how they are to be written up. The candidates to prepare such forms from data given-

16. Credit note for articles :~Issue of credit notes for articles received by railway—Note on—Payment for railway freights of articles should be made by issuing a credit note to the company in the proper form and the receipt or articles and the transaction should be entered in the measurement book. No cash payments should be made for such transactions.

17. Hand receipts:—For miscellaneous charges such as conveyance of articles, petty purchases, a hand receipt form should be used. This form is very commonly used in the department and the information is to be given in full at all the relevant places in the H.F. Form.

18. Rules and preparation of travelling allowance bill:—The rules relating to travelling allowance bills should be gone over rule by rule and the rates of allowances, etc., applicable to different officers explained. Difference between ordinary travelling allowances and fixed travelling allowance should be explained and actual bills for both kinds of travelling allowance shown and the candidates asked to prepare for journeys.

19. Service rules:—Scope of general rules for services recruitment, probation, promotion, selection grades, etc., may be explained,

20. Fundamental rules:—Rules relating to joining time, leave, and other important clauses explained.

21. Disciplinary cases :—Orders of Government in regard to disciplinary cases should be read out and explained. The recording of statements and enquiries of witnesses—

and record of proceedings and finally the final report and recommendations should be all explained and examples of correctly maintained and written up records shown to the candidates.

22. The following miscellaneous items relating to the normal work of the section office require special mention.

(a) Preparation of work establishment rolls:—The subordinate staff of a supervisor

consists of—

(1) Work charge establishment such as maistries, head coolies, lascars, survey coolies, etc., whose pay is directly charged to special estimates prepared for the purpose as in investigation of a project or a scheme or to works under execution which are supervised by them in some capacity or other, the estimates of which have specific provision for meeting the petty supervision charges,

(2) Contingent establishment such as a watchman, a telephone attender, etc., whose pay is men from the office contingency of the Sub-divisional Officer.

(3) Provincial establishments, as Provincial maistries, irrigation conservancy subordinates, telephone clerks, office clerks, peons, etc.

In respect of the work charged establishment referred to in (1) above, the Supervisor should maintain a register of all such staff showing their names, designation, rates of pay, dates of appointment, authority or Sub-divisional Officer or the Executive Engineer, appointing them the purpose for which they are appointed, the estimate to which their pay should be charged, the days on which they have been granted leave with pay, and without pay, any fines imposed on them, any other recovery to be made from them due to neglect or loss of Government articles, etc. Two or three days prior to, the close of the month, the supervisor should prepare a pay bill of these members for the month in the form P.W.A. XXIV—Pay bill of work-charged establishment with the help of the register maintained by him and despatch it to the Sub-divisional Officer to reach him on the first of the succeeding month. The authority appointing the work establishment the name of the work to which the salary of the work establishment is to be charged should all be furnished in the pay bill. The bill will be checked in the Sub-division Office and returned to the supervisor duly passed with a cheque ordinarily or with cash in certain special cases to be accounted for in the temporary imprest cashbook of the supervisor. On receipt of the cheque, it should be immediately entered in the temporary imprest cash book, and encash the date of encashment being noted in the imprest book and the pay disbursed to several members expeditiously before 10th of the month at the latest. In certain cases some members may be absent and it may not be possible to pay them within a reasonable time. In such cases the amount of their pay must be remitted into the treasury, and accounted for accordingly in the imprest account and the account closed quickly, in any case well before the closing of the sub-division cash book for the month and sent to the Sub-divisional Officer with pay bill vouchers, in support of the transactions regarding challans, etc., when the party turns up later on, the undisbursed pay should be claimed in a Hand Receipt quoting reference to the pay bill in which the pay was originally claimed, and paid in accordance with the rules for payment of hand receipts.

As regards the contingent establishment the section officer may send details of the establishment in Form Pay Bill of workcharged establishment to the Sub-divisional Officer promptly and the Sub-divisional Officer will pass it and send it back to the Supervisor with cash for payment and the pay bill must be returned to the Sub-divisional Officer after

disbursement and obtaining acknowledgements from the parties to enable the Sub-divisional Officer to incorporate the transactions in the Sub-divisional contingent register. The Section Officer should not enter these transactions in his temporary imprest accounts and mix up with the work charged establishment account.

As regards the provincial staff the Executive Engineer of the division will draw the pay along with all the provincial establishment of the division in the provincial pay bill form and arrange to pay through the supervisor.

(b) Some of the important registers to be maintained by the Section Officer are D.F.P.R., M.P.R., C.F.P.R., B.F.P.R. Register of L.F.B., Register of M.B., Register of order books, register of work charged establishments and other establishments. Register of tools and plant. Register of materials at site, Register of stocks, Register of agreements, Register of sanctioned estimates, Register of estimate sent up for sanction and awaiting sanction, Register of books, Register of bills. Register showing grant and outlay under several heads of expenditure. Register showing L.S. fixed for maintenance. Register of files. Register of tents, permanent imprest cash book, temporary imprest cash book, receipt and despatch registers, service stamp account, register of buildings to be inspected annually by the supervisors, Register of petty supervision charges. Register of temporary receipt books, Register of credit notes. Register of stationery and forms, etc.'

D.F.P.R. :—This is a very important progress report to be sent by the Supervisor monthly before the date fixed for its submission to the Sub-divisional Officer which is generally 5th of a month, in a book form containing printed forms and loose interleaves, for the 12 month of the year showing the progress on works under execution. The several particulars required to be filled in viz., name of work, estimate amount, revised estimate amount, agreement number and date when the work was sanctioned, when it is put on hand, date fixed for completion, grant allotted for the work in the financial year, agency of execution, whether by contract or job work or by department, date of inspections, date of measurements, date of check-measurements, expenditure to end of the previous year, expenditure in the month, progressive total expenditure to end of the month under report the progress on the work, etc., should all be systematically entered without any omission. The Sub-divisional Officer and Executive Engineer will scrutinize the register and the book will be ordinarily received back by me Supervisor before the end of the month. The Section Officer should examine what the remarks of the Sub-divisional Officer and Executive Engineer are on the progress on the several works and take suitable and timely action on them and reply to them while writing the report for the next month. The Section Officer should not ask for orders on any matter regarding work in the D.P.P.R. All such order is should be got, on references made separately. It is preferable to enter all the sanctioned estimate in the D.F.P-R. whether there is grant for the work for execution in the current year or not, so that they may not be lost sight of. This will also facilitate providing grant for the works at the earliest opportunity and aid the officers to take action to get grant for the works. The Section Officer should generally attach a key map drawn to a decent scale showing the jurisdiction of the section, and all the important irrigation sources, buildings, roads, towns, etc., in it at the beginning of the B.F.P.R. for reference.

The dates on which the B.F.P.R. was sent to the Sub-divisional Officer received by the Sub-divisional Officer and sent to the Executive Engineer, received by the Executive Engineer and sent by the Executive Engineer to Section Officer and received by the Section Officer should all be noted on the first page of the register. An index of all the works should also be given in the register grouping works as irrigation, buildings, original works,

extensions and improvements and repairs ordinary, repairs, special, etc., sent by the Sub-divisional Officer-

C.F.P.R. :—This register shows all the work in progress the grant allotted for the work and the monthly as well as the progressive expenditure in the year and the expenditure to end last year. The Section Officer should send it to the Sub-divisional Officer monthly and have it filled up by the Sub-divisional Officer for his reference and guidance so that he may be in a position to know whether he has grant for the work. whether the expenditure is within the grants, whether more grant is to be applied for in time/etc.

M.P.K. :—Miscellaneous properties of the section such as fruit-bearing trees, Public Works Department padugai lands, lands acquired for specific purposes but are not put to the use for which they were acquired for special reasons, lease of which items will bring ' revenue, sale of water, etc., should all be entered in the miscellaneous property register and properly accounted for, giving their location and their lease sold in auction, amounts collected and remitted promptly and the properties checked periodically in accordance with Code rule and Departmental rules. The Supervisors should take personal interest in watching these properties realizing their revenues, including them in the register as they are important and valuable and revenue-producing Government property. Non-revenue-yielding trees, etc., should also be accounted for separately in a register and watched even though they are not yielding revenue for the time-being as they will fetch a good revenue ultimately, as they also form an important asset for the Government. The Section Officer should issue temporary receipt for all monies realized by him in proper form and get it back when issuing permanent receipts got from Sub-divisional Officer and have it, posted to me counterfoil of the receipt.

B.F.P.S. :—This register is similar to D.F.P.R., but in a slight different form, to write every month me progress on execution of major works.

The other registers catalogued above are simple to maintain and the supervisor should develop from the beginning the habit of maintaining them regularly and systematically as the time required for doing so is very trifling and the advantages derived so immense for the smooth and efficient functioning of the section work.

(c) Submission of monthly returns:—Fortnightly progress report on the progress of works in the section showing the work inspected by the Section Officer, etc., written date war showing has movement, works inspected for disposal of references works which are under execution, etc., should be written by the supervisor daily and sent to the Sub-divisional Officer once a fortnight for the periods 1st to 15th and 16th to end of the month.

The travelling allowance bills of Section Officers are checked in division offices with these fortnight progress reports and the Section Officer should therefore write this, daily and not leave this work to arrears and then write up at a stretch for 10 or 15 days as this will lead to unconscious mistakes due to want of memory forgetfulness, etc.

Monthly tools and plant account, materials at site accounts, stock account, manufacture account, unanswered reference list, imprest accounts, etc., should also be sent promptly on the due dales.

(d) Disposal of references:—References received in the section should be disposed of promptly. They should be disposed of within the time-limit indicated below. This is the maximum time limit. Ordinarily almost all the references should be dealt with most expeditiously and disposed of very promptly:

Government and Chief Engineer's references and references of Heads of Departments	
5 days	
Superintending Engineers' and Collectors' references	5 days Executive Engineers and Officers of
other departments	7 days Sub-divisional Officers, etc. 10 days

In the case should a reference be ordinarily delayed beyond a fortnight. In special cases where the references cannot be replied too quickly, the reasons therefore should be given to the Sub-divisional Officer in advance and his help and suggestions solicited. The Section Officer should consult the Sub-divisional Officer whenever he meets him in camps about the references and take his instructions and clear all doubts and difficulties and see to the expeditious disposal of references.

(e) Maintenance of office records:—Normally the Section Officer is not given any assistance to run his office by way of a clerk or an attender. The volume of office work is very little and for a systematic supervisor it should not take more than an hour or two a day to do his office work. He should keep a copy of his reports, disposals, estimates submitted and all correspondence with the Sub-divisional Officer and occasionally with any officer of other departments for reference. This is easily done by doing the scriptoria work in carbon paper books and keeping the carbon copies for his reference.

(f) Touring:—The Section Officer should be regular in his touring and attend to the field work such as taking levels, setting out works, supervising works in progress or collecting field data for preparation of surveys or attending to grievances of riots in water distribution etc., very systematically. He should spend maximum lime in the field. He should camp on work spots for longer periods instead of frequently returning to headquarters and avoid to and fro journey taking up much valuable time- Any field survey done should be immediately plotted the survey map prepared the same day when the physical features and other field details are fresh in his memory. ^

(g) Water regulation and distribution :—The Section officer should study the standing rules on the subject and regulate and distribute according to actual requirements , in accordance with the rules- He should examine the mode of regulation and distribution , done in previous years at the corresponding period and in cases of doubt consult the Sub- I divisional Officer promptly. Great vigilance and altemess are called for in this matter, whenever complaints are received about inadequacy of supply or too much of supply, he should personally inspect the locality, near the complaints patiently and redress the grievancfc if real without detriment to other private interests or Government interest.

(h) Control over subordinate :—He should closely watch the work of the; Subordinates allot them sufficient work for the day and see that the work allotted to them is properly done and take suitable action in the case of those who neglect their work, a proper control over the subordinates is essential for efficiency in the section.

(i) The Supervisor should study the natural resources of his Jurisdiction, the geography of the district, etc., which are all essential for the discharge of his duty. He should keep himself in constant touch with the general progress of engineering in the province and outside the province by regularly studying and dailies, journals, magazines and engineering books and maintain and improve it steadily so that he may equip himself fully for bearing greater responsibilities in later years. He should not only carry out instructions of superiors, but take initiative in all matters, develop a spirit of self-confidence and be in a position to instruct his subordinates boldly, correctly and unhesitatingly.

23. General:—Finally it should be pointed that in cases of doubt as to the manner of handling of particular problems or references, the candidates should invariably consult previous records which in most cases will contain a report of a similar kind or record of disposal or measurement and if the record is one prepared by an efficient officer or subordinate, a great deal can be learnt by a careful study of the previous records. With this object in view. Section officers new to Section office should go through the previous notes, files, reports, records, such as imprest account, 7-F Account, tools and plant account, bills, measurement, books and L.F. books specially of the pre-war years at leisure and acquaint themselves fully so that they may be posted for the eventualities and can handle their work with confidence, efficiency and expedition.

It is most important for a Section officer who looks to early advancement in his career to devote particular attention to mastery of detail, very neat correct preparation of plans, examples of which will be found in any engineering journal like Engineering News Record, and expedition in the disposal of references, preparation of reports, etc. Delays and procrastination are to be totally avoided as they have pulled down many a useful and efficient subordinate. No one ever escapes having to do the job to which he may be posted finally and the earlier and more efficiently it is done, the better it is for the country and for himself. For those who handle Government cash, they should avoid the temptation to mix their private cash, with Government cash, Government cash must be kept scrupulously separate and carefully looked up and properly and promptly accounted for and it is well to remember that, of all things a subordinate has to be careful about, it is the custody and accounting of Government cash and money receipts on behalf of Government, that he has to keep eternal vigilance on

Responsibilities of Field Staff (Engineering Works)

The Primary responsibilities of Work Inspectors (work maistries). Supervisors and Junior Engineers and Asst. Engineers are given below:

1. Work Maistries and (a) Checking and Supervision of water curing on Work Inspectors building & bridges works, checking of measuring boxes, screening of materials, Cement mix, Sizes of materials. Quality of materials. Quality of the work (Plumb, levels, corners etc.). Clearance of site.
 - (b) Maintaining Accounts for Cement, Bitumen, Paints, Daily Labour reports. Materials issued department-tally. Writing Diary.
 - (c) In case of Departmental works he acts as Storekeeper also for all materials, Tools and Plant.
2. Supervisors, Junior (a) Checking and Supervision of centre lines marking Engineers and as per approved plans. Levels, Quality of materials Assistant Engineers and their quarries. Quality of the work as per Standard Specifications and IS Codes, Sizes of materials.
 - (b) Maintaining accounts for Materials at site, Cement, bitumen, paint etc.. Logs for Departmental Vehicles, Departmental Stores, Tools and Plant, Rainfall Data etc., N.M.R. reports. Departmental properties.

- (c) Preparation and maintenance of records—timely recording of measurements, M-Books safe custody, Field Books safe custody. Preparation of bills, estimates, work slips etc.. Property registers, FNPRs (fortnightly progress reports).
- (d) They should not allow any deviation from the approved plans and agreements without written instructions from higher authorities.

Section No. 9

SALES TAX AND INCOME TAX CLEARANCE CERTIFICATES Production of Sales Tax Clearance Certificates - Orders - Issued.

[G.O.Ms.No. 561. Public Works (Y) Department, Dt. 2-4-1970] Ref. .—(i) G.O.Ms.No. 1725, Revenue, Government of Madras, Dt. 14-6-1952.

Order:—In G.O.Ms.No. 1725, Revenue, dated 14-6-1952 orders were issued by the composite Madras Government that contractors applying for Government contract works above the value of Rs. 1.000/- should produce Sales Tax Clearance Certificate from the assessing authority. The Chief Engineer (Roads & Buildings) has reported that several contractors are representing for exemption from the production of the certificate.

2. The Government has carefully examined the question whether the sales-tax clearance certificate should be insisted upon from contractors who undertake execution of works in the Public Works Department and if so at what stage. They have considered the matter in the context of checking erosions in payment of sales-tax and the need to ensure that full and free competitions is not restricted at the time of tendering. They have decided that the production of sales-tax clearance certificate should be insisted upon only at the time of the final bill in the case of contractors who are sales tax assesses where the value of contract is over Rs. 10,000/-. The Government have also decide that suitable provision should be made in the contractor forms for withholding final payments to the contractors if they fail to produce sales tax clearance certificate.

3. The Chief Engineer (Major Irrigation & General) is requested to review the position after two years and to submit a report on the working of the revised procedure, He is also requested to suggest suitable draft amendments to the contracts forms to provide for withholding of final payments to the contractors if they fail to produce sales-tax clearance certificate.

Production of Sales Tax Clearance Certificates - Certain clarification • Issued.

[Memo No. 482-Y/71-2. Public Works Department. Dt. 11-5-1971]

ref. :—1. G.O.Ms-No. 561, PW (Y), Dt. 2-4-70.

Order:—Instructions were issued in the G.O. cited that sales tax clearance certificates should be obtained at the time of the final bill from the contractors who are sales tax assesses where the value of contract is over Rs. 10,000/- and that provision should be

made in the contract forms for withholding final payments to the contractors if they fail to produce sales tax clearance certificates.

The Chief Engineer, Nagarjuna Sagar Canals, enquired whether the above provision will apply to the contractors who supply materials and where sales tax is chargeable and not in the case contractors relating to excavation of canals and construction of structures etc. The Government hereby clarify that the sales tax clearance certificate is required to be produced at the final bill stage by the Contractors who are sales tax assessees only and no distinction need be made between contractors engaged in execution of works and those who supply materials only.

Production of Income Tax Clearance Certificate - Instructions - Powers to Chief Engineer to authorise additions and alterations to Preliminary Specifications and the standard forms of tender documents incorporated in A.P.D.S.S. - Restrictions - Orders - Issued.

[G.O.Ms.No. 86, Public Works Department, Dt. 21-1-1969]

Order :—At present there are three occasions when the contractor has to produce the Income Tax Clearance Certificate viz., (1) at the time of application of registration (Class I and Class II Contractors only); (2) at the time of tendering; and (3) before payment of the final bill.

2. The stipulation that the contractor should produce the Income Tax Clearance Certificate has been made in the tender notice form. As regards production of certificate before payment of final bill, the procedure has been laid down in clause 70 of P.S. to A.P.D.S.S.

3. In the composite Government of Madras G.O.Ms.No. 440, Finance, Dt. 15-3-1953 orders have been issued that the production of the Income Tax Clearance Certificate may be waived when the value of the contract will not exceed Rs.10,000/-.

4. It has been reported that no uniform procedure has been adopted in the various Departments under P.W.D. in regard to the production of Income Tax Clearance Certificate by the contractors.

5. The Government after careful examination considers that there will be no necessity for the production of Income Tax Clearance Certificate for registration of contractors, that the provision in the Tender Notice for its production will not be conducive to the economical execution of projects and that its production may be insisted upon only in the final bill stage.

6. Accordingly the Government direct that the production of I.T.C.C. by Contractors should be required before payment of the final bill only in respect of contracts whose value is over Rs.10,000/-

7. Powers of the Chief Engineer (General). P.W.D. to issue amendments to A.P.D.S.S.

According to preliminary specification of A.P.D.S.S. additions and alterations to me A.P.D.S.S. will be incorporated in the addends value is authorized by the Chief Engineer.

8. The Preliminary Specifications contain legal and contractual rules. The appendices to A.P.D.S.S. contain standard forms of tender documents and contract documents.

9- The Government direct that the Chief Engineer(General) P.W.D. shall have no powers to amend the P.S, and the standard forms in the Appendices of the A.P.D.S.S. as such amendments may have legal implications- The Chief Engineer (General),P.W.D. shall however have powers to amend the Detailed Standard Specification in consultation with other Chief Engineers under P.W.D.

10. The Chief Engineer (Gen.) P.W.D. is requested to suggest suitable amendments to A.P.D.S.S. and tender notice with reference to the orders in pars 6 & 9 above.

Production of Income Tax clearance certificates by contractors -Amendment to G.O.Ms.No. 86, P.W.d. Dt. 21-1-1969.

(Memo. No. 1744-Codn./72-10. P.W.D., Dt. 17-1-1974] Kef. :—\ G.O.Ms.No- 86, P.W.D., Dt- 21-1-1969.

2. Government Memo.No. 53548/744/Bg./72-I, Finance (BG) Dept, Dt. 18-8-1972,

Order :—In G.O.Ms-No. 86, P.W.D., dated 21-1.1969, it has been ordered, among over things, that production of Income Tax clearance certificates by contractors should be required before payment of the final bill on receipt of contractors whose value is Rs, 10.000/-.

The Government agrees to the suggestion and the Chief Engineer (Major Irrigation & General). The Chief Engineers are requested to ensure that the Income Tax is deducted at same at 2% or 1% as the case may be, as enjoined under Sec lion-194 (c) of the Income Tax Act, 1961.

The attention to Chief Engineers is also invited to the instructions already issued in the Government Memorandum second cited.

Section No. 10

DELEGATION OF POWERS

Delegation of Powers - Public Works Department - Authorities Competent to Condone.

[G.O.Ms.No. 1001. P.W.D., Dt. 11-5-1957]

Order :—The Government sanction the delegation of powers (o all Chief Engineers and Superintending Engineers of Public Works Department to condone certain types of irregularities noted below in connection with the execution of works.

1. Failure to conduct check measurement;—May be condoned by Departmental Officers subject to the following conditions ;

(a) That the cost of work condoned is within the powers of that officer to write off.

(b) That he is satisfied that mere has been no loss on account of lack of initial check measurement.

2. Failure to preaudit :—May be condoned by Superintending Engineers in regard to intermediate bills, subject to the condition that overpayments are recovered from

subsequent bills. In regard to first and final bills, the power of condonation by the Superintending Engineer or higher authority should be restricted to bills, the value of which are within their powers to write off.

3. The concerned authorities should from time to time make a report to the Government indicating the action taken by them in order to enable the Government to examine if any disciplinary action is called for or if any directive needs to be given severally or in any individual case.

Charges for establishment - Charges for 7½% - Application for Specific Works - Orders - Issued.

[G.O.Ms.No. 1007. P.W.D., Dt. J-5-1963]

Order :—Under the practice now obtaining in the Public Works Department in the estimates for building works of other departments financed from funds other than PWD budget and for contribution works, provision for establishment charges is made under centage charges at the rate prescribed in Appendix 7 to APPW 'A' Code. But no such provision is made in the estimate for works financed solely from the PWD budget. The Accountant-General makes an annual adjustment "50. Public Works as half per cent and the balance is adjusted to the capital head on a prorata basis.

[2. In order to have a correct appreciation of the cost of works including the cost of establishment employed the Government direct that from now onwards, in the estimate for, capital, building works financed solely from the PWD budget, provision should invariably be made for establishment charges at 7½% (seven and half per cent) of the capital cost of the works and adjusted to complete the capital amount of the works].

[Amended by G.O.Ms.No. 2057, PWD, Dt. 11-10-1963]

[3. The establishment charges at 7½% mentioned in the G.O. referred to above, is applicable to specific Government Buildings and Roads works, on which Special Establishment is employed], [Added by Memo.No. 2410-A2/68-14, Dt. 15-1-1970]

Contingencies - Expenditure on ceremonies connected with laying of foundation stones, opening of Public Buildings and such other functions - Powers delegated - Orders - Issued.

[G.O.Ms.No. 358, Finance Department, Dt. 13-5-1963]

Order :—The Accountant-General, Andhra Pradesh, Hyderabad has furnished a copy of Government of India, Ministry of Finance, Department of Expenditure, Memo. and requested the Government to issue similar instructions prescribing suitable monetary limit for incurring expenditure on ceremonies or functions in connection with laying of foundation stones, opening of Public buildings and such other functions in the State.

The Government after considering the proposal in para 1, above direct that all the Departments of Secretariat and Heads of Departments should be given power to incur expenditure on each occasion in connection with laying of foundation stones, opening ceremonies of Government undertakings and other Government functions subject to a maximum of Rs. 3,000 and Rs. 200 respectively- The expenditure should not exceed those limits including expenditure like printing of invitations, provision of Shamianas, refreshments,

garlands, photographs, etc., and it should be met from the accounts of the project concerned or from the contingent grant of the establishment concerned as the case may be.

Civil Works estimates - Provision for petty supervision contingencies and unforeseen work percentage - Fixation of Orders - Issued.

[G.O.Ms.No. 1329. Public Works Department. Dt. 21-6-1963]

Ref. :—1. G-O.Ms.No. B04, PW & T, Dt. 24-3-1950. 2. G-O.Ms.No. 3127, PWD, Dt- 27-11-1957.

Order :—In the G.O.first cited it was ordered that—(1) the provision of the five per cent for contingencies and petty supervision provided for in the estimates for State Government works be reduced to 3%, and (2) provision of Five percent provided for unforeseen works be reduced to 2%. These orders were continued for a further period of one year from 1-4-1957 and the question of reviewing those rates after 1-4-1958 has been under consideration.

2. After careful examination, the Government of Andhra Pradesh fix the following scale of provisions for petty supervisions and contingencies in estimates ;

Works costing up to Rs. 1 lakh—<%

Works costing above Rs. 1 lakh and upto Rs.100 lakhs—y/a

Works costing above Rs. 100 lakhs—SWo

The Government also directs that the provision of 1% towards handling charges in the estimates for purchase of machinery be allowed and the existing provision of 2 per cent for unforeseen works may be continued.

3. The orders in paras 1 and 2 above apply to Public Works and Highways Departments only and not to the Projects Department.

Delegation of Powers to meet Law charges to all the Heads of Departments

[G.O.Ms.No. 31. Finance (Accounts) Dept. Dt. 5-2- 1966]

Order :—Under the Board's standing order and under the G.Os.issued by Home and Revenue Departments, certain powers to sanction Law charges have already been delegated to the District Collectors, the Board of Revenue, Sessions Judges and the Inspector General of Local Administration. In item 30 of Appendix 7 to the Andhra Pradesh Financial Code, Volume II powers have also been delegated to certain Heads of Departments to sanction certain "Law charges". But still in a good number of cases, several Heads of Department are coming up to Government frequently for sanction to meet "Law charges" like payment of fees to Government Pleaders and for meeting incidental charges, such as purchase of stamps payments for copies of judgment etc. It has been suggested to Government that in most cases such financial powers could, with advantage be delegated to the Heads of Departments with a view to reduce unnecessary work at Government level.

2. The Government have carefully considered the above suggestions and have decided to accept it. The Government therefore direct that the following financial powers be delegated to the Heads of Departments, in addition to the existing powers, to meet "Law Charges".

1. Incidental charges, such as purchase of stamps, payment for copies etc., connected with Law Suits :—The Heads of Departments can incur expenditure on the above item, from their budget provision, without reference to Government.
2. Fees payable to Government Pleaders :—The Heads of Departments can sanction fees to Government Pleaders in all Law Suits including suit appeal, writ petitions, writ appeals, and C.M.P.s., C.R.Ps. and C.M-As. arising in writ petition and writ appeals where Government are not impleaded, i.e., where only Heads of Departments or other Subordinate Government Officers are impleaded. In other cases, sanction of the Government is necessary- However this delegation does not apply to the payment of special cases.
3. Cost decreed against Government :—The Heads of Departments can incur expenditure under this item without prior sanction of Government and then come up to Government for supplemental grant, if necessary.

Delegation of Powers - A.P. Financial Code. Volume 'I' - Reconstruction of collapsed compound walls and improvements to existing compound walls to Government Buildings - Powers to Chief Engineer (R&B) to sanction - Delegated.

[G.O.Ms.No. 2351, P.W. Dept., Dt. 13-10-1966]

Order :—According to Article 185(b) of the A.P. Financial Code, approval of Government necessary for all proposals, for the construction of compound walls, reconstructed of collapsed compound walls, improvement to existing ones as well as proposal for the provision of iron wire fencing even if the expenditure thereon could be met from the "Minor Works" grant. But the approval of Government is not necessary in the case of part-construction of a compound wall which may be done under "Repairs". This case applies to proposals for provision of wire fencing or compound walls around sub-stations of the Government Electricity Department.

2. The Chief Engineer(R&B), Buildings Wing pointed out to Government that construction of compound wall etc., forms part and parcel of construction of main works, i.e., construction of buildings and so the restriction imposed on the above article may be relaxed and that he may be permitted to accord sanction for the construction of "Compound walls etc.," also.

3. After careful examination of proposals, the Govt. of Andhra Pradesh delegated powers to Chief Engineer (R&B), Buildings Wing, to sanction re-construction of collapsed compound walls and also improvements to existing compound walls to Government Buildings subject to Budget provisions for a period of three years from the date of this order.

Drawal of contingent bills by independently working Asst. Engineers of Public Works Department declared as Head of Departments for purposes of S.R. 18(b) of Treasury Rule 16 of the Andhra Pradesh Treasury Code, Vol. I - Orders issued.

[G.O.Ms.No. 826, P.W. (Y) Dept., Dt. 18-5-1967]

Order:—The Director of Treasuries and Accounts has pointed out that some of the Assistant Engineers, Public Works Department have been drawing contingent bills on

treasuries, which they are not competent to do without the sanction of Government as per instruction 3 under T.R. 16 of Andhra Pradesh Treasury Code, Volume I. He has therefore sought clarification whether there are any orders of Government treating the Assistant Engineer, Public Works Department of Head of offices under S.R.18(b) under T.R.16 of

Andhra Pradesh Treasury Code, Volume 'I'.

2. The Chief Engineer (General) has however pointed out that the strict observance of the above rules by the Treasuries will put the Assistant Engineers to inconvenience in the matter of recouping permanent advance granted to their subdivision. He has requested the Government to issue formal delegation of powers to draw contingent bills to the Assistant Engineers, if such delegation is considered necessary. He has finally requested that Assistant Engineers working independently elsewhere might be delegated with powers to draw contingent bills.

3. The Accountant-General, who has been consulted in the matter has observed that the Assistant Engineer, Public Works Department is also the Head of an office subject to the restrictive provision of instruction 3 of T.R.16 and can draw the contingent bills on treasuries as per S.R. 8 under T.R. 16.

4. The Government have examined the question and they hereby direct that the Assistant Engineers of the Public Works Department, who are working independently elsewhere and not working within the Office of the Executive Engineer, be treated as Heads of Offices for the purpose of drawing contingent bills under S.R. 18(b) of T.R. 16 of the Andhra Pradesh Treasury Code, Volume 'I'.

Enhanced delegation of powers to the Officers of the PWD for local purchase of stationery articles and sanction of time-pieces.

(G.O.Ms.No. 1285, P.W. Dept., Dt. 11-8-1967]

Ref. :—1. From the Chief Engineer (Genl.), Lr.No.R.c.PAq2J/14778/61-4, Dt. 6-11-1965.

2. G.O.Ms.No. 408, Ind., Dt. 15-4-1966.

3. G.O.Ms.No. 1865, P.W. Dept, Dt. 30-7-1966-

Order :—In accordance with the decision of the Committee constituted for considering the proposals for delegation of enhanced powers to the Heads of Departments and subordinate officers, the Chief Engineer (General) submitted proposals, in the letter first read above, for delegation of enhanced powers to the officers of the Public Works Department for the following items :

- (1) Local purchase of stationery articles.
- (2) Purchase of Blue Print articles which are not supplied by the Stationery Department.
- (3) Local Printing of forms and registers.
- (4) Time pieces.
- (5) Typewriters.

2. In the G.O.third read above in which enhanced powers have been delegated to the Chief Engineers, Superintending Engineers, etc., orders have been issued in respect of item (5) above only and in respect of other items it was mentioned that orders would be issued separately.

3. The Government have since decided to delegate powers to the Officers of the Public Works Department for purchase of Stationery articles, item referred to at (1) of para 1 above. In continuation of the orders issued in the G.O. third read above, the Government accordingly delegate powers to the Chief Engineers, Superintending Engineers, Executive Engineers and Assistant Engineers as indicated in the Annexure to this order for local purchase of stationery articles subject to the following conditions:

(i) that the items of stationery articles proposed for local purchase should have been included in the annual indent for stationery and sent to the Director of Printing and Stationery in time;

(ii) that the Director of Printing and Stationery has issued non-availability certificate in respect of those articles before local purchase is resorted to;

(iii) that the local purchase shall not include paper which shall be obtained by the Officers from the Stationery Department, which has sufficient stocks, by raising supplemental indents where necessary, subject to normal rules;

(iv) that the local purchase is urgent and cannot wait and that the concerned officers record in writing justification for such local purchase and that the necessary economy in the use of stationery was observed;

(v) that a cut of 10% on "contingencies" of all departments imposed by the Finance Department is implemented;

(vi) that the normal procedure of inviting tenders etc., are followed by Heads of Departments and other officers (Category I) in making direct purchases of stationery articles and that the budget provision for contingencies should not be exceeded.

4. The Government delegate to the Electrical Engineer (General) also the same powers as those of Executive Engineers, Public Works Department for purpose of local purchase of stationery articles.

5. The orders in G.O.Ms-No. 408, Industries, dated 15-4-1966 for purchase of Stationery articles by the Chief Engineers, Superintending Engineers, Executive Engineers and Asst. Engineers of the Public Works Department are deemed to have been modified to the above extent.

6. The powers delegated in paras 3-4 above will be in force till 29-7-1969.

7. Orders in respect of items (2) and (3) mentioned in para 1 above will issue separately in due course.

8. In respect of item (4) in para 1 above, powers have already been delegated to the Heads of Departments and Collectors for sanction of time-pieces by way of first supply or replacement of existing ones to their offices and me officers under the control as per the following scale :

(1) For Officers :-—One time-piece to each Gazetted Officer and to each non-, Gazetted Head of Office.

(2) For others:—One time-piece for each Room/Hall in a Building where sections work, and where wall clock is not provided.

Delegation of powers in Chief Engineer (R&B) and Superintending Engineer (R&B) to accord administration sanction to additions, improvements and alterations to electrical installation to Government residential and non-residential buildings.
[G.O.Ms.No. 1231, Public Works Department, Dt. 30-7-1968]

Ref. :—\ G.O.Ms.No. 598, PW & T., Dt. 27-3-1955.

2. From the CE (R&B) Lr.No.GM/Cm/148 09/67-3, Dt. 28-7-67:

Order:—In the G.O. first read above, the Chief Engineer (Roads & Buildings) and Superintending Engineers (R&B) were delegated with powers to grant administrative approval for additions and alterations to electrical installations in the Government residential and non-residential buildings :

Nature of powers	Chief Engineer	Superintending	
		Engineer Rs.	Rs.
1. Administrative approval to additions, improvements and alterations to electrical works in non-residential buildings, 5,000/- 2,500/-			
2. Administrative approval to additions, improvements and alterations to electrical works in residential buildings. 1,000/- Nil.			

2. The Chief Engineer (R&B) has stated that due to several developmental activities of the Government under Plan, the prices of the materials are on the increase. He has therefore requested that in order to execute the electrical works on priority basis, the Chief Engineer (R&B) and Superintending Engineers (R&B) may be delegated with enhanced powers.

3. The Government have considered the proposal carefully and delegate the following enhanced powers to Chief Engineer (R&B) and Superintending Engineer (R&B) to accord administrative sanction for additions, improvements and alterations to electrical installation in the Government residential and non-residential buildings.

Nature of powers	Chief Engineer	Superintending	
		Engineer Rs.	Rs.
1. Administrative approval to additions, improvements and alterations to existing electrical fittings in non-residential buildings.		10,000/-	5,000/-
2. Administrative approval to additions, improvements and alterations to electrical fittings residential buildings.			
		10,000/-	Nil.
		2,000/-	

Scrutiny of Plans and Estimates - Issue of certificate of reasonableness of rates adopted in the estimates - Collection of centage charges.

[G.O.Ms.No. 1135. Public Works (A-2) Department, DL. 6-8-S969]

Ref :-l. Govt. Memo. No, 696-A1/683, PWD, DL 1-5-1968,

2. Chief Engineer (R&B) Lr, No. T2/Edn./25 99/69, Dt. 7-2-1969.

Order :—Government have issued orders in the memorandum cited directing the Chief Engineer (R&B) to levy 12% centage charges for checking the rates included in the detailed estimates prepared by the Andhra University for construction of buildings in the Andhra University and issue a certificate to that effect.

2. The Chief Engineer (Roads and Buildings)—vide his letter second cited—has requested the Government to issue orders to adopt similar procedure of collecting % charges towards scrutiny of rates in the estimates prepared by the Engineering Department in the case of a University, or autonomous body who require similar certificate for obtaining the grant from University Grants Commission, Central or State Government.

3. Government after careful consideration of the proposal, direct that charges may be levied at Vi per cent, for scrutiny of rates, adopted in the estimates prepared by the requisitioning agencies and issue a certificate to that effect.

Delegation of powers to the officers of the P.W.D. (Irrigation Branch) who are placed in charge of the posts of Superintending Engineers, Executive Engineers and Assistant Engineers - Orders - Issued.

[G.O.Ms.No. 369, P.W. Dept, Dt. 19-3-1970]

Order :—The Officers of the Public Works Department (Irrigation Branch) who are placed in charge of the posts of Superintending Engineers, Executive Engineers and Assistant Engineers are hereby permitted to exercise codal powers indicated in the following paras of APPWD Code subject to the condition that the officers posted as in-charge Superintending Engineers, Executive Engineers and Assistant Engineers, shall not write confidential reports on Executive Engineers, Assistant Engineers and Supervisors/Junior Engineers respectively.

Designation of the Officer	Powers to be exercised under paras of the APPWD Code.

Executive Engineers placed in charge of posts of Superintending Engineers.	As indicated in paras 420, 422 to 427 of the APPWD Code.

Assistant Engineers placed in charge of posts of Executive Engineers.	Paras 430 to 434 of APPWD Code.

Junior Engineers/Supervisors placed In-charge of Sub-divisions.	Para 436 of APPWD Code.

2, The Code powers delegated in para 1 above are purely in the interest of administration and will not confer on the officers any special benefit and will be without prejudice to the question of seniority or the position in the final common gradation list of P.W.D. Officers (Irrigation Branch).

(DCODE—27]

Delegation of certain additional powers to the Deputy Chief Engineer (R & B) (Administration) in the rank of Superintending Engineers.

{G.O.Ms.No. 320, P.W. (Y) Dept., Dt. 6-2-1972]

Ref. :—1. G-0-Ms-No. 1424, P.W., Dt. 6-9-19(57).

2. G.O.Ms-No. 2009, P.W., Dt. 2-12-1970.

3. From the Chief Engineer (R. & B), Lr.No. 24889/AI/70-1, Dt 18-12-1970.

4. Govt. Memo. No.126-FI/71-1, Dt. 11-1-1971.

Order:—In G.O-Ms.No- 1424, P.W., Dt. 6-9-1967, the Government have delegated certain powers of the Chief Engineer (Roads and Buildings) to the two Deputy Chief Engineers (Roads & Buildings), who were in the rank of Executive Engineers, In G.O.Ms.No. 2009, P.W., dated 2-12-1970, the post of Deputy Chief Engineer (Roads & Buildings) (Roads) has been upgraded from the rank of Executive Engineer to that of a Superintending Engineer, and this upgraded post has been redesignated as Deputy Chief Engineer (Roads & Buildings) (Admn.) in Government Memo. No. 126-FI/71-1, dated 11-1-1971.

2. Consequent to the upgrading The post of Deputy Chief Engineer, Roads and Buildings (Roads) from the rank of Executive Engineer to that of Superintending Engineer, the Chief Engineer (R & B) has requested to Government to delegate additional powers to this Deputy Chief Engineer (R & B) to be in conformity with the powers delegated to the Deputy Chief Engineer (General) PWD, in the rank of Superintending Engineer as per orders issued in G.O.Ms.No. 1889, P.W., dated 1-9-1964. The Chief Engineer has adduced the following reasons to justify the need for delegation of additional powers to the Deputy Chief Engineer (R & B) of the upgraded post:

(i) that the road works programme is getting intensified particularly with funds provided for National Highways works; and

(ii) that the Chief Engineer (R & B) being a touring officer will be away on tour frequently and hence it is necessary that the Deputy Chief Engineer (R & B) who is in the rank of the Superintending Engineer is delegated more powers to enable him to take decisions quickly even in the absence of Chief Engineer (R & B) to relieve him of the office routine so that the Chief Engineer can devote more time on work subjects and inspection of works more effectively.

3. The Government after careful consideration hereby delegate the additional powers as indicated in the annexure to the Deputy Chief Engineer (R & B)(Administration) in the rank of a Superintending Engineer on the analogy of the powers exercised by the Deputy Chief Engineer, PWD (Generate).

ANNEXURE

List of additional powers delegated to the Deputy Chief Engineer (R & B) (Admn.) in the rank of Superintending Engineer

1. Posting and transfers of all Assistant Engineers including appointment of Junior Engineers and Supervisors.
2. Promotions of the category of Asst. Engineers and also promotion to the category of Supervisors from the category of Draughtsmen and Overseers.

3. Maintenance and review of confidential reports of all Assistant Engineers, Junior Engineers and Supervisors and communication of adverse remarks.
4. Commencement and completion of probation of Assistant Engineers (which are clear cases not involving extension and termination of probation) and of all Non-FGazetted officers including Junior Engineers and Supervisors, including recruitment by the Andhra Pradesh Public Service Commission to the posts of Junior Engineers and Supervisors.
5. Sanction of increments, including efficiency bar cases to all Non-Gazetted officers and also to Gazetted officers in the Grade of Assistant Engineers.
6. Confirmation of all Non-Gazetted officers including Superintendents of Chief Engineer office (R & B).
7. Sanction of additional charge allowance to all Non-Gazetted officers, Assistant Engineers and Executive Engineers.
8. Delegation of powers to temporary Executive Engineers and Assistant Engineers to exercise the powers of permanent officers in those cadres which are covered by the code rules.
9. Deputation to foreign service etc., of all categories in the non-gazetted Establishment.
10. Charge sheet cases of all non-gazetted staff except major penalties such as removal, reduction of pay and rank, dismissal etc.
11. Correspondence relating to common gradation lists of Gazetted officers (which are clear cases) and Junior Engineers and Supervisors.
12. Inspection reports of Division and Circle offices.
13. All pension cases, including gratuity, except those involving reduction of pension-
14. Correspondence relating to Audit objections.
15. Correspondence relating to GHC Rules.
16. Permission for acquisition of movable and immovable properties upto the level of Executive Engineers.
- 17- All service questions relating to Ministerial and Drawing Branches including promotion to the posts of Superintendents in Chief Engineer (R & B) office (except cases involving relaxing of Rules).
 18. Sanction of G,P,F. advance upto the level of Executive Engineers,
 19. Sanction for purchase of stationery and furniture (including Steel Furniture) for the subordinate offices and Chief Engineer's (Roads and Buildings) office.
 20. All appeal cases relating to Ministerial establishment. Drawing Branch establishments and last grade service.
- Entrustment of sanitary works on nomination - Raising limit from Rs. 1,000 to Rs. 10,000 - Sanctioned.

[G.O.Ms.No. 986, Public Works (Codn.) Department, Dt. 23-9-1974]

Ref. :— 1. From the C.E. (R & B) Ls- No- QI/1073 0/71-2, Dt. 18-8-1973.

2. From the A.G. A.P.,Lr.No,WMI/A/H/73-74/406, Dt. 2-1-1974.

3. From the C.E. (R & B) Lr.No. 10730/71 contracts I, Dt. 24-7-1974.

Order :—Para 255 of the APPWD Code which contains rules for execution of electrical and sanitary works lays down, among other things, that private agency should be employed wherever possible for the carrying out of all original works including minor works. Departmental construction which involves accumulation of stores and employment of special establishment should be avoided. Tenders should invariably be invited when the amount involved in a particular contract is Rs. 1,000 or more. It also lays down that for execution of maintenance and repair works also private agency should be invited when the cost of repairs is Rs- 1,000 or more. Departmental maintenance should be resorted to only where no reliable firms tender, or where their tenders are excessive. Departmental repairs should as a rule, be confined to small items.

2. The Chief Engineer (Roads and Buildings) has proposed that in view of the increase in the cost of materials, etc., the limit for purposes of entrustment of sanitary works on nomination may be raised from Rs. 1,000 to Rs. 10,000. He has reported that in order to execute works urgently when requisitions are received from other occupying departments, works had to be let out on nomination in anticipation of approval of the higher authorities,

3. In the circumstances reported by the Chief Engineer (Roads and Buildings) the Government sanction the enhancement of the limit for purposes of entrustment of sanitary works on nomination under para 255 of the APPWD Code from Rs. 1,000 to Rs. 10,000.;
Extension of time for completing contracts - Delegation of Powers - Ordered.

[G.O.Ms.No. 1255, Public Works Department, Dt. 20-12-1974]

Ref. :— 1- From the Chief Engineer Major (Ir. and Gl.) Lr.No.Rc.Gel/Al/13762/72-3,
Dt 10-5-72. ,1 1 2, From the Chief Engineer
(M.I. & GI) Lr. No. Re. GEL/A 1/1402/72-1,
Di. 15-4-1974.

Order :—Clause 56 of PS to the APDSS lays down that should the amount of the tender be beyond the authorised powers of the Executive Engineer as laid down in the PWD Code, the orders and decision of such Executive Engineer, with regard to extension of time for completing the contract or the termination of the contract or the employment of specialists for certain portions of the work will be subject to the ratification of the higher authority who accepted the tender. Clause 59 also says that reasonable extension of time will be allowed by the Executive Engineers or by the officer competent to sanction the extension for unavoidable delays such as may result from causes, which in the opinion of the Executive Engineer are undoubtedly beyond the control of the Contractor-Even though the above provisions in the APDSS require that the extension of lime given by the Executive Engineer should have approval of the higher authority who accepted the tender, the Chief Engineer (Major Ir. and Gl.) has reported that in actual practice extuiaion of time is granted either by the Executive Engineer or the Superintending Engineer

Whoever has entered into the agreement. id pursuance of a recommendation of die Committee of Chief Engineers, the Chief Engineer (Major If. and Gl) has proposed that the clauses 56 & 59 of the PS to the APDSS may be amended so as to bring them in conformity with the practice.

The Government have carefully examined the proposals and direct that the authority for giving extension of time for completing the contract shall vest in the officer next higher than the one who accepted the tender- In cases where the tenders are accepted by the Chief Engineer extension of time may be granted by him upto a maximum of six months provided the balance of work does not exceed Rs. 10 lakhs. Cases of extension beyond the above limit shall be submitted to the Government for approval.

Extension of Time - Delegation of Powers to Chief Engineers -Amendment - Issued.

[G.O.Ms.No. 1037, Public Works Department, Dt. SO-9-1975J

Ref. :—1. G.O.Ms.No. 1255, PWD, Dt. 20-12-1974.

2. From the C.E. (MI & Gl) Lr.No.Rc.GEL/A-2/1402/72, Dt 17-6-75.

Order :—It has been ordered in the Government order first read above that the authority for giving extension of time shall vest in the officer next higher than the one who accepted the tender. In eases where the tenders are accepted by the Chief Engineers, the Chief Engineer himself has been authorised to grant extension of time upto a maximum of six months provided the balance of work does not exceed Rs. 10 lakhs.

2. The Chief Engineer (Major Ir. and Gl.) has proposed that the authority next higher to that who accepted the agreement may be empowered to sanction extension of time for completion of contracts.

3. The Government have examined the proposal. They consider that there is no justification to agree to it. They have, however, decided that even in respect of cases where the tenders are accepted by the Government, the Chief Engineer may grant extension of lime upto a maximum period of six months provided the balance of work does not exceed Rs, 10 lakhs.

4. The orders issued in the Government order first read above are deemed to have been modified to the above extent.

Delegation of power to the C.E. (R & B) to permit the E.Es. (R & B) to transport cement by road instead of rail upto a distance of 150 Kms. -Orders - Issued.

[G.O.Ms.No. 1173, Transport, Roads & B!dgs.. Dt. 30-10-1975] Ref. •—

1- G.O-Ms.No. 2726, PW (Gl.) Dept., dated 15-11-1965.

2. From the C-E. (R&B) Lr. No. T.A,8/J.E.-4/Cement/39651/74, Dl. 24-3-1975.

3. From the C.E. (R&B) D.O. Lr.No. T.A.8/J.E--4/Cement/39651, Dl. 24-9-1975.

Order :—In the G.O. first read above the C.E. (R & B) was empowered to permit consignees to transport cement by road instead of by rail from factories to destinations

which are more than 150 miles subject to the conditions that the expenditure involved should not be more than the expenditure that would be incurred where the cement to be transported by rail. In cases where additional expenditure is involved for transportation beyond 150 miles the C.E. was asked to obtain prior approval of Government,

2. In his letters second and third read above, the C.E. (R & B) has reported that almost all E.Es. are frequently approaching him to obtain permission from Government for transporting the cement by road in view of the genuine difficulties expressed by factories in supplying cement by rail wagons.

3. The C.E. (R & B) has also stated that as transportation of cement by road is Costlier than that of transporting the same by rail almost all the cases of transport of cement by road have to be referred to Government and that the progress of several major bridge works in getting hampered for want of timely supply of cement.

4. Government after careful consideration of the proposals empower the C.E. (R & B) for permitting consignors to transport cement by road instead of by rail in cases where Railways express their inability to supply wagons in time, and where there is acute need to transport cement by road from factories to destination covering a distance not more than 150 Kms., even if additional expenditure is involved, subject to the conditions that:—

(a) the C.E. (R & B) will be squarely held responsible to ensure that there is no adulteration during the transit and the cement is not sold in the open market remote;

(b) the C.E. (R & B) should ensure that all that is possible has been done to secure wagons and if in spite of this there are no wagons, in an emergency he can permit the E.E. to transport by road ;

(c) it would be worthwhile for C.E. (R & B) to keep one Assistant Engineer with one or two Section Officers at Vijay Wada to keep a close watch on the cement factories there and nearby and to maintain liaison with Railways for securing wagons for the transport of cement.

Delegation of powers to officers for according technical sanction to estimates ~ passing of excess expenditure over technical sanction and acceptance of tenders - Monetary limits Enhanced - Orders - Issued.

[G.O.Ms.No. 72, P. W. Dept.. Dt. 20-2-1976] Ref.:— 1.

G.O.Ms.No. 1722, PWD, Dt, 26-12-1969.

2. G-O.Ms-No. 895, PWD, Dt, 1-7-1971-

3. Govt. Memo. No. 368, Y/70, PWD, Dt. 5-6-1970.

4. Govt-Memo. No. 1102-Y/71-1, PWD, Dt. 23-7-1971. -5.

From the Chief Engineer (R&B) D.O.Lr.No.81403/Coniracls, 1/75.Dt. 7-2-1976,

Order :—In partial modification of the orders issued on the references read above, the Government have decided to enhance the powers of the Chief Engineers, Superintending Engineers and Executive Engineers of Roads and Buildings Department as follows :—

X. Powers of the Chief engineer (a) Powers to accord

technical sanction

Full powers upto amount of administrative approval plus percentage excesses indicated below

(1) For works costing up to Rs. 200 lakhs, 10 per cent subject to a monetary limit of Rs. 10 lakhs.

(2) For works costing above Rs. 200 lakhs, 5 per cent subject to a monetary limit of Rs. 20 lakhs.

(b) Passing of excess expenditure over technical sanction

(1) For works costing up to Rs. 200 lakhs, 10 per cent subject to a monetary limit of Rs. 10 lakhs.

(2) For works costing above Rs. 200 lakhs, 5 per cent subject to a monetary limit of Rs. 20 lakhs.

Can pass excess expenditure on all works irrespective of the total sanctioned estimate without percentage limit upto to Rs. 10,000.

(c) Acceptance of tenders

Can accept tenders for all works upto technically sanctioned estimates plus such Percentage as the Chief Engineer is competent to sanction under "Excess over estimates",

U. Powers of Superintending Engineers Powers to accord

technical sanction;

Rs. 10, 00,000 subject to the condition that the excess over administrative sanction shall not exceed 10 per cent.

(b) Passing of excess expenditure over technical sanction:

10 per cent subject to the limit of his powers technical sanction.

Can pass excess expenditure on all works irrespective of the total sanctioned estimate without percentage limit upto Rs- 6,000.

Superintending Engineers have no powers to sanction excess over revised estimates sanctioned by a higher authority.

(c) Acceptance of tenders :—

Can accept tenders for works upto sanctioned technical estimates plus such as the Superintending Engineer is competent to sanction excess over estimates subject to a limit of Rs. 11 lakhs for each tender,

III. Powers of Executive Engineers

(a) Powers to accord technical sanction :

Rs. 1, 00,000 subject to the condition that the excess over administrative sanction shall not exceed 10 per cent.

(b) Passing of excess expenditure over technical sanction:—

(i) 5 per cent subject to limit of his powers of technical sanction.

(ii) Can pass excess expenditure on all works irrespective of the total of ^sanctioned estimate without percentage limit upto Rs. 2,000.

(iii) Executive Engineers have do powers to sanction excess over revised estimates sanctioned by a higher authority.

(e) Acceptance offenders '.—

Can accept tenders for works upto sanctioned technical estimates plus such excess as the Executive Engineer is competent to sanction under excess over estimates subject to a maximum of Rs.1, 50,000 for each tender.

Rationalisation of Provisions - Modification of Contract Rules - Delegation of enhanced powers to the officers of Public Works Department - Orders - Issued.

[G.O.Ms.No. 1007, Transport. Roads and Buildings (CI) Dept., Dt. 5-S 1-1976]

Ref. :—G,0,Ms.No. 119fi, Transport, R & B, Dt, 11-11-1975.

Order :—Government have for some time been considering the need for delegating more powers to field officers of the Public Works Department, and rationalizing the procedures involved. Towards this end it was decided to undertake a thorough review of the important provisions in the P.W.D. Codes. They accordingly appointed a Committee headed by the Chief Secretary to Government in G.O.Ms.No. 1196, Transport, Roads and Buildings, dated 11-11-1975 with the following terms of reference:—

(1) A review of the more important paras of the A.P.P.W. 'D' Code, A.P.P.W. 'A' Code and A.P.D.S.S. and suggesting appropriate and modifications or changes if called for.

(2) A critical review of the existing administrative, financial and technical powers of the State Engineers at various levels and suggesting appropriate recommendations thereon.

(3) Review of work relationship between the Central and the State Governments in the case of centrally sponsored/financial works.

2. The Committee in its report submitted to Government has made a series of recommendations for enhanced delegation of powers to field officers of the P.W.D. and also revision of methods and procedures.

3. The Government have carefully examined the recommendations and decided to accept them in to. They direct that, in suppression of all existing orders on the subject, the decisions of the Government as indicated in the annexure to this order shall come into force with immediate effect unless specified otherwise.

4. In addition it has also been decided to disband the Special Cell in the Secretariat and accept the suggestions of the Committee (o address the Government of India, Ministry of Transport for enhancing the powers of the Chief Engineer (National Highway) and the State Government in regard to technical sanction up to Rs-25 lakhs and acceptance of tenders for works of National Highways upto 30% and for issuance of letters of credit quarterly to the extent of Chief Engineer's quarterly forecast of requirements-

5. The Chief Engineer (Major Irrigation & General) is requested to suggest suitable draft amendments to the Codes wherever necessary.

Annexure I

Annexure relates to Amendments to A.P.D.S.S. volume. They have been carried out in the A.P.D.S.S. itself. Therefore they have not been printed here.

Annexure II

Recommendations a/the Committee

Full Details of the estimates including quantities under each item of the work, the estimate rate, the total value of each item of the work etc., should be disclosed to the tenders at their request even at the time of issue of tender schedules. The present practice of keeping the sanctioned estimate and the schedule of rates as secret documents should be dispensed with.

The piece work (K2) contract form may be adopted for construction works costing up to Rs. 1.00 lakh and for transport contracts upto Rs.5.00 lakhs, as against the present limit of Rs. 20,000 as per G.O.Ms.No. 859, PWD, Dt, 30-4-1^70.

The Earnest Money Deposits of unsuccessful tenderer should be refunded immediately on the expiry of the period of validity of tenders or on the entrustment of the work successful tenderer, whichever is earlier.

Decision of the Govt.

The recommendation is accepted.

The recommendation is accepted.

The recommendation is accepted.

Advances to the contractors, for the acquisition of new machinery required for the works, upto 75 per cent of their cost and limited to 10 per cent of the contract value for works valued upto Rs. 10.00 lakhs each, and 6 per cent of the contract value for works costing more than 10.00 lakhs each, should be given by the Government, if asked for and this condition clearly indicated in the tender documents. Interest at the prevailing commercial bank rate should be recovered from the contractor on such advances. Alternatively, the Government may procure the machinery required for the works by the contractor, and sell the same to the contractors on the usual hire purchase terms. The condition governing the advances and of the sale of machinery to contractors on hire purchase should be clearly specified in the tender schedules.

The recommendation is accepted.

A new class of contractors (Class IV), in addition to the existing four classes should be introduced for undertaking works costing between Rs. 25-0 lakhs and Rs. 50,000, with a solvency of Rs. 25,000. The existing Class IV may be re-named as Class V.

Recommendations of the Committee

The earth work items in the P.W.D. Projects should be put to tender on the basis of the actual classification of the soils and the basic rates and not on the "Through Rate" basis. Classification of soils may be broadly under four categories :

1. Hard rock
2. Hard disintegrated rock
3. Fissured and fractured rock
4. All other soils including Disintegrated Rock.

In canal excavations trial trenches to the fall section of the canal down to the level of rock, if any, should be got opened but at intervals of 33 meters and the estimate prepared on the basis of soils met with. The method should be followed for all canal excavation works let out from June, 1977 onwards.

A smaller Committee consisting of the Chief Engineer (M1&G1) and the Chief Engineer (R&B&Admn.) instead of the entire Committee of Chief Engineers may decide the annual S.S.Rs. If the Committee proposes to reduce rate of any item in any circle it shall be approved by the full Board of Chief Engineers.

The monetary limit of Rs. 1.00 lakh for publication of tender notices in newspapers may be raised to Rs. 5.00 lakhs-

The officer inviting tender may be permitted to send the tender notices for publication directly to prominent newspapers.

For works costing over Rs. 1.00 lakh and upto Rs. 5.00 lakhs a minimum advance notice of three weeks for receipt of tenders from the date of first publication may be prescribed,

All tenders which are beyond the powers of Chief Engineers for acceptances may be finally decided without references by Govt. by a tender committee which may be constituted with— (1) the concerned Chief Engineer, (2) another Chief Engineer to be nominated by the Govt., and (3) the Secretary, Fin & Pig/the F.A. (Projects) or his nominee, as the case may be. The Committee meet once in a fortnight.

Decision of the
Govt,

The recommendation is
accepted.

The recommendation is accepted.

The recommendation is accepted.

The recommendation is accepted.

The recommendation is accepted.

The recommendation is accepted.

Recommendations of the Committee

Once a work is administratively sanctioned by Govt. and the estimate there for is technically sanctioned by the competent authority and a contract is concluded for the execution of the work, no work should be stopped or slow down (rare emergencies excepted) or payment to contractors withheld or delayed, even if there is need for a revised estimate to be sanctioned by the Govt. Such payments should however, be subject to the existence of adequate budget provision within the relevant head of account. When the expenditure on a work is likely to exceed 10% over the contract value of the work (in the case of premium tenders) the Chief Engineer should inform the Government of the approximate extra commitment involved and also follow with a revised estimate as early as possible. If, however, only a part of the work covered by the estimate has been entrusted on contract at premium rates, this 10% referred to above should be over the total value of the work, comprising the contract amount for the portion or portions already entrusted plus the total estimated value of the items not yet entrusted or utilized. The instructions issued in Govt. Memo.No. 3088/P.2/75-3, Irrigation and Power (Projects Wing), Dt. 19-12-1975 may be modified to the effect that the Chief Engineers may provisionally sanction the revised estimates and submit them to Govt. for regular sanction before the final payment for the work is made. The Memo as modified may be retained on permanent basis and made applicable to all branches of Public Works Department.

For works costing over Rs. 50.00 lakhs each and taking more than 18 months for completion, a price escalation clause may be incorporated in the tender schedules and there by in agreements providing for both increase and decrease in the prices of materials and labor. In case prices come down, the Department will be entitled for a contractor. The clause may be on the pattern prescribed in the report of the working group set up by the Planning Commission to prepare a Standard Contract Form- The Committee of Chief Engineers may be entrusted with the work of suggesting the nature, scope and wording of the price escalation clause.

At present there are two systems of Audit and Accounts in the Major Irrigation Projects of the State, viz., with the

Decision of the Govt.

When the recommendation is accepted subject to the modification that when the expenditure on a work is likely to exceed the amount of contract by such excess as can be sanctioned by the appropriate authority or the technical sanctioning authority, the Executive Engineer, Supdtg. Engineer, Chief Engineer, as the case may be, should inform the authority competent to sanction the revised estimate, the approximate extra Commitment involved and follow up with a revised estimate as early as possible.

O.Ms.No. 292, Tr. R&B, Dt. 9-9-80)

When the recommendation is accepted, the Chief Engineer (MI & GI) should place the matter before the Committee of Chief Engineers to evolve a Standard Contract Form- The Committee of Chief Engineers may be entrusted with the work of suggesting the nature, scope and wording of the price escalation clause.

When the recommendation is accepted,

SL
Decisions of the
No.

Recommendations of the Committee

Govt

Director of Accounts and with the Deputy Chief Accounts Officer. The Director of Accounts works under the administrative control of the Chief Engineer of the Project, while the Deputy Chief Accounts Officer works under the Financial Adviser (Projects) and is independent of the Chief Engineer of the Project. It is desirable that only one pattern of Audit and Accounts Wing i.e. either with the Director of Accounts Wing i.e., either with the Director of Accounts or with the Deputy Chief Accounts Officer, should be adopted in all Irrigation Projects. The Government may decide on the new set up of the Audit and Accounts Wing of Projects in consultation with the Project Administrator.

13. Minor Irrigation Schemes which are within the powers of The recommendation administrative approval of the Chief Engineer (MI) may is accepted be cleared by the Collector of the District in which the work lies and reference to the Board of Revenue may be dispensed with. Schemes which are to be administratively approved by the Government may be referred to the Board of Revenue for its clearance before sanction.

Revised/Working Estimates sanctioned by the EEs - Passing of excess expenditure over original technical sanctions in excess of powers delegated in G.O. Ms. No. 1007. TR&B Dept., Dt. 5.11.76 - Certain clarification - Regarding.

(Memo. No. JDWA/W&P/VJA/T.T.aF.33(E)/2002~03/593. Office of the J.D., Works Accounts, fVorks & Projects, Vijayawada, Dt. 14-2-2003}

Ref. :—Note No. PAO/W&P/ELR/SN.I/F.89/2002-03/144, Dt. 24-1-2002.

Order :—The contention of Pay & Accounts Officer regarding sanction revised estimates by the departmental officers as per the codal rules and also as per the orders issued by the Government from time to time is in order. The order of Government are very clear and the revised technical sanction to the original estimates up to 5%, 10% and 15% by the Executive Engineer, Superintending Engineer and Chief Engineer respectively can be accorded after deducting tender premium.

The contention of departmental officers regarding sanction of revised estimates to the extent of their original technical sanction of works duly taking shelter under para 429(a)(i) of 'D' Code is not correct.

The above para does not speak of empowering the departmental officers to sanction revised estimates beyond their normal powers i.e. 5%, 10%, and 15% for the Executive

Engineer, Superintending Engineer and Chief Engineer respectively. As such this fact may be brought to the notice of departmental officers for guidance.

It is also specified in Para 418(d) of 'D' Code the powers delegated to the departmental officers for the repair works also same powers as under original work and finally the excess expenditure should be regulated within the limits of their powers delegated in G.O.Ms. No. 1007, TR & B Dt. 5-11-76 only. The Pay & Accounts Officer is directed to follow the instructions issued in this Office End. No. DAO CERP VJA N.C.H.F.3.1 V 93-94 1224. Dt. 4-10-93 without any deviation.

JOINT DIRECTOR OF WORKS ACCOUNTS

WORKS & PROJECTS

VIJAYAWADA.

Delegation of Powers to Chief Engineers under the administrative control of Major Projects Department to sanction estimates/Revised estimates where increase in estimates is only due to change in Standard Schedule of Rates - Orders - Issued.

[G.O.Ms.No. 280, Major Projects Department, Dt. 7-7-1977]

Order:—In order to avoid delays in sanction of estimates, the Government hereby delegate powers to the Chief Engineers under the administrative control of Major Projects Department to sanction the estimates/Revised estimates for the works where the increase in the estimates is only due to change in the Standard Schedule of rates, provided that (i) the excess is only on account of increase in the Standard Schedule of rates and (ii) the earlier estimate was based on a detailed estimate instead of on L.S. provision.

Delegation of powers to accord Technical sanction and check measures - Powers of Asst. Engineers and Integrated Tribal Development Agencies/ Girjan Development Agencies - Orders - Issued.

[G.O.Ms.No. 279. Social Welfare (D) Dept., Dt. 12-7-1977]

Ref :— 1. From the Project Officer, Integrated Tribal Development Agency, Paderu, Lr.No. 339/76B, Dt. 9-8-1976.

2. From the Director of Tribal Welfare, Lr-No, 11081/12/76, Dt. 3-9-1976.

3. From the Project officer. Integrated Tribal Development Agency, Paderu, Lr.No.339/76, Dt. 27-9-1976.

Order :—The Project Officer, Integrated Tribal Development Agency, Visakhapatnam District reported that the Governing body of the Integrated Tribal Development Agency, Visakhapatnam resolved to empower the Asst. Engineer, Integrated Tribal Development Agency to accord technical sanction and check-measure minor Irrigation and other construction works upto a limit of Rs. 20,000/- as Asst. Engineers in the Panchayatraj Engineering service are already vested with similar powers and requested Government to

delegate more powers to Asst. Engineers of Integrated Tribal Development Agency, Paderu, Visakhapatnam District. The Director of Tribal Welfare recommended proposal of Project Officer, Integrated Tribal Development Agency, Paderu to facilitate quicker execution of works.

2- Government have carefully examined the proposals and decided to adopt it. They accordingly direct that the Asst. Engineers of Integrated Tribal Development Agencies of Paderu (Visakhapatnam) East Godavari, West Godavari, Khammam, Wan-angal and Adilabad and Girijan Development Agency, Srikakulam shall have the power and authority to accord technical sanction and check measure minor irrigation and other construction works up to a limit of Rs.20, 000/- (Rupees twenty thousand only) in each case.

Delegation of enhanced powers to the Officers of Roads and Buildings Department - Sanctioned.

(G.O.Ms.No. 589. Transport, Roads and Buildings (CI) Dept., Dt. 31-8-1977)

Ref.:— 1. From the C.E. (R&B&Admn.) D.O.Lr.No. 99468/Ser.V(l)77, Dt. 8-2-1977.

2. From the C.E. (R&B&Admn.) Lr.No. 13717/GS.5/77, Dt. 3-6-77.

3. From the C.E. (R&B&AdmTin-)Lr.No. 58230/Ser.V(l)5/77, Dt. 8-7-1977.

4. From the C.E. (R&B&Admn.) Lr.No. 58230/Ser.V(l)77, Dt. 1-8-1977.

Order:—The Committee constituted by the Government in the Finance and Planning Department for making recommendations for larger delegation of powers to all Heads of Departments under the provisions of A.P.F.C., F.R., etc., has made recommendations for delegation of powers to Heads of Departments other than those under the Transport, Roads and Buildings Department. Enhanced powers have been delegated in G.O.Ms.No. 1007, TR&B, Dt. 5-11-1976 in respect of a number of items to the officers of Roads and Buildings, Irrigation and Power and the Major Projects Departments in general in respect of specific items has recommended delegation of financial powers to Heads of Departments in respect of a few genera) items. The Chief Engineers (Roads and Buildings and Administration) who has been asked to submit proposals for delegation of powers on these items to the Chief Engineers as also to the subordinate officers, submitted proposals for delegation of powers to the Chief Engineer (Roads and Buildings and Administrative) in respect of the following items not covered in G.O.Ms.No. 1007, TR&B, Dt. 5-11-1967. He has, however, proposed delegation of powers to the Superintending Engineers and Executive Engineers for sanction of rents for private buildings hired for office accommodation.

- (1) Purchase of furniture.
- (2) Purchase of crockery, cutlery and utensils for Inspection Bungalows.
- (3) Sanction of rents for private buildings.
- (4) Maintenance and repairs to vehicles.
- (5) Expenditure on exhibition.
- (6) Light refreshments.
- (7) Legal Assistance.

The Government sanctions the delegation of financial powers to the Officers of Roads and Buildings Department as detailed in the annexure to this order. Orders in respect of item 4 above have already been issued in G.O.Ms.No. 482, TR&B, Dt. 5-7-1977.

The Chief Engineer (Roads & Buildings & Administration) is requested to suggest amendments to Codes wherever necessary.

ANNEXURE

St. N	Nature of powers	Powers of Chief Engineer-existing (2)	Powers Megated W
1.	Purchase of Furniture	Rs. 2,000/- for Steel furniture Rs. 10,000/- for non-steel furniture.	(i) Steel furniture be sanctioned only for offi-
		Subject to Budget provision (G.O.Ms.No. 1508, PWD, Dt. 22-9-1967)	
		(ii) New purchases to be made against the first sanction of ihc scheme-Replacement to be made after serving for the full life span of 5-7 years in the case of wooden furniture and 12-15 years in the case of steel furniture and subject to availability of specified provision in the Budget of the Department.	
		(iii) Subject to the scale prescribed.	
		(iv) Expenditure should be met from office contingencies.	
		First purchase with the Scheme. Replacement after satisfactory completion of life span of two years in the case of Crockery and Cutlery and 5-7 years in the case steel and other utenciis	
	Increase of crockery, cutlery and utensils for inspection bungalows	No powers	

W	(2)	(3)	W
			allowing 20 per cent breakage in the case of Crockery and Cutlery,
3. Expenditure on Exhibition	Upto Rs, 3,000/- (Govt. Memo, No: 4299/L&C/76-3, Ind. &Com., Ot. 10-11-1976).		Upto Rs. 1,000/- subject to availability of budget provision.
4. Light Refreshments	No powers		Up to Rs, 1,000/- per annum for Chief Engineer's Office and Rs.25/- each for regional offices subject to observance of general instructions issued by the Government from time to time,
5. Legal Assistance	(i) Expenditure in respect of incidental charges such as purchase of stamps, payment for copies etc., connected with law suits can be incurred by Heads of Depts. from their budget provision without reference to Government. (ii) The Heads of Depts.- can sanction fees to Govt. Pleaders in all Law suits including Suit Appeals, Writ Petitions, Writ Appeals and C.M. Ps., C.R.Ps., and C.M. as arising in writ petition and writ appeals where Govt, are not implcaded i.e., where only Heads of Depts. or other subordinate Govt. Officers, are impleaded. In other cases, sanction of the Govt. is necessary. However, this delegation does not apply to the payment of special fee, (iii) Costs decreed against Govt. : The Heads of Depts. can incur expenditure without prior sanction of the Govt. only if there is sufficient provision in the Budget. In case of no provision exists in Depts. budget, such expenditure should be incurred only after obtaining necessary supplementary grant from the legislature and if it cannot wait till such time, it can be incurred after sanction of an advance by Government from the contingency		The existing powers are continued. The amount of Lawyers fee should be as per the scale prescribed under the rules,

W

(3) W

fund pending the vote of Legislature for supplementary grant. [G.O.Ms, No. 31, Fin. (Accts.) Dept., Dt. 5-2-196 and Govt. Memo. No. 27320/122/Accts-/67-I, Dt, 12.2-1968].

Sanction of rents

Chief Engineers-Can sanction rent for private Buildings hired for office accommodation upto Rs, 500/- P.M. subject to the obtaining of certificate of reasonableness of rent.

Superintending Engineers-For Executive Engineers Office up to Rs. 300/- and for s.d.os, office up to Rs. 150/- P.M. for S.O's. Office up to Rs, 30/- P.M. provided the instructions for obtaining certificate of reasonableness of rent are followed.

Chief Engineers
Up to Rs. 1,500/-

- (1) Rs. 500/- S.Es./P.M. for E.E. Office.
- (2) Rs. 300/- P.M. for S.D.O's. Office.
- (3) Rs, 75/- P.M, for S.O's Office.

Executive Engineers—For SDO's Office up to Rs. 100/- P.M. and for S.O's. Office up to Rs. 20/- P.M. provided the instructions for obtaining certificate of reasonableness of rent are followed. (Paras 240—A and 241 of APW 'D' Code. Enhanced in G.O.Ms.No. 548, PWD, Dt. 30-3-1970).

Executive Engineers—
1. Rs. 200/-P.M. for SDO's Office.
2. Rs. 50/- P.M. for S.O's. Office,

Exercise of the above powers delegated is subject to the following conditions :

- (1) The accommodation should be according to the scale prescribed.
- (2) Reasonableness of rent certificate should be obtained,
- (3) Availability of budget provision.

Delegation of powers to Chief Engineers to sanction estimates/Revised estimates where increase in estimates is only due to change in S.S.Rs. Orders - Issued - Certain clarification sought for - Reg.

[Memo.No. 3293-NSP. 1/77-3, Major Projects Department, Dt. 7-12-1977]

Ref.:— (1) G.O.Ms.No. 2SO, M.P. Dept, Dt. 7-7-77.

(2) From the Chief Engineer, Pochampad Project, Lr.No .B4/5788/75-44(Vol.2),
Dt. 1-9-1977.

Order:—With reference to the letter second cited, the Chief Engineer, Pochampad Project is informed that the powers now extended in the G.O. first cited are to permit the Chief Engineers to revise already sanctioned estimates, if the revision involved is only on account of increase in schedule of rates, and this revised sanction can be given by the Chief Engineers even if, the percentage excess is more than 10% over the original sanction.

2. The Chief Engineer is also informed that the G.O. in question is applicable mainly to the revision of the estimates (works) which have not been put the tender and work started. In these cases, if, the excess over the estimate is due to increase in S.S.Rs, the Chief Engineers can revise the estimates irrespective of the percentage excess over the -original estimates.

3. The revised estimates for the works which have been put on the ground, have to be prepared with reference to the agreement rates in respect of the work done by the contractors and the S-S.Rs. of the period for the balance works and the total excess over ; the original estimates will be entirely not due to increase of S.S. Rs. only. The G.O. in Question, therefore, cannot be made applicable in these cases. Hence, in such cases, the normal procedure should be followed, and the powers of the Department Officers for according administrative approval.

Toning up of Administration - Larger delegation of financial powers Heads of Departments - Delegation of Powers to the Chief Engineer] (Panchayat Raj) Hyderabad - Orders Issued,
[G.O.Ms.No. 1270, Panchayat Raj (Progs. VSII) Department, Dt. 7-12-1977}

Ref.:— 1. O.O.Ms.No. 380, Finance, DL, 1S-12-1975.

2. UO.Note No. 73! 97-0/Spf775, DL- 15-7-76.

3. From the Chief Engineer (Panchayat Raj) Hyderabad. D.O.
Lr.No.2642/T8/7fi (97),Dt, 19-8-1977.

Order:—The Report submitted by the Committee constituted in the G.O-1st cite* for delegation of larger financial powers to the Heads of Departments has been approved by the Government.

2. The question of delegating certain powers to the Officers of the Panchayat Raj Engineering Department was considered and the Government hereby delegate the power to the Chief Engineer, Panchayat Raj. to sanction maintenance charges and repairs charge to Motor Vehicles, (ie) Jeeps and Station Wagons upto Rs. 4,000/- per vehicle per annum including replacement of tyres and lubes and in respect of heavy vehicles upto Rs. 8,000/- per annum. The limits are exclusive of propulsion charges.

3. The above limits apply to the annual expenditure on both ordinary and special repairs.

4. As the survey vans also come under the category of light inspection vehicle the limit of Rs. 4,000/- referred to in Para 2 above will apply to the expenditure on repairs to such vehicles.

Delegation of Powers to the Chief Engineer for purchase of small items of machinery not exceeding Rs. 25,000/- for each item and subject to a ceiling of Rs. 1,00,000/- per year - Orders - Issued.

[Memo.No. 80-M& E2/78-3. Irrigation and Power (Projects Wing) Dept., Dt. 18-5-78]

Ref. — 1. G.O.Ms.No. 1007, TR & B Depl., Dt. 5-11-'76.

2. Govt.Memo.No. 3707-M&E2/77-3, Dt. 15-10-77.

3. From the Chief Engineer, N'Sagar left Canals, Lr.No. 3352/77, Dt. 9-1 -'78. In partial modification of the orders issued in Govt. Memo second cited, the Chief Engineers under the administrative control of Projects Wing of Irrigation & Power Dept. are authorized to make purchases of small items of machinery without reference to screening committee subject to the condition that the cost of each item of machinery so purchased shall not exceed Rs.25, 000/- subject to cover all purchases in a year being limited to Rs.1, 00,000/-

Powers delegated to Chief Engineers and Superintending Engineers for purchase of Tools and Plant - Amendments - Issued.

[Memo.No. 2189-C1/77-6. Transport. Roads & Buildings (CI) Dept.. Dt. 22-5-1978]

Ref.:— 1. G.O.Ms.No. 1007, TR&B.Dt. 5-11-1976.

2. From the C.E.NS- Left Canals, Lr-No. 3180/77, Dt. 25-5-1977.

In G.O-Ms.No. 1007, TR&B, Dt. 5-11-1976 orders have been issued, among other things, delegating powers to the Chief Engineers under the Transport, Roads and Buildings and the Irrigation and Power Departments including the Major Projects Departments to sanction estimates for purchase by Tools and Plant subject to the limit of budget allotment and clearance by the screening committee. It has also been ordered that the screening committee will assess and decide on the actual need for purchase of Tools and Plant.

The Chief Engineer, Nagaijunasagar Left Canals has pointed out that as per G.O.Ms.No. 1007, TR&B, Dt. 5-11-1976 the Chief Engineers are vested with full powers for according administrative approval for purchase of machinery and that the question of screening committee according administrative approval against should not arise. According to him the screening committee should only go into the question of availability of machinery in the State as a whole and not examine the need for the machinery for a particular project.

The Government considers that there is need for screening by a committee at Government level in the view of the availability of huge idle machinery in the projects. However, for purchase of light machinery excluding heavy earth moving equipment upto a limit of Rs.25, 000/- the screening committee need not give clearance regarding the need for the machinery. The limit relates to each purchase order and not to each item of machinery. The screening committee shall only consider the proposals with reference to availability or otherwise of such machinery in other projects/divisions in the State and, after such a clearance is given by the screening committee, the Chief Engineers shall have full powers for according administrative approval subject, of course, to the availability of budget provision. Even where estimates are sanctioned by the Superintending Engineers purchase a light machinery upto Rs. 25,000/- in terms of the above relaxation shall however be made only on specific authorization by the Chief Engineer concerned.

2. The Government have examined the proposal and sanction enhanced powers to the Chief Engineer (R&B) for according administrative approval to estimates for improvements to residential buildings upto a limit of Rs. 10,000/- only subject to the condition that the standard rent of the building, after improvements shall not exceed 10 per cent of the basis pay of the class of tenants for when the building is intended,

Delegation of powers to the Chief Engineer (R & B) to permit the Executive Engineer (R & B) to transport cement by road instead of by rail upto distance of 250 KMS - Orders - Issued.

[G.O.Ms.No. 382, Transport, Roads & Buildings (R.) Department, Dt. 23-9-1978]

Ref.:— 1. G.O.Ms.No- I173,T.R&B(Rds.!(2)Department,Dt,30-10-75.

2. From the C.E. (R & B) Lr. No, TAB/JE 13/Cement/Gi/78, Dt. 31-7-78.

3. From the C.E. (R&B) Lr.No.TA8/JE 13/Cement/Gi/78,Dt. 18-8-78.

Order :—In the circumstances reported by the Chief Engineer (R & B) in his letters second and third cited, the Government empower the Chief Engineer (R & B) for permitting consignees to transport cement by road instead of by rail covering a distance of not more than 250 KMS subject to the 3 stipulations already envisaged in the Government order first read above and also subject to the condition that the rates for transporting cement by road as fixed by the Industries & Commerce Department in G.O.Ms.No. 689, dated 6-7-74 and G.O.Ms.No. 36, dated 17-2-76, should be adopted by the Roads & Buildings Department and that the Chief Engineer (R & B) should pay the transportation charges at those rates only.

Powers of Chief Engineers, R&B and Irrigation - Provisional sanction to revised estimates - Clarification.

[Memo. No. 3S5/Ci/78-7, Transport, Roads & Buildings (CI) Depf.. Dt. 10-1-79]

Ref.:— 1. G.O.Ms.No. 1007, T,RAB, Dt. 5-11-76.

2. Memo- No. S37/C1/77-2, T.R&B (CI) Dept., Dt- 6-9-77.

3. From the C.E. (MI & Gpl.) Lr. No. OT 5/58/227766/75, Dt. 30-11-77.

The Chief Engineers seem to be under the impression vide the minutes of the meeting of the Committee of Chief Engineers, dated 29-10-77, that they can accord provisional sanction to Revised Phase Estimate of a Project/Scheme as a whole with reference to item 10 of Annexure 11 of G.O.Ms.No. 1007, T.R&B, Department, dated 5-11-76 and expressed the view that the said powers have been curtailed in Government Memo.No. 837/C1/77-2, dated 6-9-77 striking the very root of the delegation of powers under item 10 BID. These views are carefully examined by the Government and found to be not in order as stated below.

2. Orders were issued in Govt. Memo.No. 308S/PP2/75-3/7/I&P (PW) Department, Dt. 19-12-75 as a temporary measure to the effect that the final bills of contractors of Nagariuna Sagar/Pochampad and Sicilian Projects, which- are otherwise in order but

Cannot be paid only because the formality of sanction of Revised Estimate by Government is not there, may thereafter be paid, subject to its being certified that the Revised Estimate which covers the payment of the bill in question, has been submitted to Government for sanction. These powers, with as light modification to the effect that the Chief Engineers may provisionally sanction the Revised Estimates and submit them to Government for regular sanction before the final payment is made, have been formalized and given a permanent berth at item 10 of Annexure II of G.O.Ms-No. 1007, T.R&B Department, dated 5-11-76. The pith and substance of item 10 of Annexure II to Government order *ibid* is that, apart from the above, the Chief Engineer should initiate action to formulate the Revised Estimate when the expenditure is likely to exceed 10% over the contract value of the work and he should promptly inform the Government of the approximate excess and then follow with a Revised Estimate. That is to say, the item 10 *ibid* only emphasizes the need to formulate the Revised Estimate in time (as per rules laid down in the codes) without waiting till the completion of the work till the payment of final bill.

3. The term 'contract value of the work' referred to therein is indicative of the fact that Revised Estimate contemplated therein applies to individual component of work of a scheme but not the scheme/project as a whole. It is only for payment of final bills; the Chief Engineers can accord provisional sanction to the Revised Estimate of a work and then submit it to Government for regular sanction. The intention of the Government in delegating the said powers is that some son of sanction should be available in the hands of the paying authority at the time of final payment for a work.

• 4. In view of the above, it is considered that any amendment to Govt. Memo.No. 837/C1/77, dated 6-9-77, as desired by the Committee of Chief Engineers is not necessary. The Chief Engineers are, therefore, requested to follow scrupulously the instructions issued in G.O.Ms.No. 1007, T-R.&B. Dept., dated 5-11-76, as clarified in Govt- Memo.No. 837/ C1/77, dated 6-9-77.

Purchase of Periodicals and News papers - Powers to Superintending Engineers and Executive Engineers working under the Administrative Control of Irrigation & Power (P.W.) Department - Orders - Issued.

[Memo.No. 2401-P7B, H/78'4. Irrigation & Power(Projects Wing) Dept., Dt. 20-1-1979]

Kef. — 1. O.O.Ms.No. 189-Mp. Department, Dt. 25-4-1977.

2. Govt.Memo.No. 2684pp2/77-3, Dt. 30-1-1978.

3. From the C.E.Ns.Rt. Canals, Letter No.26182/D3/77-5,Dt. 30-12-1977-

4. From the C.E., Project, LetterNo.GSP/Misc.78, Dt. 16-3-1978.

5. From the C.E., N.S-Lt. Bank Canals, Letter No.43 02/7 8(B)/4, Dt. 20-4-1978.

6. From the C, E, Srisailem Project, Letter No.G 5/7 800/77/7 8-1, Dt. 25-5-1978.

7. From the C.E.(M), Letter C/3 5 44/7 8, Dt. 26-7-1978.

In partial modification of the orders issued in G.O.Ms.No.189, Major Projects Departments, dated 25-4-1977, read with Memo.No. 2684-pp2/77-3, dated 30-1-1978 the Government permit all Superintending Engineers and Executive Engineers working under

the Administrative control of Irrigation and Power (P.W.) Department to exercise monetary powers delegated therein for purchase of periodicals (i.e.. Superintending Engineers upto Rs, 500/-P.A. and Executive Engineers upto Rs, 200/- P.A.) subject to the condition that the purchases should be limited either to one English daily or one daily in the regional language or both within the above monetary limits.

2. The Government consider that there is no need for the purchase of technical journals by each officer and that it would be sufficient if the Chief Engineer, Major Irrigation and General arranges a Central dissemination centre to make copies of useful articles and send them to the concerned. The Chief Engineer, Major Irrigation and General should take necessary action in this regard.

3. The Chief Engineers shall exercise the powers delegated to them as Heads of Departments as contained in Appendix 7 of A.P.F.C. Vol. II as amended from time to time.

4. The orders issued in G.O.Ms.No. 189, dated 25-4-1977 and Memo.No, 2684 PP2/77-3, dated 30-1-1978 are deemed to have been modified to extent indicated above, & from the date of issue of this memo.

Advance Payment - Delegation of Powers to all the Chief Engineers of Irrigation under the administrative control of Irrigation & Power Department to make advance payment to railways for execution of Government work - Orders - Issued.

[G.O.Ms.No. 96, Irrigation & Power (Irr. V) Department, Dt. 26-2-1979] Ref.

:—]. G.O.Ms.No. 444, In- & Power (PW) Department, Dt. 26-10-1977.

2. From the Chief Engineer, Major Irrigation & General, Lr.No. FI/86660/78-1, Dt. 24-10-1978.

Order:—In the circumstances reported by the Chief Engineer, Major Irrigation & General, Hyderabad in his letter 2nd read above. Government direct that on the analogy of the orders issued by the Irrigation & Power (P.W.) Department, in the G.O. first cited, delegating powers to the Chief Engineers under their administrative control, the Government hereby delegate powers to the Chief Engineer (Irrigation) under the administrative control of Irrigation & Power Department, to make advance payment to railways for the execution of Government works, subject to the condition that the payments are made on the basis of the provisions existing in the sanctioned estimates for the respective works. Such advance payments should be within the provisions existing in the sanctioned budgets of the respective years—

Iron and Steel materials - Purchase by Roads and Buildings Department from main producers' Stockyards - 100 per cent advance payment to M/s. Hindustan Steel, Tata Iron & Steel Company, Indian Iron & Steel Company and M/s. Andhra Pradesh Steels Limited - Permitted - Orders - Issued.

[G.O.Ms.No. 539, Transport, Roads & Buildings (CI) Department, Dt. 27-6-1979]

- Ref.:— 1. From the Chief Engineer (R&B)Lr.No.T 15/TA3/ST/1421/74, Dt. 2-3-76.
2. From the Chief Engineer(R&B)Lr-No.T15/TAII[ST/1421/74,Dt. 16-8-78.
3. From the Chief Engineer (R&B) Lr.No.26062/T 15 Ta (3)76, Dt, 23-10-78.
4. From the Acctt.-GenI, Andhra Pradesh, Ll.No.WMC/15-386/74, Dt. 30-10-78.

Order :—In above cited letters the Chief Engineer (R&B) has proposed that the Executive Engineer (R&B) may be allowed to make advance payment at 100 per cent in respect of purchase of Iron and Steel materials from M/s.Hindustan Steel Limited and the Tata Iron & Steel Company, as they are insisting on 100 per cent advance payment. In the letter, dated 2-3-76 the Chief Engineer (R&B) has proposed that payment of 100 per cent advance to other firms also may be allowed, wherever necessary. He has also reported that a number of private firms are coming forward to supply the requirements of number of private firms are coming forward to supply the requirements of Iron and Steel materials at less than stock-yard prices. He has, therefore, proposal that purchases from such private firms besides the Andhra Pradesh Small Scale Industrial Development Corporation may be allowed.

2. The Government have examined the proposals and issues the following orders;

(1) Advance payment at 100% of the amounts demanded in profonna invoices is permitted on the basis of despatch documents in respect of purchases of Iron and Steel materials from:

- (a) M/s. Hindustan Steel Limited;
- (b) M/s. Tata Iron and Steel Limited;
- (c) M/s. Indian Iron and Steel Company; sad
- (d) M/s. Andhra Pradesh Steels Limited.

Provided the purchase order forms prescribed in G.O.Ms.No. 603, TR&B, dated 20-7-76 are adopted. The undertaking prescribed, under item (21) of the terms and conditions therein shall form an integral part of the agreement.

(2) 100 percent advance payment to other smaller private firms as proposed in the Chief Engineer's (R&B) letter first read above is not acceptable to the Government.

(3) Purchase of Iron and Steel materials from Stockyards of main producers the Smalt Scale Industrial Development Corporation may be made following the normal procedure in case of materials are not available with the Andhra Pradesh Steel Limited.

Private Buildings rented for public purposes - Delegation of Powers to the Commissioner of Excise, Collectors and Deputy Commissioner of Excise - Orders - Issued.

[G.O.Afs.No. 649. Transport, Roads & Buildings. (B&I-I) Dept., Dt. 25-10-1979] Ref. :—• 1.

G.O.Ms.No. 767, PWD., Dt, 2-7-1975.

- 2. From the Commissioner of Excise, Hyderabad, Letter No.30965/Excise/78-02, Dt. 20-2-79.

Order:—In the reference first cited, orders were issued empowering the Board of Revenue, to sanction rents to the private buildings rented for public purposes upto Rs.750/- per month for three years in each case and upto Rs.125/- per month permanently and to the Collectors, Deputy Commissioners of Excise upto Rs.250/- per month for three years in each case subject to following the normal procedure regarding the fixation of rent by P.W.D. officials.

2. The Commissioner of Excise has now brought to the notice of the Government certain difficulties with regard to increase of the rent of the building during the last four years which have cropped up and in order to tide over the difficulties, the Commissioner of Excise has recommended that enhanced powers may be delegated to Commissioner of Excise, Collectors and Deputy Commissioner of Excise.

3. The Government after careful consideration and in supersession of the orders issued in G-0. first cited, accord enhanced powers to the Commissioner of Excise to sanction rent to the private building rented for public purpose upto Rs.1,000/- per month and to Collectors and Deputy Commissioner of Excise upto Rs.500/- per month without limitation of time subject to obtaining the reasonable rent certificate from the Executive Engineer (R&B) for every three years.

4. Necessary Amendment to the Andhra Pradesh Financial Code, Volume U will be issued separately by the Finance and Planning (Exp. PWD) Department.

Technical sanctions to the approved Estimates of Port Department/ Delegation Estimates of Port Department of powers to Harbour Project Engineer - Orders - Issued.

[Memo.No. 1784/PI/79-9, Transport, Roads and Buildings Dept., Dt. 10-3-1980]

Ref.:— 1. G-O.Ms.No.1624, PWD.. Dt. 24-9-1970-

2. G.O.Ms.No. 824, R&RD(Fin. I), Dt. 28-11-1976. 3-

G.O.Ms.No. 824, F&RD(Fin, 1) Department, Dt. 28-11-71.

4. From the Director of State Ports, Lr.No.ID/DM 1/3 2/79, Dt. 24-5-79.

5. Government Memo-No. 1784/pl/79-l.TR&B, Dt. 21-8-79.

6. From the Director of State Ports. Letter No.ID/DMI/32/79, Dt. 7-9-1979.

Order :—In the circumstances stated by the Director of State Ports, the Government permits the Harbour Project Engineer who is empowered with full technical sanction powers to the Civil Engineering estimates in G.O. 2nd cited to accord technical sanctions to the estimates of the Port Department works also which are beyond the powers of Executive Engineers of Port Department besides the order issued in the G.O. first cited, so long as the Harbour Project Engineer continues in Port Department without detriment to the Fisheries Harbour Works.

2. The Government also ratify the action of the Director of State Ports in having arranged to get the technical sanctions accorded by the Harbour Project Engineer pending issue of orders in the matter in order to save delay and speedy execution of works.

Order:—In the reference first cited, orders were issued empowering the Board of Revenue, to sanction rents to the private buildings rented for public purposes upto Rs.750/- per month for three years in each case and upto Rs.125/- per month permanently and to the Collectors, Deputy Commissioners of Excise upto Rs.250/- per month for three years in each case subject to following the normal procedure regarding the fixation of rent by P.W.D. officials.

2. The Commissioner of Excise has now brought to the notice of the Government certain difficulties with regard to increase of the rent of the building during the last four years which have cropped up and in order to tide over the difficulties, the Commissioner of Excise has recommended that enhanced powers may be delegated to Commissioner of Excise, Collectors and Deputy Commissioner of Excise.

3. The Government after careful consideration and in supersession of the orders issued in G-0. first cited, accord enhanced powers to the Commissioner of Excise to sanction rent to the private building rented for public purpose upto Rs.1,000/- per month and to Collectors and Deputy Commissioner of Excise upto Rs.500/- per month without limitation of time subject to obtaining the reasonable rent certificate from the Executive Engineer (R&B) for every three years.

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5. Government Memo-No. 1784/pl/79-l.TR&B, Dt. 21-8-79.

6. From the Director of State Ports. Letter No.ID/DMI/32/79, Dt. 7-9-1979.

Order :—In the circumstances stated by the Director of State Ports, the Government permits the Harbour Project Engineer who is empowered with full technical sanction powers to the Civil Engineering estimates in G.O. 2nd cited to accord technical sanctions to the estimates of the Port Department works also which are beyond the powers of Executive Engineers of Port Department besides the order issued in the G.O. first cited, so long as the Harbour Project Engineer continues in Port Department without detriment to the Fisheries Harbour Works.

2. The Government also ratifies the action of the Director of State Ports in having arranged to get the technical sanctions accorded by the Harbour Project Engineer pending issue of orders in the matter in order to save delay and speedy execution of works.

Delegation of Powers to Chief Engineers to sanction estimates - Revised Estimates where increase in estimate is due to changes in S.S.Rs. -Delegation of powers to the Chief Engineers under the control of Irrigation & Power Department - Order - Issued.

[G.O-Ms.No. 157, Irrigation & Power (frr.V) Department, Dt. 7-5-1980]

Ref.:— 1. G.O-Ms-No. 280, Irrign- & Power(PW) Department, Dt. 7-7-1977.

2. Chief Engineer, Major Irrigation & General, Letter No, DR/W2/181/76, Dt. i 7-10-1977.
3. From the Chief Engineer, Major Irrigation & General, Lr.No.OT5/S2/28835/76, Dt. 8-2-1979.

Order:—The question of delegation of powers to Chief Engineers under the control of Irrigation & Power Department to sanction estimates/Revised Estimates where increase in estimates is only due to changes in S.S.Rs., has been under the consideration of the Government for some time past.

2. Government have delegated powers to the Chief Engineers under the administrative control of major Projects Department to sanction the estimates/Revised Estimates for the works where the increase in the estimate is only due to change in the Standard Schedule of rates, provided that (i) the excess is only on account of increase in the Standard Schedule of rates and (ii) the earlier estimate was based on a detailed estimate instead of an L.S. Provision,

3. The Chief Engineer, Major Irrigation and General has requested that Government to issue similar orders in respect of Chief Engineers under the control of Irrigation and Power Department.

4. The Government have carefully examined me proposal and consider that when the revised estimate goes up very much beyond the original estimate even though due to revision of Schedule of Rates, the authority which accorded administrative approval should have an opportunity to review the original approval accorded. The Government do not consider it expedient to delegate full powers in this regard to the Chief Engineers as it tends to deprive the Government from having a second look at the need for work when the estimates go up by a large margin whatever be the reasons thereof.

5. The Government after careful examination of the position, however direct that where excess over original detailed estimates becomes necessary wholly because of the revision of Schedule of Rates, the Chief Engineers under the control of Irrigation and Powers Department be delegated with enhanced powers to sanction such excess up to 35 per cent of the cost of the original estimate- The position however be reviewed after one year. The Chief Engineer (Major Irrigation) is requested to submit a report reviewing the working of these orders after one year.

Drawal of Amounts on Drawing Accounts during the period beyond the Sanction -
Delegation of powers to Heads of Departments - Further Instructions - Issued.

[G.O.Ms.No. 161, Finance & Plg.(Fin.Wins-A&J) Department. Dt. 19-5-1980]

Ref.— t. G-O.Ms.No. 158. Finance (Accts.)Dept.,Dt. 7-8-1967.

2. G-O.Ms.No. 189, Finance (Accls.) Dept., Dt- 25-6-1970.

3. G.O.Ms.No. 119, Finance and Pig. (Fin.Wing-Accts.), Dept Dt. 10-4-1980.
Order:—In the G.O, third read above orders were issued directing that when once the officers implementing the plan schemes are continued for the first quarter with reference to the orders issued in G.O-Ms.No. 189, Finance & Pig. (Fin-Wing-Ac cts.) Department, dated 25-6-1970 (second read above) they should automatically be allowed to operate on the drawing accounts for the first quarter of the financial during which period the sanction of Government will have to be obtained for such continuing plan schemes for the remaining period of the financial year.

2. In case the Officers continued as stated! in Para 1 above were operating on the drawing accounts of both plan and non-plan scheme the orders in the G.O. third read above will apply for non-plan schemes also except to the extent of any temporary staff under non-plan schemes also except to the extent of any temporary staff under non-plan which will be governed by paras 3 and 4 below.

3. In G.O.Ms.No. 158, Finance (Accts.) Department, dated 7-8-1967 powers have also been delegated to Heads of Departments for continuing non-plan schemes for one month beyond the date of sanction.

4. A clarification has been sought whether the orders issued in (he G.O.third read above apply for drawal of amounts on drawing accounts by the officers implementing the non-plan schemes and continued with reference to the G.O. first read above.

5. It is hereby ordered that wherever the officers are continued for one month with reference to G.O.Ms.No. 158, Finance (Accts.) Department, dated 7-8-1967 in respect of non-plan schemes they should also be allowed to operate on the drawing accounts for a period of one month beyond the date of sanction and they should obtain sanction of Government for continuing the scheme for the remaining period of financial year.

Delegation of Powers to the Superintending Engineer, Executive Engineers, under Irrigation & Power (Projects Wing) Department - Powers for purchase of Ammonia Paper and Blue Print articles.

[Memo. No. 62-Cod/81-4, Irrigation & Power (Projects Wing), Dept., Dt. 18-12-1981]

Ref.:— 1. G.O.Ms.No. 12,M.P.Dept.,date<f26-1-1978.

2. G.O.Ms.No. 114. !&P.(PW)Dept., dated 11-4-1978.

3. G.O.Ms.No. 41 S-I&P(PW) Dept., dated 29-11-1979.

4. From the Dy. Accoimlani General (Projecis)Lr.No.NSP/Coord/GI. I/1-97/849, Dt. 27-5-1980.

5. From the Chief Engineer, N.S. Right Canals, Lr. NQ.19313/C3/64, Dt. 21-7-1983,

6. From the Chief Engineer. S-R-S. Project, Lr.No. I(i)5188/79, Dt. 1-12.1980.

Order:—In his letter fourth cited the Dy. Accountant General (Projects) has pointed out that (i) as per the item 3 of the annexure to G.O.third cited. Superintending Engineers and Executive Engineers in Irrigation & Power (Projects Wing) Department are empowered to purchase Blue Print articles not supplied by Stationery Department upto Rs. 200/- Rs. 100/- at a time, respectively (ii) under the orders issued earlier in the G.O.second cited the Superintending Engineers/Executive Engineers under P.W.D. Projects Wing Department are authorised to purchase Ammonia Paper and Blue Print Articles upto Rs- 1,000/- and Rs. 500/- at a time, subject to an annual limit of Rs. 5,000/- and Rs. 2,500/- respectively- The Dy. Accountant General (Projects) enquired whether the orders in G.O.Ms-No. 418, dated 29-11-1979 are issued in supersession of the earlier orders of 1978 and if not, necessary modificatory orders may be issued to the G.O. third cited.

2. The Chief Engineer, N.S. Right Canals and the Chief Engineer, Sriramsagar Project have also reported that powers are actually being exercised with reference to the G.Os. of 1978 and requested the Government to delete the item 'Blue Print articles' from the Annexure to G.O.Ms.No-418, dated 29-11-1979.

3. The Government clarify that it was not intended in 1979 to reduce the powers already delegated in 1978. Accordingly the Government direct that item 3 of the Annexure II to G.O-Ms.No. 418-I&P, effect, so that the powers delegated in 1978 through the G.Os. first and second cited continue to be in force till they are further enhanced by the Government.

Delegation of enhanced powers to officers under the control of Irrigation & Power (Projects Wing) Department for purchase of Ammonia Paper and Blue Print articles - Orders - Issued.

[G.O.hfs.No. 490, Irrigation & Power (Projects Wing) Department, Dt. 18-12-/981}

Ref.:— 1. G,O.Ms.No,t2,M.P,Dept,DE-I6-l-78.

2. G.O.Ms.No. 114, I&P(PW).Dept,Dt, 11-4-78.

3. From the Chief Engineering, Sriramsagar Project, Lr.No. Hl/807/73-8, Dt. 11-8-1980.

4. From the Chief Engineer, N.S.Right Canals.Lr.No. 2726/78-83. Dt. 24-11-80.

Order :—In the G.O. first read above, the Government delegated to the Chief Engineers of Projects under the control of Irrigation & Power (Projects Wing) Department powers for the purchase of Ammonia Paper and Blue Print articles upto a value of Rs, 3,000/- at a time and a total limit of Rs, 15,000/- to the Chief Engineer per annum. In the G.O.second read above, the Government delegated to the Superintending Engineer and Executive Engineers of Projects under the control of Irrigation & Power (Projects Wing) Department powers for purchase of Ammonia paper and Blue print articles upto a value of Rs- 1,000/- and Rs. 500/- at a time, subject to the annual limit of Rs. 5,000/- and Rs. 2,500/- respectively.

2. In their letters third and fourth read above, the Chief Engineer, Sriramsagar Project and the Chief Engineer, N.S.Right Canals have brought to the notice of the

Government that the above mentioned monetary limits fixed in early 1978, have no relevance to the present day prices, there has been a steep raise in the cost of Ammonia Paper said Blue Print materials, and so the monetary limits have to be enhanced.

3. After careful consideration of the matter, the Government delegate from the date of this order, the following enhanced powers to the Chief Engineers/Superintending Engineers/Executive Engineers in-charge of projects under the control of Irrigation & Power (PW) Department for the purchase of Ammonia Paper and Blue Print articles :

Powers for purchase of Ammonia paper and Slue Print articles

Designation of the Oi

At a time

Annual limit for the off

Rs.
25,000/- (Rs. twenty five
10,000/- (Rs. ten thousand
only)
5,000/- (Rs- five thousand

Ref.:- I. G.O. Ms, No. 1007, T.R. & B., Dt. 5-11-1976.

- Ordtr ;—It has come to the notice that the Revised Estimates are being sanctioned by the Superintending Engineers beyond their powers and final bills are sent to the P.A.O. for payment- The Director of Accounts and P-A.Os. have taken objection on them and stopped passing the bills of the contractors resulting in an embarrassing situation. Though the powers delegated to the Departmental Officers are very specific in A.P.W.D.Code and Government orders for according sanctions to the estimates/Revised Estimates, the Superintending Engineers are violating them and sanctioning a number of revised estimates beyond their powers. Consequently the cases were referred to the Government for necessary ratification orders. The Government have viewed this issue seriously and requested that suitable general circular instructions may be issued to al! Chief Engineers while clarifying the position regarding powers delegated to Chief Engineers/Superintending Engineers/ Executive Engineers to sanction estimates/revised Estimates within the Codal provisions

and also the consequential action in case of failure to follow them strictly. The rule position on the subject, however, is discussed hereunder.

2. In the G.O. Ms- No. 1007, TR & B Dt. 5-11-1976, powers are delegated to the Departmental Officers to accord Technical sanction to the original estimates by Executive Engineer upto Rs. 1.00 lakhs. Superintending Engineer upto Rs. 10.00 lakhs, and Chief Engineers with full powers and also to pass excess expenditure over Technical Sanction upto 5%, 10% and 15% (subject to a limit of powers of Technical Sanction) to Executive Engineer, Superintending Engineer, and Chief Engineer respectively. It does not correct that the Revised Estimate can also be sanctioned without adhering to the percentage fixed to pass the excess over technical sanction.

3. For example, if an original estimate sanctioned by Superintending Engineer for Rs.7.00 lakhs, the Revised Estimate for Rs. 8.00 lakhs cannot be sanctioned by him, since the excess over original estimates is () 14.29% which is more than 10%. Though the amount of revised estimate is within Rs. 10.00 lakhs, the Superintending Engineer should submit the Revised Estimate to Chief Engineer for revised sanction, since it is less than 15% which is within the competency of Chief Engineer.

Similarly, an original estimate sanctioned by Executive Engineer, for Rs. 80,000/- cannot be revised by him for Rs- 90, 000/-.

2. It is also pointed out that though me part administrative approval is given by the Government for the scheme estimate, it is necessary that individual estimate is to be technically sanctioned by me competent authority strictly in accordance with the powers delegated in G.O.Ms- No. 47, litigation & Power (P.W) Department, Dt. 5-3-1980.

3. As per para 214 of the A.P.W.D. Code, a revised estimate must be submitted (when the expenditure is likely to exceed the amount of sanctioned estimate plus such excess as can be passed by the appropriate authority for any cause whatever other than Tender premium or when material developments or deviations necessitate revised administrative approval.

4. If revision to the estimate is required due to change in SS Rs. The Chief Engineer is competent to sanction such estimates upto 35% excess over original sanction, as per the G-0. Ms. No. 157, Irr. & Power (In-.V) Department, Dt. 7-5-1980. Though the amount of revised estimate is within the competency of Superintending Engineer/Executive Engineer, the revised estimate shall be submitted to the Chief Engineer for revised sanction.

5. Therefore, all the Departmental officers are requested to bring the above instructions to the notice of alt their subordinate officers and ensure that the sanction to the Estimates/Revised Estimates are accorded within the ambit of codal provisions and Government instructions issued from time to time strictly. Any deviation noticed will be viewed seriously and they shall be held responsible for die situation that is attracted to the consequences.

The receipt of this circular Memo may be acknowledged in me first instance.

Section No. 11

TENDERS

Speedy execution of Irrigation Projects - Delegation of enhanced power* to the Engineers - Orders - Issued.

(G.O. Ms. No. I, Irrigation and C.A.D. (P.W. : COD) Department Dt. 1-1-1988) Ref.

.—G.O. Ms. No. 234, G.A. (AR & T. Desk) Department, dated 3-6-1987.

Order:—Government have decided to complete a large number of ongoing Major, Medium and Minor Irrigation Projects/Schemes under a time bound action plan- For implementing the Action Plan, it is felt expedient to bring about certain changes in the existing practices as well as the powers of Engineers to carry out investigations, sanction of the estimates, process of the tenders and expeditious execution of works.

(a) To enhance the powers of the Executive Engineers and Superintending Engineers to accord technical sanction to plan works upto Rs. 40 lakhs and Rs- 100 lakhs respectively.

(b) To delegate the powers of Commissioner of Tenders to the concerned Chief Engineers to finalize tenders for Plan Works upto Rs. 100 lakhs,

(c) In order to curb intimidation in the filing of tenders and other malpractices the tender receiving authority should keep one set of tender boxes in the Office of the Superintendent of Police of concerned District in addition to the concerned Circle Office and the Office of the Engineer-in-Chief.

(d) In order to ensure speedy execution, proper inspection and quality control of the works, a district level committee with the Collector as the Chairman and the concerned Superintending Engineer as Member is authorised to hire private vehicles wherever necessary for use by the project engineers/land acquisition staff.

(e) In order to expedite the land acquisition proceedings, powers are delegated to the Collectors to approve Draft Notification and Draft Declaration and to publish the same in local newspapers and in the event of necessity engage the services of retired surveyors for preparation of land records on the guidelines and orders of the Government relating to deployment of retired Officers to force.

(f) The I & CAD Department is permitted to appoint suitable engineers as Project Administrators duly delegated with the powers upto the Chief Engineer's level, to ensure speedy execution of works of any projects or of a part thereof.

Publication of Tender Notices - Powers delegated to the Chief Engineers to exempt from publication of tender notices in the Tender Digest of A. P. in respect of works costing upto Rs. 10,000/-.

(G.O. Ms. No. 166. Irrigation & CAD (PW) Dept., Dt. 5-7-1988)

Ref. :— I. O.O. Ms. No. 362, Irrigation and Power (Irr. V) Dept., dated 12-8-1981.

2. From the Engineer-in-Chief Lr- No. P. Cell/43499/83 dated 16-6-1988.

3. From the Engineer-in-Chief Lr. No. P. Cell/43499/83 dated 6-4-1988.

Order :—In the Government order first read above orders were issued that tenders and tender notices in respect of all works costing Rs. 5,000/- and above in the Irrigation Department have to be published in a weekly journal, "Tender Digest of Andhra Pradesh",

2. In the reference second read above, the Engineer-in-Chief has requested to enhance the lowest limit of publication of tenders from Rs. 5,000/- to Rs. 10,000/-.

3. On this, a suggestion was made to the Engineer-in-Chief that instead of enhancing the limit from Rs- 5,000/- to Rs. 10,000/- in general, the concerned Chief Engineers may be empowered to give relaxation in respect of such of those works which are considered to be urgent and require exemption from the Publication in the "Tender Digest of Andhra Pradesh" in view of escalation of costs. The Engineer-in-Chief was requested to place the matter before the Board of Chief Engineers and obtain their considered views. The Engineer-in-Chief has reported that the Board of Chief Engineers have accepted the suggestion of the Government in its meeting held on 2-7-1985.

4. The Government after careful examination hereby delegate powers to all the Chief Engineers under the administrative control of Irrigation and C.A.D. Department and Irrigation and C.A.D. (P-W.) Department to exempt from Publication of Tender Notices in the "Tender Digest of Andhra Pradesh" in respect of works costing upto Rs. 10,000/- (Rupees ten thousands only), if they consider them as urgent.

Execution of Public Works under Contract System ~ Revision of clauses in Tender Schedules - Review of performance of Registered Contractors.

(G.O. Ms. No. 85. Irrigation and CAD (PW : COD) Dept. Dt. 20-3-1993)

Note:—These orders issued herein for revision of clauses in Tender Schedules shall be implemented in all the Works Departments.

(Vide G-0. Ms. No. 180., Irrigation and CAD (PW-COD) Dept, Dt. 27-9-1997)

Order :—Government have been considering for sometime the measures necessary to improve the present tendering procedures in the issue of tender notices and schedules, receipt of tenders, opening of tenders, scrutiny and acceptance of tenders.

2. For this purpose Government hereby issue the following orders:

Issue of Tender Schedules :

(i) Notice inviting tenders shall not be issued till the tender schedules are ready for issue.

(ii) Tender Schedules shall be issued to the contractors from the date of publication. of the tender notice. The supply of tender schedules by post (if requested by the contractor) will be done at the risk and responsibility of the contractor which should be made clear in the tender notice.

(iii) The names and addresses of the contractors who purchased the tender schedules shall be kept confidential upto the time of opening of tenders. This is the personal responsibility of the Superintending Engineers/Executive Engineers.

(iv) Contractors shall be required to pay the Earnest Money Deposit as stipulated in the tender notice at the time of purchase of Tender Schedules; The Earnest Money Deposit shall be paid only through a crossed demand draft and in no other form. Specific mention to this effect shall be incorporated in the tender notice and the tender schedules,

The Earnest Money Deposit shall be refunded to the unsuccessful tenderness soon after deciding the tenders.

(v) The contractor, who buys the Tender Schedule and decides subsequently not to submit the tender for the work for any reason whatsoever, should return the Tender Schedules within seven days from the date of buying the same. If the Contractor does not tender for the work but at the same time fails to return the tender schedules within 7 days he should be blacklisted.

(vi) In cases where a Registered Contractor does not file any tender in a whole year even after buying tender schedules, he should be reverted to the next lower category of contractors and if he defaults in a similar way for two consecutive years his registration should be cancelled.

3. Tenders:

(i) The contractor shall quote for all items of work included in tender schedules. If the contractor fails to quote for any one or more items of work in the tender schedule, it shall be construed that such items are deemed to have been covered by the rates quoted for other items of work and he shall not be eligible for payment for such items of work for which rates are not quoted. The following condition shall be incorporated in the tender schedule and agreement.

"Items for which no rates are quoted by the contractor in the tender schedules against the Rates and Approximate Quantities, for which the Contractor shall not be paid for by the Department when executed and such item shall be deemed to have been covered by other rates and prices in the tender schedule."

(ii) The contractor must quote their rates in the tenders both in words and figures. In case of any discrepancy between the rates quoted in words and figures, the rates quoted in words shall prevail. If the contractor fails to quote his rates in both words and figures, the tender will be treated as incomplete and his tender shall be rejected.

The Departmental Officers should stipulate a specific clause in the tender notice, tender schedule and agreement hereafter to this effect.

(iii) Contractors shall be permitted to submit their tenders during working hours on any working day from the date of publishing the tender notice upto the time and date of closing of tenders-

(iv) The contractor shall be allowed to submit the tender either personally or through his agent or by post. In case of submission of tender by post, the risk and responsibility for either loss or delays in transit of the same is to be borne by the contractor and the tender opening authority will not consider any tender received by him after the expiry of date and time fixed for receipt of tenders.

(v) As per present order, a stipulation is made in the tender notice that the tenderer has to keep his tender valid for 2 months/3 months. Instances have come to the notice of Government where some contractors have withdrawn the tenders during the validity period. To prevent this in future, the tender notice should clearly stipulate that the contractor who withdraws his offer within the validity period will forfeit his Earnest Money Deposit.

4. As per existing rules on the subject, the contractor shall not, without the written consent of the Executive Engineer, assign the contract or sublet any portion of the

same to any other person. In case it became necessary to permit the contractor to sublet any portion of the contract, the Executing Engineer shall limit such permission to following items of work; namely:—

- (i) Labour Contract ;
- (ii) Material Contract;
- (iii) Transport Contract.
- (iv) Engaging Specialists for special items of work as enjoyed in APDSS,

Suitable conditions to the above effect shall be incorporated in the tender notice, tender schedule and agreement.

5. The Engineer-in-Chief is requested to contract the Senior Postmaster, General Post Office, Hyderabad and get one box allotted to the Department for receipt of tenders by post. The tender notice should indicate that for those who want to send tenders by post should send them to the particular Box number to the designated post office. The Postmaster will be requested to deposit the tenders received by post in the allotted box and keep them in their safe custody duly recording the time and date of receipt. On the due date of receipt of tenders, the tenders received by post can be collected from the respective post offices before the due time of opening of tenders.

6. The tender notices being issued hereafter shall make the above points clear to the contractors intending to tender for the work. The above points shall also be made specifically clear in the tender documents and agreement.

7. The Engineer-in-Chief and at the Chief Engineers of all Engineering Branches are requested to scrupulously follow the above orders of the Government. They are also requested to bring the above orders to the notice of all their Subordinate Officers and ensure strict compliance. Any deviation noticed, will be viewed seriously. The above orders will come into force with immediate effect.

8. The Engineer-in-Chief is requested to furnish necessary proposals immediately for making suitable amendments for amending the existing provisions and orders of the Government wherever necessary.

Execution of Public Works under Contract System - Revision of Clauses in Tender Schedules - Review of performance of Registered Contractors.

(Memo No. 385/Cod/93-6. Irrigation and CAD (P.W.) Dept. Dt. 20-3-1993)

Ref. :—G.O. Ms. No. 85 Irrgn. and CAD (P.W. COD) Department, Dt- 20-3-1993.

Order :—Government have been considering for some time the question of taking certain measures necessary to overcome several deficiencies that exist in the present system of getting the works executed through contract system and certain orders have been issued for streamlining the existing procedures in the G.O. cited above. In continuation of these Government Orders, the following instructions are issued for compliance.

2. Preliminary specifications of APDSS prohibit subletting of works by the contractor. But in practice there are several instances wherever contractors are freely subletting the whole or part of the work in violation of these specifications, to get income tax benefit. Some of them are also declaring in their income tax returns that they have let

out pan of the work. The Superintending Engineer/Executive Engineers should personally verify on the work spot whether a contractor is executing the work himself or has sublet whole or part of the work without permission. Instructions are given in the G.O. cited above under what circumstances such permission can be given. They can also write to the concerned Income Tax Officers to get documentary evidence about subletting. If the Superintending Engineer/Executive Engineer comes across any such unauthorized subletting he should immediately take action for cancellation of the contract.

3. Several contractors register their names as contractors for different categories but may not file a tender for any work. Some of the contractors are prone to deliberately delay the completion of works or abandon the works in incomplete shape or indulge in avoidable litigations etc. The Chief Engineers and other Officers of the Department are requested to review the performance of the registered contractors in terms of their filing tenders, delays in execution of work and indulgence in avoidable litigations and initiate action to weed out such contractors.

4. In the ultimate analysis, it will not be adequate to merely revise the procedures and tighten the systems for tendering for works, execution of works and prevention of malpractices. It is also necessary to initiate action against erring contractors and Engineers. The Engineers against whom there is a prima facie case of collusion with the contractors to the detriment of interest of Government disciplinary action has to be initiated and the guilty punished in accordance with the rules.

5. Steps also should be taken at all levels to protect officers from the contractors who threaten the officers with transfers for not obliging them.

6. Instances of interference by friends, colleagues non officials and public representatives in the settlement of tenders have come to the notice of Government. There is every need to discourage this. All the Executive Engineers and officers above who are associated with procession and settlement of tenders in the field and at the Secretariat are duly bound to report in a confidential cover to the Chief Secretary directly any instance of anybody bringing pressure in favour of a contractors for settlement of tenders.

Processing of tenders received from the contractors by the Department Officers - Safety measures for protecting the tender documents and keeping vigilance against the possible ring formation by the contractors.

(dr. Memo No. 385/Cod/93-7, Irrigation & CAD (P.W.) Dept. Dt. 20-3-1993)

Ref;—G.O. Ms. No. 85 Irrigation and CAD (P.W. COD) Department, daled 20-3-1993.

Order:—Instances have come to the notice of the Government in which the tender boxes have been snatched away by unsocial elements from the office premises of the tender receiving authority or during the transportation of the tender boxes/tender documents from one office to another. Such instances can be construed as the acts of certain contractors forming a view to disrupt the tender procedures which are detrimental to the interests of State. Under the circumstances the Government consider it expedient to issue following instructions.

A position of Police Guard headed by an Inspector of Police should be provided to the tender boxes of all works costing over Rs. 50-00 lakhs till the time tenders are opened and comparative statement is prepared

(ii) The tender box kept in the office of the Engineer-in-Chief should also be guarded by an Inspector with the help of a platoon of police force.

(in) Police guard should be provided wherever tender boxes are being transported from one place to another and also when the tenders received by post are being collected by the Departmental Officers from the Post Offices-

2. On issue of a tender notice for works costing Rs. 50-00 lakhs and above, the authority who invited the tenders should send an intimation to that effect to the concerned Superintendent of Police for deployment of police force as aforementioned. Simultaneously the Superintending Engineer, Planning and Monitoring in the Office of the Engineer-in-Chief or any other officer designated by the concerned Chief Engineer should address the Commissioner of Police for providing guard for the tender box in Engineer-in-Chief's Office.

The Inspector General, Intelligence should be informed immediately on receipt of such intimation, the Intelligence Department should be on the alert and keep a watch on the ring leaders of the contractors who may be planning to thwart the normal procedure of tendering. The Engineer-in-Chief and other Chief Engineers should pay greater attention in the settlement and execution of works costing Rs. 50-00 lakhs and above.

Execution of Public Works under Contract System - Certain guidelines/orders/instructions issued - Watching compliance during the office inspection - Higher officers by prescribing suitable check slip to the Inspection Note.

(Memo No. 385/Cod/93-8. Irrigation & CAD (Projects Wing) Dept. Dt. 8-4-1993)

Ref. . .— 1. O.O. Ms- No- 85, I & CAD (P.W. COD) Department, dated 20-3-1993.

2. Govt. Memo No, 385/Cod/93-6, dated 20-3-1993.

3. Circular Memo No. 385/Cod/93-7, dated 20-3-1993.

Order :—The Government have issued certain instructions regarding measures necessary to overcome several deficiencies that exist in the present system of calling tenders, processing of tenders for selection and to get the works completed in a tight manner with a view to safeguard the interests of the Government.

2. It is considered that mere issue of orders/instructions may be of little value unless the field officers strictly adhere to those orders of the Government, It is therefore considered necessary to incorporate a suitable check slip in the Inspection Note whenever Office Inspections are conducted by the Senior Officers/Heads of Departments. The Engineer-in-Chief and all the Chief Engineers of the Irrigation and CAD including Projects Wing are therefore directed to incorporate a specific check slip in the Inspection Note and ensure that the Government orders/instructions are strictly complied with. The Engineer-in-Chief is requested to issue a suitable check slip for incorporation and mark a copy of the same to the Government

Administrative approval of new Irrigation Schemes/Projects.

(G.O. Ms. No. 177, , Irrigation and CAD (PW-COD) Dept.. Dt. 27-9-1997)

Order :—It has been proposed to bring about reforms for according administrative approvals for Irrigation schemes in future. Administrative approvals are presently being accorded based on preliminary/detailed estimates prepared. Estimates are being prepared based on adhoc designs/drawings and trial pits made for classification of soils, without acquiring the required lands, preparation of Environmental Impact Assessment and Environmental Management Plan Reports, Forest Clearance and a well drawn up Rehabilitation and Resettlement plan- Estimates are being technically sanctioned with inadequate budgetary provisions resulting in cost and time over-runs.

2. In order to avoid the shortcomings in according Administrative approvals on *adhoc* basis, Government have reviewed the whole procedure and issue the following orders.

3. Administrative approvals especially for Irrigation schemes shall be accorded in two stages. In Stage-1, Administrative approval will be given for the following items which will help in preparation of detailed reports in respect of Major and Medium Irrigation Projects :—

Stage - I

- (i) Detailed investigation.
- (ii) Preparation of EIA & EMP reports, R & R Plan, forest Clearance, etc.
- (iii) Preparation of detailed designs/drawings.
- (iv) Obtaining all necessary clearances.
- (v) Acquisition of minimum lands required ; and
- (vi) Completion of R & R, EMP, etc,

4. In the case of Minor Irrigation Projects, approval will be in one stage only, after obtaining detailed estimates. Separate funds will be provided for taking up detailed Investigation.

Stage - II

- (i) Projects will be prioritised and adequate funds provided to complete them in a realistic time frame-
- (ii) Administrative and Technical sanction to estimates will be issued only after designs are finalised, detailed investigation completed, and lands are acquired for taking up without interruption in the first two years.

5. This order will come into force with immediate effect

**Standardisation and Streamlining of Sanctioning and Tendering Procedure -
Registration of Contractors - Orders - Issued.**

(G.O. Ms. No. 178. Irrigation and CAD (PW - COD). Dept. Dt. 27-9-1997)

Note:—This G.O. is printed at page 365 of this book.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Modification of Contract Rules - Enhancement of Security Deposit.

(G.O. Ms. No. 179, , Irrigation and CAD (PW-COD) Dept., Dt. 27-9-1997)

Ref. :— 1. G.O. Ms. No. 3094. PWD, dated 25-11-1957.

2. O.O. Ms- No. 491. PW (Y) Dept., dated 14.5-1973.

3. G.O. Ms. No. 471, TR & B (Cl) Dept-. dated 7-10-1983.

4. G.O. Ms. No. S5, 1 & CAD (PW-COD) Dept... dated 20-3-1993.

5. G.O. Ms. No. 185, [& CAD (PW) Dept., dated 30-6-1994.

Order :—Government have for sometime been considering the need for modification of Contract Rules, Standardisation and Streamlining of Sanctioning, and Tendering Procedure, Orders were issued in G.O. Ms- No. 15,1 & CAD (PW-COD) Department, dated 9-2-1995 constituting a committee of experts to examining the streamlining of tendering procedure, to introduce comprehensive reforms in Works Departments of the State Government since the inadequacies in existing procedure are resulting in adoption of unfair methods by some of the contractors at the time of tendering, low quality of work, avoidable litigation and malpractice. Accordingly, the report submitted by the said committee was examined in detail in a series of meetings by this department with other departments, including Engineers-in-Chief and Chief Engineers.

2. Government, after careful examination of the recommendations of the Committee, issue the following amendment to the G.O. Ms. No, 471 (TR & B) Department dated 7-10-1983 :

Amendment

For the words and figures "Rs. 1.00 lakh" wherever occurred in the Amendment-11 in G.O. Ms. No, 471 (TR & B) Department dated 7-10-1983, the words and figures "Rs. 3.00 lalchs" shall be substituted.

3. The EMD shall be returned to the unsuccessful tenderer soon after deciding the tender or after expiry of the validity period whichever is earlier. The earlier orders issued in G.O. Ms. No. 185, I & CAD (PW-COD) Dept. dated 30-6-1994 are cancelled.

4. The orders will come into force with immediate effect.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Modification of Contract Rules - Delegation of powers to Chief Engineers for sanction of Revised Estimates for balance works under Clause 61 of P.S. to A.P.S.S.

(G.O. Ms. No. 181. Irrigation and CAD (PW-COD) Dept., Dt. 27-9-1997)

Ref. :—1. G.O, Ms. No- 280, Major Projects Department, dated 7-7-1977.

2. G.O. Ms. No. 43861/In-1.2/90-4/I & CAD (I.W.) Dept., dated 1-2-1991.

3. O.O. Ms, No. IS, I & CAD (PW-COD) Dept., dated 9-2-1995.

Order:—Government have, for sometime, been considering the need for modification of contract rules, standardisation and streamlining of sanctioning and tendering procedure.

Orders were issued G.O. Ms. No. 15, I & CAD (PW-COD) Department, dated 9-2-1995, constituting a Committee of experts to examine the streamlining of tendering procedure with a view to introduce comprehensive reforms in works departments since the inadequacies in the existing procedure are resulting in adoption of unfair methods by some of the contractors at the time of the tendering, low quality of work, avoidable litigation and malpractice. Accordingly, (he report submitted by the said Committee was examined in detail in a series of meetings by this department along with other departments including Engineers-in-Chief and Chief Engineers.

2. Instructions were issued in Government Memo No. 43S61/IRR.I-2/90-4.1 and CAD Department dated 1-2-1991 that, if the work under the contract is taken over under Clause 61 of P.S. to A.P.S.S., the balance work shall be executed through another agency and *the* extra cost involved therein, if any, shall be recovered from the 1st agency and there is no need for preparation of revised estimates in such cases.

3. Government, after careful consideration of the recommendations of the Committee, issues the following orders for works taken over under Clause (61) of P.S. to A.P.S.S. —

"Tenders shall be called for, for the works taken over under Clause (61) of P.S. to A.P.S.S. based on the revised estimates prepared with the prevailing SS Rs- In case the revised estimate exceeds, the original estimate beyond the powers of officers, the position shall be brought to the notice of Government for orders- The Chief Engineers are competent to sanction the revised estimates if revision is purely due to increase in SSR, as per orders issued in G.O. Ms. No. 157, dated 7-5-1908."

Standardisation and streamlining of sanctioning of Tendering Procedure - Modification of Contract Rules - Reforms in Estimates - Revision in clauses in Tender Schedules - Orders Issued.

(G.O. Ms. No. 182, Irrigation and CAD (P,W. COD) Dept., Dt. 27-9-1997)

Ref. :— 1. G-0- Ms. No. 1007. TR & B (C!) Dept., daied 5th November, 1976,

2. G.O, Ms. No. 37, TR & B (III) Dept., daied 30lh January, 1990,

3. G.O. Ms. No. 85, I & CAD (PW. Cod) Dept... daied 20[ii March, 1993.

4. G-0. Ms. No- 15, I & CAD (PW. Cod) Dept., dated 9th February, 1995.

Order:—Government have for sometime been considering the need for modification of Contract Rules. Standardisation and Streamlining of Sanctioning and Tendering Procedure. Orders were issued in G.O. Ms. No. 15, I & CAD (PW Cod) Dept., dated 9-2-1995 constituting a Committee of Experts to examine the Streamlining of Tendering Procedure, to introduce comprehensive reforms in Works Departments of the State Government, since the inadequacies in the existing procedure are resulting in adoption of unfair methods by some of the Contractors at the time of tendering, low quality of work, avoidable litigation and malpractice. Accordingly the report submitted by the said Committee was examined in detail in series of meetings by this Department with other Departments including Engineers-in-Chief and Chief Engineers.

2. Government after careful examination of the recommendations of the Committee issues the following orders :

1. S.S.Rs shall be made effective from the 1st June, the beginning of the Water year. as Central/State Government budgets would have been approved and possible escalation in prices is known-
- 2- Estimates shall generally be prepared, sanctioned and tenders invited during June-October to ground the works in November (November-June), the beginning of the Annual Working season.
3. S.S.R- shall be made realistic based on market conditions, input prices, taking into consideration of Price indexes, supplied by Bureau of Statistics,
4. The S.S.R. will contain rates for earth work by earth moving machinery (Cycle time, life of machinery etc.) in respect of all major works including earth work. In respect of small works costing less than Rs. 5.00 lakhs, the manual earth work rate is to be adopted. The Contractor will be given an option for manual or machine operations.
5. The estimates shall be prepared realistically providing all statutory taxes and all overheads amenable to fairly accurate assessment.
6. The present practice of supply of Cement, Steel, Bitumen, Blasting Materials, by the Department is dispensed with. All Principal Construction materials like Cement. Steel. Bitumen, etc., shall be procured by the Contractors.
7. The practice of mentioning quarries for construction materials, and water along with the leads in the tender Schedules is dispensed with. The Contractor shall procure the required materials from the quarries of his choice as per the specifications mentioned in the Tender Schedules.
8. Price escalation is permitted in Contracts for works costing over Rs. 200 lakhs with a period of completion exceeding eighteen (18) months. Tenders should be called for only where land acquisition work is completed, design, detailed estimates are ready, and funding is assured. Milestones and liquidated damages are to be stipulated for works costing more than Rs- 50.00 lakhs- The Board of Chief Engineers are requested to evolve a formula for calculation of Price Escalation and obtain approval of the Government.
9. In performance of the work, the defect liability period of 6 months shall be increased to 12 months. According to para 457 of A.P.W.'A' Code, action may be taken for conversion of cash deposits of contractors into interest bearing securities like National Savings Instruments other than Indira Vikas Patra. Necessary amendment to the specification No. 28 of A.P.S.S. will be issued separately.
10. Tenders with an excess of 25% or less by 25% of the estimated rates shall be summarily rejected where the estimated rate is different from the current schedule of rates, the excess or reduction in the tender percentage shall be compared with the schedule of rates in operation at the time of evaluation of the tender. The rest of tenders will be scrutinized carefully to arrive at the reasonableness of the rates quoted.
11. The tender notices, being issued hereafter, shall make the above points clear to the contractors intending to tender for the work. The above points shall also be made specifically clear in the tender documents appended to the Agreements,

3. These orders will come into force with immediate effect.

Administrative approval for new R & B Schemes - Orders - Issued.

(G.O. Ms. No. 21, Transport, Roads and Buildings (B. III) Dept., Dt. 6-2-1998)

Ref. . . — 1. G.O. Ms. No, 177, I & CAD (PW) Dept., Dt. 27-9-1997.

2. From EWC (R & B) A & EAP Lr. No. 4198/Ser, VI/97, Dt. 29-12-1997.

Order :—In the G.O. read above, orders were issued to give administrative approvals for major and medium irrigation projects in two stages. In Stage-t, administrative approval will be given for the following items which will help in preparation of detailed reports:—

(1) Detailed Investigation.

(2) Preparation of Environmental Impact Assessment and Environmental Management Plan Reports, Rehabilitation and Resettlement Plan, Forest Clearance, etc.

(3) Preparation of detailed Designs, Drawings.

(4) Obtaining all necessary clearances.

(5) Acquisition of Lands required and

(6) Completion of Rehabilitation and Resettlement Plan Environmental Management Plan, etc.

2. The projects will be prioritised and second stage sanction will be issued with adequate funds provided to complete them in a realistic time frame. The second stage administrative sanction will be issued only after designs are finalised, detailed investigations are completed, and lands are acquired, for taking up of the work without interruption in the first two years.

3. The orders issued by the Irrigation Department in the G.O. read above are made applicable to the Roads and Buildings Department with immediate effect with the addition that the Stage-1 approval will also cover shifting of utilities. In cases where a Stage-1 approval is not needed or relevant, the Stage-2 approval will be given straight away on certification by the Engineer-in-Chief/Ctlief Engineer (R & B) concerned that the Stage-1 approval is not needed and that the designs are finalised, detailed investigation is completed, lands are acquired and utilities are shifted for taking up the work without interruption in the first 2 years.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Registration of Contractors - Orders - Issued.

(G.O. Ms. No. 22, Transport, Roads and Buildings (B. III) Dept... Dt. 6-2-J99S)

Ref. :— I. 0.0, Ms. No. 521. I & CAD (PW) Dept., daled 10lh December, 1984. 2.

0.0. Ms. No. 178, I & CAD (PW) Dept... dated 27th September, 1997.

Order;—In the G.O. second read above, orders were issued revising the monetary limits for the registration of Contractors.

2. The orders issued in (he G.O. Ms, No. 178, I & CAD (PW-COD) Department, dated 27(h September, 1997 are made applicable to Roads and Buildings Department with immediate effect.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Modification of Contract Rules - Enhancement of Security Deposit.

(G.O. Ms. No. 23, Transport, Roads and Buildings (B. HI) Dept., Dt. 6-2-1998)

Ref. :— 1. G.O. Ms. No, 3094, Public Works Department, dated 25-11-1957.

2. G.O. Ms. No- 491, Public Works (Y) Department, dated 14-5-1973.

3. G.O, Ms. No. 471, T- R. & 8. (CI) Department, dated 7-10-1983-

4. G.O. Ms- No. 85, I and CAD (PW) Department, dated 20-3-1993.

5. G.O. Ms. No. 185, I and CAD (PW) Department, dated 30-6-1994.

6. G.O, Ms. No. 179, I and CAD (PW-COD) Department, dated 27-9-1997,

Order :—In the G.O- 6th read above, an amendment to G.O, Ms. No. 471, Transport, Roads and Buildings (CI) Department dated 7-10-1985 was issued enhancing the Security Deposit.

2. The above orders are made applicable to Roads and Buildings Department with immediate effect

Standardisation and Streamlining and Tendering Procedure - Modification of Contract Rules - Revision of Tender Clauses in Tender Schedules.

(G.O. Ms. No. 24. Transport. Roads and Buildings (B. III) Dept., Dt. 6-2-1998)

Ref. .— 1. G.O. Ms. No. 85, Irrigation and CAD (PW-COD) Department, dated 20-3-1953. 2. G.O. Ms. No. 180, Irrigation and CAD (PW) Department, dated 27-9-1997-

Order:—Orders issued in G.O. Ms. No. 180, Irrigation and CAD (PW-COD) Department, dated 27-9-1997 are made applicable to (R & B) Department also, with immediate effect.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Modification of Contract Rules ~ Delegation of Powers to Chief Engineers for sanction of Revised Estimates for balance works under Clause 61 of P.S. to A.P. Standard Specifications.

(G.O. Ms. No. 25. Transport, Roads and Buildings (B. III) Dept., Dt. 6-2-

iWS)

Ref. ;— 1. G.O. Ms. No. 280, Major Projects Department, dated 7-7-1977.

2. Memo No, 4386/Irr.I-2/90-4, 1 &. CAD (I.W.) Department, dated 1-2-1991.

3. G.O. Ms. No- 181, I & CAD (PW-COD) Department, dated 27-7-1997.

Order :—In the G.O. 3rd read above, the following orders were issued for the work taken over under Clause 61 of P.S. to A.P, Standard Specification.

"Tenders shall be called for, for the works taken over under Clause (61) of P.S. to A.P. Standard Specification based on the revised estimates prepared with the prevailing SS Rs. In case the revised estimate exceeds, the original estimate beyond the powers of Officers, the position shall be brought to the notice of the Government for orders. The

Chief Engineers are competent to sanction the revised estimates of revision is purely due to increase in SSR, as per orders issued in G.O. Ms. No. 157, dated 7-5-1980."

2. The above orders are applicable to R & B Department with immediate effect.

Standardisation and Streamlining of Sanctioning and Tendering Procedure - Modification of Contract Rules - Reforms in Estimates - Revision in Clauses in Tender Schedules.

(G.O. Ms. No. 26. Transport, Roads and Buildings (B. HI) Dept., Dt. 6-2-1998)

Ref. :— t. G.O. Ms. No. 1007, TR & B (CI) Dept., dated 5-1 M976.

2. G.O. Ms. No. 37, TR & B (BI) Dept, dated 30-1-1990.
3. G.O. Ms. No. 85, I & CAD (PW-COD) Dept., dated 20-3-1993.
4. G.O. Ms. No. 182, I & CAD (PW-COD) Dept, dated 27-9-1997.

Order:—In the G.O- 4lh read above, comprehensive reforms for calling for tenders and award of contracts were issued in respect of Irrigation Department-

2. The orders issued in G.O. Ms. No. 182, I & CAD (PW-COD) Dept. dated 27-9-1997 are made applicable to Roads and Buildings Department with immediate effect.

3. Since the new procedure comes into existence from the date of this order, the manner of dealing with tenders which are at various stages of consideration at the time of issue of these orders is to be decided. Since, *denovo* processing of all tenders under consideration would result in delays in the implementation of projects and with a view to ensuring that the developmental process does not suffer a set back as a result of change in the procedures prescribed through this order. Government, after careful consideration, direct that all tenders which have been received with reference to the tender enquiries already floated shall be examined and settled with reference to the procedures obtaining prior to the issue of this order. Government further direct that tender-schedules which have already been cleared by the competent authorities and which have been published or are being published in the Tenders Digest or in the Newspapers, shall also be settled as per the procedure in vogue prior to the issue of this order- New works for which tender schedules are under preparation shall, however, strictly conform to the procedure laid down in this order,

4. The ENC (R & B) A&E, AP is requested to send necessary proposals for making suitable amendments for amending the existing provisions and orders of Government wherever necessary.

Entrustments of works - Hot mix plant working Distance from plant to work site - Conditions to be incorporated in the Tender schedule & Tender notice for all Hot mix B.T. works taken up from Repair Grants -Instructions - Issued.

(Circular Memo No. !/E-in-C(R)/Peshi/98, Office of the ENC (R & S B), Dt. 20-3-1988)

Ref. :— 1. This Office Circular Memo No. TA.2/W1(t)/88. dated 3rd May, 1990.

2. This Office Circular Memo No. 10350/TA. 12/AEE/V/S6, dated 4lh August, 1990.
3. This Office Circular Memo No. 7801/TA-1/AEE.4/88, dated 25lh August, 1995.

Order :—Instances are brought to notice that proper temperatures are not being maintained for the Bituminous mixes transported from Hot mix plants by the time they reach the work site. The maximum distance of a plant from work site now being allowed is 70 KMs. With the present day traffic the trucks are taking nearly 2 hours or even more to traverse this distance, and the temperature of the mix is dropping substantially, which result in poor quality of work.

2. Some of the Hot mix plants are not being provided with Quality Control Lab facilities to test the quality of bitumen, gradation of metal used in the mix, bitumen content in the mix, etc. This facility is a primary requisite to assess and confirm the quality of mix being produced.

3. Instances of contractors without having Hot mix plants and plants not in a working condition tendering for works and delaying execution abnormally. Circular instructions were issued from time to time to incorporate these parameters while inviting tenders for S.R. and repair works of Bituminous works- After a review of all these Circular and summing up the following instructions are issued.

The following conditions shall be incorporated in Tender schedules and Tender notices for all Hot mix B.T. works taken up from Repair grants to help timely execution and quality work.

(a) The bidder should submit proof of having B.T. Hot mix plant with him erected and in working condition within a distance of 50 KMs. from the work site while applying for the tender schedules.

(b) The Hot mix plant should have a Quality Lab at its premises to conduct the various Quality Control tests as per para 901 of M.O.S.T. specifications. The Department Officers should have free access to this lab to test the mix being produced for use on the concerned work. All materials required for testing have to be supplied by the Contractor.

The Executive Engineer (R & B) of the territorial jurisdiction over area where the Hot mix plant is erected is the certifying authority on the above two criteria.

The instructions supersede all the instructions issued earlier in this office Circular cited under reference.

All the Superintending Engineers (R & B) and Executive Engineers (R & B) are requested to incorporate this condition in the Tender Schedules and C.T.N. for all Hot mix B.T. works taken up from repair grants.

Revision of Tender Procedure - Orders - Issued.

(G.O. Ms. No. 132, Transport. Roads and Buildings (R.I.) Dept. Dt. 11-8-1998)

Ref. --- 1. O.O. Ms. No. 99, TR & B (R.I.) Dept., dated 9-6-1998.

2. Representation of Builders Association, A.P. Centre, dated 24-6-1998.
3. G.O. Ms. No. 182, I & CAD (PW-COD) Dept., dated 7-9-1997.
4. G.O. Ms. No. 26, TR & B (B.III) Dept., dated 6-2-1998,
5. G.O. Ms. No. 177, I & CAD (PW-COD) Dept., dated 27-9-1997.
6. G.O. Ms. No. 21, TR & B (B.IH) Dept, dated 16-2-1998.
- 7- O.O. Ms. No. 178, I & CAD (PW-COD) Dept., dated 27-9-1997.
8. G.O. Ms. No. 22, TR & B (B.IIt) Dept., dated 6-2-1998.

Order:—hi the G.O. 1st read above. Government constituted a Cabinet Subcommittee consisting of—

- 1- Minister (Major and Medium Irrigation) — Convenor
2. Minister (Minor Irrigation) — Member
3. Minister (Roads & Buildings) — Member
4. Minister (Panchayat Raj & Rural Development) — Member
5. Minister (MA & UD) — Member
6. Minister (Home) — Member

With the following Terms of Reference:—

- (a) Revision and updating of SSR and Standard data
- (b) Items to be included in the estimate after its preparation as per SSR, to make it realistic.
- (c) Reduction of permissible tender excess.
- (d) Steps to be taken to ensure that ultimately the tender excess is not more than the prescribed limit.
- (e) How to deal with cases where the tender filed is less than the estimated cost.
- (f) How to deal with the malpractices in the tenders for collection of tolls on the bridges.

After careful examination of the report of the Cabinet Sub-Committee, the Government issue the following orders with immediate effect.

(a) Revision and updation of SSR and Standard data:

(i) Constitution of Expert Committee consisting of retired and serving Engineers with proven hands on experience in execution of works as well as in preparation of estimates to update the standard data book and also to provide all necessary items to match the present day construction, technology is approved. The expert Committee should be constituted immediately and they should complete the work within 6 months at a cost not exceeding Rs. 10 lakhs.

(ii) The SSR should be finalised before June without exception every year so that the estimates can be prepared thereafter and the tenders settled preferably by November every year so that the advantage of working season from December till June can be taken full advantage of.

(b) Items to be proceeded in the estimate after its preparation as per SSR to make it realistic:

Government approves the inclusion of the following items in the estimate after its preparation as per SSR:

(1) Turnover tax 1% in rates of various items relating to works of canal digging, lining and repairing, road works and other than the above 3% on all categories of contracts.

(2) A lump sum provision be made in the abstract estimate considering the agreement period and one year's observation period by obtaining the details of insurance premium from insurance organisations.,

(3) Lumpsum provisions be made in the estimate to meet the expenditure to be incurred by a contractor on ;

- (A) Engaging technical personnel
- (B) Performance guarantee
- (C) construction of temporary store sheds.

(c) Reduction of permissible tender excess:

In partial modification of the orders issued in the G.Os. 3rd and 4th read above, Government order that tenders with an excess of 20% of the estimated rates shall be summarily rejected.

(d) Steps to be taken to ensure that ultimately tender excess is not more than the prescribed limit :

With a view to prevent collusion or the formation into a ring by contractors, the following orders are issued:—

- (1) Tender schedules shall be issued till a date prior to the last date of submission of tenders.
- (2) Once a contractor buys a tender schedule, he shall not be permitted to return the schedule. After buying a tender-schedule, if a contractor does not tender for the work, his EMD shall be forfeited (cash or bank guarantee or both). If the EMD paid at the time of purchasing the tender-schedules is less because of the contractor having a L.S.D. (Lumpsum Deposit) concession then in forfeiting the EMD, the balance should be forfeited from the LSD and the remaining amount of LSD refunded to the contractor so that he can make a fresh deposit of LSD.
- (3) Time allowed from the date of publication of tender notice to the date of receipt of tenders is reduced to 14 days for the first call and 7 days for the second call.
- (4) If, after the second tender call, the offers received are more than 20%, the enlistment of work will be done on nomination basis. For works up to one Crore a Committee consisting of the Collector of the District in which the work is located and the Superintending Engineer concerned with the work and two SEs of two other works departments namely Panchayat Raj, Roads and Buildings and Irrigation will award the work on nomination. For works costing above one crore, a Committee consisting of the Chief Engineer concerned, the Commissioner of Tenders, a Chief Engineer or Engineer-in-Chief of another Department, with reputation for his integrity (serving or retired), the Secretary of the concerned Department and the Finance Secretary will give the works on nomination. The Committees are empowered to give the works on selection basis up to 20% in excess of estimated rate in the case of works belonging to Irrigation and CAD Department and Transport, Roads and Buildings Department. In the case of elevated service reservoirs of MA & UD Department, the ceiling of 20% may be exceeded, if it becomes necessary in specific cases, considering that there is no response to these works in general in the State. Necessary amendments to the provisions in the code shall be issued separately. The Committee can split the works into slices to give on nomination, if considered necessary.

For giving works on selection lists of contractors with good track record will be prepared. In preparing these lists the volume of works done by them, the quality of works done by them, the infrastructure possessed by them and also works on hand and their

capability will also be considered. The list of contractors should be prepared and published in advance regularly i.e., once in 6 months. From these lists contractors will be called for negotiations in groups of 5 in rotation. The contractor offering to do the work at the lowest rate will be given the work. Time allowed for selection by the Committee will be 5 days.

(5) The total value of works grounded in any year including works given through tenders or through nominations shall not exceed the budget provided to each division.

(e) How to deal with cases where (he tender filed is less than the estimated cost :

Tenders up to 15% less than the estimate may be accepted but for tenders less than 15% of the estimate, a bank guarantee or Demand Draft for the difference between the tendered amount and 85% of the estimate value should be taken so that if the tenderer leaves the works midway and the Department is forced to call for tenders for the work once again, the bank guarantee or Demand Draft shall be used to finance the re-tendered work,

(f) How to deal with the malpractices in the tenders for collection of tolls on the bridges:

In cases where the bid received in the current year's auction is less than the bid received in the previous year's auction and after the auction is over, a higher bid is received through post, the Govt. order that a second auction be held with the bid received through the post as the minimum bid. Anybody can participate, including the person who offered, the bid, through the post- The highest bidder will be given the contract. To ensure that the person who has offered outside the auction-cum-tender process a higher bid stands by his bid, before conducting auction, he should pay second auction, if this bidder is not allowed participating then the contract shall be given to the absent bidder who offered the highest bid. A 10 days notice is enough for the second auction. In a case where a bid is not received through post after the tender-cum-auction, the 2 committees constituted in para d(4) for giving works on selection can give the toll collection works also on nomination for bridges. The Head of the Dept. can confirm if the bid is 10% more than the previous year's bid and after a second call also if he does not get an offer of more than 10% of the previous year's bid, he can refer the matter to the committees for final disposal. The committees have full powers for awarding the toll works.

(g) To improve the work culture and speed up the execution of works, the Govt issue the following orders;

- (1) The powers of technical sanction are enhanced to Rs. 10 lakhs in respect of an Executive Engineer and Rs. 50 lakhs in respect of a Superintending Engineer and these Engineers are given the powers to approve the tender-notices, tender-schedule and finalize the tenders at their level for the works for which they are technically empowered to sanction.
- (2) Tenders shall be received in 2 parts in 2 different sealed covers. The first cover shall contain the qualification data viz., annual turnover and value of works under execution. The second cover will contain the financial bid for the work in question- All Engineers opening tenders shall first open the first sealed cover containing the qualification data and see whether the tenderer is qualified by using the formula :—
$$2 \text{ AN-B, estimate value, where A is annual turnover on all civil contracts of the tenderer, N is period of completion for the work for which tender is submitted and B is the value of works under execution by the tenderer.}$$

The second cover containing the financial bid will be opened only of those tenderers who are qualified according to this formula. The financial bids of the tenderers who are not qualified shall not be opened and they shall be kept in the sealed covers only.

- (3) For the works up to Rs. 50 lakhs the tender notice shall be published in District editions of two Telugu Dailies with the largest circulation. For works costing more than Rs. 50 lakhs, the tender notices will be published in one Telugu daily and one English daily having largest circulation at the State level to reduce the cost of each publication, the format for the tender notice in the newspaper shall be finalised by the Board of Chief Engineers so that the cost of the advertisement is kept to the minimum.

(4) In the G.Os. 5th and 6th read above, Government have issued orders for giving the administrative approval in two stages. Since the second stage administrative approval is issued after investigation and after preparation of detailed estimate, there shall not be more than one week's time between the issue of the second stage administrative approval and the issue of technical sanction by the Chief Engineer. Similarly, the time gap between the issue of technical sanction and issue of tender notice shall not be more than 15 days. In respect of works costing more than Rs. 1 crore, the Chief Engineer is competent to issue tender notice and tender schedule without referring the same to the Commissionerate of Tenders unless he proposes to make any changes or deviations. However, the evaluation of the tenders shall be done by the COT and award of work shall be on the recommendation of the COT. Where a single administrative approval is given pending investigation, land acquisition etc., there will be a longer time permitted for issue of technical sanction.

- (5) The tender schedules should contain not only the quantities but also the rates worked out by the Department and the amount for each item and the total value of the contract. The tenderer will not be required to quote item wise. He should indicate his willingness to do the work either at the estimated value of the work or at a percentage in excess of the estimated value of the work or at a percentage less than the estimated value of the work. The work order should be issued to the successful tenderer on same day or next day of opening of tenders subject to fulfillment of conditions prescribed. Once the work order is issued to the successful tenderer, EMD of all the remaining contractors should be refunded within 2 days by Registered Post with Acknowledgement Due,

- (6) In partial modification of the G.Os- 7th and 8th read above. Government revises the monetary limits for registration of contractors as follows:

SL /Vo.	Class of Contractor	Monetary	Authority to register
1.	Spl. Class	above Rs. 5 crores	Board of C-Es.
2.	Class-1	Rs. 1 to 5 crores	C.Es.
3.	Class-II	Rs. 50 to 100 lakhs	S.Es.
4.	Class-III	Up to Rs- 50 lakhs	E.Es.

(7) Contractors who execute their works within time as per specifications shall be issued a certificate acknowledging their timely completion ensuring good quality. The merit certificate shall be given in a public function with due publicity to increase the prestige and standing of the contractors in the society-While giving works on nomination, the contractors who have received the merit certificates for quality and timely performances, shall be given preference over others. The performance of the contractors on the works shall be obtained, and maintained in the offices of the Registering authorities viz., EEs, SEs, CEs and Board of CEs. The performance shall be assessed annually and the results shall be made use of while considering applications for renewal of contractors' registrations.

(8) Payments for execution of quantities, in excess of agreement quantities, should be made without delay and the EEs should take prompt action to obtain the approvals of the competent authority to make the payment to the contractors-Failure in this regard shall result in disciplinary action being taken against the concerned engineers. Similarly, final payments to contractors should not be delayed for want of a certificate from the quality Control Staff. The Chief Engineers should ensure proper performance of the Quality Control Wing and see that they give the certificates in time on pain of disciplinary action to avoid delays in the payment of final bills to the contractors.

(9) The site order book shall be maintained as provided for in the Codes and it should contain the remarks and instructions of all engineers who visit the work viz., the EE, SE, CE and E in C.

(10) Apart from the Quality Control Wing which works under the CE of each Department, there shall be a Quality Control Organization common to all Departments outside the administrative control of the works departments- This Quality Control Wing will inspect the works thoroughly and ensure that the required quality is maintained,

Revision and Streamlining of Tender Procedure.

(G.O.Ms.No.23, I& CAD (PW:Cod) Department, Dt. 5-3-1999)

Ref. :— (1) G.O.Ms.No. 177 to 182, J&CAD (PW:Cod) Department,
DL, 27.9.97

(2) G.O.Ms.No. 21 to 26 TR&B(B,II1) Department, Dt. 6.2-98

(3) G.O.Ms.No. 99, TR&B (Roads.I) Department, Dt. 9.6.98.

(4) G.O.Ms.No. (32, TR&B (Roads.I) Department, Dt. 11.8.98.

Order:—Government have from time to time initiated several reforms in tendering for public works with a view to bring in simplification of procedures, greater transparency and to ensure better quality of works.

2. Government issued orders in the G.Os 1st and 2nd read above introducing comprehensive reforms streamlining and standardising the procedures for calling tenders and award of contracts.

3. Government constituted Cabinet Sub-Committee in G.O. 3d read above to review and suggest further reforms in tendering procedure and allied matters.

[DCODE—30]

4. Accordingly the Cabinet Sub-Committee had gone into various aspects of the existing procedures of sanctioning estimates and tendering system and submitted a report to Government. Based on the recommendations of the Cabinet Sub-Committee, Government issued orders in the G.O. 4th read above, ordering further tender reforms with a view to curb collusion and unfair practices adopted by the Contractors in the tendering process.

5. After issuance of the aforesaid orders, complaints were received by the Government that the Contractors were still indulging in unfair practices and colluding in filing the tenders. Government, therefore, with a view to take stringent action in such cases, convened a workshop on 10-11-1998 with the representatives of Builders Association, Contractors and Government Officials to elicit their views on further Reforms required to be introduced. The Committee constituted with the representatives of the Builders Association and Government Officials, after thorough examination of the consensus emerged in the workshop has made certain recommendations to Government.

6. Government after careful consideration of the recommendations of the Cabinet Sub-Committee and in partial modification of the orders issued in G.O.Ms.No.132. TR&B Department, Dt. 11-8-98, issue the following orders in respect of tender procedures and other allied matters relating to all the Public Works Departments to ensure free and fair competition in award of Public Works and to bring in greater transparency in tender procedure.

- (i) The maximum ceiling of excess tender percentage shall be 15% instead of 20%. The lower limit and the conditions there for will be continued. No negotiations will be conducted with the tenderers.
- (ii) In order to maintain anonymity, tender schedules shall be supplied on payment of a cost to any contractor interested in tendering. The present practice of collecting EMD at the time of sale of Tender Schedules shall be dispensed with. Hereafter, the Contractors shall pay the EMD at the time of filing their tender documents only. The EMD shall be at the rate of 1% of estimate contract value and it shall be paid in full, without concession, either in the shape of a Bank Demand Draft or unconditional Bank Guarantee.
- (iii) The contractors shall have the facility of obtaining mobilization advance up to 10% of contract value on works costing more than Rs.1 crore against Bank Guarantee which will attract suitable rate of interest. The advance and interest shall be recovered from the contractor's bills in appropriate installments.
- (iv) For the works costing up to Rs. 10.00 lakhs the existing procedure of collecting EMD in the form of crossed Demand Draft at the time of filing tender schedules shall be allowed. The eligibility criteria shall not be made applicable for these works.
- (v) The Contractors will no longer be required from now onwards to produce clearance certificate from the Mines Department and Seignior age charges will be deducted by the concerned works Department from the bills of the Contractors for the materials used on the work only.
- (vi) The Contractors will be allowed the facility of deduction of sales tax at the rate of 2% at source and be exempted from producing the clearance certificate from Commercial Tax Department.

(vii) Expert Committees at different levels shall be constituted by Heads of Departments to resolve the disputes of the Contractors in so far as technical issues are concerned.

(viii) To resolve the problems of the Contractors *vis-a-vis* the Government, an institutional mechanism will be created at the district level with the Collector as the Chairman and at the State level the Chief Secretary as Chairman to review periodically and to redress the difficulties of the Contractors.

(ix) To enforce proper quality control standards in execution of works, the performance of the Contractors and the Engineers incharge of the work shall be graded by associating professional bodies and suitable incentive/ punitive system will be implemented on the basis of such grading and stern action will be taken for defective works against both the Engineers as well as Contractors.

(x) Quality Control shall hereafter be the primary responsibility of the Engineers executing the works.

(xi) In order to prevent collusion amongst the tenderers, for the first two tender calls if the premium quoted are found to be high/abnormal, the works shall be entrusted to the reputed contractors on selection basis by the competent committees at the district level up to Rs. 1 Crore and at State level above Rs. 1 Crore as per G.O. 4th read above- The Contractors in five members each time from out of the published lists of the Contractors with proven track record shall be called upon to quote their prices and the lowest among them shall be awarded the work within the maximum ceiling limit prescribed.

(xii) As a measure to encourage good contractors, the procedure of registration shall be rationalized and made more scientific by introducing a grading system, which will take into account the technical qualifications of the contractors, their standing in the civil contract fields, past track record of execution of works, ownership of plant and machinery, financial status and training, and memberships in professional bodies. The contractors with history of litigation will be suitably down graded/ black listed or debarred.

7. In order to avoid ambiguity in implementing the order, detailed guidelines are formulated in annexure I and II to this Order.

8. The above orders shall come into force with immediate effect. However these orders shall be made applicable only for the tenders invited after issuance of the O.O.

9. The Engineer-in-Chief, I&CAD Department and Chairman, Board of Chief Engineer (BOCEs) shall furnish necessary proposals for making suitable amendments to the existing codal APSS provisions.

ANNEXURE-I

(G.O.Ms.No.23. I & CAD <PW:Coci) Department, Dt. 5-3-1999)

1.0 PREPARATION OF REALISTIC ESTIMATES

1.01 STANDARD DATA

(a) The standard data which forms basis for preparation of estimates for all Civil Engineering Works shall be updated taking the improved construction technology into consideration.

(b) The Chairman, Board of Chief Engineers and Engineer-in-Chief (Admn.) I & CAD Department shall complete the updation of Standard data within a period of six months.

1.02 FINALISATION OF STANDARD SCHEDULE OF RATES (SSR)

(a) The SSRs shall be finalised before June without exception every year. The preparation of SSR- shall be made more transparent by associating the representatives of Construction Industry, National Academy of Construction and the Institution of Engineers (India) A,P. State Centre, at the time of finalization. For cities like Hyderabad and Visakhapatnam, Unit rates will be prepared for various component items.

1.03 PROVISIONS TO BE MADE IN ESTIMATES

In order to prepare realistic estimates, the following provisions are permitted to be added in the estimate.

(a) Turnover tax at the rate of 1 percent for items relating to canal digging lining, repairing road works, etc., where the earth work excavation and embankment is involved and for works other than the above, turnover tax at 3 percent shall be added in the data,

(b) A lump sum provision shall be made in the abstract estimate towards Insurance considering the agreement period and defect liability period of two years for the original works and one year for maintenance works, by obtaining details of Insurance premium from Insurance Organisations.

(c) A lump sum provisions shall be made in abstract estimates to meet the expenditure to be incurred by the Contractor on engaging Technical Personnel based on number of persons indicated in the tender document and permissible wages as per SSR.

(d) A Lumpsum provisions shall be made in the abstract estimate towards Banker's Charges for obtaining Bank guarantees for payment of E.M.D., performance security and release of retention amount as per prevailing procedure based on the period i.e. period of completion plus defect liability period- The Chief Engineer concerned shall assess duly obtaining the details thereof from the Scheduled Banks and suitable provision shall be made. Till then, no provision for this item need be provided-

(e) A provision at 1 percent of the cost of Cement towards construction of temporary store shed shall be added on the data of relevant items,

1.04 At the time of preparation of estimates, proper care should be taken to provide the lump sum provisions for the aforesaid items and necessary conditions also should be incorporated in the tender document for suitable reimbursement to the contractors from out of the above provisions, however not exceeding the amounts indicated against each, on production of the Insurance policies, copies of appointment orders with payments vouchers, Bank Guarantee, etc. Failing to comply with the above, reimbursement shall not be allowed but suitable penalty shall be imposed for not engaging technical personnel and the Engineer-in -Charge shall take Insurance policy at the cost of contractor duly deducting the premium from the contractor's bills. Contractor has to take policy in favour of the employer i.e. Department.

1.05 As per orders issued earlier in G.O,Ms.'No.53, dated 17-4-1998 for earthwork excavation and embankment up to *[15000 Cu. Mtrs.] the manual rate shall be provided and if the quantity exceeds "[15000 Cu. Mtrs.] the machinery rates shall be adopted, However, the contractor will be given an option either for manual or machine operations. Irrespective of the quantities, following items of works shall be taken up manually—

- (i) Stripping where the depth is inadequate for handling with machinery.
- (ii) Excavation of sub-minors and field channels, narrow reaches, and formation of sub-grade base for receiving lining of canals, excavation of rock toe, toe drains, filter drains and building foundations.

*(Subs. by G.O. Ms. No- 85, I- & CAD (PW), Dt. 1-6-1999, w.e.f. 1-4-1999)

2.00 SANCTION OF ESTIMATION

2.01 ADMINISTRATIVE APPROVAL

Administrative approvals to the estimates for major and medium irrigation schemes as well as schemes relating to R & B Department will be accorded in two stages.

(a) In stage-I, the administrative approval will be accorded for the following items which will help in preparation of detailed project reports.

- (i) Detailed investigation.
- (ii) Preparation of EIA and EMP reports, R&R plan, forest clearance, etc.
 - (iii) Preparation of detailed designs/ drawings
 - (iv) Obtaining of necessary clearances
 - (v) Acquisition of minimum lands required.
 - (vi) Completion of R & R, EMP, etc.
 - (vii) Shifting of utilities for R & B works.

(b) In stage-II projects will be prioritised and adequate funds be provided to complete them in realistic time frame. The second stage administrative approval will be issued only after designs are finalised, detailed investigations completed and lands are acquired for taking up works without interruption for the first two years. However, in respect of certain works such two approvals will be given straightaway on certification by the Engineer-in-Chief/ Chief Engineer concerned that the Stage -1 approval is not needed and that the designs are finalised, detailed investigations completed, lands are acquired and utilities are shifted for taking up the work without interruption in the first two years.

2.02 TECHNICAL SANCTION:

(a) Not withstanding anything contained in the relevant codal provisions, APSS and Government orders with regard to the procedure of according the technical sanction, enhanced powers are delegated to the field officers as follows:

E.Es	up to	RA. 10 lakhs S.Es	up to	Rs. 50 lakhs
C.Es	up to	value of the administrative approval		

3.00 PREPARATION OF TENDER DOCUMENTS AND FINALISATION OF TENDERS

3.01 TENDER DOCUMENTS 3.011

TENDER NOTICE

The tender notice or Notice Inviting Tenders (NIT) will be approved by the engineers for the works for which they are competent to accord technical sanction.

The tender documents will be prepared by the concerned Engineers, bringing greater transparency. The provisions made in the estimate for items which are reimbursable to the Contractors with conditions therefore and other relevant conditions relating To the implementation of contract and other eligibility criterion both physical and financial requirements in addition to the conditions notwithstanding any thing contained in the APSS, APWD Code and, Government orders the following will be incorporated wherever necessary.

3.01.2 DEFECT LIABILITY PERIOD

In partial modification of G.O.Ms.No. 132, dated 11.8.1998, the defect liability period is increased to two years for the original works and one year for maintenance works, duly taking into account normal wear and tear.

3.01.3 LIQUIDATED DAMAGES

The liquidated damages are imposed on the Contractors as per the present practice basing on the milestones.

3.01.4 SEIGNIORAGE CHARGES & SALES TAX

The Seignior age charges will be recovered from Contractor's bills as per the rates prescribed in the contract documents for the materials used on the work only. The present practice of insisting for production of documentary evidence for having paid the seignior age charges in items of G.O.Ms.No. 243. dated 8.5.1986 and in the absence of such production of the evidence, the imposition of five times penalty is dispensed with.

For sales tax/ tax on works contract, contractors are given an option to opt for the composing schemes under Section 5 (g) of the APGST Act and those opting for it are subject to a tax deduction of 2% at source on the total value of the contract. In such case, the departments will not insist on production of clearance certificate and no assessment of tax will be needed,

3.01.5 MOBILISATION ADVANCE

The contractors for works exceeding more than Rs. 1 Crore of estimated cost value arc permitted to avail the facility of mobilization advance up to 10% of the value of the contract against an unconditional and irrevocable bank guarantee. The advance will attract a suitable rate of interest (as per Government borrowing rate) and be deducted in suitable installments from the bills of the contractors.

3.01.6 PAYMENT OF BILLS

The contractors will be permitted to submit their work bills once in a month and payment will be made after proper check of quantity and quality with in a reasonable time limit. The final payment of the contractor should not be delayed for want of certificate from the quality control staff.

3.01.7 QUALITY CONTROL MEASURES

Emphasis on the quality will be paramount. The concerned Departments are directed to strengthen the equality Control Machinery of the Government by keeping a separate Chief Engineer for Quality control under the direct control of Government. The Chief Engineer, quality control should see that quality audit is done periodically and also evolve suitable punitive action against contractors; as well as Engineers in charge of the work who violates proper quality standards.

3-01.8 CONSTRUCTION MATERIALS

The present practice that the Contractor has to procure at his own cost the principal construction materials like cement, steel, bitumen, sand, meal, soils, etc., shall continue.

3.01.9 PRICE ESCALATION

The price escalation is permitted in contracts for works costing over Rs. 200 lakhs with a period of completion exceeding 18 months and the formula evolved by Board of Chief Engineers shall be made applicable.

3.01.10 EARNEST MONEY DEPOSIT

In order to maintain the anonymity. Tender Schedules will be supplied on payment of a cost to any contractor of eligible class interested in bidding, without insisting for EMD. This is introduced to enable prevention/reduction of extraneous forces interfering or pressurizing the contractors to quote or under quote or not to quote at all in the tenders. Hence the practice of collecting EMD in the shape of demand draft at the rate of 11/2 percent subject to a maximum of Rs. 1.00 lakhs or Rs. 75,000/- from the contractors who have lump sum deposit with the concerned Chief Engineers will be dispensed with and in lieu thereof, Bank Guarantee or DD obtained in favour of the officer as specified in the tender, at the rate of 1 % of the Estimate contract value will be collected without any concession. The balance EMD will be collected at the present rates while concluding the agreement and the Bank Guarantee will be unconditional and irrevocable as per the standard format enclosed to the tender document. The contractors who have L.S. Deposit with concerned Chief Engineer will be permitted to take back their deposits, subject to conditions that they are free from all liabilities.

3.01.11 APPLICABILITY OF QUALIFICATION CRITERIA & EMD, ETC.

The qualification criteria at para 3.02 as well as modified procedure of collecting EMD in the shape of Bank Guarantee will not be made applicable for the works costing Rs-10 lakhs (ECV) and below. For above works single cover system shall be followed and the EMD shall be submitted along with the completed Tender Schedule.

3.01.12 SUBLETTING

The subletting of the work is strictly prohibited, unless it is permitted in the Tender and in the event it is found that any portion of the work is sublet, action will be taken against the contractor by debarring him from participating in the tenders for the period as decided by the Engineer-in-Chief, Chief Engineer concerned. However, the debarring period shall not be less than one year.

3.02, QUALIFICATION CRITERIA

A. To qualify for award of the Contract, each bidder in its name should have, during the last five years (specified financial years i.e. they should be immediately preceding the financial year in which tenders are invited—

(a) Satisfactorily completed $(x \times x)$ as a prime contractor, similar works of value not less than Rs. /- & (usually not less than 50% of Estimated value of contract) in any one year. "The words 'no! less than 90 percent of Contract value' deleted by G.O. Ms. No. In-. & CAD, Dt. 26-05-1999.

(b) Executed in any one year, the following minimum quantities of works;

- Cement concrete including RCC and PSC Cu-M.

- Earth work in both excavation and Embankment Cu.M.

(relevant principal items be indicated)

(Usually 50 percent of the expected peak quantities of construction per year)

B. Each Bidder should further demonstrate:

(a) Availability (either owned or leased or to be procured against mobilization advances) of the following key and critical equipment for this work.

Note: Based on the studies carried out by the Engineer, the minimum suggested major equipment to obtain the completion of works in accordance with the prescribed construction schedule/ mile stones are shown in the above list.

(b) Availability of the Key personnel with adequate experience as required should be indicated based on the requirement for the work to be executed.

(c) Liquid assets/credit facilities of not less than Rs. lakhs (credit lines/letter of Credit/solvency certificate from Banks, etc. shall be equivalent of the estimated cash flow for three months in peak construction period)

(d) EMD in the shape of Bank Guarantee in the standard format enclosed, for Rs. (one percent of the estimated contract value) to be valid for the period as indicated at para 1.03 (d) i.e., period of completion plus defect liability period.

(e) Experience relating to the works executed in State/Central Government departments or State/Central Government undertakings shall only be considered.

3.02.3. BID CAPACITY

The Sub-contractor's/GPA holder's experience shall not be taken into account in determining the bidder's compliances with the qualifying criteria. The tenderers who meet the requirement qualification criteria will be qualified only if their available bid capacity is more than the estimated contract value. The available bid capacity will be calculated as under:

Assessed Available Bid Capacity: $A \times N \times 2 - B$

-Where

A= Maximum Value of civil engineering works executed in any one year during the last five years (updated *price level) taking into account the completed as well as works in progress.

N= Number of years prescribed for completion of the works for which tenders are invited.

B= Value of existing commitments and ongoing works to be completed during the period of completion of works for which tenders are invited.

Note:-The statement showing the value of existing commitments and ongoing works as well as the stipulated period of completion remaining for each of the works listed should be issued by the Engineer-in-Charge of Government department/ undertaking not below the rank of Executive Engineer or equivalent and countersigned by the rank of SE or equivalent. The statement to the above effect will be clearly enclosed to the Bidding Document, and the tenderer shall furnish the particulars invariably in the same format failing which the tender shall be treated as incomplete and summarily rejected.

@ = at.... * price level. Financial turnover and cost of completed works of previous years shall be given weightage of 10% per year to bring item to price level*

The financial year in which bids are invited.

3.02.4 Even though the tenderer meets the above qualification criteria, he/she is subject to be disqualified if he/she is found to have misled or made false representation in the forms, statements submitted in proof of the qualification requirements or record of poor performance such as abandoning works not properly completed in the contract, inordinate delays in completions, litigation history and or financial failures and/or participated in the previous tendering for the same works and had quoted unreasonably high bid prices- In addition to the above, even while execution of the work, if found that the Contractor had produced false/fake certificates of experience, he/she will be blacklisted and work will be taken over invoking clause 60(a) of PS to APSS.

3.02.5 Tenders shall be valid for a period of 1/2/3 months as the case may be. Before the expiry of the validity, the authority competent to call for tenders shall seek for further extension of validity from the contractors and in case the validity is not extended his/her tender will not be considered and the EMD shall be returned. During the period of validity if any tenderer withdraws his tender, his/her EMD shall be forfeited.

4.0 EVALUATION OF TENDERS

4.01 RECEIPT OF TENDERS

The tender schedules shall be issued up to one day prior to the last day of submission of Tenders. The tenders shall be received at the place and time as specified in the Tender Notice. The contractor shall be allowed to submit the tender either personally or through his agent or by post. In case of submission of tender by post the risk and responsibility for either loss or delays in transit of the same is to be borne by the contractor. The tender opening authority will not consider any tender received by him after the expiry of date and time fixed for receipt of tenders.

4.01.1 Tenders will be received in two parts in 2 different sealed covers. Cover-A and Cover-B. The Cover 'A' shall contain the qualification data Viz., Annual Turnover and value of works under execution etc., as at para 3.02. The Cover 'B' will contain the financial bid for the work in question. The Cover 'A' and Cover 'B' will be sealed and kept in another sealed envelope (Cover 'C') supplied by the department while issuing Tender Schedules.

4.01.2 The EEs and SEs delegated with the power to invite the tenders will open and evaluate the tenders as per the qualification criteria. While opening the tenders care should be taken to first open Cover-C in the presence of the tenderers or their authorised representatives and other officials concerned on the specified date and time and also to verify whether the Cover-A and Cover-B are properly sealed and minutes be recorded to this effect then and there only. In case the Covers A&B or any one of them are found / unsealed, such tenders will not be opened and summarily rejected.

4.01.3 First Cover (Cover-A) with superscription as "TECHNICAL BID" which shall contain the qualification data as described at Para 3.02 will be opened-

4.01.4 SECOND COVER (Cover-B) with the superscription of "PRICE BID" shall contain the Schedule-A i.e., the statement of description of work, quantity, estimate rate and amount. Price bid (Cover-B) of those tenderers who are determined as qualified as per

eligibility criteria will be opened on the date specified in the tender notice and the Cover-B of unqualified tenderers will not be opened and kept in the safe custody till the tenders are finalised and there after shall be returned to them along with E.M.D. The Schedule-A of price bid shall contain the working items indicated as Part-1 and LS provisions as Part, The premium or discount quoted by the Contractor shall be applicable only for Pan-I. However, the provisions contained in the Part-11 will be operable basing on the conditions provided in the tender Schedules- The tenderers will have to state clearly their willingness to execute the work at the percentage excess or less or at par over the ECV indicated at Part-1 at the space provided therein.

4.01.5 Before recommending/ accepting the tender, the lender accepting authority shall verify, the correctness of certificates submitted to meet the eligibility criteria and specifically for experience, the authenticated agreements of previous works executed by the lowest tenderer, shall be called for.

The EMD will be returned to the qualified but unsuccessful tenderer either after finalization of tenders or on expiry of validity of tenders which ever is earlier.

4.02 FINALISATION OF TENDERS

4.02.1 Tenders will be finalised by the EEs/SEs for the works costing up to their powers to accord technical sanctions.

4.02.2 The Chief Engineer shall finalize file tenders for the works costing up to Rs. I crore. The tenders for the works costing more than Rs, I crore will be referred to COT along with Technical Bid evaluation and Price Bid evaluation for consideration. The COT shall scrutinize the tenders submitted by Engineer-in-Chief/Chief Engineers/Project Administrators in accordance with the conditions stipulated in the Tender document and in case of any discrepancy or non-adherence to the conditions, the same shall be communicated which will be binding both on the tender concluding authority and the contractor. In case of any ambiguity, the decision taken by the COT on tenders shall be final.

4.02 J Negotiations are not permitted to be conducted at any level.

4.02.4 The time allowed from-the date of publication of tender notices to the date of receipt of tenders is 14 days for the first call and 7 days for the second call. The tenders will be received following three box system i.e., at SE's office. Office of the SP of the District where the SE's office is located and one in the office of the ENC or by post to the SE concerned.

4.02.5 TENDER PERCENTAGE

(a) MAXIMUM CEILING

The maximum permissible tender excess is reduced from 20% to 15% over the estimated contract value in partial modification of G.O.Ms.No, 132, Dt. 11,8.1998 and in case the excess is more than 15% the tenders shall be summarily rejected. At the same time, the tenders received with the maximum permissible percentage excess are not necessarily to be accepted, they may be accepted basing on the trend of tenders accepted either in the project or in near vicinity for similar works. In case the trend of tender available relates to considerable lime gap. the accepted premium of the tenders be updated with reference to the present price index and with justifiable reasons only the tenders shall be accepted,

(b) DISCOUNT TENDERS (Percentage less than Estimated Cost)

Tenders up to 15% less than the estimate may be accepted but for tenders which are less by more than 15% of the estimate, a bank guarantee or demand draft for the difference between the tendered amount and 85% of the estimate value should be taken so that if the tenderer leaves the works midway and the department is forced to call for tenders for the work once again, the bank guarantee or demand draft shall be used to finance the re-tendered work,

4.02.6 The tenders received are found to have abnormally high percentage or within the permissible ceiling limits prescribed but under collusion or due to unethical practices adopted at the time of tendering process, shall be rejected.

4.02.7 When such situation arises that even for second tender call, the reasonable percentage in fair and free environment is not received, the works will be entrusted on selection basis from out of the list of contractors who are possessing the eligibility criteria as specified in the tender document with proven track record prepared as per the procedure laid down in the Annexure-II will be selected in turns of 5 contractors at each time and will be asked to file their price bids at a specified place and time before the competent committees as stated at para 4.03 to entrust work. The committee assessing the reasonableness of excess percentage quoted will recommend to award the work to the lowest, of all the contractors participated. The contractor to whom the work is entrusted on selection basis will be provided necessary security and protection if requested at his cost.

4.03 COMMITTEES TO ENTRUST WORKS ON SECTION BASIS

For the purpose of above selection and entrustment of works to contractors the composition of the Committees at District and State level and powers devolved to them are as under:

(a) For the works costing up to Rs. 1 crore, a committee consisting of the Collector of the District in which work is located, the SE concerned with the work and two SEs of two other works Departments viz., Panchayat Raj, R&B and the Irrigation will recommend to the competent authority to award the work.

(b) For the works costing above Rs. 1 crore, the Committee consisting of the C.O.T. and the C.E. concerned and Engineer-in-Chief (Irrigation) will recommend and award the works on the selection basis.

5.0 COMMITTEES TO RESOLVE INTER-DEPARTMENTAL PROBLEMS

In order to expedite execution of works and to remove any difficulty that contractors may face in obtaining clearances and other infrastructure facilities from various departments such as shifting of power lines, procurement of blasting materials, power supply connection etc., at the District level, the Collector will formulate Committees and take necessary steps. The Chief Secretary will have periodical review with the concerned Secretaries and Chief Engineers in order to resolve the difficulties which could not be sorted out at District level. The Heads of the Departments are directed to constitute suitable committees at different levels for speedy settlement of the different kinds of or levels of disputes of technical nature by the C.E.s concerned.

ANNEXURE-II (G.O.Ms.No.23, I& CAD (P.V.-Cod)

Department. Dt. 5-3-1959)

1. Government hereby order to introduce an improved system of periodic monitoring and evaluation of the performance and capabilities of Contractors- The contractors

who have already registered with the competent authorities for the corresponding classes will continue to have the registration valid till the period indicated therein. However their class of registration is subject to evaluation of the performance as per the evaluation format appended based on which they shall either be down graded or upgraded as per the credits obtained in the evaluation.

2, The evaluation will be done based on the following criteria:

- (i) Technical Qualification
- (ii) Standing in Civil contract field relating to the specialization for which the contractor submits the particulars either for registration or renewal or up gradation.
- (iii) Records of execution of works.
- (iv) Plant and machinery available with the contractor.
- (v) Financial status.
- (vi) Training in National Academy of Construction (NAC)
- (vii) Membership of BAI or any other professional bodies.
- (viii) History of litigation.

The basis for the above criteria and procedure to furnish the details required therefore are discussed below.

3. BASIS FOR EVALUATION CRITERIA

(i) Technical Qualification:- Role of technical agents in execution of Civil Engineering works is of quite significance more particularly in L.S. contracts. Keeping this in view this criterion is introduced and the credits are indicated for self-qualification of the contractor and qualification and experience of the employed Engineer by the contractors. In addition suitable credits are also assigned for the man power possessed by the contractors who are trained in N.A.C.

(ii) Standing in Civil Contract Field:—The experience of the contractor in the civil contract field is considered as one of the important criteria inasmuch as the experienced contractor will have greater exposure the working environment, procedure of execution of public works and also have quality consciousness. Considering the above aspects the total length of experience as well as the experience in the present class of contract are assigned with suitable credits.

(iii) Record of execution of works :—In addition to the experience in execution of Civil Engineering Works a contractor may possess experience in certain specialized fields such as Irrigation works, R & B works. Water Supply and Sanitary Works, etc. In case a contractor files an application for either registration or renewal or up gradation in a particular field of specialization, his record of execution of works should be assessed. Therefore in this criteria, credits have been assigned for executing similar nature of works during the last 5 years from the year in which he files application so as to evaluate is up to date knowledge of the work culture since the last five years because the contractor's registration is valid for a period of 5 years. Similarly credits are also assigned for having completed the similar nature of works within the agreement period unless and otherwise it is extended for the reasons beyond the control of the contractor. However if a contractor completes the works ahead of the agreement period additional weightage will be given by the suitable methodology indicated therein.

(iv) Plant and Machinery :—It is expedient that a contractor should possess necessary plant and machinery of his own that are required to execute the nature of work for which his performance is evaluated, in order to assess his capability of executing the works within the stipulated period. Hence suitable credits have been assigned to this criterion; however the required plant and machinery will be indicated for the different works by the concerned engineer who evaluate the performance.

(v) Financial Status :—Since the Government have been implementing the works in various Public Works Departments with huge outlays, it is necessary to assess the financial capability of a contractor to commence the work and continue the work at least for a minimum period of 3 months without waiting for the bills to be paid by the concerned authorities. The criteria has therefore been given importance and suitable credits are assigned for different components viz. annual average turnover, availability of liquidated assets such as solvency/over draft facility and other credit lines, etc.

(vi) Contractors train ea in NAC:—Incase the contractor himself is trained in the National Academy of Construction it is expected that he will be able to possess better skills in execution of works as well as contract management, hence suitable credits are assigned to this criterion.

(vii) Membership in BAI and any other professional bodies:—This criterion would reveal that the contractor's access to interact or to have interface with different professional experts for up-dating his technical skills. Keeping this in view suitable credits are assigned.

(viii) History of litigation:—This criterion is introduced to assess character and professional ethics of a contractor. Various items have been identified under this criterion which are assigned suitable credits for each of them- The sum total of credits under this criterion will be subtracted from the total credits achieved by a contractor for all the above seven criteria. It is imperative to mention that in case the concealment or misleading/false information is furnished, the contractor shall face very severe action such as blacklisting or debarring from the contracting field.

The contractor shall submit an affidavit to the effect that the history of litigation furnished by him is true and in case it is detected at any stage he will abide by the action taken by the Government without approaching to any Court whatsoever for redressal. Before taking action against the contractor the engineers will, after through probe and enquiry will give suitable opportunity to the contractor for offering his explanation and then initiate action against him.

4.PROCEDURE TO FURNISH THE PARTICULARS FOR EACH OF THE ABOVE EVALUATION CRITERIA

The contractors shall furnish the information for each of the criterion (from i to vii) mentioned above following the formats supplied to them by the concerned engineers who evaluate their performance, however the formats will broadly contain the particulars to be furnished as stated below:—

- (i) With regard to qualification, the copies, of certificate issued by the University/ College/Polytechnic or any other competent authority shall be submitted-
- (ii) The copies of registration right from the inception, to date shall be furnished.
- (iii) With regard to execution of works during the last 5 years the contractor shall produce the copies of experience certificates issued by the competent authority not below

the rank. of Executive Engineer and counter-signed by the Superintending Engineer or equivalent indicating description of work, date of agreement, agreement value/Revised agreement value date of commencement, agreed date of completion, actual date of completion, total value of work done, reasons for delay if any, the physical quantities executed during each financial year etc.

(iv) The copies of relevant document in proof of possessing the equipment shall be produced.

(v) The audited balance sheet, income tax returns for the past 5 years shall be submitted along with solvency, overdraft facility etc., in proof of the credit facility available to him-

(vi) The copies of certificate issued by the competent authority of NAC-(vii) Copies of Membership of Builders Association or any professional body.

Note:—The copies of all the certificates documents shall invariably be attested by a serving Executive Engineer of any works department of Government of Andhra Pradesh, For incorrectness of the copies of certificates/documents when compared with the Originals, action will be taken against EE who attested the copies and the Contractor.

Annexure II Evaluation

Procedure

1. Technical Qualification 10
 - a. Contractors Qualification BE 3
 - b. Employed Engineers
 - (i) B.E. with 4 years experience ... 2 each
 - (ii) Diploma with 4 years experience ... 1-5 each c.

Trained Manpower from NAC Maximum of 10 credits
2. Standing in Civil Contract Field 15
 - a. Experience from the lowest class up to the year of present class Registration (for each year 1 credit) subject to a maximum of 5
 - b. Experience in the present class
 - from the year of registration to the present class to the year of Evaluation (for each year 4 credits)

subject to a maximum of 15
3. Record of Execution of Works 25

(during preceding five years)

 - a. Similar Nature of Works as prime contractor for each Rs. 2.00 cr. (2) credit and
 additional Rs. 1 cr in that year will fetch (1) credit.
 Cumulative of all for 5 years.

- b. Works completed within agreement period -
each work of Rs. 1 cr. will be given (1) credit
maximum of 25 credits.

4. Plant and Machinery

Requiring to the work of specialization 10

5. Financial Status

Annual average - turn over during the 25
preceding five years

a- For each Rs. 1 crore 2 b. For

every additional Rs. 1 crore 1 Subject to a
maximum of 25 credits.

6. Contractor Trained in NAC (CDI)

10 5 (-

7. Member of BAI and Other Professional Bodies

)35

8. History of litigation

during proceeding five years a.

Arbitration/lost 2 b. Court

cases/stayed 10 c. Determined

work 10

d. Taken over under

Cl. 61 PS to APSS 13

Preparation of realistic estimates - Entrustment of additional item of works to the same contract agency - Instructions issued - Reg.

(Cir. Memo. No. 9006/TAI/AEE2/2002, C.E. R. & B., Hyd, Dt. 31-12-2002)

Ref. :- 1- G.O.Ms. No. 23, I & CAD (PW.COD) Dept., Dt. 5-3-1999.

2- Memo. No. I3285/R.IV/2/2002. Dt. 26-12-2002 of T.R. & B., Dept., Govt. of A.P.

Order:—The attention of all the Superintending Engineers and Executive Engineers (R&B) dealing with State roads is invited to the reference 1st cited above. Wherein the Government have issued certain instructions to be followed in the Public Works Department in regard to- 1. Preparation of realistic estimates, 2. Administrative Sanction of estimates, and 3. Technical sanction of estimates, etc.

Several times it was emphasized to take proper care while preparing the estimates under various schemes duly contemplating the requisite provisions commensuration with the site conditions and in any case there should not be any escalation in the estimates due to certain additional items identified later on.

When ratification is sought, for entrusting certain additional items to the same contract agency, for the work of "Heavy Periodic Maintenance and making up of deficiencies of vakalapudi - Addaripeta road from Km.34.36 to Km-40.00 in East Godavari District " by the Managing Director, APRDC, Hyderabad, the Government vide Memo. 2nd cited, have again emphasised the above instructions and insisted to avoid such practices and instructed to prepare the estimates, after identifying all the items of works found essential, as per site conditions and after conducting thorough survey.

Therefore all the Executive Engineers and Superintending Engineers dealing with state roads are requested to follow the above instructions without fail and not to come up with any proposal for ratification from the Government/Chief Engineer for the reason, that the cost of the additional work is within the savings or within the permissible excess or otherwise any failure will be viewed seriously and action will be initiated against non-compliant officers.

Acceptance of tenders of tenderers - Clarification issued - Regarding.

[Circular Memo.No. Rc.L.2/40008/66-2. PWD (General), Dt. 29-10-1966]

Order:—An instance has come to notice where a Superintending Engineer called for a tender clubbing two separate items for convenience into one tender- While calling for tenders for the above work he has specifically stated that the department reserves the right to accept any one of the two items. His intention was to take the advantage of the lower quotations. He has neither called for separate tenders nor reserved the right, to split up the work and awarded tender to the lowest offers. Having failed, he has split up the work and given the work to different contractors considering their lowest rates of particular items- A particular contractor who quoted his rates to the two separate items of work, could not get the whole work and got only one item of work for which his rate for that particular part of work was considered lowest. The contractor was not willing for acceptance of that part of work and demanded the department to refund his earnest money. The Superintending Engineer without taking stock of the above implications in calling for tenders as stated in the foregoing lines, contended that the tenderer's action in not accepting the part of work and demanding the refund of earnest money is tantamount to backing out from his promise and the earnest money deposit may have to be forfeited.

2. The action of the Superintending Engineer in having refused to refund the earnest money deposit is not correct, because the Superintending Engineer split up the work and gave it to different contractors at the lowest rates of each item and so refused the refund of the earnest money claimed by the contractor.

3. The officers of the department are therefore advised to be more careful in future in calling for tenders and in deciding the tenders.

Tender for bridge works - Preparation of tender schedules excluding reinforcement in RCC -Items of works - Instructions issued - Regarding

[Circular Memo. No. 31152 E-I/69. Roads and Buildings A.P... Dt. 3-4-1962]

Order :—At present tenders for all bridge works are invited with rates to be quoted for finished items of work for all items including cost and conveyance steel and labour, fabrication involved in all RCC items, specifying the quantity of steel reinforcement required for each such item.

It is observed that in certain cases where variation in the quantity of steel reinforcement is necessitated due to alteration in design etc., found necessary during execution, the contractors are demanding exorbitant rates disproportionate to their original quotations even though Cement rates for variation in steel reinforcement are separately given by them. In order to avoid such complications it is considered desirable to exclude the cost and conveyance and fabrication of steel for reinforcement in all RCC items of work and to have a separate quotation under a separate item in the tender schedule for the total quantity of steel reinforcement (excluding welding) required for all RCC items put together.

In cases where reinforcing bars of 25 mm diameter and above are to be used welding resorted to a separate rate per weld be called for. This rate should include conveyance of rods to welding spot, welding and re-conveyance back to work spot. The rate shall be per weld and the number of welds should be indicated in the tender schedule.

The Superintending Engineers (R&B) are therefore requested to adopt the above procedure while inviting tenders for all bridge works in future. Estimates for all bridge works should also be prepared accordingly in future, so as to facilitate comparison of tenders.

Irregular Acceptance of Tenders and agreements beyond the competence of the Executive Engineer - Regarding.

[Circular Memo. No. 23234-E-I, Roads and Buildings. Dt. 12-5-1969]

Order:—The Accountant-General has pointed out certain cases of road works where the agreements beyond the value of Rs. 50,000/- have been accepted by the Executive Engineers for which tenders were accepted by the Executive Engineers on the condition [hat the value of contract after deducting the cost of bitumen supplied departmentally is less than Rs. 50,000/- under the provision to note under para 431 of APPWD Code. He contends that as the bitumen supplied by the Department is not an inseparable part of the tender the contract value is the total amount of tender including cost of bitumen to be taken into consideration either for purpose of acceptance of tenders or agreements.

He also cited of building works where the departmental supply of Iron and Steel and cement is contemplated but orders of competent authority are obtained based on the total value of contract as whole.

In this office Memo.No, 22675-E-1/63-3, dated 29-12-1962 instructions were issued, to all Superintending Engineers that the net amount referred to in the note under para 431 of APPWD Code applies both for the tenders and agreements and that the tender as well as the agreement may be accepted by the Executive Engineer if the value of contract after deducting the cost of materials supplied by department is less than Rs. 50,000/- and if the tender percentage of the gross amount of contract is within 5 percent excess over the gross amount of estimate,

In view of the Accountant-General's observations in para 1 above and in supersession of the instructions issued in this office Memo cited above, all the Superintending Engineers and the Executive Engineers are hereby instructed that in all future cases, the gross amount of contract i.e., including case of materials supplied by the department should only be taken into consideration for the purpose of determining the authority competent to accept the tender and agreement.

Acceptance of tenders other than the lowest tender - Instructions.

[Memo. No. 1722-H.2-/69-4, PWD, Dt. 3-11-1969]

Order:—It has come to the notice of the Government that a Superintending engineer rejected a lowest tender and accepted a higher tender giving vague reasons.

According to para 156 of the Andhra Pradesh Public Works Department Code the officer should consider the financial status of the tendered, the capability, the seen"" DCODE—31]

offered by him and the record of the execution of works by the contractors and then decide as to which tender should be accepted.

Normally the last tender should be accepted other things being equal. Since, in several instances the officers of the PWD have accepted tenders which are higher and rejected the lower giving vague reasons, the Government consider that cogent reasons should be given by the officer, in case he rejects the least tender. Specific data with reference to the financial solvency income-tax paid, the ability of the contractor to execute the work, security offered by him, the names of at least some works executed formerly by the contractor, amount involved therein and the conduct and performance of the contractor, amount involved therein and the conduct and performance of the contractor during the execution of work should be given. This information should be furnished not only in respect of the tenderer whose tender has been accepted but also of the tenderers whose tenders have been rejected. The relative merits of the various contractors concerned should be discussed and cogent reasons should be given while rejecting lower tenders, if the lowest tender is to be rejected. The Government will take a serious view if lower tenders are rejected without valid grounds and without following scrupulously the instructions given in this Circular.

Submission of certain particulars while submitting tenders to this office.

[Memo. No. 5/70/5750-E/70-2, (Roads and Buildings). Dt. 6-5-S970]

Ref. :- *This Office Circular Memo.No. 2768-E1/70-3, Dt. 16-2-1970.*

Order:—The attention of the Superintending Engineers of the department is drawn to the circular Memo. cited above wherein clear instructions were issued regarding the various particulars that are to be furnished invariably along with all the tenders proposals submitted to this office. In spite of the instructions may tender proposals from all circles are being received in an incomplete shape resulting in avoidable correspondence and delay. It is also noticed that in some cases, the tender proposals were received in this office just before the validity offender expired, and the tenderer backed out before acceptance of this tender could be communicated to him on the plea that the validity of his tender expired.

2. As a general rule the validity of a tender lapses by 2 months unless otherwise stipulated in the NIT. A majority of the tender cases referred to this office require approval of Government and the tenders are received in this office with full particulars and with sufficient time for scrutiny in this office as well as at Government and the tenders are received in this office with full particulars and with sufficient time for scrutiny in this office as well as at Government leave, there is little scope of communicating the decision before expiry of the validity period of the tender. All the Superintending Engineers and Executive Engineers are therefore directed to personally watch the disposal of tender cases and take steps to submit them to this office wherever necessary within 15 days of receipt of tenders. However, in unavoidable circumstances when it is not possible to finally dispose the tenders within the period of their initial validity they should obtain revalidation letters from the tenderers well in advance and submit along with the tenders proposals without fail.

3. From the tender proposals received in this office, it is often not clear whether sufficient time was allowed for receipt of tenders and whether wide publicity was given to the Tender Notice by publishing in Newspapers as required under Code Rules. This should be clearly explained duly indicating the dates and the names of the newspapers in

which the said notice was published for each call. Newspaper cutting wherein the Chit Tender Notice was published may also be sent to this office.

4. It is noticed from some of the tender proposals received from the superintending Engineers that the tender rates for certain individual items are exceeding the estimates rates by more than 25%. Even though the quantities for such items are negligible at the tender stage, there are instances where these were revised and increased considerably resulting in the increase in the tender premium. It is pointed out that it is not the tender percentage alone to be considered for the reasonableness of the tender. It should also be seen that there are no abnormally high rates exceeding 25% excess for individual items. Such of the high rates for individual items should be negotiated and brought down within 25% excesses or else, the tender is likely to be rejected.

It should also be seen that for the items for which high rates are quoted, the quantities thereof should not be increased during execution.

Certain irregularities in the acceptance of tenders and in preparation of revised estimates - Instructions on remedial measures - Issued.

[Memo.No. {348/Y/68-4, Dt. 24-11-1970}]

Order:—During scrutiny of tenders and revised estimates various irregularities committed by Departmental Officers in acceptance of tenders, and preparation of estimates have come to the notice of Government. It is observed that the irregularities committed were mainly due to non-observance of the codal rules and instructions issued by the Government from time to time. The various irregularities noticed could be avoided if the departmental officers observe the codal rules scrupulously. The various types of irregularities noticed and remedial measures to be adopted to avoid a recurrence of such irregularities are detailed, below for the guidance of the Departmental Officers:

ACCEPTANCE OF TENDERS - MAJOR IRREGULARITIES - REMEDIAL MEASURES:

1. Comparison of tenders with unapproved rates, and modified estimates.

In most of the cases the tenders are called for based on sanctioned estimates. But after receiving the tenders, the rates in the sanctioned estimates are stated to be unworkable and the tenders are compared with modified higher rates based on some data on the plea that the modified higher rates are workable ones.

This procedure is not contemplated in the Code Rules, This irregularity must be avoided and tenders invariably compared and accepted with reference to the rates in the sanctioned estimates only. If the rates in the sanctioned estimates are found not workable with reference to the current S.S.R. due to the lapse of time or wrong data, etc., the proper course would be either to submit revised estimate adopting current schedule of rates before the tender call is made for approval of the competent authority or to submit the tender along with the data to the Government justifying higher rates.

2. Acceptance of tenders above the estimate rates when competition is low:

There are cases where tenders have been accepted nearly at 5% above estimate rates when the competition is low and even only one tender is received.

The powers of accepting tenders up to the permissible limits above the rates in the sanctioned estimates should be used cautiously and only after making sure that the acceptance of such tenders is unavoidable.

In cases where there is no response to a tender call and a further call is considered fruitless, and the works are proposed to be entrusted on nomination, the work should be entrusted at or below estimate rates, and where the rates exceed the estimate rates as a result of negotiations with a selected contractors or contractor the sanction of the Government is necessary as per Government Memo.No. 419Y/66-3, dated 20-7-1966, and Govt. Memo.No. 1856-Y/69-2, dated 27/29-12-1969.

Alternatively the instructions issued in Govt.Memo.No. 553/N2/66-2, P.W.D., dated 17-3-1966, Government Memo.No. 94/Y/66-4, P.W.D., dated 16-1-1967 and Govt .Memo. No. 101/y/70-1, P.W.D., dated 25-2-1970 for splitting up works in a judicious way and calling for tenders again for the split up works should be followed.

3. Lack of sufficient competition from tenderers can be avoided if the following precautions are taken:

(a) A minimum of one month's time for the receipt of tender should be given in tender notices, in respect of each tender for works above Rs- 1 lakh as per sub-para (ii) of para 154 of A.P.P.W.D. Code.

(b) Wide publicity should be given as contemplated in para 154 of A.P.W.D. Code.

(c) Only one schedule of rates should be adopted by all Departments, that is, P.W.D., Electricity Circle, (R&B) etc., to avoid the dearth of contractors, where the rates are low. Instructions issued in G-O.Ms.No- 781, P.W.D., dated 6-5-1967 should be followed.

(d) If the tenders are still high even after repeated tender calls, departmental execution shall be tried by entrusting works to job workers within the estimate rates supplying materials departmentally-Vide Government Memo.No. 101/Y/70-1, PWD, dated 25-2-1970.

4. The authority accepting tenders should carefully observe (be following Points:—

(1) The high rates against any item should not be accepted unless they are justified with reliable data.

(2) The monopoly of works by one or a few contractors in a circle or project should not be encouraged.

(3) When tenders with high rates are submitted by all the contractors in league, they should be rejected, and departmental execution should be proposed.

5. Calling for tenders and execution of works before Administrative and technical sanctions are accorded :—Instances have come to the notice of Government wherein the Departmental Officers have called for tenders for works and accepted them even before the administrative approval and technical sanction are accorded. This practice is contrary to the instructions in para 173 of A.P.P.W. 'D' Code. However, in respect of really emergent cases instructions in para 177 should be scrupulously followed.

Instances have also come to the notice of Government wherein the departmental officers have accorded revised technical sanctions even before the approval to the revised administrative estimate by the Government and called for tenders, which were compared with the revised estimates prepared. The instructions in para 1 of the Government Memo.No, 3A/TC/66-1-PW (PW), Dt. 21-1-1967 that the revised estimates prepared by departmental officers should not be adopted by them for comparison and acceptance of tenders unless such revised estimates are approved by the Government should be followed.

REVISED ESTIMATES - MAJOR IRREGULARITIES - REMEDIAL MEASURES

1. Inadequate investigations:—Most of the schemes are not thoroughly investigated in respect of the site conditions and the estimates are prepared in a slipshod manner whereby important items of works which should have been included in the estimates are omitted.

A careful study of site conditions during the detailed survey will give proper assessment of the situation in order to make adequate provisions to suit the site conditions. Thorough hydrological studies in respect of irrigation schemes are most essential to assess correctly the potentialities of the scheme before taking up the surveys, in order to avoid changes at a later stage. Modern geophysical instruments may be used to ascertain quickly the rock levels during preliminary survey and the same may be verified by duly conducting calyx drill core borings during the detailed survey in order to ensure the availability of sound rock at an economical depth and to avoid the change of the scope of the scheme or the site at a later stage on account of the non-availability of sound rock for foundations. The block leveling and preparations of block plans will be helpful to finalize the alignment of branch Canals and major distributaries and to localize the available commendable ayacut and to avoid alterations at any stage. In respect of the main canals and branches, and major and minor distributaries detailed survey up to the last block (of 100 acres limit) is necessary to provide fairly correct assessment of the provisions, regarding (i) L.A., (ii) Head Sluices, (iii) Drops, (iv) C-D.Works, (v) Bridges etc., and of their correct positions in order to avoid any excess at a later stage. In addition, the evaluation of site conditions during the detailed investigation is very necessary, in order to have an idea of the availability of local materials and skilled and unskilled labour and to assess the necessity for the importation of additional labour required for the works and to work out the probable cost towards their transportation charges and their amenities. Detailed investigation will help in real savings of money and time ultimately.

Detailed estimates should be prepared before according administrative sanction in accordance with the instructions issued in Government Memo.No. 1762/N2/68-2, dated 25-5-1968.

The Chief Engineers should personally inspect the site of projects costing over Rs. 10 lakhs before according technical sanction according to the instructions issued in G.O.Ms.No. 1467, PWD, Dt. 16-5-1959, (Vide-Govt.Memo.No. 258/6627, PWD, Dt. 12-2-1969).

2. Improper Estimating :—Mistakes are noticed in working out the quantities and rates of items of work. Sometimes important items of works also are omitted while preparing the estimates, due to lack of knowledge and experience and due to carelessness. Inspection of site and scrutiny of data by Superintending Engineers, similarly as in the case of works costing over Rs.10 lakhs which are reported to be inspected by Chief Engineers will help correct preparation of workable estimates with adequate and reasonable rates. Correct provisions for all the items necessary for the work and correct preparation of data for a work is possible is to be executed. Failure in this regard results in preparation of defective estimates leading to upward revision later.

Excess in revised estimates are not only due to the increase in the cost of materials and labour rates but also due to the following factors:-

3. Change in Specifications :—In some estimates, etc., surki mortar originally proposed in the sanctioned estimate is changed to cement mortar during execution, due to the non-availability of good surki in the locality thus resulting in excess expenditure.

It is necessary to study carefully the site conditions and the availability of local materials and to adopt suitable specifications to avoid changes at a later stage. Departmental Officers should not change the specifications during the execution without the prior approval of the authority who has sanctioned the technical estimate and also the authority competent to sanction the revised estimate if the extra involved necessitates preparation of a revised estimate. The change in the specification should not be proposed unless it is economical or unavoidable.

4. Change in quarries and leads of materials:—Sometimes the excess in the estimate is reported to be due to increase in leads of materials on account of the quarries originally adopted not yielding the required quantity of materials—Necessity for change in quarries arises only if the quarries are not investigated properly in the first instance and the quarries adopted in the original estimate are not live ones. So it is necessary to study the site conditions carefully and propose good and live quarries which yield adequate materials.

Suitable for the work so as to avoid change of quarries with increased leads for materials and consequent increased rates, instructions issued in Govt. Memo.No. 1611-Y/ 67-39, PWD, Dt. 18-3-1969 for maintenance of a Road Metal Rate Book should be followed scrupulously. Failure of officers to attend to this important item should be seriously viewed.

According to condition 8 of the tender notice (L.S. contract) every tenderer is expected before quoting his rates to inspect the site of the proposed work and also the quarries and satisfy himself about the quality and availability of materials and Government will not, after acceptance of a contract is found later on to have misjudged the materials available. In spite of the above provision it is noticed that the departmental officers are entering into supplemental agreements to cover extra leads on some pretext or other, necessitating revision of estimates. This procedure is highly irregular and should not be adopted. Serious view should be taken if the above instructions are not followed scrupulously.

5. Change in design, alignment and scope of the scheme;—It is noticed that the designs originally prepared are often revised, alignment of canals and branches are changed and the scope of the schemes are also changed adopting alternative sites for the construction of main structures during the execution without obtaining the prior approval of the authority competent to accord administrative sanction. For example, causeways designed in the original estimate are changed as submersible bridges during execution involving excess cost. The alignment originally proposed is changed, adopting alternative alignment which is not economical. The original site proposed for the construction of spillway and earth dam is changed during execution, adopting an alternative site and thereby changing the scope of the scheme.

As required in para 189 of APPWD Code the departmental officers should not change the design or alignment of canals or change the dam site during the execution without prior approval of the authority who sanctioned the original scheme. These changes should not be proposed unless they are economical or unavoidable.

6. Inclusion of new items not originally contemplated:—The L.S. provisions like cross masonry works, namely drainage culverts, syphons, aqueducts and bridges originally provided are found subsequently inadequate during execution and thus the new works originally not contemplated are proposed and executed with huge excess.

It is necessary to take up the detailed investigation of canal branches and distributaries and to assess correctly the number of structures required and their positions for estimating their cost after preparing detailed estimates wherever possible for each type of work and

providing adequate LS provisions for similar works on the basis of past experience instead of providing inadequate L.S. provisions, in order to avoid the omission of essential masonry works. It is also noticed that detailed estimates are not worked out for all masonry works of canals and distributaries while obtaining original sanction and while according technical sanction by Departmental Officers and even while approaching Government for revised administrative sanction. The L.S. provisions are generally allowed during preliminary survey but not in the original estimates submitted for sanction after detailed investigations. It is necessary that detailed estimates are worked out for all works including canals and distributaries during the detailed investigation. It requires careful study and past experience to make the provisions under L.S. items as accurately as possible. So careful scrutiny of the proposals by superior officers is necessary in the preparation of proper estimates with realistic provisions.

7. Importation of labour and providing labour amenities:—Evolution of site conditions is generally not done during the detailed investigation to ensure adequate provision in the original estimate. On account of this the departmental officers are not posted with the resources available in the area with reference to the availability of skilled and unskilled labour and additional imported labour necessary to execute the works.

It is necessary to assess the quantum of additional imported labour necessary for items of works with reference to quantities and the labour required (as per standard data) according to the phased programmed to complete the execution and the cost involved, in the transportation of labour from a particular place and to work out the cost towards labour amenities should be worked out. The departmental officers should carefully study the site conditions investigation and make adequate provision in the original estimates for the importation of labour and labour amenities after working out the cost of each work instead of adopting one flat percentage for all works when the distances and other it is necessary to work out realistic estimates to minimize excess in the estimates to a reasonable extent. The instructions issued in G.O.Ms.No. 1624, PWD, dated 29-11-1969 and G.O-Ms.No. 1452 P.W. (Y) Dept., dated 29-8-1970 regarding the procedure to be adopted in making provision for importation of labour and labour amenities in the estimates should be followed scrupulously.

8. Anticipated credits:—It is noticed that suitable provision is not being made in the estimates towards anticipated credits, if any, e.g. dismantled materials, stone obtained (in excavation) which is useful value of retrievable materials. Suitable provisions should be made towards anticipated credits in the estimates invariably in future.

9. Changes in classification of soils:—Many estimates are being revised due to higher classification of soils met with during actual execution. It shows that detailed estimates are not prepared carefully, by excavating adequate number of trial pits to the required bed levels of canals and classifying the soils correctly. The detailed estimates should always be prepared after excavating trial pits to the proposed bed level and the trial pits should be spaced at a minimum of 110 feet intervals so as to give reasonably accurate picture of soils.

Before starting the excavation of the main canals of big size (or when higher classification is expected during the excavation) pre-classification of soils as per trench classification (pre-classification of soils) is a fool-proof method, which may make it impossible for the contractors to claim higher classification of works after completing the excavation of works. On the other hand, the open classification of soils based on than doors left after excavation is completed would give room for corrupt practices by re-classification of soils to the higher side. Moreover, it is also possible to know the variation in the classification of soils between the estimate and actual execution before starting the excavation of canals, by adopting trial trench classification of soils to assess the excess cost for

obtaining revised administrative approval. The trial trench classification has been adopted in the execution of N.S- Main Canals excavation with good results, thus considerably minimizing the excess due to variation in the classification of soils.

As reported by Chief Engineer, N.S. Canals variations of the classification of soils are not much up to 42/0 mile of N.S. Right Canals where trial trench classification was adopted for the works executed through contractors except in the reach 35/4+330 to 36/0 miles where open classification was adopted for the works executed the job workers. It is useful to adopt the same procedure in all schemes in the States for the excavation of canals with wide sections or wherever more than three classifications of soils are anticipated, in order to avoid excess due to higher classification of soils.

10. According technical sanction to the estimates beyond 10% against the corresponding sub-head provision of the sanctioned project estimate:—Instructions were issued in para 4 of the G.O-Ms.No. 800, PW & T, dated 2S-4-1955, that without sanction of competent authority, expenditure in excess of the provision in the sub-heads of the sanctioned estimates should not be incurred. Again in Government Memo, No.553/N2/66-PWD, dated 17-3-1966 instructions were issued that wherever excess expenditure is anticipated in any sub-head, sanction of Government should be obtained for the excess in the sub-head.

Also Chief Engineers have been instructed to ensure that whenever the sub-head provision exceeds 10% of the corresponding provision of the sanctioned project estimate, they should approach the Government for approval and no estimate should be technically sanctioned by them or other Officers beyond permissible limit pending Government sanction except when it is ensured that the excess can be met from the probable savings under other sub-heads.

In spite of the above instructions, it is observed that, in many instances, the departmental officers are according technical sanctions in respect of sub-works much in excess of the provisions in project estimates against sub-heads and also beyond their power sanction excess without obtaining prior sanction of the Government. Monthly statements in respect of works costing Rs. 5 lakhs and above showing up to date total amount of estimates sanctioned technically against the corresponding sub-head provisions of the sanctioned project estimates are being furnished to Government. In order to keep a watch on the estimates sanctioned by departmental officers and to see that it does not exceed the sanctioned sub-head provisions of the project estimates for which administrative approval is accorded, similar action may be taken in respect of works costing below Rs. 5 lakhs. If sufficient care is taken in this regard, excesses in R.E. will be fully kept under check.

11. Submission of revised estimates based on actuals:—The departmental officers have powers to accept tenders and execute works with excess quantities only up to the limits specified. If excesses are beyond their competence to approve, the revised estimates have to be sanctioned by Government. Abuse of powers by departmental officers in incurring expenditure beyond the limits specified should be taken serious notice of.

12. Incorrect comparison of revised estimates sanctioned technically for the purpose of obtaining revised administrative sanction:—It is observed that, while submitting the revised estimates to Government for obtaining revised administrative sanction, the provisions in the revised estimate are being compared with the provisions in the estimate sanctioned technically to departmental officers (which are generally in excess of about 10 per cent over the amount of administrative sanction).

The Chief Engineers are informed that the Accountant General has suggested that the revised estimates may be compared with original administrative approval as well as technical sanction. The Chief Engineers are requested to follow the above DrorpA."

13. Submission of a revised estimate after the work is completed:—Revised estimates with huge excesses are sent to Government for approval long after the works are completed. Thus the departmental officers are transgressing their powers and confronting the Government with an accomplished fact with the confidence that by such method their actions will automatically be ratified by Government.

The Departmental Officers have been told repeatedly that as soon as the excess in the estimate is found necessary or unavoidable they should submit a revised estimate at an early stage of construction. The departmental officers should scrupulously follow instructions in para 214 of APPWD Code and avoid incurring excess expenditure beyond their powers without prior approval of the competent authority. Unauthorized execution of works in excess of sanctioned amount beyond the permissible limits will be viewed seriously by the Government.

14. Deliberate underestimating :—Cases of underestimating so as to ensure that the scheme is sanctioned giving a revenue return of 1.5 of M.I. Schemes for reducing the estimate cost to enable its being sanctioned at the level of Chief Engineer or Superintending Engineers have come to notice of Government

The departmental officers must give a correct picture of the actual cost of the scheme leaving the discretion to Government for its sanction. Underestimating or intentionally reducing the cost of scheme should be avoided.

15. Delays in execution result in excess cost:—Due to delay in the execution of the scheme as per the phased programme, the cost of the scheme will shoot up because of the price spiral.

Speedy execution and completion of works before the target dates will reduce the cost of construction and avoid revision of estimates. Estimates should be prepared making necessary and adequate provisions to complete the works under phased programme, after careful study of the resources and site conditions. The real efficiency of the departmental officers has to be judged with reference to the preparation of realistic estimates and execution of works within the target dates with economy and without boosting up the rates. Speedy execution of works with exorbitant rates should not be allowed except in the case of emergent works and that too with the approval of the competent authority.

16. Procedure for dealing with inevitable excesses that may occur during execution of works:—The excess in the revised estimates of major projects and schemes may be inevitable due to conditions beyond the control of the department, e.g. :

1. Increase in cost in the present context of rising cost of works that are spread over a long period.

2. Increase in schedule of rates on labour and materials.

3. Increase in the cost of controlled materials.

4. Increase due to more excavation foundations based on the geology of rocks.

5- Increase in un-precedented and providential damages, if reported in advance and the cost of such damages and proposed writing off as per clause 50 of APDSS.

The Officers should deal with such cases judiciously and intimate the competent authority in advance.

Leads of water to be specified In the Tender schedules as "all water leads" for Earth work and WBM items - Regarding.

[Cir.Memo. No. 55435-K2/71-5. Roads and Buildings. Dt. 28-10-1971]

Order:—A few cases have come to the notice of the undersigned where water leads as per sanctioned estimate are mentioned in the tender schedules instead of "all water leads". This leads to complications during actual execution giving room for claims from the Contractor-which may be objected to by the Audit.

Therefore while preparing tender Schedules all the Superintending Engineers (R&B) are requested to include "all water leads" in all earth work items involving compaction and W.B.M. items irrespective of the lead mentioned in the sanctioned estimate; similar instructions may also be given to Executive Engineers (R&B) under their control for their guidance in preparation of tender Schedules at Division level.

Wrong payments to contractors due to mis-interpretation of provisions, etc. - Recovery of amounts - Inclusion of a safety clause In tender schedules and agreements - Instructions - Issued.

[Memo.No. 1037-Y/7J-3, P.W. Department. Dt. 30-10-1971]

Ref. :—Govl.Memo,No, 27001-R2/69-6, PWD. Dt. 26-10-1969.

Order:—In the Government Memo. cited (copy enclosed) it was ordered, among other things, that in every agreement to be entered into by the PWD (R&B) with contractors a provision should be made interpretation any amounts wrongly paid to the contractors due to wrong interpretation of provisions in the APDSS or overpayments. It is noticed that the following clause is being included in the tender schedules of the Roads and Buildings Department.

"In case of overpayment or wrong payment, made, if any, to contractors due to wrong interpretation of the provision of the contract, APDSS or otherwise, such additional payment will be deducted in the subsequent or final bills or at any time thereafter from the deposits".

The Government considered that a similar clause shall be included in the tender schedules and the agreements of the PWD (In. Br.) also. All the Chief Engineers of PWD are requested to issue suitable instructions to their subordinate officers- The Chief Engineer (Major Irrigation and General) is requested to suggest suitable amendments to the APDSS,

Proceeding ahead with the works in anticipation of approval to tenders by higher authorities - Instructions - Issued - Regarding.

[Cir.Memo.No. 4884/F]-71-12/T/section 4/71, Roads and Buildings. Dt. 26-11-1971]

In an instance the tender proposals sent by the Superintending Engineer were recommended to the Government for their approval. .

When the Government asked to examine whether calling for fresh tenders would be advantageous the Superintending Engineer reported that the work was already started on K2 agreement pending approval from the Government and as such it was not possible to recall the tenders.

The action taken by the Superintending Engineer, i.e., proceeding ahead with the work in anticipation on approval to tenders by the Government even without the permission of Chief Engineer or Government to proceed in anticipation, is very irregular and is viewed seriously by Government.

Such cases should not recur. If any particular work is urgent and if the Superintending Engineer wants to proceed in anticipation of approval of Government he must seek prior permission of Chief Engineer duly justifying the urgency.

It is once again cautioned that by such violation the officers concerned will land themselves in serious troubles and will have to blame themselves for consequences.

Submission of tenders to Government - Scrutiny slip to be enclosed in the prescribed preformed - Reg.

[Circular Memo.No. 46550/TAI/76-2, Dt. 29-5-1976]

R«f. :—Government PWD Memo.No, 189/Y/71-1. Dt. 22-2-1971.

This Office Memo.No, 18726/EI/71, Dt. 9-3-1971.

Order:—In continuation of this office memo. cited (2) above all the Superintending Engineers and Executive Engineers are requested to adopt in all future cases the enclosed preformed prescribed by the Government while submitting the tenders for acceptance by the higher authorities or the Government, as the case may be, so as to enable quick scrutiny of tenders. They are further informed that the tenders received without such a scrutiny slip will simply be returned and they will be held responsible for subsequent delay.

In lieu of the present scrutiny slip to be enclosed with the tenders, the annexure to accompany the tender proposals prescribed previously by the Government in the reference 1 cited and communicated in the reference (2) may be discontinued.

The receipt of this memo, along with its enclosure may please be acknowledged.

SCRUTINY SLIP FOR TENDERS

1. Name of work.
2. Reference to Technical sanction. Sanction proceedings No. Registered No. Estimate Amount.
3. Reference to administrative approval. Sanction No. and date. Estimate Amount.
4. Information as to the SSR (i.e.) year of SSR adopted for the preparation of the estimate.
5. Estimated cost of the work for which tenders have been called for and received.
6. How many times have tenders been called for? (Tender notice Nos. and dates are to be furnished).
 - (a) Result of previous calls with names of bidders and Bid-amounts with reference to contract value put to tender and reason for rejection, etc.

- (b) Date of last call of tender.
 - (c) Last date fixed for receipt of applications for supply of tender schedules.
 - (d) Period during which tender schedules are issued-
 - (e) Last date and time fixed for receipt of tenders, indicating the extended dates, if any.
 - (f) The date of advertisements in papers (Relevant extracts of paper cutting may be enclosed).
 - (g) How many applications are received for purchase of tender schedules?
 - (h) How many tender schedules have been purchased?
 - (i) Total No. of tenders received;
8. (a) EMD Specified (Amount and mode of depositing as per tender schedules may be furnished).
- (b) Particulars of EMD furnished by the Tenderers.
9. Is the tenderer whose tender is recommended registered? If so on what category and his previous experience.
10. If the tender rate is higher than the rates of other approved works in the vicinity, special circumstances under which the recommendation to accept the tenders are based (not to be filled up in a routine manner).

Execution of Projects - Invitation of tenders and sanction to estimates - Instructions issued.

[Memorandum No. 553-N2/66-2, Dt. 17-3-1966]

Ref:-G.O.Ms.No. 800, Public Works and Transport Department, Dt. 21-4-1955.

Order :—It has come to the notice of the Government that in a large number of cases, tenders for whole projects or for large works involving high amounts, are being called for by tender inviting authorities. This practice of inviting tenders for large works requiring substantial initial outlay restricts the scope of competition and affords opportunities of tendering just to a limited few and deprives many comparatively small contractors of the opportunity of tendering for works. Thus, the basic object of inducing healthy competition among the tenderers is defeated by this practice and causes extra expenditure on works, as in a number of cases, only a few contractors tender for works and that too much in excess of the sanctioned estimates. To overcome this disadvantage, Government consider that sanctioned works should be split up into convenient workable parts and tenders should be called for, for each individual item of the work with a view to attracting maximum competition.

The attention of the Chief Engineer under the Public Works Department is also invited to para 4 of the G.O. cited, and they are informed that without the approval of the

competent authority expenditure in excess of the provision in the sub-heads of the sanctioned estimates should not be incurred. They are requested to keep in view these instructions and to ensure that estimates will all heads are submitted to Government in all big projects costing over one crore of Rupees. Wherever excess expenditure is anticipated in any subhead, sanction of Government should be obtained for the excess in the sub-head.

Chief Engineers are requested to give suitable instructions to all their subordinate officers and send a copy of these instructions to Government for information and record.

Acceptance of Tenders with exorbitant rates for some items -Instructions - Issued.

[Circular Memorandum No.Re.FI (2)7729/68. Dt. 3-10-1968]

Order :—Instructions were issued from time to time informing the Departmental Officers of the P.W.D. not to accept tenders of any work, if they are quoted with abnormally high or abnormally low rates for individual items. But instances have come to notice where lenders for certain works containing abnormally high or low rates for certain items were accepted by the Departmental Officers on the pretext that the overall tender percentage is within their powers of acceptance. With regard to abnormally high and absurdly low rates the officers are giving their own interpretation and deciding the tenders. If this practice is allowed to continue unchecked- If ultimately, results in heavy monetary loss to Government whenever the specifications and design of work get changed.

Therefore, the Officers of the Department are hereby instructed not to accept any tender containing a rate more than about 15% above the sanctioned estimate rate for any individual item of work.

Deviation from the above instructions will be seriously viewed and the officer accepting the tender will personally be responsible for any monetary loss to Government.

Acceptance of Tenders with exorbitant rates for some items -Instructions - Issued.

[Circular Memo.No.Rc.F(1),f2)/7 729/68, Dt. 24-7-1970]

Ref.:— 1. C.E.Ml&Gl.'s Circular Memo-No.Rc- Ft (2)77279/68, Dt. 3-10-68.

2. From the SE, Dowleshwaram Circle, Lr.No. DB/dlO/405, Ml. Dt. 25-10-68.
3. From the SE, Ananiapur Circle, Lr.No.FG 60 GL, HD.No. 2681, CE., Dt. 25-11-68,
4. From the CE, R&B, LrNo. 17190/E1/69-1, Dl. 6-4-69.
5. From the CE, R&B, Lr.No, 17196/E1/69-6, Dt, 16-7-69,

Order:—In the Chief Engineer, Major Irrigation and General's circular memo. first read above, the officers of the Department were instructed not to accept any tenders containing a rate more than about 15% above the sanctioned estimate rate for any individual item of work. The Superintending Engineers, of Dowleshwaram and Anantapur Circles have requested that the margin of 15 per cent specified for each item in the Chief Engineer, Major Irrigation and General's circular memo. may be raised to 25 per cent, as the tendered

rates for individual items of works are likely to exceed the sanctioned estimate rates by more than 15 per cent due to several indefinite factors. The Chief Engineer Roads and Buildings had also suggested a variation of 25 per cent instead of 15 per cent stating that some times the schedules of rates may not be realistic and further proposed that this 25 per cent variation from the estimate rate must apply both for excess rate as well as low rate quoted by the tenderer.

The Board of Chief Engineers have considered the above proposals of the Superintending Engineers, Dowleshwaram and Anantapur circles and the Chief Engineer, R&B, in their meeting held on 4-12-69 at Hyderabad and decided as follows:

1. To accept any tender containing a variation in rates of (Plus) or (Minus) 25 per cent of sanctioned estimate rate for any individual items of work.
2. In respect of items of any tender where the variation in rates exceeds (Plus) or (Minus) 25 per cent, the specific approval of the next higher authority should be obtained, The Chief Engineer, Major Irrigation and General accordingly direct that the Officers of the PWD, Irrigation branch shall implement the above decisions of the Board of Chief Engineers with immediate effect in lieu of the instructions issued in Chief Engineer, Major Irrigation and General's circular Memo.No.Rc.Pl (2)77272/68, dated 3-10-1968, Deviation from the above instructions will be viewed seriously and the officer accepting the tender will personally be responsible for any monetary loss to Government.

The receipt of the Circular Memo. shall be acknowledged.

Acceptance of tenders with exorbitant rates for some items - Instructions - Issued,

(Circular Memo.No.Rc. A2/7729/68, Dt. 16-2-1971] Rsf. :— C.E.'s Circular Memo

No. Rc.FI(2y77279/68, Dt. 24-7-70.

From the C.E. Projects Drainage Wing U.O.Note No.Rc.CE(P) BR/W2/499 8/70-6, dated 29-1-'71.

Order :—The Board of Chief Engineers at its meeting held on 4-12-1969 have decided that in respect of items of any tender where the variations in rates exceeds (plus) or (minus) 25% the specific approval of the next higher authority should be obtained. The Chief Engineer (Projects) Drainage Wing has pointed out during discussions in the Board of Chief Engineers meeting held on 31-1-1971, that several minor items in a tender involving variation in quoted rate over and above (plus) or (minus) 25% are being referred to higher authorities for approval even though such minor items have no material effect on the overall tender percentage excess or less as they are all of very small value. He has therefore suggested that—

"The approval may have to be obtained from higher authority for items exceeding (Plus) or (Minus) 25 percent overestimate rate provided the tendered value of such item is above Rs. 1,000/- on any individual item or alternatively the estimated value of such items put together is over 10 per cent of the estimate value of tender under consideration",

The above suggestions was considered by the Chief Engineers at the meeting held on 30-1-'71 and it was decided to clarify the previous decision of the Board of Chief Engineers, dated 4-12-69 mentioned in para I above as follows :

"In respect of items of any tender where the variation in rates exceeds (plus) or (minus) 25 per cent, the specific approval of the next higher authority should be obtained".

However, in respect of minor items in a tender, whose quoted rate will not substantially effect the overall tender percentage, the authority competent to accept the tender can do so without referring to higher authority irrespective of the percentage variation in the quoted rate after full satisfying in himself that the quantity specified in the tender schedule under these minor items do not alter in actual execution.

The Superintending Engineers are informed, that for any variation in the quantities specified in the tender schedule under such minor items with abnormal high or low rates during actual execution, resulting in change in the overall tender percentage of the tender, the tender accepting authority who has accepted these rates under the above discretionary powers will be held personally responsible for any consequent monetary loss to Government

The receipt of the Circular Memo. shall be acknowledged.

Poor response to tender calls - Calling for tenders for split up works -

Further Instructions - Issued.

[Memo.No.IOI-Y/70-1. Public Works Department. Dt. 25-2-1970]

Order:—Certain instances have come to the notice of the Government wherein Officers of Public Works Department have awarded works on nomination by splitting up works when there was no response or poor response to tender calls for the entire work without again calling for tender for the split up works.

The attention of the Chief Engineers is invited to the instructions issued in Government Memo.No. 552-N2/66-2, P.W.D., dated 17-3-1966 and Govt.Memo.No. 94-Y/66-4, P.W.D.,dated 16-1-1967. Departmental Officers were authorised to split up large works in such a manner that they are capable to independent execution without interference with the progress and actual execution of the other pieces into which the works might have been split up. The intention is that the small contractors with limited resources may also have the opportunity to compete with the bigger contractors and reduce monopolistic tendencies. In spite of instruction in para 2 of the Govt. Memo.No. 94-Y/66-4, PWD, Dt. 16-1-67, the Departmental Officers still continue to invite tenders for large works though they can be conveniently split up into parts as envisaged in the above instructions. After noticing that there is poor response or no response from the tenderers, the offices split up the works and entrust them on nomination. This practice deprives the benefit of lower rates to the Government, had tenders been called for again after splitting up the works.

After careful examination, the Government direct that the instructions issued in Government Memo.No. 94-Y/66-4, P.W.D., dated 16-1-1967, should be followed scrupulously. If, for any reason, it is not possible or convenient to split up large works before calling for tenders and tenders are called for the entire work and there was no response or poor response, the Departmental Officers should split up the works in a judicious manner and call for tenders again for those split up works. If the tenders are still high even after repeated tender calls, and if it is considered that further call will be fruitless, the Departmental Officers may allot the split up works on nomination to various contractors selected by him within the estimates, rates as per note 1 and 4 and para 154 of A.P.P.W.D. Code or execute such works departmentally or through petty job workers, supplying materials dependently.

The Chief Engineers under the administrative control of Public Works Department and Public Works Department (Project Wing) are requested to ensure that the above instructions are scrupulously followed by all the officers concerned,

The receipt of this communication should be acknowledged.

RECEIPT OF SINGLE TENDERS Execution of Works - Receipt of single tenders - Instructions - Issued.

[Memo.No.1763-D/70'3. P.W.D. (Projects Wing), Dt. 30-9-1970]

Ref. I—From the Chief Engineer, N.S. Canals letter Not 15-Contracts/59-Vol.V. Dt. 22-6-1970.

The Chief Engineers, Nagarjunasagar Project are informed that in order to obtain more competitive tenders the following procedure should be followed:

1. Wide publicity to the tenders may be given as indicated below:

(a) Copies of tender notices may be sent to all the divisions in that, as well as neighboring circles for being exhibited prominently on their notice boards.

(b) Copies offender nonce's may be sent to all the registered contractors of the above mentioned divisions and circles.

(c) If there are several small works in a division to be taken up at time, tender notices may be published in newspapers by including as many works as possible in the same advertisement

(d) For all works costing Rs. 1.00 lakh and above, wide publicity may be given through daily newspapers, etc., and a minimum time of one month should be allowed for receipt of tenders. For emergent works a time limit of two to three weeks may be allowed.

2. If single tenders are received even after following the above procedure fresh tenders should be called for after some rime, except in cases of extreme emergency.

3. Copies of tender notices and papers cutting should be recorded with tender documents to justify the acceptance of single tenders.

The Chief Engineers are requested the receipt of this Memo.

Execution of works - Receipt of single tenders - Instructions -Clarification - Issued.

[Memo.No. 1720-D-72-6, Public Works Department, Projects Wing, Dt. 27-10-1972]

Ref. :— From the Chief Engineer, Nagarjunasagar Project, Right Canals-unit, Leiter No. 20792-C3/62-70, Dt. 21-6-72.

1. With reference to para 3 of his letter cited, the Chief Engineer, Nagarjunasagar Project, Right Canals Unit is informed that the Government agree with his views that it is sufficient if the tender notices are copied to all the registered contractors of all the divisions of that Circle (in which the work lies), all the registered contractors of that Circle and all

the registered contractors of the other Circles of Nagarjunasagar Project Organization and not all the registered contractors of neighboring Circles.

2. With reference to para 4 of his letter cited die Chief Engineer is informed that it is sufficient if tender notifications are sent only to the particular class of registered contractors as specified in the tender notice depending on the value of the work 3, With reference to paras 5 & 6 of his letter cited, the Chief Engineer, is informed that even if the notification has been published in the local papers, still there is no harm in sending the notices to the registered contractors registered for the 'Class' to which the type of work belongs as this will be in die interest of wide publicity. In the case of works costing over Rs. 1.00 lakh, the No. of contractors coming forward to lake up the works may not be many. It would therefore, be desirable to give wide publicity by sending copies of tender notices to all the registered contractors of that class in N.S. Organization, namely, Nagarjunasagar Right, Left and Dam Units of Nagarjunasagar Project

4. With reference to para 7 of his letter cited the Chief Engineer is informed that as per instructions issued in Govt.Memo.No. 3073-D-70-3, P.W.D., dated 31-12-1970, fresh tenders should be called for after sometime except in cases of extreme urgency when it is considered that a fresh call of tenders is likely to be fruitless and the tender is within the competence of the authority to accept- It will be arbitrary to prescribe a minimum period for recall of tenders after single tender is rejected. Each case depends on the urgency of the work which may be decided by the competent authority.

RECEIPT OF TENDERS WITH SPECIAL CONDITIONS

Receipt of tenders with special conditions - Tenderers to furnish financial effect - Incorporation of a clause in tender schedules - Ordered.

[Memo.No. 34-Y/72-10, Public Works Department. Dt. 25-9-1972

J Ref. :— 1. From the C.E. (M1&G1) LrNo.Rc. GEL/A2/4159/71-6, Dt 13-7-72. 2-

From the C.E. (M1&G1) D.O.Rc. GEL/A2/10913/72-3, Dt 31-7-1972.

It is noticed that some tenders are putting forth special conditions, not contemplated in the tender schedules, involving financial commitment to the Government. The Government considers that the lenders should indicate along with their tenders the financial effect of such conditions. They accordingly direct that, in future, the following clauses shall be inclined in the tender schedules:

"If a tenderer wishes to introduce any conditions not specified the tender documents, the tenderer must furnish the tenders and conditions in a para sealed covers indicating clearly on the top of the covers what the cover contains so as to enable the officers receiving the tenders to open the sealed covers containing conditions first. In the sealed covers containing conditions the tenderer must invariably give definite financial effect of each of the conditions. Alternatively the tenderer may quote his rates on the basis that no conditions other than those specified in the tender notice would be accepted and indicate in a separate sealed cover the rebates he would offer if the Department is prepared to accept any one or more conditions to be specified therein. In the absence of such clarifications or such financial assessment, the tender will be deemed to be incomplete and is liable to be rejected".

[DCODE—32]

2. It is also noticed that in some cases tenderers other than the lowest withdraw some of the conditions and agree to offer a rebate over the rates quoted by the lowest tenderer after the tenders are opened with a view to getting the contract in their favour. As the acceptance of such offers cuts at the root of sanctity of tenders it must be discouraged.

3. The Government also directs that, whenever a tender in excess of 5 per cent over the estimate value is proposed to be accepted, negotiations should be made to bring down the tender rate. Negotiations should be made with the lowest tenderer only.

ACCEPTANCE OF TENDERS

Powers for acceptance of tenders - Restrictions imposed in G.O.Ms.No. 246, Finance Department, Dt. 28-4-1972 exemption to PWD Officers -Granted.

[G.O.Ms.No. 1202. Public Works (Codn.) Department, Dt. 23-11-1973]

Ref. :— 1. G.O.Ms.No- 246, Finance (W&M), Dt. 28-4-1972

2. G.O.Ms.No, 61. PWD.. Dt- 25-1-1973

Order:—In the G.O. first read above, the following orders have been issued *inter*

"No tender should be accepted when the rates quoted in the tender are above the estimates prepared by the Department. If it is proposed to accept a tender which is more than estimated amount it should be seen by a superior officer".

The Chief Engineer have represented that the restrictions imposed would hamper execution of works and in the lowest of expeditious execution of works, the Public Works Department may be exempted from the operation of the above restriction.

The Government have examined the proposals carefully. Since the powers of the Officers of the Public Works Department for acceptance of tenders are already subject to certain limitations and are not unrestricted, they consider that the orders in para 3 (xxi) of the G.O. first read above would lead to too much rigidity and increase of work all round apart from delay to settling tenders. They have, therefore, decided that the restriction imposed in para 3(xxi) of the G.O. first read above shall not apply to the Public Works Department. The Officers of the Public Works Department will exercise the powers as sanctioned in G.O.Ms.No. 895, PWD. dated 1-7-1972 and continued in the G.O. second read above.

Prevention of Benami Transactions - Incorporation of Clauses in tender notices - Instructions - Issued.

[G.O.Ms.No. 638. Public Works Department, Dt. 5-6-5975] K^.^-l. From the

Accountant General, A-P. Lr.WMII/A, 156/73-74/429, Dt.18-1-'74.

2. From the Chief Engineer (Maj. Irrgn & Gl) Lr.No.RC. GE/A2/, 5907/74-1, Dt. 21-5-74.

Order;—It has been brought to me notice of the Government that Engineers and others are getting contracts settled benami through their own relations. The Government

have considered the need to lighten up the Contract Rules in order to prevent benami transactions- Taking into consideration the rules obtaining in the C.P.W.D. Code, etc., the Government have decided that the following clauses be incorporated in the tender notice form :

"A retired Officer of the Public Works Department is disqualified from tendering for any work for which Government funds are used for a period of two years from the date of retirement without the previous permission of the Government. The Contract is liable to be cancelled if either the Contractor or any of his employees is found at any time to be such a person who had not obtained the permission of the Government as aforesaid before submission of the tender or engagement in the Contractor's service".

"A contractor shall not be eligible to tender for works in a division where any of his (a) near relatives are employed in the rank of supervisor or Junior Engineer and above on the engineering side and Divisional Accountant and above on the administrative side. The Contractor shall intimate the names of persons who are working with him in any capacity or are subsequently employed. He shall also furnish a list of non-Gazetted Public Works Department Employees related to him. Failure to furnish such information shall render him liable to be removed from the list of approved contractors and his contract liable for cancellation".

(a) Note:—Near relatives include—

1. Sons, Step-sons, daughters and step-daughters.
2. Sons-in-law and Daughters-in-law.
3. Brothers-in-law and sisters-in-law.
4. Brothers and Sisters.
5. Father and Mother.
6. Wife/Husband.
7. Father-in-law and Mother-in-law.
8. Nephews, Nieces, Uncles and Aunties.
9. Cousins, and
10. Any person residing with the Contractors.

The Government direct that the above clauses be incorporated in the tender notices, tender schedules and agreement also. The Chief Engineers are requested to review the working of the system after a period of two years and send up reports suggesting any modifications considered necessary.

SHORT TENDER NOTICE

Execution of drought relief works - Relaxation of certain rules for expeditious execution - Issue of short tender notices of 15 days time and exemption from publication in 'Tender Digest' - Orders issued.

[G.O-Ms-No. 475, Irrigation (Irr.V. 2) Department. Dt. 22-11-82] .

- Ref. :—* 1. G.O.Ms.No. 362, in-. Dept., Dt. 12-8-81.
 2. G.O.Ms.No, 1360, (CR2) Dept.. Dt. 21-9-82.
 3. G.O.Ms.No. 1359, Revenue Dept., Dt. 21-9-82,
 4. From the Chief Engineer, (Minor In-.), Letter No. DCE.II/OT4/1964S/82, Dt. 16-10-82.

Order :—According to the orders issued in the G.O. 1st read above, all works costing more than Rs- 5,000/- have got to be published in the "Tender Digest" the Chief Engineer (Min. Iir.) has stated that in order to speed up the execution of works under drought relief programme in the G.Os. 2nd and 3rd read above, requested orders of Government to issue short tender notices fixing time limit of 7 days and to exempt to publish the tender notices in the Tender Digest.

2- The Government after careful examination of the proposal issue the following orders are :—

(i) Permitting the Chief Engineers, Superintending Engineers and Executive Engineers to call for tenders giving 15 (fifteen) days time only instead of one month.

(ii) Exempt the publication of tender notices in the Tender Digest.

3. The orders issued in the para (2) above, shall be followed by the Engineers within the code provisions already vested with them and shall apply only for drought relief programme works.

Section No. 12 HIRING OF DEPARTMENTAL MACHINERY

Conditions for Hiring of Departmental Machinery to the Contractors

Order:—The Department will supply the machinery listed out in the appended statement, on hire basis to the extent possible if available under the following conditions:

I. The machinery will remain in the custody of the Department and will be operated by the Departmental crew and all consumables such as fuel, petrol, oils etc., will be supplied from the Departmental Stores.

2- The hire charges which include the pay of the driver and cleaner and other working expenses such as cost of fuel, petrol, oils, etc., will be levied as shown in the enclosed statement;

L When the machinery is lent on daily hire basis:

(a) Hire charges will be levied on half day and one day basis assuming that a day comprises of 8 clock hours as shown in columns 3 and 4 of the statement enclosed. When the machine works for 4 hours or less than 4 hours in a day it will be considered to have worked for half a day. If the machine works for more than 4 hours and up to 8 hours, it will be considered to have worked for one day.

(b) If on a day, the machinery works for more than 8 hours, the extra hours over 8 hours will be charged at the hourly rates shown in column (5) of the statement enclosed. Part of an hour will be reckoned as one hour.

(c) On all days when the machinery is used by the contractor for a period of less than 8 hours due to the machinery being sick or due to its being withdrawn by the Executive Engineer, or due to the stoppage of work for the causes beyond the control of the contractor, hire charges will be levied for the actual number of hours worked at the hourly rate in the column (6) of the statement enclosed. Part of an hour will be reckoned 35 one hour.

(d) On days when the machine is kept idle due to faulty arrangements of the Contractor, for each idle day hire charges will be recovered at the rate noted in column(8) of the enclosed statement.

IL When the machinery is lent on monthly basis :

(i) The minimum number of days the machinery shall work in the month is 20 days.

(ii) If the machine has worked for twenty days or more calculated on one day and half day basis the hire charges shall be levied for actual number of working days at the rates specified above.

(iii) If the machine has worked for less than 20 days the hire charges shall be levied for the full period of 20 days.

(iv) The machinery and crew will be allowed rest for one day in the week for servicing the machine and this weekly holiday will be either Sunday or some other day in the week which will be fixed by the Executive Engineer depending on local circumstances, festivals and fairs. On all authorised holidays exceeding one rest day per week, the idle charges as shown in column 7 of the statement will be recovered.

3. The machinery will be delivered at the P.W.D, Stores. The hire charges will count from the time of delivery at the stores to the time of its return back to the stores. The contractor should give timely intimation when he would require the machinery for use and when it would be returned to stores.

The machinery shall be brought to the P.W.D. stores shed near the works site (or such other places as specified by the Executive Engineer) and any incidental charges in this connection shall be borne by the Contractor. Maintenance of a watchman for the safety of the machinery shall also be the responsibility of the contractor. For this purpose a watchman will be appointed by the Department to look after one or more machines as decided by the Executive Engineer at the approved scales of pay and allowances in force and the pay and allowances of the Watchman for the month will be recovered from the Contractor's bills. For purpose of this clause, a month means a calendar month. If the machine has worked on more than one work in a calendar month, the pay and allowances of the watchman for that machine will be distributed on the concerned work in proportion to the periods it has worked on the works.

4. A log book will be maintained by the authorised subordinate of the P.W.D. where in all the details regarding the working of the machinery will be entered daily such as time of working supply of consumables etc., and the log book will be signed by both the contractor or his authorised agent and the authorised subordinate of the Department. Entries in the log book or daily log reports will form the basis of recovery of hire charges. The hour for working out hire charges are only clock hours and not meter hours.

5. The machinery shall be kept clean during the work and periodically washed by the Contractor at his own cost under the supervision of the Departmental subordinate.

6. The contractor will be responsible for the cost. of replacing or repairing any damaged parts of the machinery fair wear and tear being excluded. The Executive Engineer will be sole judges as to what constitutes fair wear and tear and what portion of the damages have to be made good by the contractor and his orders in the matter will be binding on the contractor.

7. The hire charges noted above and the cost of repairs if any will be recovered from the Contractor's bill.

8. On the contractor's failure to carryout it any of the provisions in the fore-going clause, it shall be open to the Executive Engineer to have the work carried out Departmentally and recover the cost thereof from the Contractor's bills or from any other amounts due lo the contractor.

9. The contractor should make good any damage or loss caused to the machinery by the contractor or his agents or his labour while the machinery is lent to him-

10. At any rime, the machinery lent to the Contractor can be withdrawn by the Executive Engineer without assigning any reason.

11. All incidental charges such as conveyance to the actual location from the P.W.D. Stores, erection and dismantling, etc., should be homed by the contractor. This is as per draft tender schedules approved in C-E.s 'Memo No.30429-T2/71, dated 13-12-71,

Payment of hire charges for the machinery lent to Panchayat Samithis and Zillah Parishads by the Public Works Department - Certain clarifications - Issued.

[Memo.No. 632/Progs. Vltl/76-12, Dl. 8-3-1977]

Ref. :—Prom the Chief Engineer. Panchayat Raj, Hyderabad,
Lr.No.45080/T8/75(71), DL 27-11-1975 and 30-12-1976.

Ordrtr :—hi the references, cited, the Chief Engineer, Panchayat Raj has reported that road rollers are being taken on hire basis from Public Works Department for executing Zillah Parishads and Panchayat Samithis works and the hire charges are remitted at normal rates as applicable to Government works, treating the works of the Panchayat Samithis and Zillah Farishads as Government works, in as much as they are executed with the Government grants- The Public Works authorities have requested in a particular case to remit double the normal charges for the plant, treating the Zillah Parishads and Panchayat Samithis as private parties as per 'D' Code para 9 of 340, based on an objection raised by the Accountant General during audit. The Chief Engineer, Panchayat Raj has, therefore, requested lo issue orders to the effect that there is no need to pay double the amount over normal rates, when the Tools and Plant of Public Works Department is lent to him for use on the works of Panchayat Samithis and Zillah Parishads which are treated as Government works since they are only maintained with the Government funds.

2. After detailed examination of the proposal of the Chief Engineer, Panchayat Raj the Government hereby clarify that according to the para 340(7) of the Public Works Department Code, single rate is to be charged when Government (Public Works Department) Machinery is lent to other Departments of the Government local bodies, etc. Since Zillah Parishads and Panchayat Simithis are local bodies, the concessions available to the local bodies can be extended to the Zillah Parishad and Panchayat Samithis. The Government

further direct that normal hire charges above have to be paid to the Public Works Department by me ZillaParisbads and PaochayalSamithis for the works executed by the Chief Engineer, Panchayat Raj.

Section No. 13

IRRIGATION PROJECTS - CRITERIA FOR SANCTION

Criteria for Sanction of Irrigation Projects - Fixed.

[G.O.Ms.No. 799, Public Works & Transport Department, Dt. 24-3-1956]

Order:—The Government have examined the question of laying down the criteria for sanctioning irrigation projects in the State with due regard to the rate of interest charged on the loans borrowed for financing the schemes. Though a revenue return of 4.25 percent on Irrigation schemes would no doubt be commensurate with the interest on the loans borrowed, the Government consider that this is too high a percentage return to expect from Irrigation works in both the scarcity and non-scarcity areas- As a general policy, the Government have ordered that the Irrigation Schemes to be taken up in future should yield a minimum revenue return of 3 percent in the non-scarcity areas and 1¼ percent in the scarcity areas.

2. If execution of the works to be taken up in a scarcity areas would improve the economic condition of the people to large extent the criteria laid down in para 1 above shall be relaxed on the merits of each case.

3. The orders in para 1 above will not apply to Minor Irrigation Schemes to be undertaken in the Agricultural Sector of the Second Five Year Plan which are governed by the GMF Rules issued by the Government of India, Ministry of Food and Agriculture in their letter NO.F 34-5/55 GMF(S), dated 10-2-1956.

4. The following should be the guiding principles in selecting new Irrigation schemes:

(1) There should be no haphazard selection of works.

(2) There should be a systematic and combing out of the possible schemes,
and

(3) The more remunerative schemes should be taken up first.

Section No. 14

TOOLS & PLANT

Procedure for accounting of expenditure - Orders - Issued.

[G.O.Ms.No. 1925, Public Works Department, Dt. 2-8-1965]

Ref. :~G,O,Ms.No. 308, Finance. Dt. 25-3-1952.

Order :—In G.O.Ms.No. 408, Finance, dated 25-3-1952 the Madras Government prescribed the procedure for classification and account of expenditure on Special Tools and Plant used on various works of Project, which confirms to the decisions made by the Government of India and communicated in their letter No. F8 (23) EG, 11/51, dated

27-9-1951- It was laid down in the above G.O. that cost of Special Tools and Plant would initially be accounted for under the Sub-head "6 Special Tools and Plant" subordinate to one of the P.W. Major Heads mainly affected, that depreciation, maintenance and working expenses, etc., should be debited through regular accounts of the project on which the machinery was employed, necessary adjustments being made annually or at more frequent intervals as might be considered expedient in each case. It was also ordered therein that the detailed account heads viz., "Gross expenditure and "Deduct-Recoveries" might be opened under the sub-head "6 Special tools and Plant" so that the gross expenditure on the special Tools and Plant might always be already available at all times,

2. In their letter No. 3509-EG.II/55, dated 27-5-1955 the Government of India in the Ministry of Finance have informed that the Comptroller and Auditor General has observed that the accounting procedure for special Tools and Plant purchased for a single work or various in a project is the same and the cost of special Tools and Plant has to be recorded under the Sub-Head "6 Special Tools and Plant" initially and then distributed over the various sub-heads of work or the various units of the Projects, as the case may be, It has accordingly been decided that the orders in Para 2 (iii) of the G.O. referred to in para one above should be deleted.

3. While pointing out that the orders in G.O.Ms.No. 308, Finance, dated 25-3-1952 do not appear to have been complied with by the Divisional Officers, the Accountant General, requested that they may be codified to ensure compliance Therewith, He has also made the following suggestions regarding some specific points in connection with the implementation :

(a) The Sub-head "6 Special Tools and Plant" may be sub-divided as in the case of the Nagarjunasagar Project into the following:

- A. Gross Expenditure : (i) Purchase
(ii) Maintenance, working expenses, etc. B.

Deduct recoveries : (i) Depreciation

(ii) Maintenance, working expenses, etc.

The hire or use charges recoverable from works, contractors, etc., should be split up into B(i) and B(ii). The difference between the booked outlay under heads(i) and B(ii) will indicate any time the then value of the tools and plant. The expenditure under b(ii) for any year should be modified each year or anemer, under the orders of the Superintending Engineer, to ensure such equation. If at the end of the year, there is any difference between the expenditure booked in any year under A(ii) and B(ii), no financial adjustment is necessary.

(b) The Divisional Officers should be required to incorporate the adjustments of hire or use charges in the accounts of every month without fail. The Sub-divisional Officers should be required to submit the monthly extracts of log books with T.E.Os by the 5th of the succeeding month, to enable incorporation in the monthly accounts.

(c) As interest on capital is adjusted outside the major head to which the cost of the Project is debited, there may be no necessity to take "interest" into account in the calculation of hire or use rate,

4. The Government of Andhra Pradesh accept the suggestions of the Government of India referred to in para 2 above and suggestions of Accountant General in para 3 above the Chief Engineers under the control of Public Works Department are requested to follow

the orders in G.O.Ms.No. 800, Finance, dated 25-3-1962 so far as classification of expenditure and accounting on Special Tools and Plant are concerned.

5. Orders in regard to methods of working out rates of depreciation charges on Special Tools and Plant and adjusting the same will issue separately.

Simplification of accounting procedure - Non-applicability to Pochampad Project - Confirmed.

[Memo.No. III S-Codn/73-5. Public Works Department. Dt. 8-H-63]

Ref.—From the Chief Engineer, Pochampad Project, Lr.No, HI/1375 8/70-97, Dt. 4-9-73,

Order:—The presumption expressed in Ac letter cited that the accounting procedure approved in G.O.Ms.No. 997, PWD, dated 17-9-67 does not apply to the Pochampad Project is confirmed- The accounting procedure ordered in G.O.Ms.No. 304, PWD (PW), dated 12-8-66 has been extended to the Pochampad Project in Government Memorandum No. 2151E/66-2, PWD, dated 31-10-66.

POWERS TO PURCHASE VEHICLES

Expenditure on purchase of jeeps and motor vehicles not to be debited to Tools and Plant - Powers of PWD officers for purchase of jeeps, etc. - Amendment - Issued.

{G.O.Ms.No. 239. Transport Roads & Buildings (CJ) Dept., Dt. 20-4-1978.}

Ref. :—G.O.Ms.No- 1007, TR&B. Dt. 5-11-1976.

Order :—In Annexure III to the G.O. read above powers have been delegated to the engineers of the Roads and Buildings and the Irrigation and Power Departments for according administrative approval of estimates for purchase of Tools and Plant. A doubt has been raised whether the powers apply also to purchase of jeeps and motor vehicles. It is clarified that according to the revised system of accounting and budgeting following in the State with effect from 1-4-1974 jeeps and motor vehicles do not come under Tools and Plant and the powers delegated in the G.O. also do not apply to the purchase of jeeps and other motor vehicles. It is also clarified that in cases where motor vehicles are to be purchased in connection with execution of any specific work or scheme and they form part of the estimate for such work or scheme and even if the estimate is within the competence of the Chief Engineers, etc., for according administrative approval prior sanction of the Government should be obtained for purchase of any jeeps or motor vehicles.

Section No. 15

RULES RELATING TO PURCHASE OF MACHINERY & STORES

Purchase of Machinery and Stores by Chief Engineers, Public Works Department - Relaxation of Rules.

[G.O.Ms.No. 173, Industries Department, Dt. 31-1-1963]

Order:—In the 31st Co-ordination Meeting of Secretaries to Government and Heads of Departments held on 10-7-1961, it was decided that particulars regarding delays, losses, etc., incurred by the Public Works (General and Irrigation) and (Electricity) Departments, on account of routing their requirements of supplies although the Central Stores Purchases Department might be gathered and steps taken to eliminate such losses and delays. The matter was considered in a meeting held on 16-9-1961, by the Chief Secretary with the Secretary to Government, Planning, and Local Administration, Joint Secretary to P.W.D., Chief Engineer and the Director, Central Stores Purchase Department etc., and it was decided to relax certain purchase procedure to eliminate delays and losses. The above decisions have been examined in consultation with the Chief Engineers and the Director, Central Stores Purchase Department.

2. After careful consideration Government have been pleased to lay down the following procedure to be followed in purchase of stores of specialized nature for the Chief Engineer (Irrigation), Chief Engineer (Electricity Projects) and Chief Engineer (Highways and Buildings), Public Works Department.

3. Chief Engineers are authorised to call for tenders for 'specialised stores' as in Appendix 'A' direct, without the medium of Central Stores Purchase Department from prospective suppliers by inserting advertisements in the Trade Bulletin, the Indian Trade Journal and through the Director of Publicity and Broadcasting, in selected newspapers in consultation with the Director. Central Stores Purchase Department well in advance by sending a full copy of draft advertisement and invitation to tender giving a week's time to the Director, Central Stores Purchase Department for scrutiny. Any suggestions made by the Director at this stage should be duly considered. The tenders should be received, classified and tabulated in the offices of the respective Chief Engineers. All clarifications in respect of the tenders should be obtained by the indicator direct from the tenderers. After completion of the above formalities the entire record dealing with the purchase including comparative statements of quotations, with the specific views or recommendations of the Chief Engineer should be sent to the Director, Central Stores Purchase Department for scrutiny. The tenders should be scrutinised by the concerned highest technical officers of the Central Stores Purchase Department and scrutiny at lowest levels should be discouraged and if possible eliminated. The Director, General Stores Purchase Department after the scrutiny of the tenders, etc., should send back the records with his suggestions, or remarks, if any, to the concerned Chief Engineer within 10 days. In case of disagreement between the Chief Engineer and the Director, Central Stores Purchase Department the matter should be resolved in quick consultation, preferably by meeting in person, and failing agreement should be placed before the Stores Purchase Committee for a final decision. Soon after the expiry of the above period, post-purchase action will be taken by the Chief Engineer concerned.

The term 'specialised stores' will cover all items included in Appendix 'A' and will not include stores like 'Jeeps', Lorries, Pipes, etc., commonly used by various Government Department which will not fall under the definition of specialised items.

The Officers of Public Works Department and Electrical Department are authorised to purchase directly without the medium of the Central Stores Purchase Department consumable stores for use of manufacture operation in Workshops and in the field and spare parts of specialised machinery to the extent of monetary limits as below :

Sec. No. 15)

Purchase of Machinery and Stores

507

Spare parts of

Consumable
equipment

specialised
machinery and

1. Executive Engineers

2. Superintending Engineers

3. Chief Engineers

3,000 5,000 10,000 25,000 1, 00,000 2, 00,000 Stores that are on the rate contract should be purchased under rate contract terms direct or through Central Stores Purchase Department as per rules.

The Chief Engineers should give all necessary information on completed purchases of the above type to the Director. Central Stores Purchase Department for the maintenance of his statistical records.

The above procedure will remain in force for a period of one year from the date of issue of these orders and will be re-examined on the report of the Director, Central Stores Purchase Department and the Chief Engineers.

APPENDIX A

list a/Special Listed Stores

1. Power Stations:—Boilers, accessories and ancillary equipment. Turbines accessories and ancillary equipment. Generators accessories and ancillary circuit Breakers, Transformers, Switchgear-indoor and outdoor including protective equipment and relays. Hydraulic plant and equipment, gales including operating and control gear, penstocks, valves, etc.

2. Transmission and Distribution:—HT Insulators and accessories EHT conductors and accessories. Ground Wire and accessories-Lighting arrester and protective devices.

3. Sub-stations:—Transformers, Circuit Breakers, Isolators, HT and EHT Post type insulators. Control Panels.

4. General :—(i) Power and Control cables, (ii) Carries current and wireless equipment, (iii) High tension protected telephone equipment for use with independent telephone lines, (iv) Testing and Measuring instruments, (v) Erection equipment, (vi) Core Drilling equipment, (vii) High Pressure surveying payment.

5. Heavy earth moving machinery such as Tractors, Scrapers, Shovels, Draglines, Grabs, Dredgers, Dumpers, Graders, Loaders, Shuttle Dumpers, Road Rollers, Sheep foot Rollers, Tankers, Scrafiars.

6. Construction equipment such as heavy duly pump sets (1000 GPM and over 60 fi.head over). Compressors, Jackhammers, Paving breakers, Waggon drills, Drilling Rigs, Tripod drills. Drill sharpeners, Tigger Hoists, Pile Driving equipment. Vibrators, Core Drilling Machines, Diesel Engines over 10 HP, Marine Engines (with tail shaft propeller, etc.), Cranes, Concrete mixers, Mortar mills, Edge Runner, Bacbiag Plant, Stone crushers,

Granulators, Communitors, Disintegrator, Pulverisers, Group pumps, and Grounding Machines, Surki Mills and appurtenant equipment like screens, conveyors. Dust Collectors, etc.

7. Workshops equipment such as Lathes, Drilling Machines including Radical Drills, Portable Drill gear bobbing machine. Milling and Boring machines. Planning, shaping machine, Plate cutting and bending. Edge Milling, Edge arming. Slotting machine, sheet metal working machines and other product machines tools, milling tools like Gear Hob, Cutters (Plain and Cutter).

Tools and surface grinders, welding equipment of all types-X-Ray and Gama Ray. Non-destructive Testing Machines, Structural Testing Machines, Laboratory Testing equipment for Cement and soils, Metalling, etc.

Powers for purchase of spares and stores - Payment of advances to supplying firms in all Major Projects - Stores Purchase Committees - Comprehensive Orders Delegating Powers and Enumerating Procedure - Amendment - Issued.

(G.O.Ms.No. 29. Irrigation & CAD (PW) Dept. Dt. 3-2-1987)

Ref. :—Q.O.Ms.No. 86, Irr. & Pr, (P.W.) Dept., dated 2-4.1980.

Order :—On a review of the Government Order read above it is considered necessary to stipulate a system of review and action to be taken regarding injudicious purchases on the lines of para 7(b) of the G.O-Ms.No. 450 (Projects Wing) Department, dated 12-11-1982. Therefore the following amendment to the Government Order read above is issued,

Amendment

After Clause VI(b) in para 3 of G.O.Ms.No. 86 Irrigation and Power (Projects Wing) Department, Dt. 2-4-1980, the following words shall be inserted :

"(c) The Stores Purchase Committee at Superintending Engineers level should scrutinise periodically (say once in 3 months) all purchases of the Executive Engineers under the control of the Superintending Engineers and report injudicious purchase, if any, to the concerned Chief Engineer. The Chief Engineers are vested with the authority to withdraw the powers of the particular Executive Engineer concerned when resorted to injudicious purchases, either for a limited period or for an indefinite period. Similarly, all purchases made by the Superintending Engineers should be scrutinised by the Stores Purchase Committee at Chief Engineers level periodically (say once in 6 months). The Chief Engineers are vested with the authority to withdraw the powers of the particular Superintending Engineer concerned when resorted to injudicious purchases, for a limited period or for an indefinite period."

2. The Stores Purchase Committees while approving the various proposals of the Officers for purchase of materials and acceptance of offer of an agency/firm should exercise effective checks and all precautions necessary to avoid injudicious purchases. The Stores Purchase Committees should scrutinise all purchase periodically as enumerated in para 1 of this order.

AWARD OF WORKS ON NOMINATION

Award of work on nomination after calling of tenders with reference to Para 154 of the A.P.W.D. Code.

[U.O.Nole No. 896-X/64-5. Public Works Department, Dt. 2-9-1963] Ref. —From
FA & CAO, NSP., Hyd, U.O. Note No. FA/Ext./64-65/120, Dt. 14-1-1964.

Order:—With reference to para 3 of the U.O. Note cited, the following clarifications are issued:

(i) Where tenders are not called for at all and it is proposed to give works on nomination at rates and within 10% excess over the estimated rates:—Where tenders have not been called but works are proposed to be given on nomination, it should be done so only at rates not exceeding estimate rates, Where however works are proposed to be given at an excess over estimate rates regardless of the excess percentage, sanction of Government is necessary.

(ii) Where tenders are called for and where it is proposed to let out works within 10 per cent of the excess over estimated rates:—Where tenders have been called for and where it is proposed to let out works within 10 per cent of the excess over estimated rates, works should be let out after negotiation with the tenderers. The question of reference to the next higher authority or the Government will depend upon the quantum of the tender and the competence of the tender accepting authority in terms of G.O.Ms-No. 598, P.W.&T., dated 27-3-1955 or G.O.Ms.No. 1500, P.W.D., dated 11-6-1960.

Entrustment of works and additional items of works to contractors - Settlement of Rates - Proposal.

[Letter No. 25-Y/64-4. P.W.D., Dt. 29-6-66]

Order :—I am directed to invite reference to your letters cited and to state as follows regarding the rates to be adopted in enlistment of works to contractors on nomination and entrustment of certain supplemental items to the original contractor on nomination.

(a) Entrustment of works to contractors on nomination:—When works are given out on nomination without tender call, only estimate rate should be allowed.

(b) Entrustment of supplemental items to the original contractor on nomination

:—In regard to additional or supplemental items of work in a running contract, the following principles have to be adopted:

(i) For items directly deducible from similar items in the agreement the rate is derived by adding or subtracting the contract of cement or steel, etc.

(ii) For new items which do not correspond to any items in the agreement, the new rate is "estimate rate plus or minus the percentage excess/deficit of the accepted tender as compared to the estimate" e.g., if in a canal excavation with several classifications of soils for which there are agreement rates, a new variety of soil not covered by agreement occurs during execution, the rate for that item shall be estimate rate plus or minus tender percentage variation from estimate.

I am therefore to add that no modifications to P.S. 63 to A.P.D.S.S. is necessary.

Payment of rates for extra items not covered by Tender Schedules -Method of calculation of rates - Orders issued.

[Memo.No. 3252. D/63-26. P.W.D, Projects Wins. Dt. 4-10-1965]

Ref. :— 1. From the Deputy Accountant General, (Projects)
Lr.No.NSP/RA/GAD/490, Dt. 19-11-1963.

2. From the Chief Engineer, N.S. Canals, Lr.No. 27835 T5/65, DI, 7-8-1965.

3. From the Chief Engineer (General) Circular
Menio.No.R.c.Ac.(4)/54435/63, dated 2-12-63 to the Superintending
Engineers of all Circles.

Order:—In view of the decision of the Board of Chief Engineers at its meeting held on 9-7-1965, the Chief Engineers of Nagarjunasagar Project are requested to follow the procedure indicated in the circular memorandum third cited (copy enclosed for ready reference) in lieu of the different procedure prescribed by them earlier for fixing the rates for supplemental items of work which are not covered by Tender Schedule.

Rates for Supplemental Items

[Circular Memo.No. Rc.Ac.(4)/54435/63, Dt. 2-12-1963]

Order :—A case has come to notice wherein, the rate for supplemental items have been worked out on the basis of the current schedule of rates for such items plus the percentage excess of similar items in the accepted tender and agreement i.e., to give a concrete example, in some of the reaches of K.C. Canal Lining Work it is seen that the overall tender percentage was of the order of plus or minus 5% whereas if the tendered rate for each work items alone are compared with the schedule of rates, the percentage excess was as high as 37 per cent over the estimate rate for similar items. In some contracts where earth work of a different nature not included in the original schedule was asked to be carried out, the question of determining the supplemental rate for such item was decided by one Superintending Engineer on the ground "that it will be correct to allow the percentage excess involved in similar items and to allow the percentages only in the case of new items for which there are no suitable items in the original tender". This decision of the Superintending Engineer has thereby resulted in fixing a supplemental rate at a very high figure. This procedure is rightly objected to by the Accountant General and he has pointed out that this irregularity should be ratified by the Government.

2. Though the General Procedure that has to be followed in the case of supplemental items has been enunciated in the M.D.S.S. Clause 63 and also amendment para 154 as note 6 of D Code, still these irregularities are being followed in certain Circles and the procedure followed in all the Circles does not appear to be uniform- It is therefore decided to issue a Circular to all the Superintending Engineers of the Department laying down the procedure to be followed in arriving at the rates for supplemental items and the following procedure is accordingly prescribed.

3- The rates for supplemental items whenever they occur should be worked out and agreed to between the contractor and the Executive Engineer before commencing works on such items. The officer concerned (Executive Engineer) will be held personally responsible to see that this is done. 3 to 2, the general basis for working out supplemental rate should be.

(i) Current schedule of rates at the time of signing the agreement for that item plus or minus the over all tender percentage on the estimate.

(ii) If the contractor is not acceptable to the role worked out, then the department has the right to let it out to some other contractor or to direct the same contractor to do it at a cost plus ten percent as indicated in clause 63 C(ii) of M.D-S.S.

(iii) It is considered incorrect to take out and group certain items only of the lender and compare it to the estimate and applying the percentage to new items coming under that category. At the time of acceptance of tender, care should be taken to see that an exorbitant rate or absurdly low role quoted is accepted.

The Superintending Engineers of Circles are requested to carry out the above instructions and bring to notice such difficulties that may arise as and when they arise.

Entrustment of works on nomination at more than estimate rates -Evidence - issue of instructions.

[Memo.No. 1856-Y/69-2, P.W.D., Dt. 27/29-12-1969]

Ref. :—1. Govt.U.O. Note No. 896-Y/64-5, Dt. 2-9-1965.

2. Govt.Memo.No. 419-Q/66-3, PWD, Dt. 20-7-S966.

3. From the A.G., A.P., Lr.No- IR Cell/60. Dt. 21-8-1969.

Order:—It has been clarified in the U.O. Note first cited that where tenders have not been called for but works are proposed to be given on nomination, it should be done so only at rates not exceeding estimate rates and where they are proposed to be given at an excess over estimate rates, regardless of the excess percentage, sanction of Government is necessary.

With regard to awarding works on nomination where there is no response to a tender call and a further call is considered fruitless, it has again been clarified in the Government memo. second cited that the works should be entrusted only at or below estimate rates and where the rates should be entrusted only at or below estimate rates and where the rates exceed the estimate rates as a result of negotiations with a selected contractor or contractors, sanction of Government is necessary.

In spite of the clear orders certain cases of entrustment of works on nomination above the estimate rates have been brought to the notice of Government.

The Chief Engineers under the Public Works Department should therefore issue suitable instructions to their subordinate officers and see that the instructions referred to above are scrupulously followed. The Chief Engineers should also inform their subordinate officers that a violation of these instructions will be taken serious notice of by Government.

Section No. 17

LABOUR IMPORTATION

Estimates - Provision for importation of labour - Instructions Issued.

[G.O.Ms.No. 1624, Public Works (Y) Department. Dt. 29-11-1969]

Order:—1, The Accountant-General, Andhra Pradesh has pointed out that:

(1) The estimates are prepared in the first instance without providing for importation of labour, subsequently after receipt of tenders, provision for importation of

labour is made, and then the tender amounts are compared with the estimates thus arrived at. Subsequent revision of estimates as above to bring the tender percentage within the limits for acceptance of tenders delegated to the departmental officers will amount to manipulation.

(2) If the estimates are unreasonably boosted up, their comparison with the tender amounts may be futile and it will not represent correct percentage resulting in avoidance of obtaining the sanction of the competent higher authority.

(3) When the original estimate is sanctioned by the competent authority, without any specific provisions for importation of labour, it is assumed that this item is not contemplated while preparing the estimate. Inclusion of this item at a later date indicates either that it is not absolutely necessary or the original estimate is not prepared carefully.

(4) Provision is made at different rates ranging from 5 per cent to 15 per cent in different divisions, and circles with additional increases for providing amenities to labour like labour sheds, etc. These items of work, wherever found necessary in view of the remoteness of the locality where the work is executed, should be definitely contemplated initially at the time of preparation of estimates and it should not come as a later thought.

2. In view of the above position, he has suggested that clear instructions may be issued to the departmental officers so that lumpsum provisions are not made in the estimates after called for tenders. He has also suggested that the Government may consider whether in cases where provision for importance of labour and other labour amenities is not made in the original estimate, no amount can be included thereafter in the revised estimates subsequently, except with specific approval of the next higher authority.

3. The Government, after careful examination in consultation with the Chief Engineer (Major Irrigation and General) and the Chief Engineer (Roads and Buildings), issue the following instructions in regard to the procedure to be adopted in making provision for importation of labour and labour amenities in the estimates.

(1) Provision for importation of labour and labour amenities shall be worked out at the time of preparing the estimate. Such provision shall be made after taking into account the labour and labour amenities already available locally. The labour component of each item should be shown and the expenditure on labour importation and labour amenities shall be expressed as a percentage of labour component and shown separately in the estimate. Technical sanction shall be invariably accorded before inviting tenders.

(2) The tenders received shall be compared with the technical sanction already accorded as indicated above for determining the percentage of tender excess.

(3) If, for any reason, the rates adopted in the technical sanction are found unworkable, workable rates should be provided for after investigating into the matter, after personal inspection and revised estimate got sanctioned by competent authority and fresh tenders based on the revised estimates should be invited.

(4) The procedure of making provision for importation of labour and labour amenities as an alternative source of boosting up of estimates so as to bring the tenders within the prescribed percentage of tender excess that can be accepted by concerned officers should be discontinued.

Provision for importation of labour and labour amenities - Powers of officers of PWD - Clarification - Issued.

[Menw.No.132-Y/73-3. Public Works Department, Dt. 21-5-1973]

Ref. :—(!) G.O.Ms.No. 1479, PWD, Dt. 7-H-1972.

(2) From the C.E.. N.S- Canals Lr-No. 18146-T, 14/68, Dt. 21-1-1973-

Order :—The Chief Engineer, Nagarjuna Sagar Canals has expressed the presumption that according to the orders issued in G.O.Ms.No. 1894, PWD, dated 20-12-1971 provision towards importation of labour and labour amenities may be allowed in the estimates by all the officers viz., the Superfine and Executive Engineers also provided they are within their powers of technical sanction and sought clarification whether the presumption is correct. He has also requested that in case of the presumption is not correct, the powers delegated to the Chief Engineers may be extended to the subordinate officers also.

The Chief Engineer, Nagarjuna Sagar Canals is informed that his presumption is not correct. Provision may be made for importation of labour only when labour is to be imported from long distances mostly for execution of works in projects and the limits ordered in G.O.Ms.No. 1894, PWD, dated 20-12-1971 and retained in G.O.Ms.No. 1479, dated 7-11-1972 are the maxima. The Government considers that the discretionary powers shall rest only with the Chief Engineers, Public Works Department. The suggestion to extend the powers to the subordinate officers is not acceptable to the Government.

NOMINAL MUSTER ROLLS OF LABOUR - REVISED RULES - ISSUED**System of execution of works employing nominal Muster Roll of Labour - Instructions Issued.**

[G.O.Ms.No. 226, Tr. Roads & Bids. (CI) Department, Dt. 15-3-1979]

Ref. —G.O.Rt-No. 923, (PWD), Dt. 11-10-1968.

Order:—The Government have been considered to for some time past various suggestions for improving the system of payment of laborers on Nominal Muster Rolls. They have also considered the instructions issued in the Government Order 1st read above restricting the system of execution of works through Nominal Muster Roll of Labour, for adoption to the Roads and Buildings Department.

The following Instructions are issued:

1, (i) (a) The Nominal Muster Roll of Labour should be reduced to the minimum to cater to the occasional needs of a project/works;

(b) Where it is necessary to continue Nominal Muster Roll of Labour indefinitely, such labour be converted into weekly paid labour and charged direct; and

(c) Items of works susceptible of measurement and payment by quantities should be entrusted to job works on piece-work system instead of getting them done through Nominal Muster Roll of Labour;

(ii) (a) Complete names and addresses of Labourers employed in excluding works as also their signatures/or thumb impressions shall be obtained on the nominal Muster Roll forms when they are drawn up.

[DCODE—331

(b) Identity Cards with photographs of the Labourers engaged shall also be maintained.

(iii) The Executive Engineers/Superintending Engineers, during their inspections of work sports, should check the Nominal Muster Rolls and countersign the same in addition to the list check by Assistant Engineers.

2. The above orders apply to Roads & Buildings and Irrigation & Power Department including projects wing-

Estimates - Provision for importation of labour - Instructions issued.

[G.O.Ms.No. 1624. PWD, Dt. 19-11-1969]

Order:—The Government, after careful examination in consultation with the Chief Engineer (Major Irrigation and General) and the Chief Engineer (R&B), issue the following instructions in regard to the procedure to be adopted in making provisions for importation of labour and labour amenities in the estimates.

(1) Provision for importation of labour and labour amenities shall be worked out at the time of preparing the estimate. Such provision shall be made after taking into account the labour and labour amenities already available locally. The labour component of each item should be shown and the expenditure on labour importation and labour amenities shall be expressed as a percentage of labour component and shown separately in the estimate. Technical sanction shall be invariably accorded before inviting tenders.

(2) The tenders received shall be compared with the technical sanction already accorded as indicated above for determining the percentage of tender excess.

(3) If, for any reason, the rates adopted in the technical sanction are found unworkable, workable rates should be provided for their investigation into the matter, after personal inspection and revised estimate got sanctioned by competent authority and fresh tenders based on the revised estimates should be invited.

Extra percentages towards importation of labour and amenities to labour - Allowable items - Regarding.

[Circular Memo.No.U2/5568/69-13, Dt. 30-

6-1970]

Ref. -,—Govt. Memo.No. 951-H 1/69-9, Dt- 30-3-1970,

Order:—The Government in their Memo, cited requested the Chief Engineer to finish as to what items the extra percentage towards Labour importation and amenities to labour can be allowed.

The Board of Chief Engineers in its meeting held on 4-6-1970 had discussed the³ above subject in the light of instructions already issued in Chief Engineer's Circular Memo.No.Rc. Fl(2)/5643/66-9, dated 29-4-1969 and decided that the extra percentages towards Labour importation and amenities to Labour can be allowed on the following items.

Hence, all the Superintending Engineers are hereby instructed to allow the extra percentages towards labour importation and labour amenities whenever and wherever necessary for importing labour as the case may be on the following items.

1. Labour rates.
2. Materials like Sand. Meial. Kankar. Quarry rubble, and clay for foundations or filling, etc., bricks and tiles.
3. Jungle clearance.
4. Dismantling.
5. Earth work including leads and lifts.
6. Purely labour involving items like grinding, mixing binding steel and feeding ingredients into mixer, etc.
7. Blasting, drilling holes, etc.
8. Stacking metal, sand gravel, stone, picking metal led and graveled surfaces. Spreading metal, etc.
9. Loading and Unloading of materials excluding that part of work in conveyance of materials by carts and lorries.
10. Labour components to be included in the data for items like masonry, mortar, etc.

This circular will be in force with effect from 1-7-1970.

Section No. 18

ADMINISTRATIVE APPROVAL AND TECHNICAL SANCTION

Administrative approval and technical sanction and execution of works - Instructions - Issued.

[Circular Memo. No. 1146-N2/67-4. Public Works Department, Dt. 15-7-1967]

Order :—According to Paragraphs 99 and 100 of the Andhra Pradesh Public Works Department Code, for every work proposed to be carried out except petty works and repairs, the cost of which does not exceed Rs. 2,500 a detailed estimate must be prepared for the sanction of competent authority. Except where definite provision is made in the Code to the contrary, such sanction can only be accorded by Government or where power has been delegated to them, by officers, of the Department.

1, 2. It is a waste of public money to prepare detailed plans and estimates for schemes for which the provision of funds is unlikely to be made, and for this reason, in complying with requests from other departments for approximate estimates and preliminary plans for the purpose of administrative approval, only sketch plans and statements of probable costs (based in the case of buildings on cubic foot or plinth area rates) should be furnished by the Public Works Department. On receipt of these, the requisitioning officer should take steps for obtaining the necessary administrative approval.

3. According to paragraph 101 of the Andhra Pradesh Public Works Department Code, except to the powers delegated, all work requires the administrative approval of Government in the Department concerned in consultation with the Finance Department. Administrative approval will not be accorded until the Finance Department have stated that there is a reasonable prospect of funds being provided in the same or succeeding year.

4. The amount of the detailed estimate should not exceed the amount included in the administrative approval by more than the percentages approved in G.O-Ms.No, 1865, P.W.D., Dt. 30-7-1960. It is however, observed that in actual execution in most cases, the component parts of the detailed estimates always exceed the component parts in the administrative approval beyond the permissible limits. In order to have a check over this irregularity, it is directed that in future the estimates referred to in paragraph 3 above which are submitted to Government for administrative approval, or to be sanctioned by the competent authorities, should give the approximate break up of the component parts and that the administrative sanction in future should mention the break up in respect of all such component parts also. This will ensure that the amounts are not spent in excess of the administrative sanction for the component parts beyond the permissible limits, as laid down in the Code.

5. Under Paragraph 173, it is a fundamental rule that no work shall be begun unless a properly detailed design and estimate have been sanctioned, allotment of funds made, and orders to begin issued by competent authority. Provision in the budget conveys no authority for outlay. The exceptions are petty works, and cases of real emergency which must be reported immediately to the authorities competent to accord administrative approval and technical sanction. The Official who takes the responsibility to anticipate orders in view of the emergency should make the reasons apparent from the records. Also the reason why he anticipated should be made known by him to the competent authority with full details of the implications, immediately he took the decision. Similarly, the sanction of a design and estimate by any authority, whatever, conveys no permission to start expenditure by a competent authority. Further, no liability may be incurred and no officer may accept a contract for any work, until an assurance has been received from the authority competent to provide funds and such funds will be allotted before the liability matures.

6. In view of the above, the Chief Engineers are informed that sanction order merely indicates the Budget Head of Accountant but not the actual budget provision of funds (for each year). Sanction of estimate is no authority to incur expenditure unless funds are provided by competent authority. Works to be executed will have to be listed out and included in the Budget for the year and the works started after the budget is voted by the Legislature.

7- With reference to the above instructions, administrative sanction must be based on rough or approximate estimates and technical sanction given on detailed estimates for each component part. It is observed that sometimes works are given on contract and tenders called before there is a detailed competently technically sanctioned estimate for the work for which tenders are issued. This is irregular and should be avoided in future, s

8- The Chief Engineers are requested to follow the above instructions and other relevant rules in the Code. Suitable instructions may also be issued to all the subordinate officers in the matter.

INSPECTION OF WORKS SPOTS BEFORE TECHNICAL SANCTION

Inspection by Officers before technical sanction - Orders - Issued,

[G.O.Ms.No. 492, Public Works (X) Department. Dt. 5-4-1973]

Ref — 1. G.O.Ms.No. 1467, PWD, Dt. 16-6-1959.

1 Govt.Memo.No. 2582-Y/66-27. PWD, Dt. 12-2-1969. 3.

G.O.Ms.No- 62, PWD, Dt. 25-1-1973.

Order:—In the G.O. first read above, it was ordered that the spots of all the works costing over Rs. 10 lakhs should be personally inspected by the Chief Engineer (Irrigation) before technical sanction is accorded- The procedure has been extended in the Government Memo. Second read above to the Roads and Buildings Department also. In the G-0- third read above it has also been ordered, *inter alia*, that before technical sanction is accorded by the competent authority in respect of minor irrigation works, the Superintending Engineers should inspect personally all works estimated to cost Rs. 3 lakhs and above, the Executive Engineers all works costing Rs. 1 lakh and above up to Rs. 3 lakhs, and the Assistant Engineers all works below Rs. 1 lakh.

2. The Government have since considered that it is desirable to prescribe inspection of works by the field officers i.e., officers below the rank of Chief Engineers also in respect of works in all branches of the Public Works Department viz., Public Works Department (Irrigation Branch) and (Roads and Buildings) in order to ensure that works are not sanctioned without adequate investigation. They accordingly direct that the Superintending Engineers in Public Works Department (Irrigation Branch) and (Roads and Buildings) should inspect personally all works costing over Rs. 3 lakhs up to Rs. 10 lakhs, the Executive Engineers all works costing Rs. 1 lakh and above up to Rs. 3 lakhs and the Assistant Engineers all works costing below Rs. 1 lakh before technical sanction is accorded. The Project reports as also (the estimates/revised estimates submitted for administrative approval to the Government or the subordinate officers, as the case may be) should clearly indicate that the concerned authority has inspected the works covered by the estimate.

The above orders apply to the Public Works Department (Projects Wing) also.

Section No. 19

DEPOSITS AND SECURITIES FOR PERFORMANCE OF CONTRACTS

Security Deposits - Guarantee Bonds executed by Scheduled Banks - Acceptance in N.S. Dam Unit - Orders - Issued.

{G.O.Ms.No. 71, PW (N.S.) Department. Dt. 5-3-1962}

Ref. — I. G.O.Ms.No. 3040, PWD, Dt. 28-11-1958.

2. From the Principal Government pleader. High Court, Hyderabad Letter No. DPN.No. 139/60, Dt. 4-10-1960.

Order:—In the absence of prescribed form the Bank Guarantees furnished by the State Bank and the Scheduled Banks were being accepted in lieu of lumpsum deposit of Rs. 50,000/- after scrutiny in each case. Orders were issued in G.O.Ms.No. 254, P.W. (N.S.) Dept., Dt. 15-9-1961 that the standard procedure, forms and conditions of the Public Works Department should be adopted in N.S.Dam also. In view of these orders the Government were considering the need for a standard form of guarantee applicable to both the canals and Dam in accordance with the provisions contained in G.O.Ms.No. 169, Fin., dated 18-4-1961.

2. Accordingly Government direct that the Guarantee Bonds, for the works connected with the N.S, Project will have to be furnished hereafter by the State Bank of India and other Scheduled Banks in the approved form appended to this order.

FORM I

Guarantee Bond applicable to the State Bank of India and other scheduled banks approved in terms of the Memo-No.F. 7(27) F.I/54, dated 25-2-1955 of the Government of India, Ministry of Finance for the acceptance of guarantees with deposit of securities in excess of the prescribed limit or without deposit of securities up to the prescribed limit.

In consideration of the Governor of Andhra Pradesh (hereinafter called "the Government") having agreed to accept from Contractor(s) the reduced rates of Earnest Money Deposit, Security Deposit and retention from bills as per G.O.Ms.No. 3094, PWD, Dt, 25-11-1957 may be modified from time to time wherever necessary under the terms and conditions of all contracts entered into by the said contractor(s) in respect of works under the Chief Engineer..... (Hereinafter called the said Chief Engineer) for the due fulfillment of the terms and conditions of all contracts and agreements under the said Chief Engineer, on production of a Bank Guarantee for Rs.-..... (Rupees,.....only).

We..... Bank Ltd., do hereby undertake to indemnify the Government to the extent of Rs..... any loss or damage caused by or suffered by the Government by the reason of a breach by the said contractor(s) of any of the terms and conditions contained in all contracts and agreements under the said Chief Engineer.

We..... Bank Ltd., further agree that the guarantee herein contained shall remain in full force and effect during the period that would be taken for the performance of all contracts and agreements under the said Chief Engineer and that it shall be enforceable till all the dues of the Government under or by virtue of all contracts and agreements under the Chief Engineer have been fully paid and their claims satisfied or discharged or till the said Chief Engineer certifies that the terms and conditions of all contracts and agreements under the said Chief Engineer have been fully and properly carried out by the said Contractors and accordingly discharged the guarantee subject to however that the Government shall have no rights under this bond after the expiry of....., from the date of its execution, We..... Bank Ltd., lastly undertake not to revoke this guarantee during its currency

except with the previous consent of the Government in writing.

Dated..... the day of-,.....19.....

For.....Bank

FORM II

Guarantee bond applicable to the scheduled banks which are not approved by the Reserve Bank of India, when securities are to be deposited as covered against guarantee.

In consideration of the Governor of Andhra Pradesh (hereinafter called "the Government") having agreed to accept from..... (Hereinafter called "the said Contractor reduced rates of Earnest Money Deposit, Security Deposits and retention from bills as per G-O.Ms.No. 3094, PWD, dated 25-11-1957 as may be modified from time to

time wherever necessary under the terms and conditions of all contracts and agreements entered into by the said contractors(s) in respect of works under the Chief Engineer..... (Hereinafter called the said Chief Engineer) for the due fulfillment of the

terms and conditions of all contracts and agreements under the said Chief Engineer on production of a Bank Guarantee for Rs.....,---, (Rupees..... only) during the period, if any, we..... Bank Ltd., do hereby undertake to indemnify and keep indemnified the Government to the extent of Rs.,—,..... (Rupees..... only) against

loss or damage caused to or suffered by the Government by reasons of any breach of the said.....,---, of any terms and conditions of all contracts and agreements under the said Chief Engineer and authorized the Government to recover the same directly from the Reserve Bank of India from our deposits of cash and/or securities with the said Bank. The same Reserve Bank of India have at the request of the..... Bank Ltd., agreed to pay to

the Government on demand or from out of the said deposits any sum which may become payable to the Government against all contracts and agreements under the said Chief Engineer and in respect of which, we..... Bank Ltd., further agree that the guaranteed

Herein contained shall remain in full force and effect up to..... and inclusive of the date referred to above on the expiry of the extended period, if any and that it shall continue to be enforceable till all the dues of the Government under or by virtue of all contracts and agreements under the said Chief Engineer have been fully paid and its claims satisfied or discharged or till the said Chief Engineer certifies that the terms and conditions of all contracts and agreements have been fully and properly carried out by the said contractor and accordingly discharged the guarantee subject, however, that the Government shall have no rights under this Bond after the expiry of..... from the date of its execution.

We..... Bank Ltd., lastly undertake not to revoke this guarantee during its currency

except with the previous consent of the Government in writing.

Dated..... file day of-.....-19.....

For..... Bank Ltd.

Works let out on nomination - Collection of Earnest Money Deposit from the Contractors - Orders - Issued.

[G.O.Ms.No. 2215. Public Works (Y) Dept.. Dt. 21-10-1964]

Order:—The Accountant General, A.P. suggested to Government that in the case of works let out on nomination basis, an amount equal to 2½ or 5 per cent of the value of correct work has to be recovered from the contractors before the agreements in piecework or lumpsum forms respectively, are signed by competent authorities, as the provisions of paras 154 to 155 of the APPW 'D' Code do not provide for the same. He desired that necessary clarification be made and the relevant rules in the PWD Code be amplified suitably.

2. In consultation with Chief Engineer (General) and Accountant General, A.P. the Government of Andhra Pradesh direct that—

(i) the Earnest Money Deposit should be collected in respect of nomination contracts as in the case of K2 contract but, where this is not done i.e., where 2½% is not collected in advance, deductions must be made from each bill at 5%; and

(ii) these orders do not apply to job works for Rs. 500 and less and for works entrusted to special agencies of execution like Bharat Sevak Samaj and Labour contract co-operative societies, etc.

3. The Chief Engineer (General) is requested to submit draft amendments to 'D' Code, if necessary in the matter.

Industrial Co-operatives - Exemption from payment of Earnest Money Deposits and Security Deposits and supply of Tender Forms free of cost - Orders - Issued.

[G.O.Ms.No. 713, Industries Department, Dt. 15-6-1967]

Order ;—In the circumstances stated by the Additional Director of Industries, the Government exempt the Industrial Co-operatives Department from payment of security deposit and earnest money deposit; the Government also sanction supply of tender enquiry forms free of cost to the Industrial Co-operatives under the control of the Industries Department.

EMD and Security Deposit - Acceptance of Demand Drafts - Orders - Issued.

[G.O.Ms.No. 107. Public Works Department, Dt. 25-5-1968]

Order:—The Chief Engineer (Major Irrigation & Gen.) reported that the procedure of accepting treasury challans furnished by the contractors towards earnest money is beset with practical difficulties in out-of-way places where treasuries are at a long distance and the difficulties are much more in the case of contractors of other States who wish to tender for works in the State of A.P. He suggested that the crossed demand drafts on scheduled banks might be accepted for EMD.

2. (a) (1) The Government have examined the above suggestion of the Chief Engineer (Major Irr. & G.I.) in consultation with A.G., A.P., Hyderabad and direct that demand draft may be accepted for EMD in addition to the existing practice of accepting treasury challans. The Government also accepts the following suggestions of the A.G., A.P.,

(2) That crossed Demand Drafts on any scheduled bank drawn in favour of the concerned departmental officer by designation only (and not by name) for the lumpsum deposits and earnest money deposit may be accepted as they are considered as good as money :

Provided (a) That the demand drafts for lumpsum deposits are taken in the Divisional Accounts immediately and cashed, before the concessions admissible consequent on lumpsum deposits are granted to the tenderer; and

(b) (1) that the crossed demand Drafts for Earnest Money deposit are entered in the Register of lenders which will be treated as subsidiary cash Book for the purpose. When the tenders are rejected the demand drafts should be returned to the unsuccessful lenders after taking their acknowledgments in the Register of tenders. The Demand Drafts of successful lenders alone should be accounted for in the Cash Book.

(2) That the crossed Demand Drafts should not be accepted for Security Deposits as the present well-established practice of deducting 7-1/2% from on accounts bills not only ensures sufficient security but also is a fool-proof method and money remains with Government and does not carry any interest for contractors thus conferring additional benefit to the Govt.

(3) That crossed cheque should not be accepted for EMD, SD or Lump sum Deposits.

Lumpsum deposits in lieu of Earnest Money Deposit, Security Deposit and retention from bills - Draft Bank Guarantee Bonds - Approved.

[G.O.Ms.No. 72, Public Works Department, Dt. 27-2-1968]

Ref. — 1. G.O.Ms.No. 3094, PW. Dt. 25-11-1957.

2. G.O.Ms.No. 3040, PW, Dt. 25-11-1958.

3. From the Chief Engineer (Ml & Gl) Dr.No.Rc. H2/28385/64, Dt. 9-3-1964.

Order:—In the G.O. second cited the Government directed that the amount of Rs. 50,000/- referred to in the 0,0. first cited may either be deposited in cash or in the shape of a valid bank guarantee or in the shape of interest bearing securities—

2. The question of prescribing suitable draft bond forms as below common to PWD, R&S and Electricity Departments has been engaging the attention of the Government;

(i) Applicable to the State Bank of India and other scheduled banks approved in terms of Govt. of India, Ministry of Finance, Office Memo.No. F7 (2) F-1/57, dated 25-2-1955 for acceptance of guarantees with deposit of securities in excess of prescribed limit or without deposit of securities up to prescribed limit; and

(ii) Applicable to the scheduled banks which are approved by the Reserve Bank of India when securities are to be deposited as cover against guarantees, etc.

3. The draft bonds were already prescribed separately in G.O.Ms.No. 71/PWD (Nagarjunasagar) Dept., dated 5-3-1962 applicable to the Nagarjunasagar Project.

4. The Government direct that the guarantee bonds for the works connected with the PWD (I,B.)PWD (R&B) and Electricity Department (i.e., for works other than those in Nagarjunasagar Project) will have to be furnished hereafter by the State Bank of India and other scheduled banks in the approved forms appended to this order.

APPENDIX

FORM I

Guarantee Bond

Item No 1

Applicable to the State Bank of India and other scheduled banks approved in terms of the Government of India, Ministry of Finance, Office Memo.No. F7(27)/F 1/54, dated 25-2-1955 for acceptance of guarantees with deposit of securities in excess of prescribed limit or without deposit of securities up to prescribed limits—In consideration of the Governor of Andhra Pradesh (hereinafter called "the Government") having agreed to accept from..... (hereinafter called "the said

contractor(s)" the reduced rates of earnest money deposit, a security deposit and retention from bill as per G.O-Ms.No. 3094, PWD., Dt. 25-11-1957 as may be modified from time to time whenever necessary under the terms and conditions of all contracts entered into by the contractor(s) in respect of works under the Chief Engineer,.....—,.. (hereinafter called the said Chief Engineer) for the due fulfilment of the terms and conditions of all contractors

and agreements under the said Chief Engineer, on production of a Bank Guarantee for Rs.-/- (Rs. only), we, ... Bank Ltd., do hereby undertake to indemnify the Government to the extent of Rs. against any loss or damage caused to or suffered by the Government by reason of any breach by the said contractor(s) of any of the terms and conditions contained in all contracts and agreements under the said Chief Engineer.

We, ... Bank Ltd., further agree that the guarantee herein contained shall remain in full force and effect during the period that would be taken for the performance of all contracts and agreements under the said Chief Engineer and that it shall be in enforcement till all the dues of the Government under or by virtue of all contracts and agreements under the said Chief Engineer have been fully paid and their claims satisfied or discharged or till the said Chief Engineer certifies that the terms and conditions of all contracts and agreements under the said Chief Engineer have been fully and properly carried out by the said contractors) and accordingly discharged the guarantee subject to, however, that the Government shall have no rights under this Bond after the expiry of, ...-/- from the date of execution thereof, we, ... Bank Ltd., lastly undertake not to revoke this guarantee during its currency except with the previous consent of the Government of. —. —. in writing.

Dated..... the day of.....19.....

For.....Bank Ltd.

FORM II

Guarantee Bond

(Applicable to the Scheduled Banks which are not approved by the Reserve Bank of India when securities are to be deposited as cover against guarantees, etc.)
in consideration of the Governor of Andhra Pradesh hereinafter called "the Government", having agreed to accept from..... (hereinafter called the "said contractors") reduced rates of earnest money deposit, security deposit and retention from bills as per G.O.Ms.No. 3094, P.W.D-. dated 25-11-1957 as may be modified from time to time whenever necessary under the terms and conditions of all conditions and agreements entered into by the said contractors) in respect of works under the Chief Engineer (hereinafter called "the said Chief Engineer") for the due fulfillment of the terms and conditions of all contracts and agreements under the said Chief Engineer, on production of a Bank Guarantee for Rs.-/- (Rupees..... only) during the period commencing from and ending on

..... or the extended period, if any, we, — -..... Bank Ltd., do hereby undertake

to indemnify and keep indemnified the Government by reasons of any breach of the sale—.— in any terms and contracts of all contracts and agreements under the Chief Engineer and authorize the Government to recover the same directly from the Reserve Bank of India, from our deposits of each and/or securities with the said Bank- The said Reserve Bank of India have at the request of the..... Bank Ltd., agreed to pay to the Govt. on demand or from out of the said deposits, any sum which may become to the Government against all contracts and agreements under the said Chief Engineer and in respect of which (X) we, ... Bank Ltd., further agree that the guarantee wherein contained shall remain in full force and effect up to and inclusive of..... the date referred to above on the expiry of the extended period, if any, and that it shall continue to be enforceable till all the dues of the Government under or by virtue of all contracts and agreements under the said Chief Engineer have been fully paid and its claims satisfied or discharged or till the said Chief Engineer, certifies that the terms and conditions of all

contracts and agreements have been fully and properly carried out by the said.....-,-,-, and accordingly discharged the guarantee subject to, however, that the Government shall have no rights under this bond after the expiry of..... from the date of its exclusion. We Bank Ltd., lastly undertake not to revoke (his guarantee during its currency except with the previous consent of the Government in writing.

Dated..... the day of.....19.....

(X).....,For.....BankLtd.,

LIST OF SCHEDULED BANKS

1. Allahabad Bank
2. American Express International Banking Corporation
3. Andhra Bank
4. Bank of American National Trust and Savings Association
5. Bank of Baroda
6. Jammu & Kashmir Bank Ltd., Srinagar
7. Bank of India
8. Bank of Karad
9. Bank of Madras
10. Bank of Maharashtra It. Bank of Rajasthan
12. Bank of Tokyo
13. Bareilly Corporation Bank
14. Belgaum Bank
15. Benaras State Bank
- 16- British Bank of the Middle East
17. Canada Bank
18. Canara Banking Corporation
19. Catholic Syrian Bank Ltd.-Trichur
20. Central Bank of India
21. Chartered Bank
22. Banque Nationale de Paris
23. Dena Bank
24. Algemeine Bank Netherland N.V.
25. First National City Bank
26. Federal Bank Ltd.-Alwaye
27. Habib Bank
28. Hindustan Commercial Bank
29. Hindustan Mercantile Bank
30. Hong Kong and Shanghai Banking Corporation
31. Indian Bank

- 32. Indian Overseas Bank
- 33. The Lord Krishna Bank Ltd.
- 34. Kamalaka Bank
- 35. Kamr Vysya Bank
- 36. Kumbakonam City Union Bank
- 37- Krishnaram Baldco Bank
- 38. Lakshmi Commercial Bank
- 39. Lakshmi Vilas Bank
- 40. Mercanlile Bank
- 41. Miraj Stale Bank
- 42. Mitsui Bank
- 43. Narang Bank of India
- 44. National and Grind lays Bank
- 45. National Bank of Pakistan
- 46. Nedungadi Bank
- 47- New Bank of India
- 48. Oriental Bank of Pakistan
- 49. Punjab and Sind Bank
- 50. Punjab Co-operative Bank
- 51. Punjab National Bank
- 52. Rainakar Bank
- 53. Sangii Bank
- 54. South India Bank
- 55. South Indian Bank
- 56-i- Stale Bank of Bikanr & Jaipur
- 57. State Bank of Hyderabad
- 58. Stale Bank of India
- 59. State Bank of Indoor
- 60- State Bank of Mysore
- 61. Stale Bank of Paliala
- 62. Slate Bank of Sourashtra
- 63. Stale Bank of Travancore
- 64. Syndicaic Bank
- 65. Tamilnadu Mercantile Bank
- 66. Tanjore Permanent Bank
- 67. Traders' Bank
- 68. Union Bank of India
- 69. United Commercial Bank
- 70. United Industrial Bank
- 71. United Western Bank

72. Vijaya Bank

72. Vysya Bank

CO-OPERATIVE BANKS

- t. The Andhra Pradesh Scale Co-operative Bank Ltd., Hyderabad.
- 2- The Bihar State Co-operative Bank Ltd., Paina.
3. The Gujarat Stale Co-operative Bank Ltd., Ahmedabad.
4. The Kerala State Co-operative Bank Ltd., Tri van drum,
- 5- The Madhya Pradesh Stale Co-operative Bank, Ltd... Jabalpur.
- 6- The Madras Slate Co-operative Bank Ltd., Madras.
7. The Maharashtra State Co-operative Bank Ltd...Bombay.
- 8- The Mysore Stale Co-operative Apex Bank Ltd... Bangalore.
- 9- The Orissa State Co-operative Bank Lid. Cultack.
10. The Rajasthan State Co-operative Bank Ltd., Jaipur.
11. The Uilar Pradesh State Co-operative Bank Ltd., Luck now,
12. The West Bengal Provincial Co-operative Bank Ltd., Calcutta.

Dispensing with the procedure of collection of Security Deposit from Contractors at the time of entering into agreements Orders - Issued.

[O.O.Ms.No. 347. P.W. Depl., Dt. 12-3-1968]

Ref. -.— 1. G.O.Ms.No. 3094, PWD., Dt. 25-11-1957, 2.

G.O.Ms.No. 1926, PWD., Dt. 2-8-1965,

Order :—According to the orders issued in G.O.Ms.No. 3094, P.W.D. daied 25-11-1957 contractors have been permitted to deposit a lumpsum of Rs.50,000 with the Chief Engineer concerned under whom they wish lo lender and those contractors who deposit the lumpsum amount of Rs-50,000 are eligible for concessions in payment of earnest money deposits of 1% Security Deposit at 1% and Relenlion from bills at 2Vi% as against 2'i% Earns money deposit, 2/2% security deposit and 5% Retention from bills as per para 154(3) of APPWD Code. The Chief Engineer, Nag an nans a gar Canais, proposed that the system of collecting security deposit might be dispensed with and suggested recovery of 1% as Earnest money deposit and 3'i% as Retention from Bills. He also suggested that a uniform procedure for thie entire Stale might be laid down both in respect of contractors who make a lumpsum deposit and those who do not.

2. In G.O. second cited, orders were issued dispensing with the procedure of collecting security deposit at the lime of entering into agreements in respect of contractors who have no* paid lumpsum deposit of Rs. 50,000/-.

3- The Government consider that the need for giving similar concessions to contractors who make a lumpsum deposit of Rs. 50,000/- is greater. The Government have also considered the suggestions of the Chief Engineer, Nagarjunasagar canals to dispense with the system of Collecting Security Deposits and in its stead increasing the percentage of retention from bills and 10 adopt a uniform procedure for the entire State in respect of contractors who make a luinpsum deposit of Rs. 50,000/- and those who do not.

4. Accordingly, the Government have decided to dispense with the collection of security deposit at the time of entering into agreements in the case of contractors who make a lumpsum deposit of Rs. 50,000/- and to fix the following percentages of earnest Money Deposit and Retention from bills in respect of lumpsum and K2 contractors:

Earnest Money Deposit 1%

Retention from bills 3'A%

5. The procedure approved in para 4 above as also the procedure accepted in G.O.Ms.No. 1926, PWD, dated 2-5-1965 in the case of contractors who make a lumpsum deposit of Rs. 50,000/- will apply to the PWD (I.B), (R&B) and Electricity Departments. ;

Government Promissory Notes accepted as security against contract, etc., by Government Officers - Title of the presenter or depositor from whom received to be verified before acceptance - Instructions issued.

[Memo.No. 73464 (W & M)/66-4, Finance (W & M) Depl., Dt. 23-3-1968]

Order:—It has been brought to the notice of this Department by the Reserve Bank of India, Central Debt Section, Bombay that from the Government Promissory Notes forwarded to the Public Debt Offices by the Government Officers for Repayment/Renewal in their favour under teller of Assurance executed by them that several irregularities are being committed by the Government Officers in the acceptance of these securities. The objections of the Public Debt Officers were mostly of the following nature:

(1) Thumb impressions of the endorers required to be verified by a Magistrate under his Court seal.

(2) The signatures of the endorers are not clear and legible or do not agree letter for letter with their names in the respective previous endorsements.

(3) Cross endorsements should be confirmed by the respective endorers in separate letters addressed to the Public Debt Office.

The need for executing Letter of Assurance could not have been avoided had the Government Officers scrupulously followed the instructions contained in paragraph 100 read with Chapter V of the Govt. Securities manual (3rd edition). An extract of the above paragraph is appended for ready reference- All the Heads of Departments are, therefore, requested to see that suitable instructions are issued to their subordinate officers to take necessary precaution in the scrutiny of the Government Promissory Notes offered for acceptance as security against contract etc., and satisfy themselves regarding the title of the presenter or depositor before accepting them in their official capacity,

They also may be requested that the Government Promissory Notes so accepted as security should not be retained with them but should be deposited immediately with the District Treasuries and Sub-Treasuries concerned for safe custody as already instructed in his Department's Memorandum No. 40990/W & M/50-I, dated 25-4-1960. In respect of Offices situated in the twin cities of Hyderabad and Secunderabad they should be deposited with the Main Office of the State Bank of Hyderabad, Gunfoundry, Hyderabad.

Extract from Chapter IX

Securities held by Government Officers in their Official capacities and deposit of Promissory Notes for safe custody at Treasuries.

It is of great importance that a Govt. Officer should not receive or in any way deal with a promissory note in his official capacity if the title of the presenter, depositor or any other person from whom it is received, is not absolutely clear or is in any way defective. Before therefore accepting such a note, he should carefully scrutinise the endorsements on it in the light of instructions given in Chapter V. If he has reason to think that any of the endorsements (i.e., not only the last endorsement) is irregular, or if, for any other reason, he is not only satisfied as to the title of the person presenting a note, he should refuse to accept it and should instruct the presenter to get it renewed by the Public Debt Office,

Lumpsum deposit in lieu of EMD and retention from bills Bond form - Applicability to cases of cash deposits - Revised bond form - Approved.

[G.O.Ms. No. 260. P.W. (Y) Dept... Dt. 4-3-1969]

Ref. :- 1. G.O-Ms. No. 2239, PWD.. Dt. 23-10-1964.

Order —In G.O.Ms. 2239, P.W.D. dated 23-10-1974 the form of bond to be executed with contractors who make a lumpsum deposit of Rs. 50,000/- in the shape of Government securities with reference to the orders in G.O.Ms.No- 3094, P.W.D., dated 25-11-1957 has been approved-

A suggestion has been made to the Government that the bond form may be amplified so as to include cash deposits also.

The Government have accepted the suggestion and approves the bond form as annexed to this order in supersession of the form approved in G.O.Ms. No. 2239, P.W.D., dated 23-10-1964.

ANNEXURE

Bond Form

Know all men by these presents that..... having their registered office hereinafter referred to as..... are in consideration the premises, hereinafter appearing held and firmly bound unto the Governor of Andhra Pradesh (hereinafter referred to as "The Government" which expression shall include their successors, or assigns or their certain attorney or attorneys in the Public Works Department of the Government of Andhra Pradesh) in the sum of Rs. 50,000 (Rupees *fifty* thousand only) to be paid to the Government for which payment to be well and truly to be made they hereby bind themselves, their successors and assigns firmly by these presents duly sealed with the..... seal this

,..... day of.....

Whereas the above bounden..... have agreed with the Government to execute and perform the works tendered to be performed by them in the Department under the contracts to be made between them and the Government during the three years from the date of These presents and to observe, perform and fulfill *the provisions, stipulations and conditions* on their parts *to be observed, performed and fulfilled and contained in the* contracts to be entered into by them as aforesaid, to the satisfaction of the respective Engineers for the time being, in charge of the contract works subject to the rates of earnest money security deposit and retention in respect of individual lumpsum contract works being limited to 1% and 2% respectively, and in piece work contractors limited earnest money and retention 2% and 2¼% respectively, in all the contracts made hereafter between the parties hereto.

.. -

And whereas the..... have delivered to and deposited with the Chief Engineer, Andhra Pradesh (hereinafter referred to as "The Chief Engineer") acting in premises for and on behalf of the Government a sum of Rs. 50,000/- to Government securities of Face value or the Market value of Rs. 50,000/- (as detailed in the Annexure to this Bond) whichever is less or cash deposit of Rs. 50,000/- and have agreed to make good in case the Market value goes down any deficiency in Market value by depositing further securities to make the value for the purpose of additionally (over and above the said 1%, 2 1/2% and 2% and 2 1/2%) securing and to be indemnifying the Government loss and damage which he might or may in any way suffer by reason of default being made by the..... in observing, performing and fulfilling the provisions, stipulations and conditions contained in the aforesaid contract or contracts or by reason of any property belonging to the Government of Andhra Pradesh and under the control of the..... or advance made by Government the.....

being in any way, consumed, wasted, stolen, misspent, lost, misapplied or otherwise dishonestly, negligently or by or through oversight or violence made away or parted with by themselves or by any one acting for the..... during their absence or otherwise or by any servants, clerks, coolies or any other person or persons nominated or accepted by or serving under the..... or by any other persons whomsoever whether in the service of Government or otherwise.

And whereas the has entered into the above bond in the penal sum of Rs. 50,000/- conditioned as hereinafter stated now for the consideration aforesaid the condition of the above written bond is such that if the..... shall well and true execute the work

or works described in the aforesaid contract or contracts and well and truly observe, perform and fulfill all the provisions, stipulations and conditions in the aforesaid contract or contracts contained to the satisfaction of the respective Engineer for the time being in charge of the said work or works and shall fully indemnify and save harmless the Government from all and every loss and damage which shall or may at any time or times hereinafter happen to or be sustained by the Government through any default in carrying out the aforesaid contract or contracts or by, from or through the neglect, failure, misconduct, disobedience, omission or insolvency of the company..... or by, from or Through the

consuming, wasting, stealing, miss-spending, losing, miss-applying or otherwise dishonestly or negligently or through oversight or violence making away or parting with any Government property under the control of the..... or advances made by Government to the.....,

or any part or parts thereof by any person or persons whomsoever, then his obligation shall be void and of no effect; otherwise the same shall be and remain in full force and virtue provided always and it is hereby declared and agreed by with the Government that the deposit of Rs. 50,000 so made as aforesaid shall be and remain with the Chief Engineer as and for security to the Government for the purpose aforesaid with full power to the Government or their officers duly authorised in their behalf from time to time as occasion shall require to apply the same and the interest thereon towards indemnity as aforesaid of (the Government and in the event of any such application being so made, the.....-....., shall

Within fourteen days of the date of any such application, deposit with the Chief Engineer 8 sum sufficient to make up the said deposit of Rs. 50,000/- either in cash or Government Securities of the market value of such sum.

And it is hereby agreed and declared by and between the.....-....., and the Government that on the completion of all the aforesaid contracts by the..... the said deposit of Rs. 50,000/- shall not be at once returned to the..... but shall be and remain with the Chief Engineer for a period of six months after the date of completion of the last one of such contracts as the security against any loss that may have been incurred

by the Government in connection with the aforesaid contract or contracts and which may not have been discovered until after the completion of the aforesaid last contract; provided always that the return at any time of the said deposit shall not be deemed to affect the right of the Government to take proceedings upon the above willed bond or otherwise against the....,—.— in case any breach of the conditions of the said bond shall be discovered after the return of the said deposit:

Provided further that on the expiry of six months after the,—..... shall have given written notice to the Chief Engineer of the completion of any one outstanding contract and there being no other contracts in existence at the time notwithstanding that three years from the date of these presents may not have expired, then the said security deposit/cash deposit Of Rs, 50,000/- or so much thereof as shall then be refundable to the....,—.— shall immediately be repaid to the.....-..... Provided also that the interest on all and any of the deposited Government securities/cash deposits referred to above until forfeiture or sale thereof shall belong and be payable to the.....—

in witness, whereof, Sri,.....,—..... acting for and on behalf of and by me orders and direction of the Governor of Andhra Pradesh and Sri..... acting for and on behalf of...—.—.. have hereunto to set their respective hands.

The common sale of-—.....— —..... have been hereunto affixed in pursuance —.-.....-.-of a resolution of its —.....- in the presence of :

Witnesses

1.

2.

Director.

Signed by.....,—..... acting for and on behalf of the Government of Andhra Pradesh, in the presence of Witnesses:

ANNEXURE TO THE BOND

Particulars of Securities/Cash Deposits Furnished

Sl.	No. of G.P. Notes	Remiilance	Loan	Amount No.
chaian No. and dale				

Acceptance of National Defence Certificates, etc., towards security from the Contractors - Orders Issued.

[G.O.Ms.No. 954. PWD, Dt. 17-6-1961]

Order :—The Chief Engineer (R&B) has suggested that Gold Bonds, National Defence Certificates and Fixed Deposits of Scheduled Banks pledged in favour of Executive Engineer, PWD, may be accepted towards security for fullilrment of contracts in the Public Works Department. The Chief Engineers have discussed the subject in a meeting held on

[DCODE—34]

17-1-1968 and considered that Gold bonds may be accepted at market value. The Chief Engineer (Major Irrigation and General) has accordingly proposed that the decision of the Chief Engineer may be approved.

The Government have examined the proposals. To consider that, as a procedure of collection of security deposit has been dispensed with, the question of accepting the above mentioned forms of deposit does not arise. The question whether they may be accepted towards Earnest Money Deposit, Lumpsum deposits towards Earnest Money Deposit, Security Deposit and retention from bills, has also been examined.

The Government after consideration direct that earnest money deposit should be accepted in cash only except in the case of big projects where earnest money deposit exceeds Rs. 10,000 and in respect of which certain concessions have been given in G.O.Ms-No. 2262, P.W.D., dated 15-9-1960. They also direct that the Gold Bonds and Fixed Deposits of Scheduled Banks should not be accepted as securities and that the National Defence Certificates may be accepted to enable them to avail themselves of the concessional rates of Earnest Money and retention money deductible from bills.

Bond form to be executed by Scheduled Bank towards security -Execution on stamped paper - Clarification - Issued.

[Memo. No. 2833-Y/68-10. P.W. Dept. 14-11-1969]

Order:—In G.O.Ms.No- 2239, PWD, Dt. 23-10-1964 the form of agreement to be entered into with the Government by the contractors who make L.S, deposit of Rs.50, 000 with the Chief Engineer under whom they wish to tender for works was approved. The Bond form to be executed by scheduled the banks on behalf of contractors towards security. The Chief Engineer (Major Irrigation and General) has sought clarification whether the agreements and bonds need be executed on a stamped paper of the value of Rs. 1.50 P.

It is clarified that the bond form approved in G.O.Ms.No. 272, PWD, Dt, 27-2-1968 should be executed on a stamped paper of the value of Rs. 22.50 since it falls under Art.48(b) of Schedule 1-A to the Indian Stamp Act.

Clarification in respect of agreement form approved in G.O.Ms.No. 2239, PWD, Dt 23-10-1964 will be issued separately.

Agreement Bond - Payment of Stamp duty - Clarification - Issued.

{Memo.No.2302/m9-2. PWD, Dt. 27-1-1970}

Order :—In continuance of the clarification issued in Government Memo No, 2833-Y/68-10, PWD dated 14-11-1969 it is further clarified that it is not necessary to execute the agreement form approved in G.O.Ms.No, 2239, PWD, dated 23-10-1964 on Stamped paper as according to item No. 24 of Notification No. 13, dated 17-12-1938 (page 267 of the Stamp Manual) instruments in the nature of a Memoranda Agreement or Security Bond furnished to or made or entered into by a contractor for the execution of any work entrusted to him by or for the due performance of any contract with the Public Works Department or any other administrative Department empowered to execute public works are exempt from payment of Stamp duty.

Concessional rates of Earnest Money Deposit and retention from bills by virtue of standing security - Applicability to running contracts -Clarification - Orders - Issued.

[G.O.Ms.No. 1001, P.W. (Y) Dept, Dt. 26-7-1971]

Ref. :— 1. G-O.Ms- No- 3094, P.W.D. dated 25.11-1957,

2. G.O.Ms. No. 347, P.W.D., dated 12-3-1968,

3. From the C,E (R&B) Lr. Re. No 9217-E-1/72-2, Dl. 19-2-1971.

Order :—m G.O.Ms- No, 3094, PWD,, dated 25-11-1957, it was ordered that the contractors should be permitted to deposit a lumpsum of Rs. 50,000 with the Chief Engineer under whom they wish to tender for works, by virtue of which lower percentage of Earnest Money Deposit and pretension from bills would be required in respect of their contracts. In G.O.Ms No. 3040, PWD, dated 28-18-1958, it was ordered that the Lumpsum Deposit of Rs. 50,000 may either be deposited in cash or a valid bank guarantee or in the shape of interest-bearing securities. The Chief Engineer (Roads and Buildings) has reported that a contractor who made lumpsum deposit of Rs. 50,000 after entering into agreement requested for extension of the concessional rates of Earnest Money Deposit and retention from bills to the contracts already entered into by him with the Department. He has sought classification whether the concessions may be extended to the contractors. The form of bonds approved by the Government for execution by banks who stand guarantee for the contractor indemnifies the Government in respect of all contracts and agreements under the Chief Engineer with whom the Bank guarantee is lodged.

The Government have examined the point raised by the Chief Engineer (Roads and Buildings). They consider that it would be appropriate to apply the concessional rates of Earnest money Deposit and retention from bills in respect of running contracts under the Chief Engineer even if the standing security is deposited with him subsequent to the entering of agreement. They accordingly direct that the standing security (L-S. deposit) may be made applicable to all running contracts under the Chief Engineer and the claims preferred by contractor for refund of the difference of Earnest Money deposit and retention from bills may be accepted provided the bank guarantee in case the standing security is in the shape of a bank guarantee, has validity till the works are completed and final payment made.

Rates of Earnest Money Deposit and retention money to be recovered from contractors' interim bills, etc. - Certain modification in the procedure - Orders - Issued.

[G.O.Ms.No. 491. P.W. (Y) Dept., Dt. 14-5-1973]

Ref. :~ I. G.O.Ms.No. 3094, P.W.D-, Dt. 25-11-1957,

2. G.O.Ms.No. 1926, P.W.D., Dt. 2-8-1965.

3. G-O.Ms.No. 1077, P.W.D, Dt. 10-7-1967.

4. G.O.Ms.No. 347, P.W.D., Dl. 12-3-1968.

Order:—The Builder's Association of India, Andhra Pradesh Centre, Hyderabad made certain requests to Government relating to the procedure of registration of contractors, reduction of rates of Earnest Money Deposit and retention money, etc. The various requests were reviewed at a meeting held with the representatives of the Association.

(2) After further careful examination of the requests, decisions have been taken by the Government as indicated in the Annexure 1 to this order against each request of the Association, The decisions indicated in the Annexure will come into force immediately and are applicable to all future contracts to be entered into or in the process of execution on the date of issue of this order. But the decisions in respect of the rates of Earnest Money Deposit and retention money will be applicable only to works for which tenders have not been called for already. The new terms shall be indicated in the notices inviting tenders, tender forms, etc.

(3) The Government also direct that a bank guarantee should be obtained for the amount equal to the difference between the amounts of security deposit (E.M.D. plus retention amounts) at the old and new rates to safeguard the interest of the Government against defective work. The Chief Engineer (Major Irrigation and General) is requested to suggest suitable draft bank guarantee form for approval of the Government.

(4) The orders issued in G.Os. read above shall be deemed to have been modified to the extent of the decisions of the Government indicated in the Annexure I to this order,

(5) (The following amendment to G.O.Ms.No. 1077, P.W.D., Dt. 10-7-1967 have been carried out in the appropriate places)

ANNEXURE I

To G-0-Ms.No. 491, P.W.D., Dt 14-5-1973

Brief Description of the
request of Builder's
Association iff India (I)

Decision of the Government

(2)

- W Solvency certificate issued by Scheduled Banks may also be accepted in addition to the solvency certificates issued by the Revenue authorities.

A contractor already enlisted individually may continue his registration as individual contractor in certain contingencies among others ; via,, (i) A contractor already enlisted in his individual name may join with some other

(2)

person or person (already also registered or otherwise) and apply for registration of the partnership.

Solvency Certificate issued either by the Scheduled banks on the basis of deposits, etc., held by the applicants for registration as contractors or solvency certificates issued by the Revenue authorities on the basis of the immovable properties of the applicant shall be accepted for purpose of registration as \ contractors. The solvency certificates should. be produced in either of the forms prescribed' in Annexure II.

All contractors shall certify that they will not of get themselves registered in more than one name. But they may join others in partnership and the partnership firm can tender for works provided none of the partners tender for the same work in is individual capacity, If the partnership firm and also on the or more of its partners tender for the same work, the tenders of partners will not be taken into consideration- The Chief Engineer (Major Irrigation & General) should suggest suitable amendment to the tender notice form. The

- (ii) A partnership firm already enlisted as contractors taking into partnership another person also enlisted in his individual name and both these form a new partnership and apply for the registration of the new firm.
 - (iii) Individuals enlisted contractors acquiring interest by becoming share holders in private and/ or Public Limited Companies.
- (3) The contractors registered under the old rules may automatically be registered in the same category under the new rules based on their performance during the last five years.
- (4) Certificate of works carried out by contractors may not be insisted upon (at the time of registration contractors), when a list of works carried out is given with information regarding the Dept. or agency under which the works were carried out, their value and the year of completion.
- (5) Standing Security Deposits:
Standing security deposit of Rs. 50,000 with each Chief Engineer may be reduced to Rs. 20,000 as in the C.P.W.D. and contractors giving standing security deposits may be permitted to tender for all types of works any value throughout A.P.
- (6) Contractors giving standing security deposits may be exempted from payment of earnest money deposit
share-holders of a Private/Public Limited Company shall be permitted to tender for works individually, though the Private/Public Limited Company of which they are shareholders. tenders for the same work.

The same monetary limits prescribed in Rule 7 of Rules for Registration as contractors in respect of solvency certificate shall apply to the partnership firms/private or Public Limited Companies also.

Under the new classification, the financial limits for classifying contractors had been raised and, therefore, the capacity of the contractor seeking registration under the new rules will have to be necessarily examined afresh before classifying him. Hence the request is not agreed to.

It is considered that it is enough if the registering authority satisfies himself that the contractor's previous performance was as satisfactory after making such enquiry as he may deem necessary without insisting on the production of a certificate by the contractor from the engineers concerned. Production of a certificate is not required even under the existing rules.

The monetary limit of lumpsum deposit of Rs. 50,000 prescribed in G-O.Ms.No. 3094, PWD, dated 25-11-1957 shall be continued. The Government considers that since works of great magnitude are taken up in the projects it would be difficult to pin down the contractors if a fixed amount of only Rs. of 50,000 is accepted as a fixed deposit for all works under all the Chief Engineers. In the C.P.W.D., the L.S. deposit is Rs. 3 lakhs. Also it would be easier for the Chief Engineer to work and watch the performance if the fixed amount relates to works under each Chief Engineer.

The request is not agreed to. The Earnest Money Deposit shall continue to be collected at 1 per cent but subject to a maximum of

- of 1% and retention money from bills may be raised from the present 3'A to 4'i%.
- (7) In the case of contractors who have not given standing security deposit, the maximum earnest money deposit may be limited to Rs. 10,000 for works costing upto Rs. 5, 00,000 & Rs. 20,000 for works above Rs. 5, 00,000 as in C.P.W.D.
- (8) In the case of contractors giving standing security deposit, the retention money may be limited to the maximum of Rs. 1 Lakh. (9) In the case of contractors not giving standard security deposit, the retention money may be limited as below:
- (i) For works costing upto Rs. 1, 00,000, 10% of the estimated cost of work put to tender.
- (ii) For works costing more than Rs. 1,00,000 and upto Rs. 2,00,000, 10% on the first one lakh and 7'/% on the balance,
- (iii) For works costing more than Rs. 2,00,000, 10% on the first one lakh, 7'4% on the next 1 lakh and 5% on the balance subject to the maximum of Rs. 1,00,000 inclusive of the Rs. 75.000/-.

The rate of Earnest Money Deposit in the case of contractors who have not given the standing security deposit of Rs. 50,000 shall be reduced from 2'i per cent to 1'; and it shall be subject to a maximum of Rs. 1 Lakh,

The rates of retention from bills shall be as follows in respect of both LS and K2 contracts.

Value of work	Rate of retention money

3/i per cent.

- (i) For work done upto First Rs. 50 Lakhs 3'/2%, Works over Rs. 50 Lakhs 2%.
first Rs. 50 Lakhs.
- (ii) For works done First Rs. 50 Lakhs 3'/2%. Works over Rs 50 Lakhs 2% over Rs. 1
over Rs. 50 Lakhs Crore 1'i per cent.
upto 1 Crore.
- (iii) For works done The request for fixing ceiling is not agreed to,
over Rs. 1 Crore The Govt. considers that there is also no justification for reducing the rate of retention money from T/i per cent applicable to L.S. contractor. In respect of K2 contracts the Government considers that in view of the decision in item 7 above, there is need for increasing the rate of retention money so that the total security to be held by the Govt- shall not be less than 5 per cent of the value of contract. Accordingly, retention money in respect of K2 contracts entered into by the contractors who do not pay L.S. deposit of Rs. 50,000 shall be collected 3/; per cent till the value of work done is 66-2/3 per cent times the value of Earnest Money Deposit and 5 per cent thereafter.

- earnest Money Deposit which is converted as part of the Security Deposit (Retention Money) as in the C.P.W.D. and the Railways.
- (10) Guarantee bonds executed by scheduled banks may be accepted for (a) Standing Security Deposits,
(b) Earnest Money Deposit, and
(c) Retention Money (Further Security), or any other approved Security like Govt. Promotes, Scheduled Banks Fixed Deposit, Receipts. National Savings Certificates, etc.
- (11) Final bills may be paid within 3 months of physical completion of work and retention money may be released simultaneously keeping to the extent of earnest money as deposit.
- (12) After expiry of observation period of six months, the amount retained as earnest money may be released.

The existing procedure will continue. The Government direct that the Final bills should be settled within six months from the date of completion of the work and if not, the balance amount after deducting the disputed amount if any, should be paid to the contractor and the settlement of final bills should not be held up except to the extent of the disputed amounts,

Even now the Chief Engineers are empowered to refund Earnest Money Deposit to the contractors after the observation period of six months, after obtaining certificates of satisfactory completion of works for the Executive Engineers concerned. The Govt. direct that the Chief Engineers shall be permitted to order refund of Earnest Money Deposit on the responsibility of the Executive Engineers concerned about satisfactory completion of the work after the expiry of the observation period of six months. For this purpose, the Executive Engineer should ensure before releasing the Earnest Money Deposit pending settlement Of final bills that sufficient assets of the contractor are held by Govt. to off, set by any recoveries due from him. The Executive Engineers will be personally responsible to make good any losses that may arise due to release of Earnest Money Deposit without proper verification.

The Govt. also direct that the existing procedure shall be modified to the above extend and that the modified procedure shall

- be in force for a period of three years in the first instance.
- (13) It may be stipulated that the interim bills shall be submitted on 25th of every calender month and payment arranged in the first week of next month.
- (14) (i) Interest may be paid at scheduled bank rate for delays in payment of bills or refund of deposits or release of bonds beyond a fixed period-
- (ii) The contractor may be compensated for sloppaged or suspension of work and idle labour due lo delays in taking decision by the Dept,
- (iii) Issue of completion of certificates & payment of final bills may not be held up due to non-completion of small finishing items of work due to delays taking decisions by the Dept, and minor rectifications and such items may be dealt with separately.
- (15) The supervisory staff in charge of the works may not be transferred till the final bills are finalized.

Instructions were issued in Govt. Memo. No. 1602—Y/67—17, PWD., Dt. 1-11-1969 that payments of interim (running bills should be made prompt at regular intervals depending on the quantity of works executed—vide Annexure III. Instructions were also issued in Govt. Memo.No. 1374-Y/7M, PWD. Dt, 13-10-71 that the Supdtg. Engineers in the P.W. (R&B) and (I.B.) Dept. should hold quarterly meetings in this regard with the contractors in their jurisdiction after giving sufficient notice to the contractors - vide Annexure iV & V.

(i) The request for payment of interest is not agreed to.

(ii) Specific cases where works had to be stopped or suspended and the contractor had to bear the burden of idle labour could be brought to the notice of the Chief Engineers or the Government.

(iii) As it is not possible to issue the completion certificates until all the finishing items of work and rectification of defects are cleared, the present practice will continue.

The suggestion is not agreed to as it is workable.

ANNEXURE II FORM OF CERTIFICATE BY BANKS

..... Managing Director/Manager/General Manager/Agent of.....-,
do hereby certify that..... (here the name & address of the
 should be mentioned)..... to be solvent to the extent of Rupees
 as disclosed by the information and records which are available

Bank Limited.
 contractor.....
 (-.....-,-,),.....,

with the aforesaid Bank.

Place : For the..... Bank.

Date: (Designation of the Officer authorized to sign).

FORM OF CERTIFICATE BY TAHSILDARS

I,.....Tahsildar of.....do hereby certify, on being satisfied by the examination of revenue and other record and local enquiries.that..... (here the name and address of the Contractor should be mentioned)..... is solvent to the extent of Rupees (..-.....-.-.....)

Date : Seal of the.....Tahsildar,

Place : Office.....Taluk.

ANNEXURE III

Payment of interim (running) bills - Instructions Issued.

[Govt.Memo.No. S602-Y67-17 P.W.D. Dt. 1-11-1969]

Order:—The Builders Association of India have complained that there are delays in payment of bills of contractors, particularly the interim (running) bills. The Government considers that instead of leaving it to the contractors to approach the departmental officers, initiative should be taken by the officers and payments should be made promptly as, in the long run, prompt payment will lead to economy in the expenses of contractors who will be encouraged to quote lower rates for work.

The Chief Engineer under the PWD are requested to issue suitable instructions to field Engineers impressing on them that payment should be made at regular intervals depending on the quantity of work executed. The Chief Engineers are also requested to devise suitable measures for watching this item of work at different levels to ensure that the instructions are complied with strictly by the field Engineers.

ANNEXURE IV

Quarterly meetings with contractors - Superintending Engineers to hold meetings to settle payments of bills, etc. - Instructions - Issued

[Govt.Memo.No. I967-Y/69, PWD. Dt. 25-9-S969]

Order :—It has been brought to the notice of Government that there are inordinate delays in the settlement of various issues arising out of works executed by the contractors including non-payment of bills of contractors in time. The Government considers that it necessary to take expeditious decisions in such cases and issue the following instructions to be followed in the Roads and Buildings Department initially.

(a) Instead of leaving it to the contractors (o approach the Departmental Officers, initiative should be taken by the officers and payments (part and final) should be made to contractors promptly as in the long-run prompt payments will lead to economies in the expenses of contractors who will be encouraged to quote tower rates for works.

(b) The Government directs that Superintending Engineers in the Roads and Buildings Department should hold quarterly meetings with the contractors who are executing works in their jurisdiction to discuss various issues arising out of tiller contracts. The Superintending Engineers should ask the contractors to furnish points for discussion one

month ahead of the meeting so that the Superintending Engineers would be in a position to examine those points before the meeting.

2. The Chief Engineer (Roads and Buildings) is requested to issue instructions accordingly to the Superintending Engineers under his control-

ANNEXURE V

Quarterly Meetings with contractors - Superintending Engineers to hold meetings to settle payments of bills, etc. - Instructions - Issued

[Govt.Memo.No. 1374-Y/71-1, PWD, Dt. 13-SO-1971] \.

Govt.Memo.No. 1967-Y/69-1, PWD, Dt. 25-11-1969-

2. From the C.E. (R&B) Lr.No, 69902-E3/69-13, Dt. 2-4-1971.

3. From the C.E. (M1&G1) Lr.No.Rc. GeVA-2/821/74/69, Dt. 20-8-1971.

Order:—In the Govt.Memo. first cited it was ordered that (1) instead of leaving it to the Contractors to approach the Departmental officers, initiative should be taken by the officers and payments (part and final) should be made to contractors promptly as in the long-run prompt payments would lead to economies in the expenses of contractors who would be encouraged to quote lower rates for works, and (2) that Superintending Engineers in the Roads and Buildings Department should hold quarterly meetings with the contractors who are executing works in their jurisdiction to discuss various issues arising out of their contracts. The Superintending Engineers should ask the contractors to furnish points of discussion one month ahead of the meeting so that the Superintending Engineers would be in a position to examine those points before the meeting.

2. The instructions were initially intended for the PWD (Roads and Buildings) only. The Chief Engineer (Roads and Buildings) has reported that the system is working ' well. The Chief Engineers are reported to have decided that the system may be extended to the Irrigation Department also. The Chief Engineer (Major Irrigation & General) has accordingly proposed that the system may be extended to the Irrigation branch of the Public Works Department.

3. The Government accepts the proposal of the Chief Engineer (Major Irrigation and General) and he is requested to issue suitable instructions to the Superintending Engineers under Public Works Department (Irrigation Branch) also for following the procedure prescribed in the Government Memo, first cited.

Revision of rates of Earnest Money Deposit and retention from bills and provision for obtaining bank guarantee for difference in security at old and new rates - Certain points clarified.

{Memo.No. 6J9-Codn./74-4, Dt. 30-H-1974}

Ref. :— 1. G-O.Ms.No. 491, PWD, S4-5-73.

2. From the CE. (Projects) Lr.No- B3-2 85 9/71-64, Dt. 5-4-74. 3- From the C.E. (M1&GI.) Lr.No, Re- GEL/A2/30051-72-5, Dt- 22-5-74.

With reference to the orders issued in the Government order first cited revising the rates of Earnest Money Deposit and retention from bills and requiring bank guarantee from

the contractors for the difference in the amount of total security (Earnest Money Deposit plus retention amounts) at the old and new rates, the Chief Engineers have raised the following points for clarification

1. The bond form in which the bank guarantee is to be obtained is not yet prescribed-Pending Government's approval to the form, when and in which form the difference should be obtained.
2. Whether, in respect of small works and petty contractors, who may not be able to follow the cumbersome procedure, the difference may be collected in the form of demand drafts.
3. Whether the difference in the Earnest Money Deposit at the old and new rates should be collected along with tenders or at the time of conclusion of agreement.
4. Whether the system of allowing bank guarantees for the Earnest Money Deposit in excess of Rs. 10,000 can be applied in the case of Earnest Money Deposit worked out at 1/4 per cent.
5. Whether the difference in the retention amounts should be collected in the lump sum or in installments from the running bills at the time of payments.

The Government have examined the above points in consultation with their Chief Engineer (Major Irrigation and General). The following clarifications are issued ;

Point (1) :—Orders prescribing the bank guarantee form will be issued separately.

Point (2) :—Collection of the amount of difference in the form of demand drafts amounts to collection of security at the old rates and such a system does not fit in the scheme formulated in the Government order and hence not acceptable to the Government. It is upto the Contractors to avail of the revised rates by producing bank guarantee for the amount of difference.

Point (3):—The bank guarantee towards the amount of difference may be executed at the time of entering into agreement for the work concerned.

Point (4):—The system of acceptance of bank guarantees for the amount of Earnest Money Deposit in excess of Rs. 10,000/- continues to apply even after the revision of rates of Earnest Money Deposit.

Point (S) :—Bank Guarantees will have to be obtained for the difference in the total amount of security i.e., Earnest Money Deposit plus retention amounts at the old and new rates at the time of entering into agreement itself. Hence the question of collection of the difference in retention amounts at the old and new rates separately either in lumpsum, or instalments does not arise.

Bank Guarantee for difference in security amount at old and new rates - Bond form prescribed.

[G.O.Ms.So. 1225. Public Works Department. Dt. 10-12-1974]

Ref. :— 1. G.O.Ms.No. 491, PWD, Dt. 14-5-1973.

2. From the Chief Engineer (Major Ir. and Gl.) Lr.No.Rc. GEL/A I/2354/69-52. Dt. 20-4-1974.

Order:—In pursuance of the orders issued in Para 3 of the Government order first cited, the Government direct the bank guarantee for the difference in the amount of security of contractors (Earnest Money Deposit plus Retentions from bills) at the old rates and the rates revised in the Government order shall be obtained in the form appended to this memorandum- The Chief Engineer shall insist on the bank guarantees for memorandum. The Chief Engineer shall insist on the bank guarantee for a period, sufficient to cover at least that noted in tender schedules.

2. They should take prompt action in advance and ensure extension of the period of guarantee, wherever necessary. They should also take action to encash the guarantee in time.
Guarantee Bond

This deed of Guarantee made this day of..... one thousand..... between the..... (hereinafter called the guarantor/s) of the one part and in favor of the Governor of Andhra Pradesh (hereinafter called "the Government") of the other part, on the following terms and conditions.

Whereas the Government having agreed to accept from..... (Hereinafter called "the said contractor/s") the guarantee bond in respect of the difference between the amounts of security Deposit (Earnest Money Deposit plus Retention amounts) at the old and new rates for the work of..... "for a sum of Rs.,....., (in words Rupees.,,-,.,) under the Chief Engineer/Superintending Engineer/Executive Engineer..... Guarantors do hereby undertake to indemnify and keep indemnified..... the Government to the extent of Rs. (in words Rupees.....,.....) against any loss or damage caused to or suffered by the Government or would be caused to or suffered by the Government by reason of any breach by the said contractor..... of any of the terms and conditions Contained in the said tender or contract and agreement or both and authorize the said Chief Engineer/Superintending Engineer/Executive Engineer to recover the same directly from the Guarantor/s.

Whereas the contractor/s further agree that this guarantee herein contained shall remain in full force and effect up to and inclusive of the date referred to above or the expiry of the extended period of any and that it shall continue to be enforceable till all the dues of the Government under or by virtue of the said tender of contract and agreement or both under the said Chief Engineer/Superintending Engineer/Executive Engineer have been fully paid and its claim satisfied or discharged or till the said Chief Engineer/Superintending Engineer/Executive Engineer certified that the terms and conditions of the said tender or contract and agreement or both under the said Chief Engineer/Superintending Engineer/Executive Engineer, have been fully and properly carried out by the (said contractor).....-.. and accordingly discharges the guarantee, subject, however that the Government shall have no right under this guarantee bond after the expiry of or the extended date from the date of its execution thereof,

Whereas the guarantor/s further agree that the decision of the Chief Engineer/¹ Superintending Engineer/Executive Engineer for the amount or amounts due or the amount' or amounts of damage or loss caused to or suffered by the Government is final and be binding on us and undertake to pay the amount guaranteed hereunder or part thereof as l required within one week of the same being demanded by the Chief Engineer/Superintending 1 Engineer/Executive Engineer, Public Works Department without reference to the contractor . and without questioning the right of Chief Engineer/Superintending Engineer/Executive j

Engineer, Public Works Department to make such demand or the propriety or legality of the demand.

Whereas the guarantors hereby undertake not to revoke this guarantee bond during its currency except with the previous consent of the Government in writing.

In witness whereof..... for and on behalf of the:—.....and for and on behalf of the guarantors have signed this deed on the day and year first above mentioned.

Witnesses :

For.....Bank Ltd.,

For and on behalf of the Governor

Witnesses :

- 1.
- 2.

Section No. 20

SPLITTING OF WORKS IN JUDICIOUS MANNER

Splitting up of works in judicious manner - Further instructions - Issued.

[Memo.No.94-Y/66-4, P.W.D. (PW). Dt. 16-1-1967]

Ref. :— 1, G.O.Ms.No. 800, PW & T-, Dt, 2M-1955.

2. Govl.Memo.No, 553-N3/66-2. P.W.D., Dt, 17-3-66.

Order:—In Para 5 of G.O.Ms.No. 800, P.W.D. Dt. 21-4-1955, it was pointed out that there had been growing tendency to split up works in order to bring each split within the powers of sanction of a particular authority and that it should not be resorted to unless it be expedite the completion of an urgent work or to encourage small and efficient contractors. The Chief Engineers were requested to see that the concession was not misused.

2. Again, in para 1 of Govt-Memo.No. 553-N2/66-2, P.W.D., dated 17-3-1966, it was pointed out that in a large number of cases tenders for whole projects or for large works involving high amounts were being called for by tender inviting authorities- This practice of inviting tenders for large works requiring substantial initial outlay restricted the scope of competition and afforded opportunities of tendering just to a limited few and deprived the comparatively small contractors of the opportunity of tendering for works. Thus the basis object of inducing healthy competition among the tenderers was defeated by this practice and caused extra expenditure on works, as in a number of cases only a few contractors tendered for works and that too much in excess of the sanctioned estimates. To overcome this disadvantage, Govt. considered that sanctioned works should be split up into convenient workable parts and tenders should be called for each individual item of the work with a view to attracting maximum competition.

3. In spite of the above instructions. Governments have noticed on several occasions that works have been split up in a haphazard and illogical manner, tending to show bad judgment in splitting up works.

4. After careful examination, in consultation with the Chief Engineer (General), the Government direct that works should be split up only in such a manner that they are capable of independent execution without performance with the progress and actual execution of the other pieces into which the works might have been split up. The Chief Engineers under the administrative control of Public Works Department are requested to ensure that the above instructions are scrupulously followed by all officers concerned.

Section No. 21

SUPPLY OF MATERIALS TO CONTRACTORS

Consumption of extra cement in R.C.C. works - Regarding.

[Endorsement No. 365, DB/64. Dt. 3-10-1967]

Order :—I enclose herewith a copy of Chief Engineer's (N.S. Canal) letter No.W/G/158/TS/2105/1, Dt. 21-6-57 together with a copy of Note prepared by the F,A, and C.A.O. N.S. Project regarding the action to be taken in regard to excess or short issue of materials to contractors for use on works and I have to state that the subject was discussed in the Board of Chief Engineers meeting held on 19-12-1964 as item No, 335 of the agenda and it was decided that a variation of 10 per cent plus or minus for all other works may be allowed in respect of materials issued to the contractors for use on works provided it is certified by the Executive Engineers concerned that this variation is the result of *bonafide* use of materials on works and that the *bonafide* use can roughly defined as "Marking out", "Centering", "Centre line pillars" etc., as decided by the Executive Engineers as the case may be. I therefore request that the orders of Government in the matter may please be; Obtained and communicated at an early date.

Materials issued to contractors for use on works

[Letter No. WG/15 8/TS/3105/1, Dt. 2]-6-iv57]

Ref. :—Financial Adviser and Chief Accounts Officer. Lr.No. 12449/A/47-FA,Dt,4-2-1957.

Order;—While enclosing a copy of the above letter, I frequently by to include the above subject on the Agenda of the next Chief Engineer's Board meeting.

Materials issued to contractors for use on works

[U.O.NoJ2449/A/57/FA. Dt. 4-2-1957]

The question of what action should be taken in regard to excess or short use of materials issued to Contractors has been engaging the attention of this office. A Note prepared on the subject is enclosed. If the Chief Engineers agree with the view expressed in the note, action will be taken accordingly.

Treatment of materials issued to contractors for the use on works.

The different types of cases covering under this item are dealt with below:

1. Where the materials are issued as per data requirements— (a) The contractor used quantities less than the data.
- (i) If the work is verified by the Engineer to be according to specification The contractor's rate is to be suitably reduced or recovery made from the contractor,!

"A schedule of quantities of important materials like steel, cement, etc., required for execution in accordance with the requisite specification is appended hereto. If these materials drawn according to schedule are short used, the excess quantity so drawn should be returned to the Department in good condition and no payment will be made to the contractor therefore. If they are not so returned to the Department their cost will be recovered at the market rate prevailing at the time of supply or the issue rate whichever is greater plus storage plus supervision charges at 10% plus sales tax, if leviable.

If materials are drawn in excess of the theoretical requirements indicated in the appended schedule, the excess quantity should be returned to the Department in good condition. If they are not so returned to the Department, their cost will be recovered at issue rate plus 100% surcharge or market rate whichever is higher plus storage and sales tax, if leviable".

Section No. 22

OPEN CLASSIFICATION SYSTEM - TRIAL TRENCH OR CROSS THANDOO SYSTEM

Adoption of Open Classification System and do away with Trial Trench or Cross Thandoo System - Orders - Issued.

[G.O.Ms.No. 467. Public Works (T-I) Department. Dt. 3-4-1972]

Order :-—The question of continuance or otherwise of the trial trench classification of soils in Pochampad Project was considered by the Project Working Committee at its meetings held in March, 1970 and again in October, 1971 at which the Chief Engineer for Pochampad Project, the Chief Engineer for Nagarjunasagar Canals were present. The Financial Adviser had stated that as trial trench system of classification was expected to eliminate manipulation in classifying soils at lower levels, it was recommended for adoption in Nagarjunasagar and other Projects. The Chief Engineer for Pochampad Project had, however, explained that trial trenches were excavated at 100 intervals after letting out works and quantities were fixed after classifying the trenches in respect of— (1) all soils. (2) Fissured and Fractured rocks; and (3) Sheet Rock, and signatures of contractors had been obtained. After fixing the quantities under the three categories, the contractor was allowed to open any variations in the quantities of rock in open excavation of the bay were not taken into consideration and the contractor had to abide by the quantities held in the trial trench classification irrespective of the variation of the bay. He had, therefore, expressed the view that adoption of the procedure had its own drawbacks, as the experience in some cases was that when the contractors found the actual rock in the bay was more than what was got by the trial trench classification, they abandoned the works, resulting in call of fresh tenders. If the quantity of rock in the bay was less than what had been ascertained by the trench classifications, the contractor would gladly accept the position, which was to the disadvantage of the Department. The Accountant-General had also pointed out that though the quantity of excavation might be correct, the measurements of various types of soils was not with reference to the actual quantities excavated and it was also in violation of the provision in para 293 of the Andhra Pradesh Public Works Accounts Code. It was also explained the cross thandoo method being followed in Nagarjunasagar Project was also not a fool-proof one, as under this system, the cross thandoo had to be left at e

in a division could exceed upto 33-1/3 p.c. of grant available for the division during each year. But it is seen that there were too many special repairs estimates in each division and the E.Es. themselves were not in a position to evaluate the spill over commitment of the previous year as it stood on April of the each year. It is therefore decided that the number of special repairs estimates should be entirely stopped or reduced to the minimum extent possible. In modification of the Circular instructions cited above, the following revised instructions are issued.

1. The mile-war allotment inclusive of maintenance of the road and periodical renewals will be fixed by the S.E. depending upon the importance of the road, classification, traffic, etc. A maintenance estimate can be sanctioned by the E.E. not exceeding the amount fixed by the S.E. multiplied by the number of miles of a stretch. For example, if Rs. 4,000 has been fixed per mile, then for a stretch of 12 miles the total estimates to be sanctioned by the E.E. shall not exceed Rs. 48,000. These estimates shall be prepared into parts. Part A, dealing with the items of purely maintenance nature i.e., patch metal, chips, bitumen, gravel, gang mazdoors painting of mile and K.M. stones, maintenance of berms, etc. The total cost shall not exceed the limit to be fixed or fixed by the S.E. (i.e., for such items of maintenance nature) for Part A, Part B. shall consist of periodical renewals and the cost of such periodical renewals including additional patch work required for bringing the surface to camber, shall not exceed the total amount of estimate, i.e., Rs. 48,000, Rs. 18,000, Rs. 30,000 (assuming that the S.E. has fixed Rs. 1,500 per mile for works of pure maintenance. If Rs. 1,800 is fixed towards maintenance of road then the amount to be spent on periodical renewals shall be Rs. 48,000-21,000, Rs. 26,400, Circular instructions issued in this office No.J/S 2578-E1/70-4, dated 16-5-1970 regarding provision of wearing coat "A shall be followed strictly. The E.Es. can sanction estimates according to mile-war allotment to the full grant given to the division i.e., if a division is allotted Rs. 1,800 Lakhs per year, for the maintenance of roads, the E.E. can sanction estimates according to mile-war allotment to the full grant to the division. If the average rate per mile of estimate of any reach exceeds the rate fixed by the S.E. per mile, then all such estimates have to be sanctioned by the S.E. per mile, then all such estimates of any reach exceeds the rate fixed by the S.E. per mile, then all such estimates have to be sanctioned by the S.E. since there should be some buffer for each division so as to enable to spend grants in full and since some special repairs are essential for roads in each division, the S.E. can select at few special repairs estimates each costing not less than Rs. 1.00 Lakh or Rs. 2 Lakhs and such special repairs estimates can be sanctioned to an extent of 33-1/3 p.c. of the grant given to a particular division.

All the maintenance estimates prepared and sanctioned as indicated above the E.E. will automatically lapse by March of every year, and those special repairs estimates sanctioned by the S.E. can spill over to the next year. According to this, grants will be finalised and known every year by March and it would be easy to know the spill over commitment of the special repairs estimates which should not normally be more than 5 to 6 in each year. The S.Es. after ascertaining the spill over commitment of last year's works to the 1970-71, shall instruct the E.Es. to prepare maintenance estimates for the balance of amount and they are requested to sanction special repairs estimates as indicated above not exceeding 33-1/3 p.c. of the grant available to each division.

Utilization of maintenance and repairs grant - Instructions - Amendment issued.

[Circular Memo.No. T.No. 1/70 File 62078/JI/69, Dt. 21-1-19970 of the Chief Engineer (R&B), Roads Wing, C.P. Hyderabad]

Ref. :—Circular Memo.No.T. 14/69 (62078/JI/69). Dt. 20-8-1969.

Order:—In the circular read above certain specific instructions have been issued regarding sanction of maintenance estimates and special repairs estimates on the Roads. In para 4 of the said circular, it was instructed that the Executive Engineers are sanction only the maintenance estimates, and that all other special repairs estimates are to be got sanctioned by the Superintending Engineers so that the Superintending Engineer can satisfy himself of the provisions made under such special repairs estimates,

It has now been brought to the notice of the Chief Engineer that there has been some practical difficulty in implementing these instructions, and that even simple special repairs estimates were getting delayed in obtaining the sanction from Superintending Engineers. To obviate this, the instructions issued in para 4 of the above quoted circular are relaxed to the extent indicated below. Executive Engineers are permitted to sanction special repairs estimates for a particular maintenance reach of the road (subject to their powers under code) to the extent of the amount arrived at milewar rates fixed by the Superintending Engineer for the particular reach less the value of the maintenance estimate sanctioned as per the Instructions contained in para 3 of the circular read above. It is clarified further by this illustration below.

Supposing a maintenance reach of the road is from M. 16/0 to 30/0; and supposing the milewar rate fixed by the Superintending Engineer is Rs. 3,000 per mile.

Total amounts=14 miles x 3,000=42,000

Value of maintenance estimate for 14 miles at
14x1,400 = 19,600

Balance available 22,400(A)

Special repairs estimates mainly for central carriageway by way of periodical renewals may be sanctioned by the Executive Engineer to a limit of Rs. 22,400 (each estimate not exceeding Rs. 20,000).

All other special repairs estimates which exceed the milewar limit for the respective reach are to be got sanctioned by the Superintending Engineer before the work is proceeded with.

This modification is issued to avoid delay.

Maintenance of roads - Collection of chips in advance for B.T. works -Regarding

[Circular Memo.No. 77/70 (2578 EI/70-4). Dt. 16-5-1970]

Ref. —This Office Memo.No. 2578-EI/70-2, Dt. 8-2-1970.

Order:-It is;(Aseryed thatdeBpите.іueofstrict-.uisln.іctions-theExecutiw^Engineers are not providing wearing coats equivalent to 1/6 or 1/7 of the mileage each year^and that this will result in sudden deterioration of the surface in large stretches and it may be difficult to'aitend to all the bad reaches at one time. It is also seen that the works executed with hand broken chips which are usually of over-size-resulting in unsatisfactory B.T. surface. Hence it is desirable, that albthe.BrT works should be. got executed with crushed chips as far as possible to achieve a good black top surface.

It is observed that in some areas, the cost of chips have been rising very high suddenly and that there have been, several, difficulties It secure adequate quantities in time '.•either dueito_-ft!ant,@f Ubp;ur.4a^i.the^quai?y;site, or; for 'want of,,quariy-^faicili4es.due.-lo iirestriciiona placed. by the forest Department in issuing permits for the quarrying or due to monopoly of the quarries by (he lessees, particularly in the areas which were affected by the cyclone damages in the year 1969. It is also observed that timely collection of chips "'raise not'only beCome'diriiculcbutalsci contractors have-'been quoting very high tenders in "almost all the cases. With this situation, the ChieT'Bngmeer foresees that' the position may .'worsen in the ensuing years. It is therefore necessary to lake certain measures for advance ""collections lo' avoid breakdown of progress in B,T, works which are being launched upon ".fostruct^s.hfive,altead;;,bes-n, listed,So aJllhe Execullye Engineers to take possession eFoC all Government, quarries, from the-Kevenue Licpartment by:coutactmg attic Colleciors YctTOeei-nei,! 'a^nl liltis is a must .in .the mieresі of llie department. @iid, it, is .presumed that the Executive Engineers and Superintending Engineers are moving iiiiіііs; direction..

Gm oqq'tltttBy.thecefQEe^consi.derad necessary •.lp, have an advance stock of clips required for the works. .a^i^eSi',Gov.erriment,ar^; tieing addressed separately for permission, to keep stock of chips in reserve at each quarry. Pending the approval of such proposal, the Superintending Engineer may select a few selected quarries in each iііs'tri'cr, say' 5 or 6 and invite tenders for the supply of crushed chips,, quantities, ranging frpin.1500 to 2000 units a year at each quarry. The capacity of crusher is expected to.be about.2QOO,: upils per year.;

The tender should include small percentage of 1 Vi" and 3/4" size metal besides chips of and 1/4" In 1/S". The contractor is expected to crush chip§ and supply at the quarry and, he shall be paid at the agreed rate. In such cases, the estimates shall consist of (a)an . estimated quantity of different sizes of chips and metal, then (b) conveyance of Departmental

chips from quarry to site, slacking, and (c) labour for using the same; for B/T.- works or' patcR'works, etc. The quantities' required at each -quarry has to be assessed from lthe estimates or special repairs estimates and capital works taken up in a year and quantities Svtequifiid.jlave to ba indicat<|d^Wi^-it^i^eira,etedu(^.-.fQr;supci)yilo the Department, oT'cffips'^all't)e•calfed^o^Te^ectlvecst^mates'•alTeadysallctioned. The

Superintending Engineers are requested to try this in divisions where they have been' feeling difficulty for crushed chips aBd; report..the •performance: the Chjef Engineer indicating the difficulties in the implementation of the scheme. The selection of quarries for installation of crushers shall K' so made as 10 involve a maximum conveyance of 20 TiileSiiTOiin-quippy.-.io to.ііі.^hl?.^ noііoeifoO - ebscn lo ssnsr-ainif."

The Superintending Engineers shall also consider the desirability aftaking'up wearing; coat to the fu^t, length ot ,1 rracta-o:" road at one time so that much. attention need not I paid on this particular slieich at li-.n for nckl 3 or 4 years simultaneously lthe other i are to be maintained in a'KAirstbty 'lour^ condition'b' 'frequ'eh'l palcli Wtrt-k, etc

As per this procedure, piecemeal wearing coats in short length can be avoided and the roads can be improved to longer lengths. But at the same time great care should be taken in the selection of such stretches giving preference to roads which are in a bad

condition and on which traffic is high

To implement this procedure, the Superintending Engineer shall prepare the list of roads in the division, according to the present condition and take action 10 set right which week

Utilities off Repairs Grant - Issue of further instructions - Reg.

[Circular No. T4/TA i-3-73-], Dt. 25-5-1973J

Ref. :— 1. This Office Circular- -Nfl.J'WAL/yy.Dt. 3-4-1973'

2., Jtus, Office Memo.. No, 77790/J4/72-l(l/T, Dl, .10-3-1973.,

3. This Office Memo.No. 77790/JI/72-11/R, Dl.10-5-1973.

Order:—In this office Memo. (2) and (3) cited, the allocations made towards the; repairs of the Roads under the Control of the various divisions were, indicated, the amount doing, split-the amount are repairs

repairs, [o culverts, guard stones, kilometrage stones, etc., repairs to berths, edges, painting and white washing to kilometrage stones, salaries' of workmen of the establishment etc., which fall under the category of normal maintenance. These amounts have been fixed and are expected to meet generally the requirements of the division. However, if it is found during the course of the time. That these amounts are not sufficient, the Executive Engineers concerned could prepare supplementary maintenance estimates, and sanction the same after getting the provisions approved by their respective Superintending Engineers and approach the estimates should be prepared only after examining the funds provided now under normal maintenance, excluding amounts required for work-charged establishment for the year, (i.e., the amounts required for work-charged establishment should be kept separate."

The amount allotted under special repairs is for any works taken up specifically for improving the roads substantially, such as renewals of the wearing coat of the riding surface, etc. These works should be taken up in continuous reaches of important roads in a division, instead of in piecemeal and scattered manner. The instructions issued in this Office Circular No-(1) cited should be strictly adhered to in taking up these works. While prioritizing the estimates under special repairs; the Superintending Engineers have to take into account the split over commitment of the last year. The total cost of the estimates that can be taken up for execution in a division can exceed upto 50 per cent of the grant now allotted to each division under special repairs. For example, if the split over commitment of a division is 4.00 Lakhs and the grant now allotted under special repairs during the current year is 12.00 Lakhs, the total value of special repair works that can be taken up during the current year in the division can be—

50 X 2

(12-4) + ————— 14.0Lakhs

100

The instruction issued in this office Circular 1st cited will get modified to this extent.

In addition to the above, some reserve is kept with the Chief Engineer for taking Specific works of important nature in the Circles. For allotting funds under this category, the Superintending Engineers are requested to select few important reaches in Their jurisdiction and send proposals to the Chief Engineer for examination and allotment of special funds if found worthy. These proposals should reach this office by SO-6-1973.

All the Superintending Engineers and me Executive Engineers are requested to keep in view the above instructions carefully and follow them scrupulously. The receipt of the circular should be acknowledged by return of post.

Erection of sign posts and Speed Breakers

[Circular Memo.No. L3. 68085-L3/68-1, Dt. 7-10-1968]

Order :—It has come to the notice of the Chief Engineer that adequate care is not being taken by the Executive staff to warn the traveling Public about the unsound condition of weak culverts on the road. This negligence will lead to serious accidents, which otherwise could be avoided or mitigated. In some cases load restriction caution and notice board are erected on either side just at the culvery or bridge but not ahead of the weak structure- All the Executive Engineers should therefore take immediate steps to erect warning signs on either side of the weak or dangerous culverts indicating the speed restriction or load restriction as the case may be, in advance of the culvert, as indicated below:

On either side of the culvery.

BOARD y x 2' Weak
culvery or Bridge
Vehicles over.....Tons
Gross Weight prohibited

Where speed restrictions are imposed, speed breakers may be erected across the carriage way, on either side 50' away. These may be 4" in height and 1'—0" wide with slopes of 1 in 4 on either side. The slopes are to be printed with White and Black in 3" strips. This can be done with B.T. using 1/4" size and 3/4" chips and using a template. Where such speed breakers are erected, the advance caution boards must be erected as indicated below:

On either side of weak structure
330' away 100' on either side

BOARD 3' x 2' CAUTION
Speed Breakers ahead slow
SLOW WEAK. CULVERT
SPEED 10 KM/H
Load,.....-Tons
SPEED BREAKER

These instructions may be given effect to before 30-11-1962 on all National Highways in the first instance and the fact intimated. Similar Boards are to be erected on State " also by 31-1-1969.

State Roads - Proper attention to regular maintenance through Gangmen- Unsatisfactory work of gangmen and inadequate supervision by Road Inspectors and Supervisors - Regarding

[Circular No. 83452/TI/TA 1/75-1, Dt. S-10-1975]

Ref. :—Chief Engineer (R and B) Circular Memo.No. T4n'AI/75-1, Dt. 3-4-1975.

Order :—In the above cited circular, instructions were given to the Executive Engineers (R&B) regarding proper maintenance of roads in general, stressing in particular that the Supervisors and the Assistant Engineers should frequently inspect the road and the various works in progress thereon in their Jurisdictions. Therein, a para was also added regarding the utter inefficiency of and unsatisfactory performance by the road Gangmen, and the lax and slack Supervision exercised on these roads Gangmen by the executive officers, especially the Supervisors and the Assistant Engineers. The circular is solely meant to highlight the very unsatisfactory state of affairs now existing in the department in the matter of the working of the road gang system, on which roughly a quarter of the total annual road maintenance grant, amounting to over Rs. 1.00 crore is being spent each year.

The following are the normal items of work that the road gangmen are expected to do on the roads :

1. Patching up of pot holes, undulations and depressions in the BT or WBM carriageway of roads.
 2. Regular binding of WBM road surface with munnurn.
 3. Patching up of the jagged (zig-zag), cut up edges of a BT surface.
 4. Covering up of the exposed edges of a BT surface with rumm at regular intervals in the form of a neat, straight ribbon at least 1' wide on either side.
 5. Filling up of gullies and erosions in berms.
 6. Sectioning or lowering of the earthen or munnurn berms of roads to a camber of 1 in 36, especially at the beginning of the rainy season and at regular intervals during the rainy season.
 7. Gangmen are not merely workers attending to minor or petty repairs of roads, but are, in addition, the custodians or care-takers of the roads. This fact is perhaps not known to several of our executive officers. It is also the duty of gangmen to protect the road and its margin against excavation of pits by private parties or the raising of encroachments on the road margins. It is also their duty to safeguard the road materials like, metal, chips and gravel collected at roadside by the department through contractors and stored for by the department. They should also safeguard the bitumen drums collected on the roadside by the Department for use on BT works,
 8. Erection and maintenance of road caution sign boards, especially those erected on either side of weak and dangerous bridges and culverts-
- i The above are the principal duties of road gangmen. It is the duty of the Road Inspectors, the Supervisors and the Assistant Engineers and even of the Executive Engineers to see that gangmen attend to the above items of works strictly, regularly and conscientiously.

It has been observed by the Chief Engineer (R. & B. & Admn.), very often and also remarked by Hon'ble Minister for PWD that road gangmen are either found to be absent

It is the duty of every Assistant-Engineer TO see that the gangrtrfiheffe'^11^ and adequately equipped with these sinan'toois arid whenever anyteplac^ient-w'snarpening or repairs to those small tools is required 'these should be got done immediately. This shall be the personal responsibility of the Assistant Engineer.

(c) Absence of patch materials like i/2""size "metal, gravel^/," and ^/;" size chips, gravel and of^bit^m^fe^,^bt6.,^1b^' enabling 'gaftgmetflef "patch up pot holes and depressions. Though patch work in the carriageway-is the most fundamental item of raqdi" maintenance, this is the item that is being most neglected by our executive officei-Si-Hos amount of censure is adequate to describe the callousness, negligence and indifference exhibited by the executive staff to collect patch materials pr.romptly and in time on she road.^ During the rainy: season, patching up of pot holes in WBM surface and regular .murum, binding with murum is most essential. In the summer and winter seasons, patch work of pot holes and depressions in BT carriageway fe of paramount importance, as already staled by the Chief Engineer in some of the inspection notes issued recently- When pot holes or depressions exist in BT carriageway of roads during,rainy season, they-should be^patched, uppity with WBM patches the.bituman

Al!^me^ab6ve^gCT^dri^are^tme^^^b^fcy^)^ft?Exefcu^f^Offic^'^Sf^ that though we are spending a substantial pan of our precious road maintenance grant'oBi the salaries of road gangmen, as a result of lack of supervision by the Road Inspectors and the Supervisors and for the other causes listed above, we are not at all setting any substantial benefit to.the roads through our gangmen,'and they are,provii)g,-a ",ivhitp^eleBha to department. This is a very sorry state of affairs. Public funds are meant to be used,,not only economically, but to the fullest advantage possible. Another important point that is to be mentioned is' that an advance programme of work 'is not being chalked out by the Assistant Engineers and given to the.gangrnen thereon,, the Asst, Engineers should chalk out a moiUhly programme, in advance for the next month, i.e., say by the 24th of the present month and communicate the programme to their Supervisors and Road inspectors to reaefc^ them by the 27ih of the present mouth at ilhe] latest.. This programme should, be divided into, weekly advance programmes by the Superyisora.concerned at. once,i.e.,-by;llie 29tli.of.the, present, month and communicated by the Supervisors 10 their Road Inspectors forlhwilth-Unless such advance programming is .there,, no, sys,teiiia4c,- regulated efficient work by gangmen would be possible, and ^,r!^U;\v^lb^tha^9aJigrDen,,who;normaUy,come late to the road-start thinking of what to do for the day after turning up for duty on, the road, It is a common sight that for want,of patch_melal, gaiigraen start dumping the local suU (usually black cotton) into the pot holes and gullies.

^; ^Therefore the Chief Engineer hereby appeals to all.lbe .Executive Engineers (R&B^ to read the above Circular instructions carefully, educate all, the\ subordinates on the subject upto the level of Road Inspectors and Gangmen, and see that, at least in future, alt Road Gangmen are galvanised into action and that the huge expenditure that is being mcuned-on diem. is;made;,,jus effective supervision

Many of the views expressed by the Chief Engineer,in the above circular, also reflect the personal views of the Hon'ble Minister for PWD, is dearie'dissatisfied with the way our road gangmen are functioning on the roads."

Entering into large contracts and payment of advances to be avoided -Preparation of SSRs - Instructions - Issued

[G.O.Ms.No. 1176, Transport, Roads and Buildings Dept., Dt. 31-SO-1975]

Order:—The following suggestions have been made to the Government.

1. As far as possible, in order to instill confidence in the Public and to remove any trace of suspicion, it is better to avoid entering into huge contracts and paying large advances on the eve of the elections.
2. The scheduled of rates must be realistic and must reflect the actual rates prevailing- (n setting the schedule of rates, the Financial Advisor may also be associated and. if possible a representative of the contractor may also be associated).

The Government have examined the suggestions and issues the following instructions:-

Instructions, already exist in GovtMemo.No. 94-Y/66-4 PWD, Dt. 16-1-1967 to the effect that sanctioned works should be split up into convenient workable parts and tenders should be called for each individual items of the work in order to attract maximum competition. Works should be split up only in such a manner that they are capable of independent execution without interference with the progress and actual execution of other parts of the work.

With regard to sanction of advances to contractors, para 197 of the APPWD Code prohibits sanction of advances in general except for payment of petty advances mentioned as exceptions under the para. In G.O.Ms.No- 692, PWD, Dt. 39-7-1974, the Government have ordered that no advances should be sanctioned.

The Government direct that the above instructions should be scrupulously followed,

2. Suggestions:—It is observed that the scheduled of rates bull! up long back has not been examined afresh and that increases are affected in respect of particular items where a necessity is felt. The correct course is to get the data for every work afresh and re-work the SSR so as to be realistic. The Government considers that the whole structure of SSRs. should be thoroughly be reviewed and ail the relevant data for every work particularly of deep cuts, big structures, etc., should be collected. The data collected by ihe Andhra Pradesh Constructions Corporation also may be made use of. During the discussions with contractors for settlement of various issues arising out of the contracts opportunity may be taken to gather information regarding the actual conditions met with during execution of works. A systematic observed data shall also be maintained.

The Chief Engineer, Special Cell and ex-officio Joint Secretary, Irr. & Power (Projects Wing) Department will be present at the meetings of the Committee of Chief Engineers for reviewing the data and fixing rates in the SSRs.

Size of Road metal - Adoption of IRC as against SS No. 5-A in all future tenders and agreements - Reg.

[Memo.No. 72557/D&P/JE-1/76, Chief Engineer (R&B) Designs and Planning Wing A.P., Hyderabad Dt. 17-8-1976]

Order:—The SS No.5-A of APDSS dealing with meta for Road Works prescribes !

that metal of particular size should wholly pass through a screen of square mesh of higher size and retained on a square mesh of lower size "in every direction". This specification insisting on "every direction", is considered out-moded and irrational. The IRC specification does not insist on this, but flankiness index is prescribed for different types of works. The matter is being taken up with the Chief Engineer (General) for issue of amendment to SSR changing SS 5-A into IRC.

2. In the meanwhile all the Superintending Engineers (R&B) are requested to provide in future estimates and agreements, material conforming to IRC specification. In the case of all subsidizing contracts, where SS 5-A is indicated, the Superintending Engineers are requested to admit the material if the same satisfies IRC specification duly deducting Rs. 0-50 per cubic meter for all sizes. If deduction of rate is not agreeable to the contractors, the material conforming to SS 5-A shall be insisted upon.

3. The sieving test should be carried out as indicated in IS 2386 (Part I) 1963. Flankiness index for materials for different types of Road works:

Nominal mesh of side	Wholly passing through a sieve of square on a sieve of square size	Wholly retained mesh of side
80 mm	100 mm	63 mm
63 mm	80mm	50 mm
50 mm	63 mm	40 mm
40 mm	50 mm	25 mm
25 mm	40 mm	20mm
20mm	25 mm	12.5 mm
12.5 mm	20 mm	10 mm
6.3 mm	10 mm	2.36 mm

Flankiness index for materials for different types of Road works:

Per cent

1. WBM	15
2. BT Macadam	25
3. Built up spray grout	25
4. Asphaltic concrete	25
5. Surface dressing	25
4. All Superintending Engineers (R & B) and Executive Engineers (R&B) are requested to see that the materials collected strictly conform to IRC specification. No relaxation should be allowed.

FIXATION -OR-RATESTFOR SUPPLEMENTAL ITEMS AND NEW ITEMS OF WORK

Order :- A case has come to notice where in, rate for the supplemental items have been carried out on the basis of the current schedule of rates for such items plus the percentage excess of similar items in the accepted tender and agreements, i.e., to give a concrete example in the case of the reaches of K.C. Canal, Lining work, it is seen that overall tender percentage was of the order of plus or minus 5% 'whereas if' the rendered rate* for earthwork items alone are compared with the schedule of rates the percentage excess was as high as 37% over the estimate rate for similar items. In some contracts where earthwork of a different nature not included in the original schedule was asked to be carried out, the "question of determining the supplemental rate for such item was decided by one" Superintending Engineer on the ground "that it will be correct to allow the percentage excess involved in similar items and to allow the percentages only in the case of new items for which there are no suitable items in the original tender". This decision of the Superintending Engineer has thereby resulted in creating a "supplemental rate" at a very high figure. This procedure is rightly objected to by the Accountant General - and he has pointed out that this irregularity should be ratified by the Government.

2. Though the General Procedure that has to be followed in the case of supplemental items has been enunciated in the A.P.D.S.S. Clause 3 and also amendment to para 154 as: note 6 of 'D' Code, still these irregularities are being followed in certain circles and the procedure followed in all the circles does not appear to be uniform. It is, therefore, decided to issue a circular to all the Superintending Engineers of the Department laying down the procedure to be followed in arriving at the rates for supplemental items and the following procedure is accordingly prescribed.

3. The rate for supplemental items whenever they occur should be worked out and agreed to between the contractor and the Executive Engineer before commencing works on such items. The Officer in Charge of the Executive Engineer will be held personally responsible to see that this is done. The general basis for working out supplemental rate should be—

...

(i) Current schedule of rates (at the time of signing the agreement) for that item plus or minus the overall tender percentage on the estimate.

(ii) If the contractor's is not acceptable to the rate worked out, then the department has the right to let it out to some other contractor or to direct the same contractor to do it at a cost plus ten per cent as indicated in clause 63(C)(iii) of A.P.D.S.S.

(iii) It is considered incorrect to take out and group certain items only of the tender and compare it to the estimate and apply the percentage to new items coming under that category. At the time of acceptance of tender, care should be taken to see that no exorbitant rate or absurdly low rate quoted is accepted, and if it is seen of the

The Superintending Engineers of Circles are requested to carry out the above instructions and bring to notice such difficulties that may arise as and when they arise.

Order:—It is observed that the surface of the B T Roads in our State in general is uneven and not to camber and the standard of work is also not up to the mark. It is therefore felt desirable to get the B T work done departmentally in future. The work may be carried out in three parts as indicated below:

1. Collection of materials, like chips and sand—
 - (a) patch work;
 - (b) extra materials required for making up edges and undulations;
 - (c) wearing coat or surface dressing work.
2. Labour for patch work, making up edges and rectifying the unevenness and B.T. wearing coat.
3. Work on berms like earthwork or gravelling benns, etc.

The work of first stage that is, collection of materials is to be got done, initially through contractors on tender basis. For convenience sake, three or four roads could be grouped and one contract, awarded so that the contract value may be between Rs.1 lakh to 1/2 lakhs. This is to attract a contractor for installation of crushers to supply chips required.

For the second part of the work, i.e., for labour work, labour gangs have to be engaged departmentally and work is to be done under the supervision of the departmental staff. Labour gangs can be engaged on piece work system i.e., fixing a rate for providing wearing cost of 12 ft. wide per furlong fixing another rate per 100 Cut. of chips i.e., to be used for patch work and rectifying the unevenness of the road.

The third part is also to be done departmentally. From now onwards all B T works in the Headquarters Sub-divisions of the Division should be taken up departmentally to ensure better quality of work so that the Executive Engineer concerned can have direct supervision in the initial stages till the departmental machinery gets accustomed to this type of work. The estimates already sanctioned now and tenders invited are to be modified as indicated above. This procedure shall be extended to the entire divisions from 1-1-1969 onwards.

The object of this arrangements is to achieve quality of work and to secure uniform i road surface without undulations. The efficiency or otherwise of the concerned subordinate officers will also be judged on the success of this execution.

The Superintending Engineers are requested to watch the performance of their subordinate officers personally and include such performance in the reports submitted to them.

Fixation of rates for supplemental items of work - Instructions - Issued [G.O.Ms.No.

1493, Public Works(Y) Department, Dt. 23-10-1971J

Order:—In the circular Memo., Dt. 2-12-1963 the Chief Engineer (General) issued instructions to his subordinate officers in regard to working out rates for supplemental items of works to be entrusted to the original contractor. Subsequently instructions were issued by the Government in the letter first cited categorizing the supplemental items into

two types and prescribing procedure to be followed in respect of the two categories of works. The Chief Engineer (R&B) and the Accountant General, Andhra Pradesh have made certain suggestions for modification of the procedure. The Government have examined the suggestions made by the Chief Engineer (R&B), Accountant General, Andhra Pradesh, etc. They have also considered whether any limit to the quantum of work to be executed as supplemental items should be fixed and have decided that it would not be proper to fix any percentage margin in respect of variations in quantities under any item of work as the contractor is supposed to quote workable rates for each item of work and, therefore, there is no reason why he should not be able to execute the works at agreement rates even if the quantities of individual items of work vary without any appreciable increase in the total quantity of work or materially altering the scope of the work.

2. After careful consideration the following procedure is laid down for working out rates for supplemental items:

Procedure for working out rates for supplemental Items;

The contractor is bound to execute all supplemental items that are found essential, incidental and inevitable during execution of main works at the rates to be worked out as detailed below ;

(1) Supplemental Items directly deductible from similar item in the original agreement:—The rates shall be either (a) derived by adding to or subtracting from the agreement rate of such similar item, the cost of the difference in quantity of material or labour between the new item and the similar item in the agreement worked out with reference to the schedule of rates adopted in the sanctioned estimate with which the tenders were compared plus or minus over tender percentage ; or (b) the estimate rate plus or minus overall tender percentage, whichever is less.

(2) New Items :—

(a) Similar items, the rates of which cannot be directly new deducted from the original agreement.

(b) Purely new items which do not correspond to any item in the agreement.

The rate shall be estimate rate plus or minus over all tender percentage.

Note :—The term 'estimate rate' used in (1) & (2) above means the rate in the sanctioned estimate with which the tenders were compared or, if no such rate is available in the estimate, the rate derived with reference to the schedule of rates adopted in the similar estimate with which tenders are compared.

(3) Addition of provision towards importation of labour, labour amenities, dewatering, etc., in working out supplementing items:—If the new item is in substitution of an old item which allowed for importation of labour, labour amenities, dewatering, etc., those factors may be taken into account in computing the substitution items also at the same rates at which they were originally provided.

In respect of new items, the case has to be considered on its merits and provided for importation of labour amenities, dewatering, etc., has to be fully justified.

(3) The Chief Engineer (Major Irrigation and General) is requested to suggest suitable draft amendments to the P.S. to A.P.D.S.S. tender notice forms and agreements.

Superintending Engineers. The data should be examined by the quality control wings, wherever they are present and, if there is no such organisation, the data should be examined by the cell purposes to be constituted for scrutiny of S.S.Rs, and approval of rates shall be the responsibility of the Chief Engineers only.

The above order will not apply to the Nagariunasagar Project Organisation in view of the instructions issued separately in Govt. Memo.No. 1455-D/68-18 (PWD), Dt. 6-11-1969 and Government Memo.No. 968-D/70-3 P.W.D. (P.W.), Dt. 28-5-1970.

Entrustment of additional and supplemental items to original contractor - Powers of Officers - Refined - distinction between additional and supplemental items - Revised Orders - Issued

[G.O.Afs.No. 900, PWE, Dt. 6-8-1975]

Ref. :— 1. Govt.Memo.No. 9218-Q/56-21, PWD, Dt. 15-9-1960.

2. Govt.Memo.No. ;235-Codn./73-15, PWD, Dt. 29-10-1974.

3. From the C.E. Pochampad Project. Lr.No. H1/2494/71-24, Dt. 19-4-1975.

Order:—The note 6 under Para 145 of the APPW 'D' Code introduced in Govt.Memo.No. 5822-Q1/55-10 P.W. & T, Dt. 6-6-1956 lays down that when once tenders have been called for a work in accordance with the role (1) thereunder, sanction of higher authority is necessary whenever any additional items of work are to be entrusted to the original contractor dispensing with tenders and the value of such terms exceeds the limit up to which the entrusting officer has powers to entrust the work initially to a contractor without calling for tender. It was subsequently clarified in the Government Memorandum first cited that the requirement of approval of next higher authority should be confined to entrustment of additional items which are outside the scope of the original agreement opposed to the supplemental items contingent on and within the scope of [the original agreement. The clarificatory orders have been cancelled in the Government Memorandum second cited.

2. It has been represented that cancellation of the orders in Government Memo. No. 9218-Q1/56-21, PWD, Dt. 15-9-1960 has necessitated submission of a number of cases to the Government resulting in unnecessary delay in execution of works. The Government have carefully reviewed the position and order as follows:

1. The clarificatory orders issued in Govt. Memo.No. 9218-Q1/56-21, PWD, Dt. 15-9-1960 drawing a distinction between additional items not contingent on the original work and supplemental items within the scope of the main work are revived.

2. Whenever additional items not contingent on the main work and outside the scope of the original agreement are to be entrusted to the original contractor dispensing with tenders and if the value of such items exceeds the limits up to which the officer is empowered to entrust works initially to a contractor without calling for tenders, approval of the next higher authority shall be obtained. Entrustment of all such items on nomination shall be at rates not exceeding the estimate rates.

3. Entrustment of supplemental items contingent on the main work will be authorized by the officers up to the monetary limits up to which they themselves are competent to accept items in the original agreement so long as the total amount of supplemental

agreement does not exceed the amounts up to which they are competent to accept in an original agreement. Rates for such items shall be worked out in accordance with the procedure prescribed in G.O.Ms.No. 1493, PWD, Dt. 25-10-1971 as amended in Govl.Memo.No. 544, Cod./72-22, PWD, Dt. 6-7-1973.

4. Enlistment of either the additional or supplemental items shall be further subject to the provision under para 176(e) of the APPW 'D' Code viz., the items shall not be ordered by an officer on his responsibility if the revised estimate or deviation statement providing for them requires the sanction of a higher authority,

3- The Chief Engineer (Major Ir. and GI.) is requested to suggest suitable amendments to the APPW 'D' Code.

FIXATION OF RATES - GUIDELINES ISSUED

Fixation of rates Guidelines laid down - Certain measures of interim relief - Sanctioned.

[G.O.Ms.No. 1894, Public Works (Y) Department. Dt. 20-12-1971]

Ref. :— I. G.O.Ms.No. 1452, PW, Dt. 29-8-1970-

2. Govt. Memo. No. 535-Y/70-13, PW, Dt. 23-12-1970.

3. Govl. Memo. No. 240-Y-71-6, Dt. 12-4-1971.

Order:—In G.O.Ms.No. 1452, P.W., dated 29-8-1970 read with Government Memo.No. 535-/70-13, P.W., dated 23-12-1970 it was ordered that:

(1) The S.S Rs, adopted for the year 1969-70 excluding the enhancement approved by the Chief Engineers on 12-1-1970 in respect of certain earth work items should be the rates to be adopted by all the circles (including Drainage and Project Works) until changes are ordered by the Government.

(2) The provision for additional items such as 15% extra for closure periods, upland areas, etc., should be deleted; and

(3) The provision for importation of labour may be allowed where the labour component of a work works-out to Rs. 1 lakh and above on the basis of a certificate furnished by the Executive Engineer.

The above orders were issued with a view to arresting the spiraling tendency of the tender quotations and to ensure better financial control.

2. The Chief Engineer have reported that consequent on the freezing of the S-S.Rs. the rates have become unworkable, that the contractors are not coming forward to undertake works, and that the rates of the few tenders received are very high. They have also reported that the execution of works especially under the rural works programme, works in the N.S.C. right canal, and road works is hampered.

3. The Government have reviewed the position with reference to the tenders received after the freezing of the S.S.Rs. They consider that some relief is necessary in respect of capital works pending review of the S.S.Rs. by the Chief Engineer on the basis of comprehensive data and scientific assessment. In respect of maintenance works title existing frozen rates only shall apply. They, therefore, sanction the following concession

as measures of interim relief in respect of capital works;

(1) Earth Works :—The Chief Engineer (General) has suggested regrouping the existing 14 categories of soils (standard items 8-A to 14-B) into the following 6 categories,

The Government approve the revised classification of soils and direct that suitable rates may be fixed by the Chief Engineers (General) for these 6 categories for the various circles with the ceiling rates indicated against each. However, in the categories of soils coming into the revised group is higher than the corresponding ceiling rate, the Chief Engineer (General) is permitted to exceed the ceiling rate up to 20% based on actual necessity.

Group	Description of item	Old Schedule	Revised item No.	rates
I.	Sand or loose solid wet sand, not under water, suit in canals, channels and drains	SS—20-A	8-A, 9-A 10-A, 11-A.	8.00
II.	Sand or loose soils wet sand, not under water, silt in canals, channels and drains	SS—20-B	8-B, 9-B 10-B, 11-B	72.00
III.	Loamy and dayey soils like black cotton soil, ordinary gravel.	SS—20-A	12-A, 14-A	11.50 read earth,
IV.	Loamy and clayey soils like black cotton soil, ordinary gravel	SS—20-B	12-B, 14-B	10.25 read cart,
V.	Slushy sills and silt clearance in water up to ' SS—20-B		13-B	11.50 0.61M.
VI.	Clayey soils in wet and slushy condition SS—20-B			13.50 under water

The rate for gravelly soils, which is the next higher classification may also be changed, if it is less than the ceiling rates such that the difference between the rate now to be fixed for the re-grouped item and above and gravelly soils is equal to the original difference in rates between the hard stiff black cotton soil and gravelly soils,

(2) **Masonry Works:**—The Chief Engineer is permitted to increase the labour Competent of masonry items subject to a ceiling of 40% per cent for Nellore and Anantapur circles only in respect of minor Irrigation works.

(3) **Road metals:**—In respect of asphalt concrete and asphalt macadam the Chief Engineer is permitted to increase the rates for all sizes up to and including 40mm subject to a ceiling of 25 per cent for machine crushed metal only. For other works the above increase will be for all sizes up to and including 12mm for machine crushed metal only.

(4) **Importation of labour :**—The Government consider that the provision for importation of labour cannot be with reference to the cost of works as indicated in G.O.Ms.No. 1452, PW, dated 29-8-1970. Hence the limit of Rs. 1 lakh ordered in G.O.Ms.No. 1452, PW, dated 29-8-70 is removed- The Chief Engineers shall have powers to allow provision towards importation of labour up to a maximum of 10 per cent of the total labour cost and 3 per cent towards labour amenities. Provision for importation of labour may be

allowed only on the basis of a certificate of the Executive Engineer as ordered in the G-0. first read above.

(5) Allowances for special areas :—in respect of Agency areas, works in Jail Compound and Municipal limits only special areas allowances as prevalent prior to the issue of orders in the G.O. first read above be allowed to be continued till fresh orders of Government are issued after the proposed review. For providing area allowance in any other area. Specific orders of Government should be obtained.

4. In regard to fixation of rates for excavation in rocks in the Nagarjuna Right Sagar Canals will issue separately from the Public Works Department (Projects Wing).

5. In regard to the long term policy of fixation of S.S.Rs. the Government consider that the Superintending Engineers may send proposals to the Chief Engineer for consideration by the Committee of Chief Engineer and the Financial Adviser, Nagarjuna Sagar Project should also be associated with the review, from the initial stages. The Chief Engineer should undertake the comprehensive and scientific review months by obtaining data from the field officers. The data should be sent to the Financial Adviser, Nagarjuna Sagar Project well in time for his security.

Provisions for Importation of Labour and Labour Amenities in Estimates for Works - Restrictions - Imposed.

(G.O. Ms. No. 270, Transport, Roads and Buildings (C.I.) Dept., Dt. 20-5-5978)

Ref. :— 1. G.O. Ms. No. 1894, Public Works Dept. dated 20-12-1971.

2. From the Chief Engineer, Major Irrigation and General, Lr. No. MS/27860/75-Vol.V[/A dated 29-4-1977,

Order:—Orders have been issued in G.O. read above giving discretionary powers to the CEs to a How provision for importation of labour in estimates up to a maximum of 10% of the total labour cost and up to 3% towards labour amenities.

2. The Government have reviewed the position and decided that the provision be allowed only in the case of works where the labour component (i.e.) excluding the cost of materials such as cement and steel works out to more than Rs. 1 lakh.

3. The above orders apply to Irrigation and Power Department including the Major Projects-

Section No. 25

WASTAGE OF STEEL - TAKING BACK BY GOVERNMENT

Wastage of steel - Taking back by Government - Interpretation of a, clause of the Agreement - Instructions - Issued.

[Memo.No. 2732 Y/66-I8, P.W.D. Dt. 18-12-1967]

Ref. :— 1. From the C.E- (R&B) Lr-No, Tl/GAD/SJM/66-1, Dt. 5-12-1966.

2. From the C.E. (Elec.) (Civil) Lr.No. CPP-2/62-67, Dt. 7-8-67.

3. From the C.E. (Major Irr.&Gl.) Lr.No. FI/106929/66. Dt. 2-3-67.

Order:—The Chief Engineer (R&B) reported that in a contract entered into between a Superintending Engineer (R&B) and a contractor for a certain building work, the following special condition was provided, "The steel for use on the work would be supplied to the contractor by the Department as indicated in condition (9). Any wastage of steel will be borne by the contractor only".

1. The Chief Engineer (R&B) has sought clarification whether cut-pieces left out \ of the material supplied to the contractor that could be collected and used on other works " can be called as 'wastage' and whether the Department can refuse, under the clause referred to above, to take them back.

3. The Government have examined the case and have come to the following. Conclusions:

"Condition 2 of the special condition forming part of the Agreement between the Government and the contractor specifically provides that 'any wastage of steel I will be borne by the contractor only' and there is no term in the Agreement that the wastage or unused steel supplied by the Government shall be returned to the Government. There is, therefore, no obligation on the part of the Government to take back any wastage or unused steel supplied to the contractor. On the other hand, according to the instructions in Para 333 of the APPWA Code, the materials supplied to the contractor are the property of the contractor and can be taken over by the Government, if required, for use on other works in progress, only by special arrangements. The above instructions are consistent with the special condition of the Agreement. However, PS 26 to MDSS has no application in this case. The Government are, therefore, not bound to take back the unused or wastage steel, if it is not required and it remains the property of the contractor."

Section No. 26

MEASUREMENT OF EARTH WORK

Measurement of earthwork - Recording of certificate in measurement books at the time of passing bills - Instructions - Issued.

[G.O.Ms.No. 523. Public Works (Y) Department. Dt. 7-4-1971]

Ref. :- 1. G.O.Ms-No. 1705, PWD, Dt, 22-11-68.

2. From the A.G., Lr.No. WM 1/A/I 5-29/70-7/Vol, 11/473, Dt. 19-12-70.

Order:—In G.O.Ms.No, 1705, PWD, Dt, 22-11-68 it was ordered that in the case of canal works, measurements of earth work should be on the basis of level also besides pit measurements and the less of should be adopted. It was also ordered that in the case of works where considerable earthwork was involved, [he procedure should be adopted and the levels then taken in such cases should be recorded in level field books, etc., which should be treated as adjuncts to the measurement books. A note to the above effect was incorporated under Para 292 of the APPWD Code and as a sub-Para 294 of the APPW - A'

Code-

After careful examination, the Government considers that it is more appropriate to incorporate suitable instructions in the instructions contained in the measurements book instead of the APPW 'A. Code providing for recording a certificate to the effect that levels

recorded in L.F. books, etc., have been checked and found to be correct. They accordingly direct that provision to be made in the instructions contained in the M. book for recordings following certificate in the Measurement books in the time of passing bills.

"Certified that the levels recorded in the L.F. books, levels plotted in the Section and the areas/quantities worked out in the calculation sheets have been checked and found to be correct".

Excavation of soils - Adoption of rate according to classification of soils instead of through rates - Proposals of Accountant-General - Orders Issued.

[G.O.Ms.No. 710. Public Works Department, Dt. 20-4-1967]

Order :—During the inspection of Mid Pennar River Division No. 2 Anantpur in June, 1965 the Audit Party scrutinised the relevant agreement and observed that the reasons for negotiating through rates only, even though separate rates for different types of soils are called for in the tender were not apparent anywhere and that the types of soils and the actual quantity excavated were also not noted in the Measurement Books to verify whether the payment at through rates resulted in any loss and whether the interests of Government are adversely affected.

2. The Chief Engineer (01) informed the Accountant-General that when tenders are called for, the contractor is asked to quote both for the through rates and soilwar rates, and that the contractor before tendering inspects the reach, satisfied himself in regard to different soils that will be met during the execution from the trial pits already excavated that while finalising agreements, through rates or soil war rates are adopted whichever is cheaper. The Chief Engineer has also listed out the advantages in adopting the through rates as against soil-rates,

3. The Accountant-General, has observed that while some of the advantages are gemmine, there is always certain amount of risk involved in adopting the through rates as they may not correctly represent the cost paid to the classification of soils actually met with. Further, the Measurement Book which is the initial record, of measurement does not also contain the actual classification of soil met with. He incidentally referred to the orders is.sucd from P.W.D- (Projects Wing) and staled that the Government discouraged the system of entering into through rate contract and also issued instructions to adopt at least three classifications of soils. He has, therefore, requested that the case may be examined in genial and instructions issued to various Public Works divisions.

4. After considering the views of the Chief Engineer (R&B) Chief Engineer (Civil) and Chief Engineer (Projects and Board, on the proposal of the Accountant General , and the procedure obtaining in the N.S. Project, the Government have decided in those | cases in which it is not considered necessary to invite tenders under the several classifications of soils listed out in the schedule of rates, the three broad classifications given below shall be adopted instead of a through role, in reaches in which different soils are mixed up,

- (i) All soils which do not require blasting.
- (ii) Fissurred and fractured rocks including small boulders up to 100 eft,
- (iii) Sheet rock.

5. The Chief Engineers, under the administrative control of PWD are requested to follow the above procedure in all projects in their charge.

Section No. 27

NATIONAL HIGHWAYS

Lease of National Highways - Land for setting up petrol pumps. [*Letter No. WL-43 (15)/60, Dt. 10-3-1961*]

Order :—I am directed to refer to Para 5 of this Ministry's Letter No. PL-7 (IO/ 67, Dt. 26-10-1967), regarding the lease of National Highways land for agricultural purposes that the Government of India have now decided that the proposals for setting up petrol pumps should be finalised in accordance with the procedure set forth below :

(i) All cases where the petrol pumps proposals are in accordance with the standard conditions fixed by roads wing of the Ministry of Transport and Communications on the lines of the I.R.C. standards, can be finalised by the State Public Works Department. Cases where the standard conditions are not satisfied should not be approved by the State Public Works Department but Oil Companies requested to modify them so as to fall in line with the standard conditions. After the modifications have been carried out, they can be approved by the State Public Works Department.

(iii) All proposals where it is not practicable to fulfill the standard conditions and where the State Public Works Department recommends that certain relaxation should be permitted, should be referred to the Government of India with reasons for relaxation. The Roads Wing of this Ministry will then decide the question of relaxation.

I am therefore, to suggest that cases falling under sub-para (i) and (ii) above should be finalised by State Public Works Department and the firms permitted to construct the approach, culvert, etc., after they have executed the license. A specimen copy of the license form to be used for the purpose is being finalised in this Ministry and will be sent shortly. The licenses will be drawn upon non-judicial stamp paper. The expenses of providing stamp duty will be borne by the licensee. A certificate to the effect that all standard conditions have been satisfied and site plan should be forwarded along with the license to this Ministry for signing for and on behalf of the President of India.

I am, therefore, to request that the above mentioned procedure may kindly be followed in respect of cases referred in preceding paragraphs.

Erection of buildings and advertisement boards on National Highways Road side lands-
:

[*Letter No. WL-2(37)/61, Dt. 30-9-1961*]

Order:—With reference to your letter No. CXWS 1/61/5, Dt. 23rd August, 1961 on the subject mentioned above, I am directed to say that no advertisement should be permitted on National Highway land except signs and notices etc., of the type mentioned in Para 3.3 of the Policy on Roadside Advertisement issued by the specifications and standards committee of the Indian Roads Congress.

Specifications & Standards Committee of the Indian Roads of Congress
1. Introductory

1.1. Indiscriminate erection of hoardings or display of advertisement panels (including wall panels on road side structures) leads not only to the erection of traffic hazards but often also causes serious detriment to the local amenities and the general aesthetic characteristics of neighborhood.

1.2 At present the desired measure of control is either not exercised is only partly exercised probably because the rules regulating the matter are designed primarily to ensure revenue collections in relation to the size of the structure or panel and the commercial value of the site.

1.3. Advertisements can often effectively distract the attention of drivers of motor vehicles and in that case are a public hazard or nuisance. They may also obstruct the view of the drivers of fast moving vehicles and are then a public danger,

1.4. When they become an eyes core or otherwise are an "injury to amenity" they interfere with public rights and can be logically prohibited on that ground.

2. Advertisement Control

2.1. "Advertisement", in the following paragraphs, means any word, letter, model, signs, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or in part, for the purpose of advertisement, announcement or direction (excluding any such thing employed wholly as a memorial or railway signal).

2.2 "Advertisement" includes any hoarding or similar structures used or adopted for the display of advertisements,

Note:—Any sign-post, bus sign, name pale, warning sign, etc.. not being on a vehicle will be included under the head "advertisement" the dictionary meaning of the word being "Public Announcement". :

2.3 In the Model Highway Bill, Powers are given to control advertisements by regulation. It is also laid down that for all new advertisement (except for those which are "deemed as consented") prior consent must be obtained from the road authority.

2.4 The following paragraphs discuss the principles which it is proposed should be applied before consent is given to the erection of advertisements on road lands or structures adjoining roads. They also cover the case where advertisements on private land adjoining a road may destroy amenities or otherwise may be public nuisance.

3. Principles of Advertisement Control 3.1. What may be considered as objectionable :

3.1.1. In general, advertisements should not be permitted— (1) at or within 350 ft. of any road junction or crossing;

Note:—The safe stopping distance for a vehicle traveling at a speed of 30 m.p.h, is 200 ft. This should be the "Uninfluenced distance" for a driver approaching a junction. Assuming that 3 seconds is the time during which the influence of an advertisement board persists the distance called in this time will be 132ft, The sign should, therefore, be more than 332 ft, away from the junction. Hence 350 ft. suggested).

(2) at places where the line of vision of the driver of a motor vehicle is obstructed, thereby creating a hazard, as on curves:

(3) Within 30 ft. of the edge of a carriageway:

Note:—This intended to keep traffic signs and signs of signals clear from all advertisement boards. As traffic signs are generally planted 6 to 8 ft. from the edge of the carriage way, the set back of advertisement boards should be such as not to obstruct these sign boards).

(4) Signs or notices, 2sq.ft. in area or less, placed so as to show direction to a residence or place of business, and planted sufficiently away from the carriageway.

(5) In such a form as will obscure or render difficult of interpretation the signs created by the Public Authorities. For example the advertisement should not correspond in color representation to the standard legal traffic signs or use such words as stop, warning, etc., in such a size as to correspond with the same words as used on traffic signs.

(6) On boards or placards hung across roads as they distract the attention of the driver and are therefore hazardous.

3.2. What may be considered as Affecting Amenities.

3.2.1 From Aesthetic consideration the display of commercial advertisements should be strictly controlled where either the general characteristics of the locality are predominantly those of a residential neighborhood or where natural scenery or public improvements are thereby likely to be depreciated.

3.2.2 The frontage of buildings of a dignified and subdued character such as hospitals, educational institutions, public offices, memorials of national importance, etc., should be protected from the Vandalism of commercial advertisements.

3.3. Relaxations:

3.3.1. In the Public interest advertisements are permissible in the following circumstances:

(i) Official warning signs, traffic directions, signs posting, any notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties. For example notices of the sale of Improvements Trust lands, direction signs to petrol filling stations, repair shops, and garages, etc-

(ii) Signs relating solely to any city, town, village, or historic places, shrine, places of tourist interest, subject to the proviso that they do not obscure any traffic warning signs and conform reasonably with the requirements of Para 3.1.1.

(iii) Signs, notices, for the information of members of the armed or the public
•created by the Defense Department.

Class	Maximum	Height	Illumination	Number	Site of
of	area	to top	• symbol		
Adv.	of Board				
(1)	(2)	f3	(4)	(5)	f6)
Functional	(Public				

Notices) Bus Station:

Local Authorities PWD etc.		No limit.			
2. Advertisements on Buildings					
2.1 Identification vaning, etc. X—					
Ray Mind the stop	2 sq.ft.	Not more than 12 ft.	Only when night service exists.	As required	1 ft.
2, Personal Business Ramlal & Co.,	2 sq."	Not more than 12 ft.	only when Night service exists.	One on each from tag.	1 ft.
2.3. Institutions, residences, etc.	12 sq."	Not more than 12 ft.	only when night service exists.	As required	!•(*)
3.*	Temporary				
advertisements.	3.1 20 sq. ft but projected from build- ings not more than 3"	Not more than 12"	Nil.	As required	1 ft.-
TO LET	3.2				
Sales	12 sq.ft.	Not more than 12"	only when night service exists.	As required	1 ft,
SALE THIS WEEK					

(*) Must have entrances where displaced.

4. Dimensions of Advertisements

4.1. General Rule:—The general rule for the maximum permissible area of advertisements should be one square foot area for every foot of set-back from the edge of the carriage.

4.2. Table 1 gives permissible dimensions in particular cases.

5. Conditions attached to permits 5.1. The following conditions

might be attached to permits :

- (1) The sign must be maintained in a clean, tidy, and safe condition.
- (2) If the Road authority requires the removal of the sign, it must be removed forthwith.
- (3) The sign must not be put in such a position as to obscure or hinder the ready interpretation of any road traffic sign, railway signal, or any other public notices.

(4) The grant of permission is not to be taken as operating to discharge any obligation or liability imposed or incurred by any other enactment in force in relation to any operation or other matter in connection with buildings bye-laws or any other laws or bye-laws concerning roads, buildings, etc.

The specification and standards committee of the Indian Roads Congress recommend That a provision for controlling advertisements on private property abutting roads should be included in the Model Highway Bill and that the conditions enumerated in Para 5 should be followed until such a provision is made.

STANDARD FOR VERTICAL HORIZONTAL CLEARANCES OF OVERHEAD ELECTRIC POWER AND TELECOMMUNICATION LINES AS RELATED TO ROADS

4. Vertical Clearances

4.1. Minimum vertical clearances for different categories of overhead conductor installations shall be as under;

(i) For ordinary wires and lines carrying very low voltage up to and including 110 volts, e.g., tele-communication lines 5.5 meters.

(ii) For electric power lines carrying voltage up to and including 650 volts. 6.0 meters.

(iii) For electric power lines carrying voltage exceeding 650 volts. 6.5 meters.

These clearances have been fixed taking into consideration the over-all height of vehicles and the statutory provision of the Indian Electricity Rules.

4.2 Guard cradle or screen should be provided for electric power lines carrying voltage exceeding 110 volts while crossing the highway. The cradle should extend desirably over the full right of way. However, guards may be omitted in the case of extra high voltage lines strung on self-supporting towers designed with adequate factor of safety.

4.3 In urban areas, in consideration of local factors such as temple cars, tazia processions, fire-fighting equipment, etc., the competent authority may prescribe higher clearances than those specified above.

5- Horizontal Clearances

5.1. Poles carrying overhead power and telecommunication lines shall, excepting the urban areas, be erected at least 10 meters away from the nearest edge of the roadway provided also that these are at a minimum distance of 5 meters from the nearest line of avenue trees. In case of roads having, at present, a narrower roadway than that prescribed in the standards in force, this horizontal clearance shall be reckoned from what will be the ultimate edge of the roadway after widening to the said standards.

5.2. The standards for horizontal clearance laid down above shall not apply to roads situated in mountainous country. In such area poles should be erected preferably on a valley side, and as far away from the edge of the road as practicable.

5.3. The horizontal clearance in respect of poles erected for the purpose of street lighting shall be as under:

(i) For roads with raised kerbs :—Minimum 300 mm from the edge of the raised kerb, 600 mm being preferable.

(ii) For roads without raised Krebs :—At least 1.5 meters from the edge of the file carriage way, subject to minimum of 5 meters from the centre line of the carriage way, 4

5.4. The clearance given in Para 53 shall apply to poles carrying electric power and telecommunication lines in urban situations.

5.5. The clearances mentioned in paras 5.1,5.3 shall be deemed to apply not only to poles but pole-supporting structures as well.

6. Plate illustrates the standard specified above *[Please*

Note:—Plate is not printed.

Instructions Regarding Erection of Structures on National Highways Land. *[Letter No. Wl-*

43(l)/63, Department of Transport (Road Wing) Dt. 20-1-1963}

Order :—I am directed to say that instances have come to notice where structures like power transmission towers, telegraph or telephone poles (or cables), pipe lines, approach roads, culverts for approach roads or for irrigation channels, etc., have been erected on National Highway road land without the prior permission of the Government of India. Subsequent improvements to the road become difficult and costly as they involve the removal or shifting of the structures, which is often objected to by the authorities concerned.

I am accordingly to request that it may kindly be ensured that no structure of any kind is permitted to be put up on National Highway road land without the prior approval of this Department. Suitable instructions may kindly be issued to the concerned Departments in your State under intimation to this Department.

Instructions Regarding Erection of Structures on National Highways Land. *[Letter No. Wl-43*

(i)/63, Dt. 11-10-1963]

Order:—I am directed to refer to this Department's letter No. Wl-43(l)/63, dated the 20th February, 1963 and to say that on reconsideration, it has been decided that the Cases of construction of approach roads and culverts on approach roads to such petrol filling stations as are located outside National Highway land, and are in accordance with the standard conditions fixed by the Road Wing of the Ministry of Transport on the lines of the Indian Roads Congress standards will not be corrected by the said letter.

In such cases, the permission for the construction of approach roads and culverts thereon can be accorded by the State Chief Engineers without the prior approval of this Ministry, But the license deeds should be prepared in the form, with this Department's letter No, Wl-43(15)/60 dated the 20th February, 1963 and submitted to this Ministry for signature for and on behalf of the President of India.

I am to request that suitable instructions in the matter may kindly be issued.

Grant of permission to the laying of electric cables across National Highways.

[Letter No.W]-43(16), Ministry of Transport (Roads Wing), Dt. 7-8-1964]

Order:—I am directed to say that the Government of India have had under consideration, the question regarding the grant of permission to the laying of electric cables across the National Highways. It has now been decided to grant permission for carrying the cables across National Highways subject to the stipulation and specification given in the attached annexure.

2. AS it is essential to ensure that the specifications laid down are adhered to, these works should be carried out as deposit works by the Road Authority and permission for carrying the cables across the National Highways should be granted subject to the stipulation and specifications given in annexure,

3. If there is no objection, the stipulations and specifications may kindly be brought to *the* notice of the State Electricity Boards for their information and guidance.

ANNEXURE 'I'

Provisional specifications for laying cables across the road:—The laying of high tension electric cables across National Highway may be permitted subject to the following conditions:

1. The cables crossing a road shall be carried in a steel, cast iron or reinforced concrete pipe or conduit of adequate strength and large enough to permit any ready withdrawal of the cable. The ends of the conduit or pipe shall be sealed to the outside, to prevent water from getting across the road. If a reinforced concrete pipe is used, it should not be less than 6 inch in diameter and should conform to the 1-N.S- Standard.

Existing cross drainage works should not be utilized for the purpose of such crossings.

2. **Length of Conduit Pipe:**—The conduit pipe should wherever possible extend from boundary to boundary of road land. Under unfavorable conditions such as deep cuts or where road land is so wide as to make this uneconomical the length of the casing or conduit should extend from drain to drain in cuts and toe of slope to toe of slope in fill.

3. **The depth of embedment of the conduit:**—The top of the conduit pipe shall be at least 4 ft. below the surface of the road. The conduit must be installed with an even bedding throughout its length and in such a manner as to prevent the formation of a waterway along it.

4. **Method of Installation:**—The conduit pipe may be installed under the road either by boring or by digging a trench. Where the existing road pavement is of cement concrete or dense bituminous concrete no cuts of the road pavement are to be permitted and the conduit should be installed by boring method.

5. **Mode of Construction :**—(i) The sides of top trench should be done as nearly vertical as practical. The trench width should be at least 12 inch but not more than 24 inches wider than the outer diameter of the pipe.

(ii) The bed fill and side fill should conform to the specification adopted by the highway agency for open culverts to the following.

(a) Bedding shall be to a depth not less than 12 inches. It shall consist of granular material, free of lumps, clods and cobbles and graded to yield a firm surface without sudden change in bearing value. Unsuitable soils and rock ledges should be excavated and replaced by important material.

(b) The back fill shall be made in two stages;

- (i) Side fill to the level of the top of pipe.

(ii) Over fill to the bottom of the road crust:—The side fill shall consist of granular material laid in 6 inches. Layers each consolidated by mechanical tamping and controlled additions of moisture to 95% of Proctor Density. Over fill shall be layered and consolidated to the same density as the material that has been removed. The road crust shall be built to the same strength as the existing crust on the either side of the trench or to a thickness and specifications stipulated by the Highway authority. Care should be taken to avoid the formation of a dip at the trench.

6. Precautions :—The following precautions shall be observed when the pipe is laid by trenching method:

(a) The excavation shall be protected by flag, men, signs and barricades and red lights during nights.

(b) One lane of road must be kept open at ail time. In single lane roads, diversion shall be provided.

7. General :—Prior approval of the appropriate road authority shall be obtained before undertaking any work of installation, shifting or repairs or alterations to the conduit line. This shall be particularly necessary, if it involves any excavation of road surfaces or embankment.

Laying of Coaxial and trunk telephone cables on National Highways by the Posts and Telegraphs Department.

[Lr.No.WI 43(11)64, Dt. 30-6-196]

Order:—The Posts & Telegraphs Department have under consideration schemes for linking important cities by underground coaxial and trunk telephone cables. These coaxial and trunk telephone cables may be allowed to be laid at a distance of not less than 15 ft. from the centre line of the road on the formation. The depth of the cables should be at least 4 ft. below the surface of the road.

2. The following methods should be adopted for laying coaxial and trunk telephone cables on the culverts and bridges.

(1) The cables should be carried in a pipe of suitable size. Where the cushion on top of the arch of the culvery is 1 ft. 6 inches or more, the pipe carrying the cable may be buried on the top of the arch adjoining the parapet wall by digging close to the wheel guard. Every precaution should be taken to see that no damage occurs to the arch of the culvert.

(2) Where the thickness of the cushion is less than 1ft. 6 inches the pipe carrying the cable may be buried under the wheel guard masonry and the wheel-guard re-built.

(3) If neither of the two methods mentioned in (1) and (2) above is possible, the pipes should be clamped to the outside of the parapet wall of the culvert. If necessary, the pipe should be taken through the parapet wall at the ends where the wall diverges away from the road.

Repeater Stations :—(i) Repeater stations, if any, should be not less than 50 fi, away from the centre line of road and should be so located as not obstruct the vision of the drivers of the road vehicles,

(ii) A repeater station may be enclosed by a barbed wire fence placed at a distance of 10 ft. or less round the repeater station cabin, subject to the condition that no part is within 20 ft. of the centre line of the carriage way,

(iii) If the above mentioned conditions are fulfilled the State Government may authorize the State Chief Engineer to grant permission for the laying of the cables intimation to this office. The permission should, however, be subject to the general conditions mentioned below.

(1) The Post & Telegraph Authorities will notify the concerned Executive Engineer at least 15 days in advance before digging trenches along side the road.

(2) Adequate arrangements for cautioning the traffic by way of Caution Boards during daytime and Danger Lights at nights will be provided by the P & T Department.

3. Each day the extent of digging trenches should be strictly regulated so that cables are laid and the trenches are filled up before the close of the work on that day; the filling should be compacted to the satisfaction of the Executive Engineer in charge.

4. Post & Telegraph Department shall indemnify the road Authority from all damages, if any, due to the digging of trenches for the laying of the cables.

5. If the Road Authority considers the shifting of the cables, cabins or cabin fences necessary for public purposes, the Post and Telegraph Department will carry out the required shifting at their own cost within a reasonable time (not exceeding 90 days) of the intimation given to them by the road authority,

Instructions regarding Accommodation of Water pipe lines in National Highways - Right of ways.

[Lr.No.WI-43(22)/64, Transport, Shipping & Tourism (Roads Wing) Dept., Dt. 22-3-1966]

Ref. :— (i) WI-43(220)/64, Dt. 6-10-1964. (ii) WI-

43(23)/64, Dt- 7-10-1964,

Order:—I am directed to refer to this Ministry's Circular letters cited above and to say that on reconsideration, it has been decided to authorise the Chief Engineer of the States to give permission for the laying of water pipe lines along and across and National Highways subject to the instructions contained in the attached annexure. In case it is considered necessary to relax any condition, prior approval of this Ministry should be obtained.

2. As it is essential to ensure that the instructions laid down are strictly adhered to, it will be desirable to carry out the works connected with the crossing of water pipe lines across the National Highways as deposit works by the Highways authority.

Instructions regarding the accommodation of water pipe lines of National highway right of Ways-1,

Scope :—These instructions shall govern the laying of all public or private water pipe lines on the National Highway right-of-ways.

2. Laying of water pipe lines along National Highways :—

2.1. Water pipe lines shall normally not be located longitudinally within National Highway right-of-ways. Exemptions to this rule may be made only for cases where it is demonstrated that any other utility location would be extremely difficult and unreasonably costly and when the installation on the right-of-way will not adversely affect the designs, stability and traffic safety of the National Highway. In making such exceptions due consideration should be given to likely future improvements to National Highways such as widening of the carriage way, improvement to curves, etc.

2.2. Where permitted to be laid, the water pipe lines shall be located as close to the extreme edge of the right-of-way as possible not less than 50ft., from centre line of the existing carriage way-

2.3. Pipe lines shall not be permitted to run along Ac National Highway when the road formation is situated in double cutting.

2.4. Pipe lines shall be so placed as, at no time, to interfere with the maintenance of the National Highway.

2.5. The pipes should be laid so that the top of pipe is at least 2 ft. below ground level so as not to obstruct drainage of the road land or as directed by the Highway authority,

3. Laying of water pipe lines across National Highways:**3.1. Location :**

3.1.1. Pipe lines shall cross the National Highway preferably on a line normal to it or as nearly so as practicable.

3.1.2. Crossing shall not be too near me existing structures on the National Highway, the minimum distance being 50 ft. or as specified by the Highway authority,

3.2. Methods of Crossing:—Water pipe lines shall be permitted to cross the National Highway either encased in casing pipes or through culverts specially built for that purpose at the expenses of the agency owning the pipeline. Existing drainage structures shall not be allowed to be used for carrying the pipe lines across unless specially permitted by the Government of India.

3.3. Casing pipe :—The casing pipe conduits carrying the water pipe-lines shall the of steel, cast iron, or reinforced cement concrete and have adequate strength and be large enough to permit ready withdrawal of the carrier pipe. Ends of the casing pipe shall be sealed to the outside of the carrier pipe, so that it does not act as a drainage path.

3.4. Length of the casing pipe:—The casing pipe should, in the minimum, extend J from drain to drain in cute and toe of slope to toe of slope in fills. "J

3.5. Dept. of embedment of the Casing Pipe;—The top of the casing pipe shall¹ be at least 4 ft. below me surface of the road subject to being at least 1 ft. below all drain inverts.

3.6. Method of the installation of the Casing Pipe:

3.6.1. The Casing pipe may be installed under the road embankment either by boring or digging a trench- Installation by boring method shall be preferred especially where the existing road pavement is of cement concrete or dense bituminous concrete type.

3.6.2. The casing pipe must be installed with an even bearing throughout its length and in such a manner as to prevent the formation of a waterway along it.

3.7. Installation with trenching method:

3.7.1. The sides of the trench should be done as nearly vertical as possible. The trench width should be at least 12 inches but more than 24 inches wider than the outer diameter of the pipe (see sketch).

3.7.2. Filling of the trench shall conform to the specifications contained here in-below or as supplied by the Highway authority.

3.7.3. Bedding shall be to a depth not less than 12 inches. It shall consist of granular material, free of lumps, duos and cobbles and graded to yield a firm surface without sudden change in the bearing value. Unsuitable soil and rock edges should be excavated and replaced by imported material.

3.7.4. The back fill shall be completed in two stages: — (i) side-fill to the level of

the top of the pipe, (ii) over-fill to the bottom of the road crust.

3.7.5. The side fill shall consist of granular material laid in 6 inch layers each consolidated by mechanical tamping and controlled addition of moisture to 95 per cent of the proctor's Density. Over-fill shall be layered and consolidated to the same density as the material that has been removed. Consolidation by maturation or pending will not be permitted.

3.7.6. The road crust shall be built to the same strength as the existing crust on either side of the trench or to thickness and specifications stipulated by the Highway Authority. Care shall be taken to avoid the formation of a dip at the trench-

3.8- Precautions when constructing by Trench Method:

3.8.1. The excavation shall be protected by flag, men, signal and hurricanes and red lights during the night.

3.8.2. One lane of road shall be kept open to traffic at all times. In case of single lane roads, a diversion shall be constructed at the expense of agency owning the water pipe-lines.

4, General;—

4.1. Prior approval of the appropriate highway authority shall be obtained before undertaking any work of installation, shifting or repairs or alterations to the water pipe lines located in the National Highways right-of-ways.

4.2. Expenditure, if any, incurred by the Highway for repairing any damage caused to the National Highway by the laying, maintenance or shifting of the pipe line will be borne by the Agency owning the pipeline. '.

4.3. If the Highway authority considers it necessary in future to move the pipe line for any work of improvement or repairs to the road, it will be done as desired by the Highway authority at the cost of the pipe line authority within a reasonable time (not exceeding 60 days) of the intimation furnished.

Instructions regarding cutting of trees on National Highways.

[Letter No. WI-43(4) 59. Transport and Shipping (Roads Wing) Dept. Dt. 27-10-1966]

Order;—I am directed to refer to this Ministry's letter No. WI-43(4)/59-11, dated the 6th December, 1962 (and your letter No. 32744/TI/66-I, dated the 24th June, 1966, on the above mentioned subject, and to say that the Government of India have now decided that when trees on National Highways are found to be in a dangerous condition, and are likely to fall at any moment, resulting in damage to persons or property, the State Chief Engineer, may be authorized to permit felling of such trees without obtaining the prior permission of the Government of India.

2. The State Chief Engineer may, however, be instructed to send to Director General (Road Development) particulars of such trees, immediately after he has issued the necessary authorisation to cut them.

Highway Capacity.

[Letter No. Pl-39(4) f67, Shipping & Transport (Roads Wing). Dt. 1-7-1967]

Order:—The question of estimating highway capacity has been engaging the attention of all concerned for some time past. As a result of recent discussions in the Planning Commission, the following guidances are suggested. Capacity expressed in equivalent passenger car units :

Car units per day P.C.U. (i) Ordinary single lane roads with usual earth shoulders. 1,000

(ii) Single lane roads with improved shoulders equivalent of two brick shoulders, each five feet wide: the exact specification to be adopted will depend on the local materials available, climate, etc. 3,000

(iii) 2 Lane roads under 'Ideal' conditions (6 ft. minimum clearance to lateral obstructions, stable, well maintained shoulders, adequate sight distance), 10,000

2. The following are the passenger car Unit equivalency factors on the basis of which the above works are suggested :

Single lane roads	No. of passenger car units

1. Truck	3
2. Bus	3
3. Bullock cart	6

Two lane roads	No. of passengers

1. Truck	3
2. Bus	3

3. Bullock Carts and other slow moving vehicles pose special problems. On a hill

SCL; i.e. away from towns, the percentage of such vehicles will usually be small,

and slow moving traffic may be ignored. On sections near towns where the combined volume of trucks, buses and passenger cars is at or near capacity and where the volume of slow moving vehicles is also significant, consideration must be given to (a) providing separate lanes on roadways for slow moving vehicles, or (b) providing a 4 lane highway.

3. Comments to be communicated.

TYPE DESIGN FOR BOUNDARY STONES

1. The type design is intended for adoption in all new constructions and in replacement of broken or mutilated existing boundary stones.
2. The type designs should be followed for all categories of roads.
3. The new boundary stones to be installed and the old ones when replaced should be according to the type design; but existing stones which are in a good condition should not be replaced with the new type.
4. **Materials** :—The boundary stones may be of local materials—slabs of cut granite, or sandstone if locally available or alternatively of reinforced cement concrete.
5. **Spacing** :—The boundary stones shall be fixed on each side of the road land acquired—alienated or gifted—at all angular points of the road boundary.
6. **Mode of fixing** :—where the soil is good and costly wet lands do not abut the road the boundary stones may be fixed in compacted gravel. Foundation of concrete (lime, surki or weak cement concrete) are recommended in the following cases:
 - (i) Where the soil is loose sandy loam, clay or black cotton;
 - (ii) Where wet cultivation abuts the road and boundary stones are apt to be displaced during agricultural operations;
 - (iii) Where the road runs in built-up areas; and
 - (iv) Where they are intended to serve as permanent landmarks.
7. The portion above ground shall be 1 ft. high and the bottom 2 ft. set into the foundation and encased on all sides by at least 6 inches of foundation material—
8. The stones shall be fixed so that intersecting boundary lines shall cut at the centre point marked on the top of the stone.

0. Guide Stones, Guard stones and Guard Rails Guide Stones

Guide stones are effective aids for night driving. Guide stones are to be considered as guide markings rather than warning devices. They may be used on long continuous sections of highway or through short stretches where there are changes in vertical or horizontal alignment, particularly where the alignment might be confusing.

Guide stones are necessary also—

- (1) At the curves and approaches to curves when the radii of the curvatures are below the standard prescribed for the class of road appropriate to the design speed.
- (2) Limited by the maximum standard cross-slope of in 15 when the superelevation of banking at curves is below the calculated amount for the design speed and radius of curvature.

(3) When sections are hazardous, where accidents are frequent and when sections are favorable for high speeding.

Guide stones shall be installed at a height such that the top is 2' 3" above the edge of the nearer pavement or roadway and in no case be more than 10 feet not less than 2 feet outside the roadway or pavement edge, the most desirable location being uniformly 8 ft. —to allow a clear shoulder wide enough for the parking of a vehicle. On roadways with shoulders less than 8 feet wide, guide stones if used, shall be installed at the shoulder edge. Along kerbed sections of roadway, guide stones, if used, shall be placed not less than 2 feet nor more than 5 feet from the kerb face.

Guide stones should not be placed more than 66 feet apart. Where such spacing is interrupted by drive-ways cross roads, etc., and where under the normal spacing, a guide stone would fall within such an area that guide stone may be moved in either direction a distance not exceeding one quarter of the normal spacing. If such guide stone still falls within that area, it should be eliminated.

On the approaches to and throughout horizontal curves the spacing should be such as to make five guide stones always visible to the left of the centre line of a two lane pavement.

The spacing 'S' on the curve is found from the formula $S=1.2R+18$, where R is the radius of the curve in feet. The spacing to the first guide stone in advance of and beyond the curve is 1.8S, to the next guide stone 3S, and to the next 6S, but not to exceed 66 feet.

According to American practice the above formula limits the spacing to 200 feet considering the high speeds prevalent in that Country.

Procedure for disposal of tenders for road and bridge works financed entirely not of Central Government funds.

[Letter No. WI-43(9)/65-NHI, Shipping and Transport (R. W). Dt. 9-4-1969]

Order:—I am directed to invite a reference to this Ministry's letter No, WI-43 (9)/ 65, dated 9th June, 1965 and letter No. NHI-41(14)/68, dated 4-9-1968. and to say that in partial modification of the existing procedure, it has now been decided that all minor changes in the design or specifications in respect of small bridges up to a length of 50 ft., may be approved by the State Government subject to the condition that the changes do not increase the sanctioned cost of the work beyond the permissible limit of excess. In case of major changes unless they are covered by approved type designs, approval of the Government of India is necessary.

Powers of Technical sanction of estimate of bridge works financed entirely out of Central Government funds.

[Letter No. WI 43(9)/65/NHI, Dt. 9-4-1969]

Order:—I am directed to invite a reference to this Ministry's letter No.WI-43 (9)/ 65, dated 9th June, 1965 and letter No. NHI 41(14)/68, dated 4th September, 1968, and to say that in partial modification of the existing procedure, it has now been decided that all changes in the design or specifications in respect of small bridges with a span of 50 feet

except major changes; unless the major changes are covered by approved type designs, they may be approved by the State Government subject to the condition that the changes do not increase the sanctioned cost of the work beyond the permissible limit of excess.

Monetary limits, up to which expenditure on petty and miscellaneous items of works pertaining to National Highways ordinarily called as new works, can be charged to repairs.

[Letter No. NHI-40(2)/68, Shipping and Transport (Roads Wing), Dt. 10-4-1969]

Order :—I am directed to invite a reference to Memorandum No.B. 30(9)/49, dated 14th June, 1949, from the Consulting Engineer (Roads), Government of India to all provincial Chief Engineers, etc., and this Ministry's circular letter No. WI-43(13)/60, dated the 5th May, 1961 to all State Governments, etc., and to say that the monetary limit of Rs. 20,000 under the "Exception" below Para 27(4) of App. No.2 to the Central Public Works Account Code which was fixed in 1961, needs further upward revision in view of general rise in the cost of materials and labour. The Government of India have reviewed the position and decided that the present limit of Rs.20,000 under the "exception" below Para 27 (4) of App. 2 to the Central Public Works Account Code should be raised to Rs.25,000. The revised instructions are reproduced below in a consolidated form for information and guidance.

1. Works that can be financed from maintenance and repairs grant ;

(a) The following petty and miscellaneous items of works (which ordinarily should be classed as 'new works') up to the prescribed limit of Rs.25,000 in any case provided that the works in question do not, in the opinion of the Superintending Engineer concerned, form part of any comprehensive scheme or Project covered by the Works Estimate—

(i) Super-elevation at curves

(ii) Cutting back a hill side to improve vision at curves.

(iii) Improvements of alignment or gradients or changes of grade at Irish bridges, or dips, carried out at the time of renewing a surface.

(iv) Improvements to or reconstruction of the surface of a road in some different material where it is desirable to carry out such improvements or reconstruction at the time of renewing a surface.

(v) The construction or reconstruction of road surface in different materials for the purpose of experiment.

(vi) The construction of remodeling of bridges, causeways, embankments, ferry approach, protective or training works in connection with a road.

Note :—Item (vi) included replacement of boats and other apparatus connected with ferries.

(b) Petty works of the following nature (which are considered to be covered by the spirit of the Exception to Para 27(4) of the Central Public Works Account Code up to the prescribed limit of Rs.25,000 in any one case with the prior approval of the Government of India.

(i) Petty survey works, including survey required to complete records relating to land widths, encroachments etc.

- (ii) Demarcation of road boundaries. (iii) Traffic surveys for planning of road development.
- (c) Ordinary repairs and maintenance, including surface painting and the necessary addition of stone chips, gravel or sand.
- (d) Widening the formation of carriage way of a road including a drain or culvery and reconstruction of a drain or culvert.
- (e) Special repairs and periodical renewals.
- 2. Original works taken up for the first time that cannot be financed from maintenance and repairs grant.
 - (a) Works involving land acquisition which may otherwise come under items (1)(a) and (iii) above.
 - (b) Provisions of asphaltic or bituminuous concrete premix asphalt or bitumimious macadam, bituminuous grout, bituminuous semigrout, mix-in-place cement concrete or cement macadam surface.

Electrification of Bridges on National Highways.

[Letter No. NHI-28, (!3)/68. 13-5-S969]

Order:—I am directed to refer to this Ministry's Circular letter No. W1-43(26)/64, dated the 14th January, 1964 requesting that no provision for electrification of the bridges on National Highways should be made in the estimate for bridge works, and to say that the question has been reconsidered by the Government of India and it has now been decided that structural elements like light posts and cable ducts for electrification of new bridges of length of 1000 ft, and more may be provided, if required, the cost thereof included in the estimate for the bridge proper provided that the local authority is prepared to meet the initial cost as well as subsequent maintenance charges of electrical installation including the cost of wiring, lamps, etc., and also to bear the electricity charges, separate estimates may be prepared showing in detail the fixtures to be provided and the method of attachment of these fixtures to the existing bridge. The estimate should also be accompanied by a clear certificate from the authority who is prepared to meet the cost of electric installation and the maintenance and running charges.

Construction approach roads lending to private properties abutting on National Highways.

[Govt. of India's letter No. NHI. 40(1)/67. Dt. 20-5-1969]

Order:—I am directed to refer to your letter no. NHP-1068-1275 (278)-C, dated the 10th April, 1969, on the above subject and to say that powers to permit construction of approach road from National Highways to private properties do not vest with the State Chief Engineers. Prior approval of the Ministry is required in all cases where it is proposed to allow the use of National Highway land for construction of approach roads to private properties abutting on National Highways. Such proposals should invariably accompany with a site plan showing the location of the proposed road. The site plan should be signed

by the party and certified by the State Public Works Department. After approval of the Central Government, the party may be allowed to undertake construction of the approach road only after it has executed a license deed in form forwarded with the Ministry letter No. W1-43(20)/65-NH1, dated the 1st March, 1969. The State Chief Engineers are however competent to permit the construction of approach roads leading to petrol pumps, service stations which satisfy the Indian Road Congress standards. In such cases the parties concerned can be asked to execute license deed on the form referred to above simultaneously with the grant of permission for the construction of approach road, and the license deed forwarded to this Ministry.

Plan for the Development of National Highways,

[Lr.No. WI/37(2)/70, PWDs. Dt. 2-4-1970]

Order :—I am directed to invite attention to Para 4 of this office letter of even No. dated the 30th March, 1970, where in it was emphasized that while framing detailed proposals for the current year, care should be taken to see that improvements to geometries such as the casing of sharp curves, removal of humps, widening and reconstruction of weak and marrow culverts etc., are to the extent possible and feasible, simultaneously effected with the widening and strengthening of pavements. This was suggested so as not only to ensure smoother and comparatively hazard-free flow of traffic at near about design speed in the widened section but also to obviate infructuous expenditure which may result on account of any subsequent realignment of these.

2. For guidance in preparing proposals in this respect two Memoranda (one dealing with road works, as per Appendix I, and the second dealing with Bridge works, at Appendix II are enclosed herewith. These Memoranda refer to the geometric design standards which should be followed for preparing various proposals and re-iterate other points of good engineering practice that have been advocated by this office from time to time.

3. It is requested that the points of guidance spelled out in these Memoranda may be kept in view while framing detailed estimates/proposals in respect of works included in the Annual Plan for 1970-71 and also, till further notice, in respect of any further works to be undertaken on the National Highway,

APPENDIX 'I'

Memorandum on the Preparation of Projects for New Construction/Improvements to Existing sections of National Highways in respect of road works.

Introduction:—Almost all the present National Highways have graduated from local road/old trails of pre-automobile era which were grossly deficient in geometries. These roads were meant essentially for slower traffic and their carrying capacity for fast traffic was limited. With a steep rise in the volume, speed and size of fast moving vehicles over the years, demand on these sections of the National Highways has increased manifold, making it necessary that the inherited deficiencies may be rectified as soon as possible. However, in spite of some improvements already having been made considerable leeway in this regard still remains to be made.

2. It is envisaged that during the 4th plan period a large scale strengthening and widening of the National Highway pavements will be taken in hand. A beginning in this direction has, in fact, already been made with the Annual Plan for 1969-70. It is the

objective that on completion of this programme the National Highways should, as far as possible, be able to fully cater the speed, comfort and safety requirements of the increased traffic. To achieve this objective it is imperative that improvements to geometries, where feasible, and to the extent economically practicable, should be planned concurrent with the other improvements like the thickening and widening of the crust, raising of the road, above flood level etc.

3. Existing Deficiencies :—Most of the Sections where pavement improvements are contemplated, or already under way, possess a number of narrow/weak culverts. These will not be hazardous features once the widening and improvement of riding surface has taken place and the traffic volumes and speeds have risen as a result thereof. Therefore, there is much in favor of looking into the culvery requirements at the same time as other improvements are planned and projecting the same simultaneously.

4. Similarly substantial deficiencies of geometries like substandard radii, insufficient superelevation, lack of transitions at the ends of circular curves, insufficient sight distances at both horizontal and vertical curves, and uneven profile, abound in a majority of length of the National Highways, If any of these lengths is included in the current programme of widening/strengthening without regard to the basic defects of geometries and alignment, the expenditure could very well turnout to be infructuous as at a later date the alignments may again have to be improved at extra cost. In some cases the previous alignment of the road may subsequently to be altogether abandoned. Improvements to geometric will become imperative from traffic safety consideration also when a road is being widened as after widening speeds of vehicles will tend to rise.

In order, therefore, that optimum use is made of the meager resources available it is essential that all such deficiencies be carefully located and a complete inventory of these made out. Attempt may then be made to submit estimates for improvement in respect of these geometric deficiencies in a package along with the estimates for widening/strengthening of the existing Carriage way. This is a golden opportunity for riding the National Highway System of its in built deficiencies which must not be allowed to slip.

3. Geometric Design Standards :—As an aid to the planning of geometric improvements, a summary of the currently applicable geometric design standards for use on National Highway Projects has been compiled and is enclosed as Annexure to this Memorandum for information.

6. The standards indicated to be utilized are more or less as general design controls. Where conditions are favorable and costs not excessive it will usually be worthwhile to go in for even somewhat more liberal values of the design parameters than the ruling values specified.

It is realized, however, that in constrained situations, problematic terrain and like circumstances, more so when the case is of improving an existing highway, it may not always be found economical to adopt the standards recommended to the full extent and proper judgment will require to be exercised after careful study of the survey and investigation data.

7. The guiding principle should, however, be that economy may be practiced on some feature other than the principle geometric features. In a pavement of flexible construction it is always possible to carry out strengthening at a future date when finance permit. Improvement of surface type or provision of hard shoulders are also features with which the designer can play. Likewise widening of comparatively light trafficked roads

could be deferred for some time or substituted by hard shoulders without any great loss to the road users.

All the features permit stage construction and can be attended to progressively according to the availability of funds. But the geometric features of the alignment, grade and sight distance defy such a treatment. When once moulded into the land scope and tied down by the right-of-way and surfacing these are most difficult and expensive to correct except at an exorbitant cost later. The problem comes most sharply into focus in the cases of existing highways more specially the National Highways.

8. A careful study of the existing alignment and their geometric features therefore, merits high priority so that an attempt can be made, within reasonable limits, to provide, for improvements conforming as far as practicable and feasible to the geometric standards given in the Annexure.

The standards should be applied likewise to construction of missing links, by passes, realignments, under or over bridges replacing level crossing etc., where limitations as in the case of existing sections would not be present

Points to be especially kept in view:

9. The following points may be especially kept in view during investigation and preparation of the detailed estimates for proposed improvements to the different National Highway sections:

(a) Horizontal Alignment :—(i) Where it is planned to improve radii of the curves this should not be done on a piecemeal basis but by proper planning. Large scale reconstruction will be avoided and an overall smoothness of the alignment brought about.

(ii) it should usually be possible to eliminate minor links in a seemingly straight road by suitable adjustments of the centre line of the road, without going in for an major realignment. Extra cost involved in these corrections will not more than marginal.

(iii) Where it is not practicable for any reason to improve sharp radii it should in any case ensured that superelevation provided is as per standards.

(iv) It has been generally noticed that circular curves lack in requisite transitions at their ends. It should be possible to remedy this at little extra cost while improving the appearance and utility of the National Highways many times.

(v) Sight distance on the inside of curves has often been found insufficient because of presence of a variety of obstructions. All possible attempts should be made to remove these obstructions so that the visibility conditions are adequate for fast traffic.

(b) Vertical Profile:

(i) Where properly designed vertical curves have not been provided at changes of vertical alignment, a careful study should be made to find out the most economical solution so that, the standards laid down are satisfied.

(ii) It is appreciated that it may not always be possible to design curves for overtaking sight distance but efforts must be made to achieve designs fit for at least the safe stopping distance.

(iii) Correction of minor undulation in the road surface and provision of shock-free entry at humps and dips can usually be accomplished at marginal costs.

ANNEXURE '11'**Memorandum on the Preparation and Submission of Bridge Estimates**

The preparation of estimates for major bridges and their design is dependent on the collection of required hydraulic and other data, selection of suitable bridge sites, soil investigation including boring data at the most suitable and finally selected bridge site etc-It is expected that the necessary steps in this direction will be taken immediately in case of bridge works, including in the annual plan 1970-1971, wherein these investigations have not so far been carried out.

2. While selecting the most suitable bridge site, the economic aspects of the proposal as a whole, i.e., the bridge, including its approaches, may be kept in view. Further, due importance may be given to the geometries and other features of the approach roads in the selection of the bridge site and the orientation of the bridge axis,

3. While forwarding the bridge project, separate detailed estimates for bridge proper and of connected road approaches may kindly be sent together to enable this Ministry to take steps to accord sanction simultaneously for the bridge proper and its approaches. This will enable the State Government to take up the construction and to fix targets of completion accordingly so that both the bridge and approaches get completed at the same time. This is very necessary for obvious reasons.

4. In respect of bridges with individual span lengths of 25 MM (80 Ft. of less) and overall length of the bridge not more than 5 spans of 25 meters or 400 ft. length approx., tenders will have to be only on item rate basis on departmental designs as per decision arrived at in the Chief Engineer's Meeting held in October, 1969 at Kula. Hence, for such bridges, apart from detailed estimates, detailed designs will also have to be submitted along with the estimate. As standard designs of superstructures of various span lengths prepared in this Ministry are available with the State Chief Engineers these may be adopted as far as possible.

5. For other bridges also detailed estimates -will have to be prepared but tenders for these can be invited on lump sum basis, both for me departmental outline design as well as the tenders on alternative design.

6. Further, it will be helpful if all the estimates of minor bridges for a particular section of the road, including in the Annual Plan, are prepared and sent together. This will facilitate their handling and processing in this Ministry as these can be sanctioned with advantage against one Job No.

(c) Raising of road on account of Fooding/Water logging conditions;—

(i) There are instances where an existing section gets submerged owing to flood waters or is located in waterlogged conditions so that its performance is not satisfactory- Before framing proposals for strengthening widening of such sections it will be necessary to consider raising the formation so that the subgrade is at least 2 Ft. above the HFL or in the case of waterlogged conditions to consider raising the formation to suitable level above the sub-soil water level adopting other recommended measures against water logging.

(ii) While formulating raising proposals consideration should be given to the effect of rising on the adjoining sections of the highway. It will be advisable to work out an integrated plan for long continuous sections as against devising piecemeal proposals for short lengths.

(d) Bypasses/Re alignments:—In the case of bypasses/realignments it should be ensured that no links result at these two ends where these sections rejoin existing highway. This is easily possible by an overall study of the plans and preplotting so that a smooth flowing alignments results.

(e) Culverts :—(i) It has been emphasized above that while planning improvements to existing sections cases of work and narrow culverts should be given due consideration- Proposals sent by the State may therefore, include widening of such culverts as are narrower than 12Ft. or so and of strengthening those which are weaker than for Class B Loading.

(ii) Humps over the existing culverts should be evened out by providing shock-free transition curves. Deficiencies of sight distance should also be corrected.

(iii) Where culverts occur on a gradient on horizontal curve they top levels should be so fixed that the culverts fit in with the profile of the flanking portions of the road and there is no resulting hump-

10. Flexible Pavement Design :—As regards design of flexible pavements, the basis of proposals should be the 'Guide-lines for Design of Flexible Pavements' now in final stage of adoption by the IRC, a copy of which has been circulated to all the State Chief Engineers in connection with the IRC Council meeting to be held at Darjeeling from the 5th to 7th April, 1970. All relevant data such as the existing traffic, depth of water tube, type of sub-grade soil and its CRR value, thickness and composition of the existing crust etc., should invariably accompany the estimates in case of strengthening schemes.

11. Estimates:—As far as possible detailed estimates should be prepared for convenient sections about 20 to 25 miles in length (or less if) so defined in the list of works for Annual Plan for 1970-71). Under each estimate there should be detailed sub-estimate for—

- (i) Improvements to Geometries;
- (ii) Reconstruction/widening of existing culverts; and (iii) Widening and/or strengthening of the Carriageway.

ANNEXURE TO APPENDIX I

Geometric Design Standards (in summary form) for the Design of National Highways.

Mountainous country stands for terrain with a cross slope from 25 to 60 per cent and steep country for terrain with a cross slope above 60%.

2- Slight Distances :—As far as possible, the road should be designed for overtaking sight distances. However, in sections where this is not so feasible for reasons for economics or otherwise, design should be conducted for at least the safe-stopping distance. In that event it will be necessary to post the customary 'no overtaking signs,

The sight distance values indicated are meant to be applied not only for the design of vertical profiles but also for providing side clearance on the inside of horizontal curves.

3. Horizontal Curves:

(a) Superelevation:—Superelevation should normally be— $1 \text{ in } 80R^*/3V^2$

(Where R is the radius in ft. and V the design speeds in mph but not steeper than the following values or flatter than the camber appropriate to the type of surface:

Main and rolling terrain 1 in 15 67% Hilly terrain 1 in 15 10% *or $224R/V^2$ (Where R is the radius in meters and V the design speed in km per hour).

(b) Transitions :—Spiral transitions should be provided at the beginning and end of all circular curves as required by design based on the IRC No. 119.

Provision of superelevation and extra widening of carriageway as required should preferably take place within the length of the transition curve. However, on curves of large radius where no transition curves are needed the superelevation may be similarly applied on an assumed transitional length.

(d) General consideration:—

(i) The horizontal alignment should give the impression of a fluent line i.e., it should be free of sudden and too frequent changes in direction.

(ii) Broken back curves, i.e., two curves in the same direction with a short tangent separating them, should be generally avoided.

(iii) Abrupt reversal in alignment should be avoided- Where this is inevitable the design should be adequate to accommodate the requisite transitions at the ends of the individual circular curves.

A. Vertical Curves :—(a) Summit Curves : (i) Summit curves should be square parabolas designed in accordance with IRC Paper No. 156. The minimum length of these should be $3V$ is the ruling design speed in mph.

(ii) Summit curves on approaches to isolated bridges (including railway overbridges to be designed for overtaking sight distance. At other locations, the sight distance would depend upon the merits of each case, having regard to the site conditions and economics involved.

(iii) For approaches to bridges up to 30 m (100 ft), span, a single vertice curve should be provided over the bridge deck.

(b) Valley Curves;—Valley curves should be curves cubic paraboles with lengths as follows :

(i) Plain terrain $L = 70A$ (ii) Rolling terrain

$L = 50A$ (iii) Hilly terrain $L = 35A$

Where L = Minimum total length of the curve in feet

A , = Algebraic difference in grades per cent.

V = Ruling design speed m.p.h.

(c) Check-free curves over humps and dips (where sight distance consideration do not dictate the design :—They should be cubic parabolas—

L TM Minimum total length of the curve (feet) V = Ruling design speed, m.p.h.

5. Co-ordination of Horizontal and Vertical Alignments :—(i) As a general rule, the changes in horizontal and vertical alignments should be phased to coincide with each other, i.e., the vertical curve should roughly extend from the commencement to the end of its corresponding horizontal curvature. Hence preferably the horizontal curve should be somewhat longer than the vertical curve.

(ii) Sharp horizontal curves should not be introduced at or near the top of summit of vertical curves or the lowest point of Valley vertical curves.

6. Gradient:

(i) Plant and rolling terrain 1 in 30 1 in 20 1 in 15

(ii) Hilly terrain 1 in 20 1 in 15 1 in 12 For short distances not exceeding 60 meters in a k.m. (300 ft. in a mile).

Gradients up to the ruling gradient can be used as a matter of course in design. The limiting gradients may be used where the topography of a place compels this course or where the adoption of gentler gradients would add enormously to the cost. Exceptional gradients are meant to be used only in very extraordinary situations.

7. Cross (for Camber) ;

(a) Pavement

(i) Cement concrete 1 in 72 (1.4 p.c. (ii) Cement concrete 1 in 50 (2 p.c. (iii) B.T. surface 1 in 33 (3 p.c.

8. Side slopes:

(a) m cut

Ordinary soil = 1.1 to 1/2 : 1

Disintegrated, rock or conglomerate = 1/2 : 1 to 1/4 : 1

Soft rock and shale = 1/4 : 1 to 1/8 : 1

Medium rock = 1/12 : 1 to 1/16 : 1

Hard rock = Near vertical

(b) Infill

Generally 2 : 1 slopes of embankments— (i) when the height of embankment is over 8 m- (25 ft.)

(ii) When the fill material/sub roll strata consists of heavy clay or another problematic soil, and

(iii) When the embankment is more than 3 m. (10 ft.) high and subject to inundation.

should, however, be designed on a rational basis according to principles of soil mechanics.

9. Carriage way width:

(i) Single lane roads	3.75 meters	(ii) Two-lane roads without raised Krebs	7.0 meters
(iii) Two-lane roads with raised Krebs	7.5 meters	(iv) Multi-lane roads, width per lane	3.5 meters
(v) One two-lane bridges	7.5 meters	(vi) On bridges with divided carriage way	7.5 meters for each two-lane carriage way

10. Roadway width:

- (a) Plain and rolling terrain 12 meters (whether for single lane roads or two lanes). "These widths are inclusive of the provision for parapets and side drains.

11. Culverts:—The roadway width at culverts should be the same as indicated in Para 10 above, measured outside to outside of the parapets.

Where culverts occur at gradients or horizontal curves, their top levels and slope should not be in disharmony with the profile and slope of the flanking portions of the road.

12. Extra Widening of pavement at horizontal Curves;

Notes:—1. The extra widening at curves on single-lane hilly sections having radius from 30 to 40 meters (95 to 120 ft.) should however, be 1.2. Meters (4 ft.).

2. Widening should be equally distributed on the inner and outer sides except that in the case of sharp curves in hills roads with radius or curves less than 60 m (200 ft.) the widening may be on the inside only.

K.M. Stones and Informatory signs on National Highways - Script of information and form of numerals

[Lr.No.SP 77(27)/60-PL, Dt. 6-3-1970]

Order:—I am directed to invite reference to this Department's letter No. SP 77(27)1 70, dated the 23rd September, 1961, addressed to you and copy endorsed to the State Chief Engineer/Principal Engineer, wherein design of and produced for the installation of the K.M. Stones on National Highways has been laid down and instructions given to meet the expenditure from maintenance grants and to this Department's letters No.PL. 18(29)/58, dated the 6th September, 1969 and No. SP. 77/(7)/59, dated the 7th January 1960, also addressed to you and copy endorsed to the State Chief Engineer/Principal Engineer, wherein design of and procedure for installation of Informatory (Road-Junclion-approach) Sign on National Highways were detailed.

There have been complaints, often serious, from road users and dignitaries, some of whom are members of the Consultative Committee of Parliament attached to our Ministry, about the omission from K.M. Stones and from Informatory signs on National Highways of names in Roman and/or Devnagari script of towns and of international numerals in figures. These omissions are causing confusion and difficulty to the road users coming from the States and Countries and are discouraging tourist traffic.

3. The design and procedure laid down for K.M. Stones on National Highways provided, *inter alia* that the numerals will be inscribed in the international form of Indian numerals (1, 2, 3 etc.) and that the place names will be inscribed in different scripts in the following order - only one script being used on one K.M. Stone.

K.M.No.	Script for place names	0	Roman	3
	Devnagri			
2	Local			
3	Devnagri			
4	Local			
5	Roman			

and so on repeated in the same order

4. Regarding Informatory (Road-Junction-Approach) Signs these are to be installed on approaches to important junctions to indicate the names of nearest important towns on each of the roads branching off from the Junctions. The names, as explained in the letters quoted above are to be written in Roman, Devnagri and local script of the language of the bordering State as well.

5. The Departure from the accepted policy and practice and the resulting inconvenience and confusion have been from time to time, brought to the notice of the State Chief/Principal Engineers both in writing and in discussion at Chief Engineers meetings. It is requested that the K.M- Stones and the informatory signs not conforming to the policy and practice as laid down by this Dept., may please be got rectified early and the compliance intimated.

Safety Measures to be taken at submersible/causeway on National Highways.

[Circular No. PI/30(128)/69, Dt. 9-4-1970]

Order:—The question of providing suitable warning signs near and on causeways and submersible bridges on National Highways with a view to caution approaching traffic for avoiding risk of accidents has been under consideration of this Ministry as some accidents on submersible bridges have come to notice. Such accidents can be minimised if suitable signs and aids are provided to warn and inform the road traffic of the approaching submersible bridge or causeway and the depth of water as well as the limits of the carriageway of the submersible structure. It is, therefore, desired that following measures may please be taken on all submersible bridges and causeways on National Highways.

(i) Provision and subsequent maintenance of either collapsible or removable railings on submersible bridges as laid down in clause 116(2) of the I.R.C. Standard Specifications and Code of Practice for Road Bridges Section I (Relevant extract enclosed).

(ii) Provision and subsequent maintenance of 800 m. high guide posts at intervals of 4.5 meters along the deck edge of causeways on both sides (the posts may be 200 mm x 200 mm of stone or R.C.f.t)

(iii) Provision and subsequent maintenance of flood gauges to the design, specifications, location etc., as laid down in the I.R.Cs. reproduction of the 'Traffic Signs' as given in the 9th Schedule of the Indian Motor Vehicles Act, 1939 (relevant extract enclosed); and

(with words or symbol in luminous paint if possible)

(iv) Fixing and subsequent maintenance of advance sign board on approaches to the submersible bridges and causeways, giving information as to the nearness of the submersible structure. These should be fixed at about 300 m. from the submersible bridge/ causeway and repeated at about 120 m.

Extract:—Clause 116(2) of Section I, Standard Specifications and Code of Practice for Road Bridges (1967 Edition) - The Indian Roads Congress.

(2) Submersible Bridges:—Railings shall be either collapsible or removable. [Please Note : Plan is omitted]

(a) Collapsible railings shall be used where it is necessary to put up the railings immediately the bridge is open to traffic after a submerging flood. Care shall be taken in the structural design of these railings to ensure that they sit well in their groves and are not liable to be dislodged by floods.

(b) Removable railings may be adopted when there is no danger to the traffic using the bridges for short periods without railings. Care shall be taken in the Structural design of these railings to ensure that the various members are interchangeable and can be easily removed and refitted.

(c) Collapsible or removable railings shall be designed to resist as far as possible the same forces as specified in (2)(b) for railings or parapets on high level bridges,

THE INDIAN ROADS CONGRESS TYPE DESIGNS FOR HIGHWAY KILOMETRE STONES

1. Scope:—Type designs for Kilometer Stones prepared by the Specifications and Standards Committee of the Indian Roads Congress given in Plates I, II, III are recommended by the Council of the Indian Roads Congress for use on all roads in India.

Kilometer stones may be made of suitable materials available locally.

2. Sizes of Letters and Numerals and Edge Clearances :—

2.1. These shall be as given below :

Height of numerals for Kilometres	13 cm.	Height of numerals for
Route Number	18 cm.	Height of letters
		8 cm-
<i>Edge clearance :</i>		
Top	5 cm-Bottom	7.5 cm.
Sides		5 cm. Spacing between lines
5 cm.		

3. Script of the Inscription :—

3.1. The place names shall be inscribed in different scripts in the following orders;
only one script shall be used on any one Kilometer stone,

K,M,No. SCRIPT FOR PLACE NAMES 0 Roman

Hindi (Devnagari script) Local Language

Devnagari (Devnagari script) Local Language Roman and so on repeated in the
same order.

This numbering is meant for the use of the maintenance staff and will start with 0 at the starting station and increase progressively up to the last Kilometer stone at the terminal station.

3.2. The above order and weight age of a script may be modified at the discretion of the Road Authority.

3.3. The numerals shall, in every case, be inscribed in the international form of Indian numerals as detailed in Plate VI and Plate VII, Local or Devnagari numerals shall not to used, vide Article 343(i) of the Constitution of India.

3.4. On Kilometer stones fixed on other District Roads and Village Roads the inscription may be in the national language, i.e., Hindi in Devnagari script or the script of the recognised regional language, at the discretion of the local Road Authority. Inscription in the Roman script is not necessary unless such a road leads to a place of tourist or archaeological interest-

4. Sequence of inscription:

4.1. Ordinary Kilometer stones (Plate I) shall indicate the name and distance of the next (intermediate) important town only, where every 5th Kilometer stone (Plate II) shall show the name and distance of the terminal or the starting station also above those of the intermediate towns.

4.2. On the side of a kilometer stone facing the carriage way the number of the Kilometer stone shall be inscribed (without the name of any place). In the case of thin stones made of R.C.C. or any other material the digits may be inscribed one below the other thus—

6 5. The shape and spacing of letters:

5.1. The shape and spacing of letters in the Roman script and of numerals shall conform to those shown in the appended Plates as given below:-

[DCODE—381

(i) 8 cm. letters	Plate V (ii) 13 cm.numerals
Plate VI (iii) 10 cm.numerals	Plate VII

For long place names the thickness of letters and spacing between them may be reduced suitably. Their height, however, should not be changed.

5.2. On Kilometer stones, which are inscribed in a script other than Roman, the style of lettering shall be the one in general use- The spacing between single or compound letters shall be at least equal to the thickness of the vertical strokes or the thickness of strokes of letters in the scripts having no vertical strokes such as in Oriya, Telugu and Kannada.

***6. Color of the Background and of the Inscription:**

6.1. The background color shall be white with black letters and numerals for names of stations and distances. The semi-circular portions of Kilometer stones on National Highways, State Highways and Major Dist. Roads shall be painted canary yellow (I.S. Shade 309), brilliant green (I.S. Shade 221) and white respectively. The route numbers to be written on the semi-circular portion, shall be in black on the canary yellow and white back-grounds, and in white on the brilliant green background.

7. Orientation :

7.1. Kilometer stones shall be fixed at right angles to the centre line of the carriageway (See Plate IV).

8. Location:

8.1. Kilometer stones shall be fixed on the side of the road other than that on which mile stones exist. On new roads they shall be located on the left-hand side of the road as one proceeds from the station from which the kilometer count starts.

8.2. On embankments kilometer stones shall be fixed at the edge of the roadway, outside the shoulder, on specially erected platforms, if necessary. In cuttings, they shall be fixed clear of the shoulder and the side drain (See Plate IV).

Type Design for 200 stones

1. Introduction :—The type design for '200-Metre' Stones as shown in Fig., prepared by the Specifications and Standards Committee Personnel given on inside front cover was approved by the Executive Committee at their meeting held on the 24th and 25th February, 1967. It was finally approved for publication by the Council in their meeting held at Nainital on the 30th September, 1967, for the use on all roads in India.

2. Materials:—200-Metre Stones shall be of locally available liard stone, well dressed or of reinforced cement concrete.

3. Location and fixing:—200 Metre Stones are to be located on the same side of the road as the one having the Kilometre Stones. The stones may be fixed in position with rammed spalls in mortar, lime surkhi concrete or lean cement concrete all round. They should be planted securely just beyond the edge of the formation with their *side* bearing the inscription facing and parallel to the centre line of the road. The manner of locating the stones when the road may be in embankment or cutting is illustrated in Fig.2.

4. Inscription :—The inscription carried by the stones shall be the numerals 2, 4, 6 and 8 marked in an according order in the direction of increasing kilometrage away

from the starting station. The numerals shall be 8 cm. high and shall conform to the type as shown in the Plate. These may be either painted or, preferably engraved. The color of the numerals shall be black on a white background on all categories of roads.

Installation of K.M. Stones on National Highways.

[Circular No. SC 77(27) 60/PL, Dt. 13-3-1970]

Order:—I am directed to refer to this Department's Idler No. SP 77(27)/60/PL, dated the 6th March, 1970- Besides the complaints about the scripts of inscription and the form of numerals as pointed out in this letter, it has been observed that the terminal stations as the sections adopted, are not in all cases the same as intimated in our letter No. SP 77(23)/58, dated the 6th December's, 1968 and retreated in our letter of even number, dated the both December, 1968 and retreated in our letter of even number, dated the 22nd January, 1969, to the State Chief Engineer and that the distances indicated are also not always correct. These departures from the specified practices, which have resulted in avoidable inconvenience and confusion to travelers have been brought to the notice of the State Chief Engineers from time to time, both in circular letters and during discussions held at Chief Engineer's meetings. Most recently their attention was drawn to this problem at Kula on the 1st October, 1969. It is absolutely necessary to rectify the situation and much can better be done by ensuring that—

(i) the terminal stations and the sections adopted are the same as laid down by this Ministry and that these very terminal stations are actually inscribed on the 5th KM stones:

(ii) the distances marked on the KM-stones are correct;

(iii) the place names have been inscribed in Roman, Devnagari and local script in the order prescribed, using only one script on any single K.M. stone, and

(iv) that numerals are in the international form i.e., 1, 2, 3, etc.

An early action to correct the one script, the form of numerals, the place, names, and the distance, etc., is requested.

Filling near Abutments, Wings and Walls.

[Letter No. G.O.I. 9(3)/68. Dt. 9-6-1970]

1. Scope:—The following specifications cover the quality of materials to be used for filling near abutments, wings and return walls above the ground level, the methods of laying and compaction and the precautions to be taken during constructions.

2. Quality of Materials:—

2.1, Filling Materials:—The type of materials to be used for filling behind abutments and other earth-retaining structures, should be selected with care depending upon the nature of ground on which it is being placed. If the ground is impervious and the soil plastic, the material used for filling should be of a granular type. In no case, the soil used for filling shall be an organic soil or a highly plastic clay having a plasticity Index greater than 20 and liquid limit exceeding 40% A-7 soils as per PRA classification shall not be used (vide appendix). The minimum dry density of soil shall be 90 Lb./cft.

The properties of the soil chosen shall generally conform to the parameters, (c) cohesion angle of internal friction, and (w) unit weight assumed in the design of the structure and should be such that no loads and pressures in excess of calculated figures and caused on the structure. These properties shall be indicated in the drawings.

2.2. Materials used for Drainage:—well graded pebbles, crushed stones or brick bats which will not become powdery under loads and in contact with water, should be used-

3. Laying and Compaction :—

3.1. Laying of Filter Media for Drainage:—The filler material shall be tightly packed to a thickness of not less than 60 cms. and provided over the entire surface behind abutments, wings or return walls to the full height.

3.2. Filter material need not be provided in case the abutment is of an open type and the earth can spill through.

3.3. Method of Laying and Compaction of Fillings:—

3.3.1. The fill material shall not be placed against any concrete abutment, wing wall, retaining wall or a box culvert or similar structure until permission has been given by the Engineer and preferably not until the concrete or masonry has been in position for 14 days. The fill material should be placed behind or around the structure in horizontal layers of not more than 15 cm. in depth (before compaction) and shall be compacted by mechanical equipments like flat steel! or rubber tired rollers or vibrating rammers, care being taken that they do not hit or come too close to any structural member so as to cause any damage to the structure. Before compaction, necessary quantity of water shall be applied uniformly to each layer of the soil mass and thoroughly mixed so that at least a Proctor Density of 95 per cent is attained.

3.3.2. All such places which cannot be reached and compacted by mechanical equipment shall be treated with caution, and compacted by means of hand tampers and rammers.

4. Precautions to be taken during construction:—

4.1. The sequence of filling behind abutments, wing walls and return walls shall be so controlled that the assumption made in the design are fulfilled and they should clearly be indicated in the relevant drawings. For example, if the earth pressure in front of the abutment is assumed in the design, the front filling shall also be done simultaneously along with the filling behind abutment, layer by layer, and in case it is considered and not desirable, the filling behind abutment should also be deferred to a later date. In case of tie beams and friction slabs, special care shall be taken in compacting the layers underneath and above them so that no damage is done to them by mechanical equipment,

4.2. Special precautions should be taken to prevent any wedging action against structures, and the slopes bounding the excavation for the structures shall be stopped or serrated to prevent such wedging action.

4.3- in case the displacements of the abutment have any adverse effect to the movement of segmental roller bearings or of the superstructure in case of rigid frames or arches, the deflection of the abutment due to earth pressure should be given due consideration in fixing the initial position of segmental rollers or in the design of the indeterminate structures.

4.4. Adequate number of weep holes with one meter spacing in both directions should be provided to prevent any accumulation of water and building up of the hydrostatic pressure behind the walls. The weep holes should be provided above low water level.

Ensuring fluent grade lines at culverts on National Highways.

[Letter No. NHf-41 (18)/70, Dt. 12-8-1970]

Order :—One of the various deficiencies that exist at present, on the National Highways is that there are sudden undesirable humps in the vertical profile of the road at locations where there are culverts or other similar structures which cause lot of discomfort to fast traffic and are thus highly irksome- At most of the places, the road level over the culvert is either higher or lower than the generally highway profile, resulting in humps or dips, generally the former which are not only hazardous to traffic, but are also aesthetically unpleasant. Such deficiencies in the road profile could be avoided at little extra expense by paying proper attention during the initial design and construction phase at subsequent maintenance operations.

2. Keeping in view the need for having smooth road profiles at culverts and other similar structures, it is necessary that, henceforth, greater care should be exercised in fixation of deck level in the design and construction of culverts and the design of flanking road sections- In this connection, the following measures need to be given particular attention.

New Construction/Re-construction of culverts :—(i) The culvert deck should follow the same profile as that of the flanking road sections, without any break, whether the same is in level, grade or in a curve. In cases where it is essential to have the culvert deck higher than the adjoining road level, suitable vertical curves should be provided,

(ii) At locations where the culverts lie on horizontal curves, necessary superelevation in the road should be provided by laying the deck slab of the culvert to the required cross slope.

(iii) The camber to be provided over the culvert deck should conform to the camber of the flanking road sections. For achieving this, the deck slab should be laid to the required camber and grade, and the bed blocks laid to suit.

For the operations under (i) to (iii) above the construction must be carried with exquisite care observing designed levels at all stages from foundation laying to the laying of deck.

(iv) The wearing course over the culvert deck should be of bituminous construction, instead of the rigid C.C. wearing course being sometimes provided, at present.

(v) The back-filling at culverts should be done with proper soil or other material in accordance with the specifications laid down in this Ministry's letter No. LR-9 (3)/68, Dt. 9-6-1970. -

Sitting of bridges and fixation of alignment of approaches thereto on National Highways and other centrally financed road projects.

[Letter No. NHI-40 (3)/71. Shipping and Transport (Roads Wing). Dt. 29-1-1971]

Order:—It has been observed that while fixing sites for highway bridges, due consideration is sometimes not given at present, to geometries of the approach alignments. Besides there is lack of co-ordination in the work of project preparation for bridges and their approaches, resulting in frequent time lags between their execution and completion. This sometimes results in higher costs and definite loss to the exchequer on account of non-utilization of the facility till the bridge and the approaches thereto are finally completed and opened to traffic. There is thus an urgent need for a greater co-ordination in the matter of planning, design and execution of both components of the projects with a view to achieving over-all economy, sound engineering results and speedy completion of the entire job.

2. While it is recognised that route selection for a highway is influenced by the sites of bridges in the case of large rivers, it is generally not so in the case of smaller bridges up to a length of 1000 ft. or so unless there are any special problems. For achieving overall economy consistent with sound engineering in any highway scheme it is however, essential to blend suitably the requirements of both road and bridge components of the project. The following broad principles consistent with the overall economy for the siting of bridges and their approach alignments are suggested for guidance in this regard:

(i) In the case of large bridges of length more than 1000 ft. the hydraulics and other design work, etc., would generally govern site selection and the alignment of approaches would be adjusted to suit keeping in view need for suitable geometries.

(ii) In the case of medium bridges of length 200 to 1000 ft, collective consideration of requirements of both proper road alignment for approaches and bridge design would determine site selection, while in hydraulic and other design considerations of the bridge may be given greater weightage. In the selection of the site, the geometries of the road alignment should generally govern a decision about the selection of the site in the case of lengths nearer to the lower limit of the range, unless there are any special problems of bridge design.

(iii) In the case of small bridges of lengths below 100 ft. road alignment would essentially govern site selection unless there are any special problems of bridge design.

3. In the case of all bridges of lengths 200 ft. and above, it would be necessary to carry out a reconnaissance survey of the area and prepare preliminary report on the location of the bridge and its approaches explaining the pros and cons of the various alternative proposals, together with comparative rough cost estimates to be forwarded in duplicate for the consideration of this office with one copy to its regional officer- After the preliminary report has been examined in this office, the States would be suitably advised to conduct necessary detailed investigations for the final selection of the bridge site and alignment of approaches. Before finally deciding upon the bridge site and alignment of approaches. Before finally deciding upon the bridge site and alignment for approaches thereto, it may be necessary for the officers of the Roads and Bridges Directorate of this Ministry to make joint inspection of the site(s) on the basis of the investigations carried out by the State. As in the case of medium and large bridges it would be necessary to prepare and submit to this office preliminary reports together with rough estimates of cost for bridges of lengths less than 200 ft. also for according approval to bridge sites and alignments of approaches thereto- In such cases the site inspection would be made where necessary, by the Regional Officers or when so required by an officer of the Roads Directorate of this Ministry.

4. After the bridge site and the alignment of approaches thereto have been finally selected, detailed plans and estimates for the projects may be prepared and forwarded to this office for obtaining technical approval and financial sanction of the Government of India. These estimates which would include both bridge and its approaches should be prepared in two parts one comprising bridge proper with protective works where necessary and the other for approaches.

5. It is requested that the above procedure may please be followed in future while forwarding proposals for bridges and approaches thereto on National Highways and Centrally financed road projects in your charge.

Closure of check gates on National Highways.

[Utter No. NHI-42 (57)/69. Shipping & Transport (Roads Wing). Dt. 30-1-1971]

Order:—I am directed to refer to this Ministry's letter of even number, dated 8th April, 1970 on the above subject and to clarify that the Check-posts on the national Highway are to function round the clock and the vehicles which are stopped there for the purpose of checking, are to be checked within the least possible time and or to be allowed to cross the barrier immediately after the checking. It was not intended that the check-gates should not be closed at all for stopping vehicles. The receipt of this letter may be acknowledged.

Widening and strengthening of National Highways and other centrally financed roads - Procedure to be followed as regards placing and compaction of different pavement courses over widened portions of the pavement.

[Lr.No. NHI-41(2)/71. Shipping & Transport (Roads Wing), Dt. 26-10-1971]

Order —A large scale programme of widening and strengthening of National Highway and certain other roads under the centrally financed schemes is currently in hand. In a majority of the cases, this entails widening of the existing pavement from single-lane to two-lane width.

2. In this context a number of enquiries have emanated as to the exact manner of placing and compaction of different pavement courses in the widened portions, particularly where widening to be carried out is in narrow widths. It is clarified in this regard that commensurate with the requirements of proper consolidation of the different pavement and shoulder layers, the sequence of the operations adopted for construction should generally be along the following lines ;

(i) The existing shoulders should be excavated to their full width up to the subgrade level, except of course where the widening specifications envisage construction of an established soil sub-base using in-situ operations, in which case the same would be removed up to the sub-base level only;

(ii) Before proceeding with the laying of pavement courses, the shoulders should be rebuilt in layers in reduced width depending on the extent of widening, the compacted thickness of each layer corresponding to the compacted layer of the pavement course to be laid adjacent to it. After compaction, the inside edges of shoulders should be

trimmed vertical and the included area cleaned of all spilled material. The construction of the pavement layer could then follow. This procedure is suggested with a view to ensuring full lateral play of the roller for achieving the desired compaction of the different pavement courses as also the shoulder layer.

3. It is requested that the points brought out above may be kept in view while executing all widening works in future, whether on National Highways or other centrally financed roads. As far as new works are concerned, necessary provision for carrying out the widening in the manner outlined above should be made in the estimates to be framed for submission to us. As regards works which have already been sanctioned, attempt should be made to cover the extra expenditure involved in adopting this procedure against the provision of contingencies or likely savings in the estimates and permissible limit of excess therein.

4. It is further requested that the instructions contained in this circular letter may be given wide circulation among all officers in your organisation concerned with the works on National Highways and other roads taken up for improvement under the centrally financed schemes.

Schedule of Rates - Adoption of Rates for 6 mm and below size hard broken metal - Instructions - Issued.

[Circular Memo No. T4-TAS/4-73-1, Roads and Buildings. Dt. 27-6-1973]

Order:—The Standard Schedule of Rates for the various circles for the current year have been finalised and they have come into operation now.

A review of the rates for the various sizes of the hard broken metal reveals, that the rates for 6 mm size metal of crushed variety are comparatively high in all circles. As a matter of fact 6 mm size metal is a by-product of the crushing operations for the higher sizes of metal. As such the cost of 60mm size crushed metal need not be as high as that provided in the S.S.Rs. considering this aspect and other related factors, all the officers of the department are hereby instructed to adopt the rates for 6 mm hard broken metal of crushed variety at 50 percent of the rate immediate effect. Such of the estimates, which have been sanctioned but tenders not called for need to be revised as per above instructions.

Adjustment of expenditure on National Highways.

[Letter No. PL-30(I/O)/74, Shipping & Transport. Dt. 25-9-1974]

Order:—I am directed to refer to this Ministry's letter No. W1-12 (17)/46, dated the 5th March, 1948 as subsequently amended by letters No. B. 30(4) 69, Dt. 29th July, 1948 and N.H. 40(10) 70, dated the 20th July, 1971, and to say that the monetary limits up to which the State Governments can incur expenditure in excess of the sanctioned estimates have been recently reviewed by the Government of India in the context of the present day costs and the need for ensuring greater decentralization of functions and speedier execution of works, it has now been decided that the revised limits up to which the Accountant General or the Comptroller concerned may up to which the Accountant General or the Comptroller concerned may pass an excess over the sanctioned estimates of a work should be 15 per cent of the amount of the estimates of a work should be 15 per cent of the amount of the estimate or Rs. 1 crore, whichever is less. The following may accordingly be substituted

for Para 2 (ii) of the letter No. W1 12(17) 46, dated the 5th March, 1948 as amended by subsequent letters referred to above.

"2(ii) The Accountant General or the comptroller concerned is empowered to pass any excess over the sanctioned estimates for a work up to a limit of 15 per cent of the amount sanctioned for the work by the Government of India or Rs. 1 Crore, whichever is less".

2. The exercise of the above enhanced power will be subject to the conditions already prescribed vide para 2 of this Ministry's letter of 20th July, 1971, namely that the excess is caused by routine factors such as increase in cost of labour or material during the period and not to the revision in the scope or enlargement of the work or of the specifications already approved. Instructions regarding rendering reports of cases where excesses have been approved by State Governments and Union Territory Administrations as contained in para 3 of this Ministry's Letter of 20th July, 1971 remain unchanged.

Built-up Spray Grout Base Course.

[Endt. No. 1536/AE4/JE3/CW/75-1, dated 10-3-1975 of the Chief Engineer. R. & B..

N.H. & C.W.. En-am Manzil, A.P., Hyderabad]

504. BUILT-UP SPRAY GROUT BASE COURSE

504.1. Description:—The work shall consist of a two layer composite construction of compacted crushed coarse aggregates with application of bituminous binder after each layer and key aggregates on the top of the second layer in accordance with requirements of these specifications and in conformity with the lines, grades and cross-sections shown on the drawings or directed by the Engineer-in-charge.

504. 2. Materials :

504.2.1. Binder :—The binder shall be straight run bitumen of a suitable grade, as directed by the Engineer-in-charge, satisfying the requirements of IS: 73, or an approval cutback.

504. 2.2. Aggregates:—The aggregates shall consist of crushed stone, crushed gravel (single) or other stones. They shall be clean, strong, durable, of fairly cubical shape and free of disintegrated pieces, organic or other deleterious matter and adherent coatings. The aggregates shall preferably be hydrophobic and of low porosity.

The aggregates shall satisfy the physical requirements set forth in Table 500-1 except that the upper limit for Los Angeles values and Aggregate Impact value shall be 50 and 40 respectively- The coarse and key aggregate for built-up spray grout shall conform to the gradings given in Table 500-4.

5043. Construction Operations :

504.3.1. Weather and Seasonal Limitations :—Built-up spray grout shall not be constructed during rainy weather, when the base is damp or wet or when the atmospheric temperature in shade is 16 degrees C or below.

504. 3.2. Preparation of base :—The base on which built-up spray grout is to be considered shall be prepared, shaped and conditioned to the specified lines, grades and cross-sections in accordance with Clause 501, as directed by the Engineer-in-charge. The surface shall be thoroughly swept and scrapped clean of dust and other foreign matter.

504.3.3. **Tack Coat;**—A tack coat complying with Clause 502 shall be applied over the base preparatory to construction of the spray grout course.

504. 3.4. **Spreading and rolling coarse aggregates for the first layer:—**
Immediately after the application oftackcoat, the coarse aggregates in a dry and clean form shall be spread uniformly and evenly at the rate of 0.5 M^3 per 10 M^2 area. The surface of the layer shall be carefully checked with templates and all high and low spots remedied by removing or adding aggregate as may be required.

Immediately after spreading the aggregates, the entire surface shall be rolled with a 8-10 tonne smooth wheeled roller. Rolling shall commence at the edges and progress towards the centre except in superelevated portions where it shall proceed from the inner edge to the outer. Each pass of the roller shall uniformly overlap not less than one third of the track made in the preceding pass.

Rolling shall be stopped before voids in the aggregate layer are closed to such an extent as to prevent free and uniform penetration of the binder.

504.3.5. **Application of binder-first spray:**—The binder shall be heated to the temperature appropriate to grade of bitumen approved by the Engineer-in-charge and sprayed on aggregate layer at the rate of 12.5 kg/IOM^2 in a uniform manner with the help of mechanical sprayers. Excessive deposits of binder caused by stopping or starting of the ' sprayers or through leakage or any other reason shall be corrected promptly.

504.3.6. **Spreading and rolling of course aggregate for the second layer:—**
Immediately after the first application of binder, the second layer of coarse aggregates shall be spread and rolled to clause 504.3.4.

504.37. **Application of binder-Second spray :**—The second aggregate layer shall then be given a binder spray at the rate of 12.5 KG/IOM^2 to clause 504.3.5.

504 3.S. **Application of key aggregate :**—Immediately after second application of the binder, key aggregates in a clean and dry state shall be spread uniformly at the rate of $0.13 \text{ M}^3/\text{IOM}^2$ so as to cover the surface completely. If necessary, the surface shall be broomed the surface application of the key aggregates. The entire surface then be rolled with a 8-10 tonne smooth wheeled roller to clause 504. 3.4. While rolling is in progress additional key aggregates, where required, shall be spread by hand. Rolling shall continue until the entire coarse is thoroughly compaced and the key shall continue until the entire coarse is thoroughly compacted and the key aggregates are firmly in position.

504.4. **Surface finish and Quality control;**—The surface finish of construction shall confirm to the requirements of clause 901.

Control on the quality of materials works shall be exercised by the Engineer-in-Charge in accordance with Clause 902.

504.5. **Arrangements for Traffic:**—The provisions of clause 105 shall apply as regards the flow of traffic during construction.

504.6. **Measurements for payment:**—Built up spray grout shall be measured as finished work in square meters.

504.7 . Rate

Clause 503.7 shall apply.

IS: 73 Specification for Road & Bridge Works.

[Endt. No. 1536/AE4/JE3/CW/75-J, dated 10-3-1975 of the Chief Engineer, R. & B., N.H. & CO., Erram Many!, A.P., Hyderabad-j

505. Surface Dressing :

505.1. Description :—This work shall consist of the application of one or two coats of surface dressing each coat consisting of a layer of bituminous binder sprayed on a base prepared previously, followed by a cover of stone chippings properly rolled to form a wearing course to the requirements of (be specification.

505.2. Materials:

505.2.1. Binder:—The binder shall be straight run bitumen of a suitable grade as directed by the Engineer-in-Charge and conforming to IS:73.

505.2.2. Stone Chippings:—The stone chippings shall consist of fairly cubical fragments of clean, hard, tough and durable rock of uniform quality throughout. These shall be obtained by crushing stone, river gravel (shingle) or other approved materials, Rounded gravel shall be used only if specifically permitted by the Engineer-in-Charge. The chippings shall be free of elongated or flaky pieces, soft or disintegrated stone, salt, alkali, vegetable matter, dust and adherent coatings. They shall conform to the quality requirements of Table 500.1.

The size of stone chippings shall be in accordance with Table 500.5. TABLE 500.5—Size

Requirements of Stone Chippings for Surface Dressing

Sl	Type of	Nominal size of	Specifications No,	construction	Stone chippings
1.	Single coat surface dressing	12 mm	100 per cent passing through 20mm or the first coat of two coat	sieve and retained on 10mm sieve. Surface dressing.	
2.	Second coat of two coat	10 nun	100 per cent passing through 12.5mm surface dressing sieve & retained on 6.3mm sieve.		

505.2.3. Quantities of materials:—The quantities of materials used for this work shall be as specified in Table-500 6.

TABLE 500.6—Quantities of Materials required for 10M¹ of Road Surface for Surface Dressing

SLNo,	Type of construction	Binder	Stone chippings
1.	Single coat surface dressing or the first coat of two coat surface dressing.	18.0 Kg.	0.15 M ³
2.	Second coat of two coat surface dressing or renewal coat-	11.0 Kg-	0.10 M

505.3. Cons (ruction Operations:

505.3.1. **Weather and Seasonable Limitations:**—The surface dressing work shall be carried on only when the atmospheric temperature in shade is 16°C or above. No bituminous material shall normally be applied when the surface of cover material is damp, when the weather is foggy or rainy, or during dust storms.

505.3.2. **Preparation of base ;**—The base on which surface dressing is to be laid shall be prepared, shaped and conditioned to the specified lines, grade and cross section in accordance with clause 501, as directed by the Engineer-in-charge. Where the existing surface shows signs of fatting up, this shall be rectified.

The surface shall be thoroughly swept and scraped clean of dust and any other extraneous matter before the spraying of binder. As necessary the cleaning shall be done first with hard brushes, then with softer brushes and finally by blowing with sacks or gunny bags.

505.3.3. **Application of binder:**—Binder shall be heated to 163° to 177°C and sprayed on the dry surface on a uniform manner preferably with the help of mechanical sprayers. Excess deposits of binder caused by stopping or starting of the sprayer or leakage or any other reason shall be suitably corrected before the stone chippings are spread.

505.3.4. **Application of stone chippings :**—Immediately after the application of binder stone chippings in a dry and clean slate, shall be spread uniformly on the surface, preferably by means of a mechanical grilter, otherwise manually, so as to cover the surface completely- If necessary, the surface shall be broomed to ensure uniform spread of chippings.

505.3.5. **Rolling:**—immediately after the application of the cover material, the entire surface shall be rolled with a 8-10 tonne smooth wheeled roller. Rolling shall commence at edges and progress towards the centre except in superclevated portions where it shall proceed from the inner edge to the outer. Each pass of the roller shall uniformly overlap not less than one-third of the track made in the preceding pass. While whatever quantities required to making up irregularities. Rolling shall continue until all aggregate particles are bedded in the binder and present a uniform closed surface-

505.3.6- **Application of second coat of surface dressing:**—Where surface dressing in two coats is specified, the second coat shall be applied immediately after laying of the first coat. The constitution operations for the second coat shall be the same as described in Clauses 505.3.3 to 505.3.5.

505.4. **Opening of Traffic:**—Traffic shall not be permitted to run on any newly surface dressed area until the following day. In special circumstances, however, the Engineer-in-Charge may open the road to traffic immediately after rolling, but in such cases its speed shall be limited to 16 Km per hour till! the following day.

505.5. **Surface Finish and Quality Control of work:**—The surface finish of construction shall conform to. the consequences of Clause 901.

Control on the quality of materials and works shall be exercised by the Engineer-in-Charge in accordance with Clause 902.

505.6- **Arrangements for Traffic:**—During the period of construction, flow of traffic shall be maintained according to Clause 105.

505.7. **Measurements for payment :**—Each coat of surface dressing shall be measured as finished work in square meters.

585.8. **Rates :**—Clause 503.7 shall apply.

Agency charges in respect of National Highway Works.

[Letter

No. N.fl. III-33 <I3)/72, Dt. 24-9-1975]

Order :—I am directed to invite a reference to the Ministry of Transport, letter No-Will (19)/ 53, dated the 28th January, 1954 under which the agency charges payable to the State Governments for execution of National-Highways works were fixed at the rate of 7-1/2% of the cost of works. Since then representations have been received from the State Governments in recent years requesting for increase in the rate of the agency charges. The matter has accordingly been carefully considered by the Government of India. Taking an over all view of Superintending Engineer and above as also increase in the volume of works, the President has been pleased to decide the existing role of agency charges ("or. National Highways works both original and maintenance works should be raised from 7 1/2% to 9 p.c.

2. The above increase in agency charges shall be admissible from 1st October, 1975 on original as well as maintenance works. Payment will be regulated with reference to the fixtures of expenditure as reflected in the monthly expenditure accounts schedule.

Section No. 28**SANCTION OF STAFF FOR MAINTENANCE OF WORKS -YARDSTICKS OF WORKLOAD****Sanction of staff for construction and maintenance works Yardsticks****Of workload - Revised Orders.**

[G.O.Ms.No. 22, Transport, Roads and Buildings (Cl) Department, Dt. 23-1-1982] Ref. :—• 1.

G.O.Ms.No. 1167, T.R.& B, Department, Dt. 27-10-1975.

2. From the Chief Engineer (R&A), Letter No.14407/77, Dt. 12-1-1981.

Order:—The Yardsticks of workload for sanction of staff for sections, sub-divisions in the Roads and Buildings, Irrigation and Civil Branch of Electricity Department were prescribed in the Government Order read above. In view of escalation in the cost of materials and labour, the Government considers that an upward revision of the workload is called for. The revised yardsticks shall, therefore, be as follows:

I. Construction:

(i) Sections :

(a) Sections dealing with major concentrated works. 5.4 lakhs - 8,1 lakhs

(b) Those dealing with major scattered works 4,1 lakhs - 6.8 lakhs

(c) Those dealing with minor scattered works 2.7 lakhs - 4.1 lakhs (ii) Sub-divisions :

Category (a) 27 lakhs - 28.0 lakhs Category (b)

16.2 lakhs - 24.3 lakhs Category (c) 13.5 lakhs - 16.2 lakhs

(iii) Divisions :	
Category (a)	138 lakhs - 135 lakhs Category (b)
67.5 lakhs - 94.5 lakhs Category (c)	54 lakhs

The workload prescribed for the divisions is for construction divisions with a strength of 4 Sub-divisions. If the workload during any year increases or falls short of the prescribed yardstick by a few lakh of rupees, there should be corresponding increase or reduction, as the case may be, in the sub-divisions attached to the divisions.

II. Maintenance:

For the maintenance sections. Sub-divisions and Divisions without other works like investigation, land acquisition, machinery and equipment, etc., being lagged on to them, the workload shall be as follows :

(i) Sections	Rs. 3.2 Lakhs - 4.7 lakhs (ii) Sub-Divisions
Rs. 16.00 lakhs - 19 lakhs (iii) Divisions	Rs. 63 lakhs

Where any of the categories of either works referred to above have also to be discharged by the maintenance Sections, Sub-divisions and Divisions, the question of sanctioning suitable extra staff will be considered by Government depending on the merits of each case-

The above orders do not apply to the Irrigation and Power and Irrigation and Power (Projects Wing) Departments. The Chief Engineers shall review the staff position on the basis of the above yardsticks and submit proposals for reduction of staff wherever necessitated in a phased manner- The staff rendered surplus may be absorbed as and when vacancies arises or new posts are sanctioned.

Section No. 29

SEIGNORAGE CHARGES

Roads and Buildings Department - Recovery of Seignorage Charges from the Bills of Contractors - Certain clarifications - Issued.

(G.O. Ms. No. 63305/Cod/91-2, Irrigation and CAD (P. W.) Depf., Dl. 8-1-1992) Hef. —1. Govt-

Memo No- 26523/Cod/91-I, dated 4-7-1991.

2- From the CE, Major, Irr., Lr. No. DCE.1/F2/81232/87-23, dated 19-12-1991,

Order:—In continuation of the memo First cited a copy of the G.O. Ms. No. 243 (Ind & Comm) Dated 8-5-1986 is sent herewith to all Chief Engineers under the Administrative Control of Irrigation and CAD including Projects Wing Department and CAD Wing to follow the instructions issued in the memo and to issue instructions to all subordinate officers to follow procedure in this regard.

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Mines and minerals - Amendment to Andhra Pradesh Minor Mineral Concession Rules, 1966 - Orders - Issued.

(G.O. Ms. No. 243, Industries and Commerce (M./V) Dept., Dt. 8-5-1986)

Ref. :— From the Director of Mines and Geology, Lr. No, 19811/S1/79, dated 16-11-1985,

Order :—In exercise of the powers conferred by sub-section I of Section 15 of Mines and Minerals (Regulation and Development) Act, 1957 (Act No. 67 of 1957) the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

Amendment

2. After sub-rule (2) of Rule 26 of Andhra Pradesh Minor Mineral Concession Rules, 1966 the following sub rules shall be inserted, namely:—

3. (i) For the purpose of ascertaining the position of payment of Mineral revenue due to the Government or for any other purpose under these rules, the person authorized under sub-rule (2) may—

(a) enter and inspect any premises ;

(b) survey and take measurements ;

(c) weigh, measure or take measurements of Stocks of Minerals ;

(d) examine any document, book, regulate or record in the possession or power of any person having the control of or connected with any mineral including the processed mineral and place marks of identification thereon and take extracts from or make copies of such document, book, register or record, and

(e) order the production of any such document, book, register record as is referred to in clause (d).

(ii) If no documentary proof is produced in token of having paid the mineral revenue due to the Government by any person who used or consumed or in possession of any mineral including the processed mineral he shall notwithstanding anything contained in sub-rule (i) be liable to pay five times of the normal Seignorage Fee as penalty in addition to normal Seignorage Fee leviable under the Rules.

Section No. 30**MINIMUM NUMBER OF CHECK MEASUREMENTS****Check measurements by Executive Engineers of Investigation Divisions Minimum number prescribed - Order - Issued.**

[G.O.Ms.No. 848, Public Works Department. Dt. 2-6-1972]

Order:—The Chief Engineer (R&B) has requested that since the investigation divisions are not in charge of execution of regular works and carry out only repair works and minor works of preserve nature the Executive Engineers in charge of these divisions may be exempted from the operation of the provision requiring the Executive Engineers P.W.D. to checkmeasure minimum number of works. The Accountant-General, A.P. has agreed to the Chief Engineer's view but suggested that the desirability of prescribing a

suitable number of checkmeasurements for the Executive Engineers of Investigation Divisions also may be considered.

The Chief Engineers have suggested that the minimum number for these Executive Engineers may be fixed at twelve in a year.

2. The Government approves the proposal of the Chief Engineers and direct that the Executive Engineers of Investigation divisions should checkmeasure at least twelve works estimate in a year. The Chief Engineer (M.I.&GI) is requested to suggest a suitable limit works costing above which, the Executive Engineers may be required to checkmeasure at least once as in the case of Executive Engineers of normal PWD. Divisions, Pending fixation of a suitable limit, the limit of Rs. 50,000/- prescribed for the Executive Engineers of normal P.W.D. Division shall be followed by the Executive Engineers of investigation division also.

Check measurement by Executive Engineers/Divl. Engineers - Minimum number - Revised Orders - Issued.

[G.O.Ms. No. 60. Public Works 'Y' Department. Dt.26-1-1973]

Ref. —1- G.O.Ms. No. 1740 PWD, Dt. 30-12-1969.

2. From the A.G., A.P. Lr, No. WHI/A15-2955 71/505/566, Dt. 4-1-71,

3. G.O.Ms. No. 848, PWD, Dt. 2-6-1972.

Order:—Orders were issued in the G.O. first read above prescribing the minimum • number of checkmeasurements to be carried out in a year by the Executive Engineers/:

Divisional Engineers as follows:

1. Executive Engineers in charge of Regular division, 36.

2. Executive Engineers in charge of Special division, 24.

2. The Accountant-General, A.P. has enquired on what basis the Project Divisions have to be classified as regular and special divisions. He has suggested that in the context of plan programme and in order to have control over execution of works, projects divisions; may be treated as regular divisions for purpose of checkmeasurement though they alit| specially created for works connected with projects.

3. The Government have examined the A.G.'s suggestions. They consider that ^ since there are investigation divisions, design divisions, quality control and inspection divisions also in the projects, all the project divisions cannot be treated as regular divisions. They also consider that the order issued in the G.O. first read above be revised doing away with the distinction between regular and special divisions. In modification of the orders issued in the G.O- first read above, they direct that their minimum number of checkmeasurements to be carried out in a year by the Executive Engineers/Divl. Engineer's incharge of construction/maintenance divisions shall be thirty six.

4. The Minimum number of 12 (twelve) checkmeasurements prescribed in G.O. Ms. No. 848, Public works Dept., dated 2-6-72 for the Executive Engineers in charge of investigation division apply to the Executive Engineers in charge of investigation and designs divisions also. However, purely design divisions are exempt along with the quality control inspection division from the operation of the rules requiring minimum number of

checkmeasurements orders issued in the G.O. third read above are deemed to have been amplified to the above extent.

5. The above orders apply to the Public Works (Projects Wing) Dept. also

Checkmeasurement of work to be done by the Executive Engineers -Instructions - Issued.

[Memo.No. 1551-1464-21, Public Works Departments, Dt 20-4-1967]

Order :—The attention of all the Chief Engineers of the Public Works Department is invited to para 294 of the Madras Public Works Departments Code and para 297 (2) of the Madras Public Works Accounts Code wherein it is laid down that the number of Checkmeasurements by the Executive Engineers should be at least 24 per annum. The Government hereby make it clear that though this number is the minimum prescribed, the Executive Engineers should checkmeasure a large number far above this minimum.

The Chief Engineers are requested to issue instructions to all the concerned subordinate officers accordingly.

Major, Medium and Minor Irrigation Projects - Check measurement of all works costing Rs. 10-00 lakhs and above by Superintending Engineers - Prescribed - Orders Issued.

(G.O. Ms. No. 389. Irrigation and CAD (PW : COD) Dept., Dt. 30-8-1990)

Ref. :— 1. G.O. Ms. No, 270, P-W.D., dated 31-8-1974.

2. G.O, Ms. No. 225/d/75-2, PWD (PW), dated 1-3-1975,

3. G.O, Ms. No, 405, Irrigation (PW) Dept., dated 14-8-1984.

4. From the Engineer-in-Chief, Letter No. DCE(1)/FI/45941/81, dated 22-11-1988,

Order :—In* the references first to third read above orders were issued that Superintending Engineers should check measure all works costing more than Rs. 5.00 lakhs at least once in each financial year irrespective of whether the work is of a Major, Medium or Minor Irrigation Project. These orders are also applicable to all regular circles in the Irrigation Department besides projects circles.

2- In the reference last read above, the Engineer-in-Chief has reported that the matter was placed before the Board of Chief Engineers and the Board of Chief Engineers have resolved in its meeting held on 22-9-1988 that the Superintending Engineers should check measure all works costing more than Rs- iO-00 lakhs at least once before the final payment is made. Accordingly the Engineer-in-Chief has sought for orders of the Government.

3. Government after careful examination of the proposal, in supersession of the orders issued in the references first to third read above, hereby order that the Superintending Engineers should check-measure all works costing Rs. 10 (Ten) lakhs and above once before final payment is made irrespective of whether the work is of a Major, Medium or Minor Irrigation Project. These orders are also applicable to all regular circles in the Irrigation Department besides Projects circles.

Major. Medium and Minor irrigation Projects - Checkmeasurement of all works costing Rs. 1 (one) lakh and above by the Executive Engineers -Prescribed - Orders - Issued.

(G.O. Ms. No. 390, irrigation and CAD (PW .• COD) Dept. Dt. 30-8-1990)

Ref. .— 1. G.O. Ms. No- 1740, P.W. (Y) Dept., dated 30-12-1969.

2. Govt. D.O. Letter No. 120/Cod/89-l, dated 30-4-1989.

3.. From the Engineer-in-Chief, Letter No. DCE.(1)/F1/45941/81, dated 22-11-1988.

Order :—In the reference 1st and 2nd read above, orders were issued that Executive Engineers/Divisional Engineer should check-measure at least once all individual works costing Rs. 50,000/- and more with certain stipulations.

2. In the reference last read above the Engineer-in-Chief has reported that the matter has been placed before the Board of Chief Engineers and the Board of Chief Engineers during the meeting held on 22-9-1988 have resolved that the monetary limit fixed to the Executive Engineers for checkmeasurement works may be increased to Rs. 2 lakhs i.e., the Executive Engineers should checkmeasure all works costing Rs. 2 lakhs and above at least once before final payment is made. Accordingly the Engineer-in-Chief has sought for orders of the Government.

3. Government after careful examination of the proposal, in supersession of the orders issued in the references 1st and 2nd read above, hereby order that the Executive Engineers incharge of regular divisions and the Executive Engineers incharge of Special Divisions should checkmeasure atleast once all individual works costing Rs. 1 lakh and above. The checkmeasurement of Executive Engineers should cover atleast 30% of the total expenditure incurred.

Section No. 31

AGREEMENT - LEVY OF STAMP DUTY

Agreements and instruments liable to stamp duty - Acceptance of the Government to pay Stamp Duty - Incorporation of a clause in the forms of agreements - Approved.

[G.O.Ms.No, 208. Public Works (Y) Department, Dt. 21-2-1972]

Order :— In the C.P.W.D. a clause to the effect that the Government have agreed to pay the stamp duty is inserted in the instruments liable to stamp duty. By insertion of such a clause, the exemption in proviso to Section (3) of the Indian Stamp Act, 1899 would be attracted and the Government would not be liable to pay the stamp duty on the instruments, The Accountant General, Andhra Pradesh has suggested that the desired ability of adopting a similar clause in the relevant agreements in the State may be considered.

2. According to clause (c) of Section 29 of Indian Stamp Act, 1899, in the case of a lease or agreement to lease, in the absence of an agreement to the contrary, the expense of providing the proper stamp duly has to be borne by the lessee or intended lessee and in the case of conveyance including reconveyance of mortgaged property, me expense of providing a clause is provided, in the instruments executed by or on behalf of or in favour of the Government that the Government have agreed to pay the stamp duty, the Government

will be exempted to bear the expenses of stamp duty by virtue of the exemption provided in clause(l) of the proviso to Section 3 of the Indian Stamp Act, 1899.

3- The Government have examined the Accountant General's suggestion in consultation with the Chief Engineers under the Public Works Department and have decided to accept it. They accordingly direct that the clause, "the Government agree to bear the stamp duty on these presents/agreements", be inserted in the instruments executed by or on behalf of or in favour of Government.

4. The Chief Engineer (Major Irrigation & General) is requested to suggest suitable draft amendments, wherever necessary, in respect of the forms of agreements prescribed in the A.P.P.W.'D' Code, etc.

5. The above orders will apply to the Public Works Department (Projects Wing) also.

Agreements - Levy of stamp duty - Clarification - Issued.

Memo.No. 493-Codn./73-8, Public Works Department. Dt. 8-11-73.

Ref. :— 1. Govt-Memo. No. 1758-Y/71.14, PWD. Dt. 13-10-1972.

2- From the Chief Engineer, N.S .Canals Lr.No. 5705-T5/56, DI- 6-5-1973.

Order :—H has been ordered in sub-para(3) of para 2 of the Government Memorandum first cited that if the parties to the dispute give an undertaking to abide by the decision of the arbitrator other document containing such undertaking shall be made on a stamped paper of the value of Rs. 2.30. The Chief Engineer, Nagarjunasagar Canals has stated that as per clause 73 of P.S. to the APDSS the award of the arbitrator is final and binding on the parties unless contested by either party of the agreements. He has, therefore, sought clarification whether a separate undertaking from the parties to the dispute need be obtained on a stamped paper worth Rs. 2.30.

It is clarified that since clause 73 of Preliminary Specifications to the APDSS forms part of the Agreement, the question of obtaining a separate undertaking on a stamped paper does not arise. The awards must be made on a stamped paper the value of which should be according to the value of claim as already stated in para 2 of the Government Memorandum first cited.

It is also clarified that if the aggrieved party goes to a court of law challenging the award, he should pay the necessary court fee.

EXECUTION OF CONTRACTS - LEASE DEEDS ON PROPER STAMP DUTY

Execution of Contracts for Execution of works and lease deeds on proper Stamp Duty - Instructions - Issued.

[G.OMs.No. 344, Irrigation (Projects Wing) Department, Dt. 7-9-S982]

Ref. :— 1. G.O-Ms.No. 525, Revenue Dept., Dt. 31-3-1974.

2. G-O.Ms.No. 2, T.R. & B. (CI) Dept., Dt 2-1-1979.

Order:—As per para 153 of A.P.P.W.D. Code, the agreements entered into with the P.W.D. (Irrigation, R&B) for execution of works are 1-6-1974 in the G.O. first cited.

An amendment to para 153 of 'D' Code was also issued by the Government in Transport, Roads & Buildings Department through the G-0. second cited.

2. In his letter third cited, the Chief Engineer, Godavary Barrage project has expressed the presumption that instructions issued in G.O. first cited are applicable to Irrigation & Power Department with effect from 2-1-1979 i.e., the date on which orders were issued amending the provisions in the P.W.D. Code, and requested the Government to clarify the position. The other Chief Engineers under the control of this Department have also reported that they were not aware of this withdrawal of exemption of stamp duly ordered in the G-0. first cited, until it was pointed out by Accountant General during the audit inspection and by the Inspector General of Registration and Stamps in January, 1980.

3. The Government after careful examination issue the following orders:

(i) The orders issued in G.O.Ms.No, 525, Revenue Department, dated 31-5-1974 came into force from date of issue. As these orders relate to statutory provisions, stamp duty has to be collected on agreements and written understanding executed on and from 1-6-1974, although the amendment to A.P.P-W, 'D' Code to para 153 was issued in G.O.Ms.No. 2, Transport, Roads & Buildings Department, dated 2-1-1979. The above orders are operative in Irrigation and Power Department, including Projects Wing.

(ii) However, in the circumstances reported in para 1 above :

(a) the past cases whenever the stamp duty has not been collected shall be opened and agreements sent to Inspector General of Registration for adjudication as required under the rules duly explaining the position;

(b) whenever the stamp duty has not been collected after the issue of G.O.Ms.No. 2, TR & B Dept., Dt. 2-1-1979 (amending A.P.P.W. -D' Code) the field officers are responsible. The specific cases where the documents could not be adjudicated as instructed by Inspector General of Registration and Stamps and those in which audit objections are pending should be submitted to Government and orders for write off of loss of Revenue caused due to non-collection of stamp duty should be obtained.

(iii) All written understandings and supplemental agreements lease deeds, etc., have also to be executed with stamp duty.

4- These instruments are applicable to Irrigation Department including Projects Wing and the Roads and Buildings Department.

Section No. 32

REVISED ESTIMATES

Powers of Chief Engineers to pass excess over estimates, acceptance of tenders, technically sanction estimates in excess of the amounts administratively approved and powers to Superintending Engineers for acceptance of tenders and to execute contracts - Revised orders and amendments - Issued.

{G.O.Ms.No. 2269, Public Works Department. Dt. 14-9-1965}

Ref. •—G.O.Ms.No- 1500, P.W.D., Dt. 11-6-1960.

Order:—In G.O.Ms.No. 1500, P.W.D., dated 11-6-1960, enhanced powers were delegated to the Chief Engineers, Superintending Engineers and Executive Engineers of the Public Works Department and Highways Department in respect of following items, among others:

- (1) Excess over estimates;
- (2) Acceptance of tenders;
- (3) Powers to technically sanction estimates in excess of the amounts administratively approved;
- (4) Curtailment of powers and Superintending Engineers for acceptance of tenders.

2. The Board of Chief Engineers considered that the powers given in favour of Chief Engineers against items (1) and (2) above have been less than those of Superintending Engineers, that the restrictions imposed on the powers of Chief Engineers to technically sanction estimates against item (3) above introduces delay and necessitates frequent references to Government even in the initial stages and that curtailment of powers of Superintending Engineers on acceptance of tenders imposed against item (4) above would defeat the object for which the enhanced powers were given. The Board, therefore, proposed enhanced powers in favour of Chief Engineers against item (1) and (2) above, restoration of powers of Chief Engineers under para 102 of the A.P.P.W.D. Code against item (3) above and restoration of powers of Superintending Engineers under A.P.P.W.D. Code. The comments of Accountant General, Andhra Pradesh have been obtained. The Chief Engineer (Major Irrigation) also submitted a report in the letter fifth cited justifying the proposals of the Board of Chief Engineers. He has incidentally stated that the words and figures "Para 417(a)" occurring in Para 422 of the A.P.P.W.D. Code, 1957 Edition, is a printer's mistake and requested that the same be corrected as "Para 417 (d)" in Para 422 of the A.P.P.W.D. Code. In his letter fifth cited, the Chief Engineer (Major Irrigation) has submitted draft amendments to the orders issued in G.O.Ms.No. 1500, P.W., dated 11-6-1960. The amendments proposed by the Chief Engineers (Major Irrigation) have been unanimously accepted by the Board of Chief Engineers subsequently. The Board also proposed that Superintending Engineers may have full powers for acceptance of agreements as per Code regardless of restrictions in the matter of acceptance of tenders in the Government Order cited above.

3. After careful examination of the proposals, the Government of Andhra Pradesh issue the following revised orders:

(1) Excess over estimates:—The Government delegate powers to Chief Engineers to pass excess over estimates as indicated below:

For works costing

- (i) up to Rs. 100 lakhs, 10 per cent subject to a monetary limit of Rs. 5 lakhs;
- (ii) above Rs. 10 lakhs, 5 per cent subject to a monetary limit of Rs. 10 lakhs.

The powers already delegated to Chief Engineers in Column 4 against item "Excess over estimates" in G.O.No. 1500, P.W., dated 11-6-1960 should be deemed to have been amended to the extent of the above said revised powers.

(2) Acceptance of tenders:—The Government delegate powers to Chief Engineers to accept for contracts for all original works and repairs up to the limit of the estimates

sanctioned by competent authority this excess as he is competent to sanction under "Excess over Estimates" namely:

(i) for works costing Rs. 100 lakhs and below, 10 per cent excess subject to a monetary limit of Rs.5 lakhs.

(ii) for works costing above Rs. 100 lakhs, 5 per cent subject to a monetary limit of Rs-10 lakhs.

The power delegated in Column 4 against item 6 "Acceptance of tenders" by Chief Engineers in G.O.Ms.No- 1500, P.W., dated 11-6-1960 are amended to the extent of the revised powers delegated above. The Chief Engineer (General) is also requested to submit draft amendments to Para 415-V of the A.P.W.D.Code with reference to the above said revised powers.

(3) Powers to technically sanction estimates in excess of the amounts administratively approved :—The Government delegate powers to Chief Engineers to exercise the powers as per Para 102 of the A.P.W.D. Code to (technically) sanction estimates in excess of the amounts administratively approved. The existing powers of Chief Engineers in Column 7 against item 7 of the G.O.Ms.No. 1500, P.W., dated 11 -6-60 are amended to the extent of the above revised powers.

(4) Curtailment of powers of Superintending Engineers for acceptance of tenders by Superintending Engineers:—The Government direct that orders in Column 7 against item 8 of G.O.Ms.No. 1500, P.W., dated 11-6-1960 should be deleted and they be substituted as follows:

"As per Para 422 of the A.P.W.D. Code read with Column 7 of item 5 of G.O.Ms.No. 1500, P.W.D., dated 11-6-1960, with the last sentence modified, as given below:

To accept tenders for contracts for all original works and repairs up to the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of paragraph 417(d). To execute contracts and piece-work agreements up to the limit of tenders accepted by competent authority, regardless of whether they have been accepted by Chief Engineers of the Government and regardless of the restrictions imposed on the powers of Superintending Engineers in the matter of acceptance of tenders provided the agreements are drawn up in Standard Forms".

Avoidance of discontinuance of proforma estimates - Instructions to prepare detailed estimates for obtaining administrative sanction.

[Memo. No. 1762 N2/68-2, Public Works Department, Dt. 25-5-1968]

Order:—To Government observes that revision of estimates for works has become a common feature in the Engineering Department and there had been occasions where the revision had been alarmingly high. In several cases new items which were not thought of, while submitting the original estimates, were included at a later stage. This indicated that the investigation was not thorough and consequently the revised cost had gone up three or four times the original cost. As a result, schemes which were taken for execution on the basis of original estimate, became a big financial liability with the considerable increase in the cost of the schemes. This has not only put a strain on the in a financial position of the State,,

but has also led to non-realization of benefits in time. Hence it is essential that estimates should be prepared on a realistic basis after proper investigation and there should be no increase in estimated cost during execution except to the extent warranted by rise in prices of materials or wages of laborers. Any increase in estimated costs would hence-forth be seriously viewed and action will be taken against the officers responsible for inadequate investigation and inaccurate preparation of estimates.

2. As the financial resources of the State are strained and it has been found difficult to meet even the committed liabilities, it is considered unnecessary to prepare a large number of rough or proforma estimates for being submitted to Government for administrative sanction. The Chief Engineers are therefore, requested to ensure that only detailed estimates are prepared before approaching the Government in respect of schemes which are proposed to be sent up to Government in respect of schemes which are proposed to be sent up to Government for administrative sanction so as to avoid large variations at the time of execution. The preparation of detailed estimates will no doubt take more time but will curb the tendency to start works without proper technical sanction and also without preparation of a detailed estimate as required under the rules. The Chief Engineers are informed that hereafter no work shall be started without preparation of a detailed estimate obtaining administrative sanction to it, except in cases of exceptionally urgent nature where a case is made out for preparation of a proforma estimate for getting approval of Government.

3. This procedure of preparation of detailed estimates for works and obtaining administrative sanction to it before commencement of works shall be tried for a period of two years from the date of issue of this Order. Thereafter, Chief Engineers should make a review and submit proposals to Government for further continuance or otherwise of the procedure-

Revised Estimates - Preparation of at appropriate time - Bringing up to the notice of competent authorities, the anticipated excess over original estimates - Regarding.

[Circular Memo.No. 6911-T5/68. Dt. 22-H-1967]

Ref. :~ This Office Circular Memo.No. 6911-T5/68, Dt. 22-11-1967.

Order —As per para 214 of A.P.W.D. Code read with G.O-Ms.No. 242, PWD. dated 11-2-1966, "a revised technical estimate must be submitted when the expenditure is likely to exceed the amount of sanctioned estimate plus such excess as can be passed by the appropriate authority for any cause whatever or when material developments or deviations necessitate revised administrative approval" and it is the duty of the Executive Engineer to see that a revised estimate is prepared and disposed of directly when the necessity arises". As per para 102 of A.P.W.D. Code as amended in G.O.Ms.No-242, P.W.D, dated 18-9-1970, revised administrative approval must be obtained before technical sanction can be accorded if in the preparation of detailed technical estimate, it is found that the cost will exceed the amount administratively approved by more than the limits prescribed by the Government from time to time for this purpose, viz., for sanctioning technical estimates in excess of administrative approval. Further Revised administrative approval should also be obtained if the expenditure incurred has exceeded or is likely to exceed the amount of original administrative approval and the technical sanction by more than the limits prescribed by the Government from time to time or when material development or deviations occur.

It is seen from many of the cases received in this Office, the Superintending Engineers are not adhering to the above codal procedure and they are submitting the revised estimates either after all the work is completed or when nearing completion. Most of the revised estimates are found to be beyond the competence of Chief Engineer to accord approval and this Office is being placed in a very embarrassing position in getting them approved by Government, due to the very reason that the revised estimates are not received in this Office in time. The Superintending Engineers are therefore requested to instruct all the Executive Engineers under their control under intimation to this Office to strictly adhere to the codal rules and ensure prompt submission of revised estimates, as submission of revised estimates after work is completed is purposeless.

The attention of all the Superintending Engineers is invited to this office Circular Memo, cited wherein instructions were issued to the effect that all Superintending Engineers should personally inspect all works in which there are violent variations in classification during execution as compared to the sanctioned estimate and certify about the correctness of the classification and variations. They were also instructed that if the variations are abnormal, they should immediately furnish a report to Chief Engineer explaining the reasons therefore and reporting as to how the excess is proposed to be met with or regularised. Such reports facilitate preparation of workslips or revised estimates, as the case may be, at the appropriate time instead of at the end or after completion of works.

It is seen that the above instruction of Chief Engineers are not being followed by the Superintending Engineers and the subordinate officers in many of the cases, with the result that a proper watch is not being kept over the large excesses over estimates. It is also seen that some Superintending Engineers while furnishing their reports over variations, are not indicating the monetary effect of variations over the sanctioned estimates. The very purpose of furnishing reports on variations is defeated if the monetary effects of variations over the sanctioned estimates are not indicated therein.

Therefore, the Superintending Engineers are requested to strictly follow the instructions issued from this Office also instruct their Subordinate Officers suitably and ensure prompt submission or report on variations.

Undue revision of estimates' - Avoidance - Instructions - Issued

[G.O.Ms.No. 62, Public Works (Y) Department, Dt. 25-1-1973]

Order:—It has been noticed that in several cases there has been undue revision of estimates for works far in excess of the original sanctioned estimates. It is observed that the revisions are mainly due to the following reasons:

(1) Improper investigation leading to:

(i) Under-estimation of quantities;
(ii) non-availability of sand, stone, etc., near the site even though it is said to be available as per investigation report.

(2) Execution of work being spread up over number of years and taking up a large number of works without considering the availability of funds, etc.

2. To avoid undue excess in the revision of estimates for works, to ensure incurring of expenditure in accordance with the budget provision and completion of works in a reasonable time, the following instructions are issued:

- (a) Works should be taken up after detailed investigation.
- (b) Total cost of works on hand should not under any circumstances exceed 3 times the budget allocation.
- (c) Works should invariably be completed in one or two seasons.
- (d) Superintending Engineers/Executive Engineers (Investigation) /should inspect the proposed/Asst. Engineer,- Works and render a certificate that they have (inv.) personally inspected the site/cana) alignments etc., and are satisfied that the estimate has been correctly prepared, the provisions made there in are adequate. Superintending Engineers must inspect all cases where the estimate is Rs-3 lakhs and above. Executive Engineers must inspect all cases where the estimate is Rs, 1 lakh and above up to Rs.3 lakhs. Assistant Engineers must inspect all cases below Rs.1 lakh.

These officers will be held personally responsible for any deviations and bad Investigation.

(e) Before according Technical sanction by competent authority. Superintending Engineers should inspect personally all works estimated to cost Rs. 3 lakhs and above, Executive Engineers should inspect all works costing Rs. 1 lakh and above up to Rs. 5 lakhs. Assistant Engineers must inspect all works below Rs. 1 lakh-

(!) If, during the inspection, if it is found that deviations are necessary, the work shall not be taken up or technical sanction accorded till the authority competent to issue the administrative approval approves the revised estimate. If any work is started or technical sanction given, the officers concerned will be held personally responsible for the same.

(g) If deviations/revision becomes inevitable, the field officers Superintending Engineers/Executive Engineers will personally ensure that revised estimates are prepared in time and sent to the authority competent to give administrative approval to the revised estimate. In case of works within the powers of Superintending Engineers/Executive Engineers no expenditure in excess of sanctioned amounts shall be incurred till the revised administrative approval is given.

In case of works where the Revised Estimate is to be approved by Government/ Chief Engineer expenditure may be incurred up to the limits of powers of officers to/subject to the condition that relevant sub-head provision in the project estimate is not exceeded only after receipt of Revised Estimate by Chief Engineer and express permission by Chief Engineer based on receipt of Revised Estimate in complete shape. No excess expenditure over and above the limits sanctioned above shall be incurred under any circumstances whatever before approval of Revised Estimate by authority competent to approve the same-

(b) The letter of credit approved by Chief Engineer to each division shall be a detailed one specifying the amount for each work. Chief Engineer should obtain information from each Divisional Engineer in the profane prescribed. No amount should be authorized by Chief Engineer for works where revised estimates are yet to be sanctioned subject to the relaxation provided in (g) above Chief Engineer should with the held of the information so obtained, ensure that there is no delay in getting revised estimate approved by competent authority.

(i) Chief Engineer should submit every quarter by 1st May 1st August/1st November/1st February a report showing the funds released by him in the profane appended to this order for the quarter ending 31st March/30th July/30th September/21st December

respectively. Chief Engineer should obtain necessary reports well in time from Superintending Engineers and submit the report to Government on due dates without fail.

The above instructions apply to minor irrigation works only.

Section No. 33

ESTIMATE AMOUNT AND TENDER PERCENTAGE - ROUNDING OF FIGURES

Arithmetical Calculation - Rounding off Figures relating to Estimate Quantities, Estimates rates.

Estimate amount and Tender percentage for evaluation of tenders - Instructions - Issued.

[G.O.Ms.No. 345. Irrigation (Projects Wing) Department. Df. 8-9-1982]

Order :—In order to simply the arithmetical calculations in the estimates of works of Irrigation Department and for ensuring uniformity, instructions were issued in the circular first read above by the Chief Engineer, N.S. Left Canals on—

- (a) rounding off the cost of each item of work at the stage of estimate;
- (b) rounding off of the estimate quantities and the estimate cost (Quantity and rate); and
- (c) rounding off of the tender percentage at the stage of evaluation of tenders for adoption in contracts.

2. As these instructions involved deviation from the existing orders and procedures, the circulars orders of the Chief engineer were ordered to be kept in abeyance, pending consideration by the Government and issue of orders. The Circular was kept in abeyance from 18-1-1978.

3. The Government, after careful examination of the matter in all its aspects, taking into consideration (a) the views of all other Chief Engineers of Irrigation Department including Projects who considered the subject at the meeting held on 24-8-1978, (b) the views of the Chief Engineer, Roads & Buildings in his letter fifth cited, and (c) the views of the Accountant General, Andhra Pradesh in his letters ninth and tenth cited, direct that the following procedures shall be followed in regard to the rounding off of the figures in arithmetical calculations in the preparation of estimates.

(1) Estimate Rates:—The finished or through rates should be rounded off as follows:

(i) *if the rate is less than Us. 5/- than to the nearest 5 paise (five).* For example 4.35 instead of 4.33 or 4.30 instead of 4.3t. Two or one to be ignored and 3 or 4 to be rounded off to 5;

(ii) *if the rate is more than Rs. 5/- but below Rs. 50/- it should be rounded off to the nearest 10(ten) paise.* That is the rate should have only one place of decimal and not two. For example Rs. 8.3 instead of Rs.8.27 and Rs. 15.2 instead of Ra.15.24;

(Hi) *If the rate is more than Rs.50/- but below Rs.1,000/- it should be rounded off to the nearest whole number.* For example Rs.89/- instead of Rs.89.45 and

Rs.486/- instead of Rs. 485-82 (Memo. No. 30, Codificatioas/81-5, IIT. (ProJects-Dept.), Dt. 23-9-82.

(iv) *Rates above Rs. IOQO/- should be rounded off to the nearest ten.* For example Rs. 1,120 instead of Rs. 1,122 and Rs. 5,630 instead of Rs. 5,628.

(2) Estimated amounts and Estimated quantities:—The estimated amounts for individual items or for the total work and the estimated quantities in the appropriate units should be rounded off as follows :

<i>Amount/Quantity</i>	<i>Rounded off la</i>	<i>Example in units</i>
(i) 3 digits or less	Nearest Whole Number	9 instead of 9.35 323 instead of 323.25
(ii) 4 digits	Nearest 10	4720 instead of 4723
(iii) 5 digits	Nearest 100	66400 instead of 66385
(iv) 6 digits	Nearest 1000	4, 23,000 instead of 423470
(v) Lakhs	Thousands	6.23 lakhs instead of 623460
(vi) Crores	Lakhs	5.44 Crores instead 5, 43, 74,500

(3) Tender Percentage :—The tender percentages for the purposes of evaluation of tenders, fixation of rates in agreements including supplemental agreements shall be rounded off to second decimal,

4. The orders in para 3 above are applicable to the Irrigation Department including Projects Wing and also to the Roads & Buildings Department.

Section No. 34

MAINTENANCE OF MACHINERY - ESTIMATES

Uniform procedure evolved for preparation of maintenance estimates for machinery - Orders - Issued.

[G.O.Ms.No. 306. Public Works Department (Projects Wing), Dt. 7-10-1964]

Ref. —G.O.Ms.No. 13, Public Works (NS) Deptt, Dt. 16-1-1961.

Order:—The Government, in their G.O, cited, constituted a Committee consisting of three Superintending Engineers of N.S. Dam and Canals Units to examine the procedure which was followed in the Nagarjunasagar Project in preparing estimates for maintenance of machinery, and to evolve a uniform procedure which can be made applicable to the units (Nagarjunasagar Dam, Nagarjunasagar right Canals and Left Bank Canals) of N.S.P.

2. The Committee after detailed analysis, of various procedures which were in vogue and the suggestions offered by the Chief Engineers of Nagarjunasagar Project evolved a new procedure for preparing estimates for maintenance of machinery as indicated in their report appended (Appendix). The Chief Engineer of Nagarjunasagar Project, generally

accepted the procedure recommended by the Committee and approved the procedure recommended, in the report subject to deletion of the provision for special repairs for the machinery from the annual maintenance estimate. The Project Working Committee also recommended that (i) the maintenance estimates of machinery should be revised based on the anticipated work loan, and (ii) that the Chief Engineers, Nagarjunasagar Project should take steps to create a repairs fund for the machinery of the Nagarjunasagar Project based on the principles stipulated in the guide book published by the Central Water and Power Commission.

3. The Government after careful consideration approve the procedure suggested by the committee, as indicated in the Appendix for preparing estimates for maintenance of machinery subject to deletion of the provision for special repairs for the machinery from the annual maintenance estimates- The Government also direct that (a) the maintenance estimates of machinery should be revised based on the anticipated work load and (b) that steps should be taken to create "Repairs Fund" for the machinery of the Nagarjunasagar Project based on the principles stipulated in the "Guide Book" published by the Central Water and Power Commission. The Chief Engineers of Nagarjunasagar Project take necessary action in this regard.

APPENDIX

Report on Uniform - Procedure for preparation of Estimates for Maintenance of Heavy Earth moving machinery in N.S. Project.

1. As per the G.O.Ms.No. 13, Dt. 16-1-61 a Committee has been constituted to examine the procedure that is being followed in the N-S.P. in the preparation of estimates and to evolve uniform procedure which will be applicable to all the three units (Dam Right and Left Canals) of the Project, The members of the Committee are:

1. The Superintending Engineer, Dam incharge of machinery.
2. The Superintending Engineer, Left Canals.
3. The Superintending Engineer, Right Canals.

The Superintending Engineer, Dam is the convenor of the Committee-

2. The Committee met on 13-1-1961, 14-3-1961, 13-11-1961, 8-2-1962 and finally on 18-8-62. As a result of detailed analysis of various procedures that are in vogue and the suggestions offered by the Chief Engineer, N.S. Dam and Canals, a new procedure has been suggested, the highlights of which are detailed below.

- (a) the procedure is applicable to earth moving machinery ;
- (b) the name of the estimate will be "Operation and Repairs"
- (c) separate estimate is to be prepared for each machine to facilitate cost accounting and maintenance of history sheets;
- (d) the provisions suggested are for one shift. When the estimate is for more than one shift, the provisions may be suitably increased keeping in view the actual number of hours the machine is likely to work during all the shifts;
- (e) the estimate will be split up into the following main sub-head—
 - (i) operation and maintenance charges,
 - (ii) tyres and tubes,

(iii) repairs and overhaul, (iv) contingencies. Each sub-head will further be divided as follows.

1. **Operation & Maintenance charges:**—This will cover the following minor heads,

- (i) Operation crew. (ii)
- Maintenance crew. (iii)
- P.O.Ls. (iv) Consumables-

(i) **Operation crew:**—Normally one operator will suffice. In case of draglines shovels and cranes working continuously. (6 hours without break) one Assistant Operator will be provide extra. Crew will be provided for all the 12 months. 5% extra provision is to be made for leave reserve and T-A.

(ii) **Maintenance Crew :**

- 1. Foreman 1/6
- 2. Machine, Grade I 1/2
- 3. TM 1/2
- 4. Helper 1
- 5. Watchman 1/2

In the case of concentrated works such as Dam, this number can be suitably reduced. The crew will be provided for 12 months of the year. 5% extra provision to be made for leave reserve and T.A. the provision for maintenance crew should not exceed 10% of the Fuel and Lubricant cost.

(iii) P.O.Ls. H.S.D. oil to be according to the H.P. of the machine as recommended by the Rates and Cost Committee. In particulars H.P. are not given in Rates and Cost Report, HSD oil will be calculated by interpolation. For lubricates cotton waste, distilled water, cost of petrol for starting engines, etc., a L.S. Provision of 50 per cent of cost of HSD oil will be made.

In case of machines run by Electric power, the following formula is applicable for working out the energy consumed.

Power in K.W. - $H.P. \times 0.746 \times 0.6-0.85$. 0.6 load

factor 0.85 efficiency,

For these machines run by Electricity, a L.S. of 20% of cost of Electric Power *rosy* be made towards lubricants ; etc.

(iv) **Consumables** :—For consumables such as Filters, wire ropes, cutting edges, bucket teeth including rebuilding of cutting edges and buckets teeth, etc., the following percentage on the cost of fuel oil is to be provided.

30% of fuel cost for shovels and draglines,

20% of fuel cost for scrappers. 10% of fuel cost for dumpers
and tractors and Graders.

2. **Tyres and Tubes** :—For estimate purposes, it is considered that one change of tyres is necessary per year considering the Held and temperature conditions. An allowance of 10 per cent may be added for repairs.

3. **Repairs and Overhauls**;—For major repairs the recommendations given in the guide book on transfer of equipment of CW & PC.No. 80 should be adopted. The life of the machine is also to be adopted from the above book. For machinery not included in the above book, the Chief Engineer, Dam and Chief Engineer, Canals may fix the life as mutually agreed upon. As regards field repairs provisions should be based on the recommendations made in the report of plaint and machinery committee subject to the limitation of 30% to 50% as indicated in the seventh Seminar held at Bangalore.

In case a group of machines are working at one place, it may facilitate payment of salaries servicing, etc., if a working estimate is prepared clubbing the provisions under these heads in the operation and maintenance of these machines and approving the same for Nil amount.

Section No. 35

ENGINEERING DEGREE - A.M.I.E.

Recognition of Sections 'A' and 'B' of A.M.I.E. of Institution of Engineers (India) as equivalent to B.E. Degree.

[G.O.Ms.No. 260. P.W.D., Dt. 1-2-65]

Order:—After careful re-examination of the question of recognition of a pass in Sections 'A' and 'B' of the Associate Membership Examination of the Institution of Engineers (India) as equipment to B.E. Degree, me Government in modification of the orders in G.O.Ms.No. 4245, P.W.D., dated 21-10-1952 and in cancellation of the orders in G.O.Ms.No. 297, P.W.D., dated 10-2-64, direct, that a pass in sections -A' and 'B' of the Associate Membership examination conducted by the Institution of Engineers (India) be recognised as equivalent to the B.E. Degree Examination-

Section No. 36

WATER REGULATION RULES PERTAINING TO IRRIGATION IN GODAVARI DELTAS

Rules for Irrigation of lands and instructions for distribution and regulation of water supply in the Western, Eastern and Central Deltas of the Godavari during first and second crops seasons - Revision of - Draft Notification and revised schedules for II Crop areas - Approved.

[G.O.Ms.No. 140. Public Works Department. Dt. 19-1-1962]

Ref. •— 1. G.O.Ms.No. 1353, LP.W, & H, Dt. 24-6-1934.

2. G.O.Ms.No- 2012, PWD (Irrigation), Dt. 24-9-1943.

3. O.O.Ms.No- 1926, PWD. Dt. 6-8-1959.
4. G.O.Ms.No. 2628, P.W.D., DI, 29-10-1960.
5. G.O.Ms.No. 3150, PWD. Dt. 6-12-1960.
6. G.O.Ms.No, 2376, P.W.D. Dt. 13-10-1961.

Order:—In the G.Os, 1st and 2nd read above, certain rules for the irrigation of lands in the Godavari Western Delta and Eastern and Central Deltas respectively, and also certain executive instructions were approved. Subsequently, owing to the achievement of increased irrigation facilities and growing demand of the Public for inclusion of additional extents of land for irrigation in the above three deltas of the Godavari, the Government have recently undertaken the task of comprehensive localisation of second crop ayacut in the above area with the special staff appointed for the purpose. Consequently the localisation was done and revised schedules have been prepared by the local officers on the basis of certain localisation principles approved by the Government in the G.Os, 3rd, 4th and 6th read above. The Schedules have been ordered in the G.O. 5th read above, to be brought into force with effect from the second crop season commencing from January, 1962 (i.e. from the 2nd crop season of F. 1371).

2. With reference to the instructions issued in para 4 of the 0.0,5 th read above the Board of Revenue has submitted with its reference last read above for approval of the Government and for arranging publication in the Gazette, a draft notification containing revised draft rules for the irrigation of lands in the Western, Eastern and Central Deltas of the Godavari and draft instructions for the distribution and regulation of water supply during the first and second crop seasons in those deltas together with revised draft localisation schedules for second crop areas as finalized and approved after considering them at the meeting of the State Irrigation Department Board held on 30th November, 1961 and on 1st and 2nd December, 1961 to be brought into force with effect from 1-1-1962, in supersession of the existing localisation rules, etc., notified in the G.Os. 1st and 2nd read above.

The Government consider that the executive instructions for the distribution and regulation of water supply during the first and second crop seasons in the three Godavari Deltas contained in Appendix II of the Draft Notification submitted by the Board of Revenue, should be omitted from the notification to be published in the Gazette as their inclusion in the said notification may be regarded as giving them the same statutory force as the rules for irrigation and therefore direct that those executive instructions contained in Appendix II and all other references relating to them be omitted from the draft notification. The draft notification is accordingly recast by the Government and appended to this order.

4. The Government also approve the executive instructions appended to this Order which are not meant for publication in the Gazette.

5. The Government direct the Director, Government Printing Press, Hyderabad to arrange publication in the Andhra Pradesh Gazette of the draft notification appended and the revised draft schedules of II Crop areas referred to in para 2 above, enclosed to this order before 30-4-1962 positively.

APPENDIX

The following draft of certain rules which it is proposed to make with effect from the 1st January, 1962 in exercise of the powers conferred by Section 1 of the Andhra

Pradesh, (Andhra Area) Irrigation Cess Act, 1865 (Act VII of 1865) is hereby published in the Andhra Pradesh Gazette and the East and West Godavari District Gazettes for general information as required by Section 3 of the Andhra Pradesh (Andhra Area) Irrigation Cess (Amendment) Act V of 1900.

Notice is hereby given that the draft will be taken into consideration after 15-3-1962, and that any objection or suggestion which may be received from any person with respect thereto before the said date will be considered by the Government of Andhra Pradesh. Objections and Suggestions should be addressed to me Secretary to Government, Public Works Department, Hyderabad.

RULES

Rules for the irrigation of lands in the Godavari Western, Eastern Central Deltas

1. (1) These rules shall apply in respect of all irrigation in the Godavari Western, Eastern and Central Delta with canal water.

(2) They shall come into force with effect from the second crop season of fails 1371 commencing from the 1st January, 1962 in supersession of the existing localisation rules notified in G.O.Ms.No. 1353, Public Works Department, dated 24-6-1934 of Western Delta and in G.O.Ms-No. 2012, Public Works Department (Irrigation), dated 24-9-1943 for the Eastern and Central Deltas.

2. For the purpose of these rules:

(a) "*authorised source*" means in respect of any land (1) the pipe, sluice, or spout mentioned in the ayacut register as the source of supply of water for the irrigation of such land, and (2) where such land is not shown against any source in the ayacut register, any pipe, sluice or spout assigned for the time being as the source of irrigation of such land by the Executive Engineer or such other officer as may be empowered by him in this behalf;

(b) "*ayacut register*", means register showing the survey number of lands and the extent and the sources of irrigation thereof which has been or may be, prepared by or under the orders of the Executive Engineer and approved by the District Collector;

(c) "*dry land*", means any land not being "wet land" as defined in clause(k) below;

(d) "*Executive Engineer*", means the Executive Engineer or other officer of the Public Works Department in charge of the Godavari Eastern Central and Western deltas as the case may be;

(e) "*first crop season*" shall be deemed to commence on the date of the annual reopening of the canals and to end with the 31st December following;

(f) "*permanent Zone*" means the area specified in Part II of Schedule A under the heading "permanent Zone" (Vide Appendix - 1) ;

(g) "*rotational zone*" means the area specified in part II of Schedule A under the heading 'rotational Zone' (Vide Appendix - 2).

(h) "*Schedule*" means a schedule appended to these rules- ^

(i) "*second crop season*", shall be deemed to commence on the 1st January and to end when after the date of the annual closure of the canals, water ceases to flow in the canals, and channels;

(3) "*seed bed tank*" means a tank used solely for raising seed beds;

(k) "*wet land*" means the land mentioned in the ayacut register of an authorised source as being eligible for irrigation of any Government Source; and

(l) "*year*" means the fails year,

3. Water for the irrigation of any land may be taken only from its authorised source and only made available therein, provided that no such water shall be taken by bailing except under the orders of the Executive Engineer.

4.(1) Notwithstanding anything contained in rules II, III and IV of the rules for the levy of water cess contained in Appendix I-B to Board's Standing Order No. 4, paragraph 2, water may be taken for the irrigation of the lands mentioned in paragraph (a) of Schedule A and in Schedules B and C, without any applications therefor, subject to the conditions specified in relevant rules and schedules.

(2) No water shall be taken for any land not included in the ayacut register of an authorised source. Any application for water may be entertained for irrigation in the first crop season only.

(3) (a) Lands included in Part I (a) of Schedule A may take water for irrigation in the first crop season in any year.

(b) Lands included in Part I (b) of Schedule A may take water for irrigation in the first-crop season only in the year shown in the accepted water application and subject to the conditions specified in relevant rules and schedules.

(c) Lands included in Part (II) of Schedule A may take water for irrigation in the second-crop season.

(i) if in the permanent Zone, every year;

(ii) if in the rotational Zone, only in the year or years specified in the lists of the lands in such zone in Appendix 2.

(iii) any lands not falling either in the permanent or in the rotational zone shall not be irrigated in the second crop season under any circumstances, unless they are included in either Schedule B or Schedule C or entitled to the concession under Rule 5 in which case the relevant rule shall apply. Lands included in the rotational Zone shall not be irrigated in the second crop season during non-turn years.

(d) Lands included in Part I(b) of Schedule A may take water for irrigation in the second crop season in accordance with the rules relevant to the Zone permanent or rotational in which the land is situated.

(e) Lands included in Schedule B may take water for irrigation once in ten days in the first and second crop seasons.

(f) Lands included in Part I of Schedule C may take water for irrigation in the first crop season once in ten days.

(g) Lands included in part II of Schedule C may take water for irrigation in the second crop season once in ten days.

(i) in the Eastern and Western deltas up to the 15th March, and

(ii) in the Central Delta, up to the 15th March, or if water continues to flow over the anicut shutters after that date, up to the date on which water ceases as to flow or up to the 15th March, whichever is earlier.

General note in Rules 4(iii) (a) to (g). Land included in more than one Schedule may take water under the rules applicable to any of the Schedules in which it is included.

5. Lands included in Part I of Schedule A may take water in any year for any of the purposes mentioned in column (i) of the table below during the period specified in the corresponding entry in column (ii) thereof, provided that this rule shall not effect adversely the rights of irrigation conferred by Rule 4.

Purpose for which water required	Period during which water may be taken
1. Stubble decomposition	From the date on which the first crop is harvested to the 1st March following.
2. Washing sand or salinity.	From the 15th November, to the 15th February, following.
3. Green manure and fodder crops.	From the beginning of the first-crop season to the 1st March following.
4. Raising seed beds in second	Up to the end of February and from a date fourteen crop
seals on	days before the date notified as the commencement of the annual,
closure of canals and until water ceases to flow in the Canals and Channels.	

6. Notwithstanding anything in the foregoing rules:

(1) the District Collector, may, in any year, for special reasons, by notification in the District Gazette, permit any land specified in such notification to take water for irrigation during the second crop season, subject to such conditions as may be specified in the notification ;

(2) the District Collector may at any time, by notification in the District Gazette, direct that any land included in Parts I(b) and II of Schedule A, in Schedule B, or in Schedule C shall not take water for irrigation during any year or during any period of years not exceeding five either in the first crop or the second crop season or in both the seasons, or in any specified part of those seasons, either absolutely or in such circumstances as may be specified in the notification ;

(3) the Executive Engineer, or in cases of emergency, any subordinate officer of the public works Department in charge of water regulation and not lower in rank than an Overseer, shall have power :

(a) to regulate the distribution of water in any manner he thinks fit and to close any canal, channel or source of irrigation for that purpose; and

(b) to close any canal, channel or source of irrigation—

(i) for the purpose of carrying out any repairs or other works;

(ii) if there were exists in his opinion any emergency occurs for such closure; and

(4) the Government reserve the right, with or without reasons when:

(a) to discontinue, either temporarily or permanently, the supply of water—

(i) in the first crop season to any land other than registered wet land, and

(ii) in the second crop season to any land other than wet land registered as irrigable only in the second crop season and not in the first crop season.

(b) to transfer any land from any Schedule or part of a Schedule to another Schedule or part of a Schedule.

SCHEDULE –

A

Part 1: Irrigation in the first crop season.

(a) Areas which may be irrigated only in the year or years specified in the accepted water applications.

All wet lands in the delta.

(b) Areas which may be irrigated only in the year or years specified in the accepted water applications.

All dry lands of which irrigation is permitted on accepted water applications from year to year.

Part II: Irrigation in the second crop season.

(i) permanent zone lands which may be irrigated in the second crop season in all Years-vide Appendix-1.

(ii) rational zone.

All lands which may be irrigated in the second crop season only in the year or years specified in Appendix-2.

Note:—Water will not be ordinarily available for the irrigation of these lands after the 15th April -

SCHEDULE – B

Irrigation in both the first and second crop season

All wet and dry lands which are irrigable from authorised sources situated within the reaches of the canals and channels specified in Appendix 3.

SCHEDULE - C Part I : Irrigation in the first crop

season.

All wet and dry lands in the delta on which dry irrigated crops are raised. Part II :

Irrigation in the second crop season.

All wet and dry lands which are irrigable from sources situated within the reaches of the canals and channels specified in Appendix 4.

APPENDICES

- (1) Part II(i) of Schedule A.
- (2) Part II(ii) of Schedule A.
- (3) Schedule B,
- (4) Part II of Schedule C.

INSTRUCTIONS FOR THE DISTRIBUTION AND REGULATION OF WATER SUPPLY IN THE THREE GODAVARI DELTAS DURING FIRST AND SECOND CROP SEASONS**Part I - General**

The Executive Engineer will regulate the supply at the Canal heads and at such other points as he decides on. The Sub Divisional Officer will regulate the supply in the Canals and distribution in his charge under the general supervision of the Executive Engineer. It will be the duty of the Sub Divisional Officer to telephone to the Executive Engineer when the supply is insufficient, or when due to heavy rains and low lands being submerged or other causes, supply has to be reduced and to keep him constantly informed regarding the irrigation requirements of the delta.

2. The General aim in regulation should be the distribution of the available supply to the different channels without preference, in proportion to the areas irrigated, in cases where distributaries are run on internal turns, a proportionate supply will be passed through the channel head and this must be distributed to the lands by internal turns. No dam planks or cross bunds will be allowed in such channels during the first crop season until first July in the case of Central Delta and 15th July in the case of cross bund must be filed and notified by the Sub Divisional Officer after obtaining the approval of the Executive Engineer in writing. Copies of this list of sanctioned turns must be in the hands of the Section Officer and of the Munsif of each village irrigated by such channels. No departure from the turns shall be permitted without the sanction of the Executive Engineer in writing and the Section Officers and Village Massifs should be intimated of such alteration at least 24 hours in advance of such turns,

3. It shall be the duty of every Village Massif and Revenue Officer to assist the P.W.D. in preventing unauthorized dams or cross bunds in the channels or open cuts or enlarged holes under their jurisdictions. They should bring such irregularities to the notice of the nearest Section Officer.

4. If, however, it should become necessary on account of special circumstances such as law or inadequate supplies to get requisite command or any other sufficient reason to resort to turns not specifically authorised by the Executive Engineer, the Section Officer should inform the Sub-Divisional Officer immediately by telephone and obtain orders from him for the temporary arrangements to be adopted. The Sub-Divisional Officer should without delay send a copy of his orders authorizing such turns to the Executive Engineer. The turns should at the same time be intimated to the Village Officers concerned for publication in the villages. In cases of great urgency where immediate telephonic orders cannot be obtained but there is imminent danger of failure of crops or danger is apprehended the Section Officer will act on his own initiative, pending approval of the Sub-divisional Officer but should immediately report his action for the orders of the Sub-divisional Officer. We should in such cases notify the Village Officers also of his action without delay.

5. If the arrangements provided in para 4 above, inadequate to meet the requirements, turns, by reaches, of canals may be arranged. But such turns should not be introduced without the previous sanction of the Executive Engineer. These orders may when necessary be obtained by telephone but should always be confirmed in writing.

6. Unauthorized insertion of temporary spout or pipes or making cuts in canal or channel banks for taking water from the canal or channel or draining adjustment land into a canal or channel is prohibited and should not normally be permitted- In cases of extreme urgency the Executive Engineer may by a written order permit either for a specified period of time. Spout shall be removed and cut, made good within the period specified.

7. Water may be taken for filling the drinking water and seed bed tanks at any time during the first crop season and during the last fortnight of the second crop seasons before the closure of the canals as notified for the particular delta for the year in the District Gazette.

Note:—Drinking water tanks shall always have preference over seed bed tanks.

8. For the purpose of the rules in Appendix I the expression "Irrigation" shall include irrigation of green manure crops, for washing sound or salinity and for stubble decomposition.

9. Notwithstanding anything in the foregoing instruction, the Executive Engineer has full powers temporarily to suspend or modify any or all the above instructions with or without assigning any reasons and 10 take such action as may be deemed necessary for the safety of the delta and to secure equitable distribution of irrigation water. The Executive Engineer will inform the Collector of any material change he proposes to make or in the case of urgency has already made in the method of distribution with reasons thereon.

Part II - First Crop Season Only

10. On the opening of the canal, the Sub Divisional Officer will see that the lock-weirs are fully opened and the water is passed down to the tail reaches and that the canals are filled from the lower reaches upwards. This will take probably from 36 to 48 hours, Channels in any reach should not be opened until the canal in the reach is filled to F.S.L. at the regulator immediately below it, until a full supply discharge for the next reach has been sent down.

11. Water, when available, will be supplied in the first crop season for the irrigation of the lands in part I of Schedule A, Schedule B and Part I of Schedule C and for other purpose as mentioned in the rules.

12. Transplantation from 15th June or early freshes to the end of August:—Water will not ordinarily be supplied for transplantation until after 15th June, but every endeavour will be made to supply water for transplantation as soon as it can be made available. Ryots rising early seeding from tanks will do so at their own risk.

As soon as full supply is received in the main canal, the arrangements provided for in para 13 below will cease, and water will as far as practicable, be supplied proportionately to all channels. The maximum and ordinary full supply depth below the head sluice of the distributaries will be determined by the Sub Divisional Officer under the supervision of the Executive Engineer and when once approved by the Executive Engineer, they should not be altered without his specific sanction in writing. These levels will be marked in the rear of distributaries head sluices. In particular cases where new saline lands are being brought under cultivation and excess supply may be allowed under the written orders of the Executive Engineer.

13. Seed beds in the early part of the Irrigation season, i.e., prior 15th June, water will as a rule be supplied first for seed beds and garden crops. As the water will be low arrangements for the supply of water to seed beds and garden crops will be allowing suitable turns to sluices. These turns will be fixed and notified by the Sub-Divisional Officer under the general supervision of the Executive Engineer. They should be notified to the Village Officer before they are brought into force with a view to secure wide publicity.

14. Irrigation by baling direct from the canals or channels is ordinarily prohibited. The Executive Engineer, however, may permit baling when water supply is low for watering seed beds only. A suitable cash deposit should be taken to cover the cost of making good any damage to banks that may occur before granting the permission,

15. Prior to 15th June, the Sub-Divisional Officer may allow cross bunds for wetting seed beds and garden crops in distributaries on payment of a deposit not exceeding Rs. 150, but it must be clearly understood that such bunds must be removed by 15th June.

Part III - Second Crop Season Only

16. (a) So long as the level of the river does not exceed the top of the shutters of the Anicut, the available supplies will be distributed in the proportion of 180 :80 :90 to the Godavari, Western, Central and Eastern Deltas respectively up to and inclusive of 15th March, every year. From 16th March, to 15th April if absolutely required, the supply to Central Delta may be increased by 20% over its quota drawing proportionately from the other two deltas. Thereafter until the closure of canals, the supplies will be on the basis of 180: 90 between Godavari Western and Godavari Eastern Deltas.

(b) Water when available will be supplied in the second crop season to lands in part II of Schedule A, Schedule B and part II of Schedule C and for other purposes mentioned in the rules.

Part IV - General

17. Ayacut and pipe registers and water reports:—Each Section Officer should maintain up to-date lists of sanctioned pipes; ayacut registers and block sheets for the distributaries under his charge. He should similarly keep a copy of the Gazette notification publishing the Schedules A, B and C appended to these rules. No deviation from the size and position of the pipes will be allowed except under the written orders of the Executive Engineer. The authorized ayacut and pipes registers should be maintained up-to-date, quoting the authority for the changes, if any made therein.

18. The Village Karnam of each village, irrigated by the system will be supplied by the Executive Engineer, with an ayacut register, a list of turns allowed at all dams and cross bunds for the distributor channels in his village limits and a copy of the Gazette notification containing the Schedules A, B and C appended to these rules. They will be open for reference by the interested riots.

19. The power conferred on the Collector under Rule 6(1) will be exercised by him on consultation with the Executive Engineer particularly as regards availability of supplies.

20. The power conferred on the Section Officer under Rule 6(2) shall not be exercised by him so long as the Sub-Divisional Officer is available on the spot or over a telephone line in working order at the time.

21. The following procedure will be followed for obtaining Government sanction for any amendments of Schedules A, B and C. The Executive Engineer will send the proposals to the collector at the same time as he sends them to the Superintending Engineer, The Collector, will a tier enquiry, if necessary, submit the proposals to the Board of Revenue; and the Superintending Engineer to the Chief Engineer for irrigation. The Board of Revenue and Chief Engineer will submit their proposals to the Government through the State Irrigation Development Board whose recommendation Government will pass final orders.

22. *Daily water reports*:—In order that the Executive Engineer may be kept informed of the level of water in the various reaches of the canals telephonic reports will be sent early morning from all sections in the delta, giving the gauge readings at all locks, escapes, important head sluices and selected points in the canal system. Daily water reports in the prescribed form, will also be sent to the Executive Engineer, Sub-Divisional Officer and Section Officer concerned. These reports should be kept with the Executive Engineer, Sub-Divisional and Section Officer neatly filled for a month. They may be destroyed after a full year-

23. Each Section Officer will maintain a special Note book for noting the readings of the gauges at such sluices, locks, lock weirs and surplus weirs, as he may visit during the day in order to serve as a check on the readings entered in the daily report forms. The Executive Engineer and the Sub-Divisional Officer during their inspection will make a point for noting down the readings and the heights to which the shutters are raised at masonry works and will compare them with the figures recorded in the daily water reports. Surprise visits should be made and a constant check of the amount of water going down each distributary thus maintained.

24. *Irrigation Registers* :—The Division Officer will on receipt of the daily reports, check as many as possible calculations of discharge and will then write up the irrigation registers from the daily water reports. This should be done regularly every day. The Executive Engineer shall inspect the registers frequently and finally record the reports at the end of every month. The Irrigation Registers will thus be a permanent record of the water down the canals and distributaries every day and will enable the Executive Engineer to regulate the supply according to requirements and to rectify or inquire into the irregularities that may come to his notice.

Section No. 37

REGISTER FOR COMPONENT WORKS, BRIDGES & FOR LANDS ACQUIRED BY PWD

(G.O.Ms.No. 913, PWD, Dt. 25-6-1973]

Order :—The Government have decided to make a provision in the PWD' Code for maintenance of register of component parts in respect of Irrigation Department in the form appended to this order (Appendix I) which is reported to be maintained at present as per Chief Engineer's circular, dated 19-11-1912. They have also decided to make provision for maintenance of a register of bridges in respect of the Roads & Buildings Department in the form appended to this order (Appendix II). They further direct that a register of lands acquired for the Public Works Department be maintained in the Public works Department Divisions in the form prescribed in (Appendix III) to this order-

APPENDIX—I Register of Component Works

Distance from a :—Length head d Not e of el-	Position Right (R) Left (L) Across (X) (2)	Name and Description of work	Reduced levels	
			Bed	(a) MWL (b) FSL (c) LWL
		Canals, channels or channels aqua ducts	Sill	FSL Front
		Drops and canal falls	Sill, crest or floor	MFL or MWL (a) above (b) below
		Sluices or syphons		
		Anicut, surplus weirs, outlets, inlets, scouring cluices, drainage works, bridges and regulators		
		Tanks (3)	FTL (4)	MWL (5)
Reduced levels		Dimensions in feet		
		K.L.S.	C.H.S.	
Top of bank or parapet	(a) Bed width Bed fall	(b) Side slopes channel	Dimension in feet	Slopes Bank
Bed below FS rear L	Length (a) At still (b) At top	Height of opening vent or notch	Width of top of bank	— ^ (a) Front (b) Rear
Bed below for iation level m	(a) width of van ad of opening (b) width of rot		Length overall	Number of openings or vents
			Rise of arch	Height of
Top of bund (6)	Slope of bund, front	Slope of bund, rear	Width top of bund (9)	Height of revetment above FTL ; (10) ^
	(7)	(8)		

Areas irrigable catchment drainage	Discharge or capacities in m.c.ft.	Remarks	
		<i>Note:</i> —In the case of drops and canal falls, the dimensions required for cols. 7 8 and 9 are shown in the sketch.	
Imgiable area in acres	At la) MWL (b) FSL (c) LWL	Col. (9)	
Drainage, square miles		Col. (6) Col. (8)	
(a) Irrigable ayacut acres	At FSL	Col. (7) In Col. 8 under height of opening .in case of sluices, bridges, etc., should be given height of rectangular vent of height to springing of arch or the bottom of girder as the case may be- In Col. 11 Tanks, the free and combined catchment areas should be given thus : 1.4F or free, (b) 14.2C or combines.	
Catchment, sq. miles	(b) At (a) MWL or MFL (b) Value of -C' in Ryves' formula		
(11)	Capacity at FTL (12)	(13)	

APPENDIX—11**Register of Bridges**

(Conversion Table for converting Kilometers into Miles to be attached)

Sl. No.	Distance from terminus in Kms. (which should be particularised)	Name of the River	Type of the Bridge
(1)	(2)	(3)	(4)
No. and length of clear spans or (size of opening in metres)	Length Of Bridge, face to face at abutments in metres	Clear width of roadway between kerbs in metres	Nature of (a)» river bed ; (b) foundation sub-soil; (c) foundation
(5)	(6)	(7)	(8)

Sub-structure (top width of piers in metres)	Condition of abutments wings and approach slabs to be provided	Whether the and recorded if floor level are the bridge	the float exceeded the for which is designed	Construction Employed
(9)	(10)	(11)	(12)	(13)

Construction Employed

A. Arch Bridges				B. Deck Bridges		
Thickness at Crown in Centimetres	Thickness at Haunches in Centimetres	Nature of material of Beams	Size of Beams in Centi metres	Type of Deck	Thickness of Decking in Cms.	Nature of truss
(14)	(15)	(16)	(17)	(18)	(19)	(20)

Construction Employed

C Through Bridges			Girder	Prestressed Concrete Bridges		
Height of Truss in Metres	Nature of Cross Beams Cms.	Size of Beams (22)	Cross Beams (23)	Type of Deck (24)	Thickness of pretressing (25)	Type of Decking employed (26)
(21)						

Construction Employed

Prestressed Concrete Bridge		Vertical Measurements			
		Heights	metres	spans in Metres	
Type of bearing and condition (27)	Decking and wearing surface (28)	Parapets and Hand rails	Training works if any	Sill level to HFL in	Sill level to Sffite of Super structure at the centre of
		(29)	(30)	(31)	(32)

 Vertical Measurements

 Heights Depths

Sill level to Road Crown in Metres (33)	Sill level to lowest bed or bridge floor, if any in Metres (34)	Sill level to top of parapet in Metres (35)	Sill level to base of construction foundations in Metres (36)	Year of (37)

Cost		Hydraulic data		
Cost of bridge proper (38)	Cost of Total training cost works (39) (40)	Class of Leading for which the bridge is designed (41)	Catchment area in square Kms. (42)	Discharge in Litres/ Second (43)

 Symbols Used

Special Damage and cost of Re

Remarks: *Particulars of any*

1. B.L. Brick in Lime

B.C- Brick in Concrete

2. R.C. Reinforced Concrete

3. A.L. Ashatar in Lime

R.L. Rubble in Lime

4. M.C. Mass Concrete

5. L.C. Lime Concrete

6. B.T. Black Top

APPENDIX—111 Register of Land acquired for the P.W.D. in the Division

SL No.	No. of the irk for	Whether the work Authority Taluka is Centra!	No. & Village (6)
we	h taken up	Date State and Head under which of Account taken up (3)	
whit (2)	(4) (5)		
0)			

Whether	Particulars of Land Required		
Ryotwari or			
Inam or	Boundaries and SLNo.		
Zamindari (7)	North (8)	East South West Name of field (9) (10) (11) (12)	Description Dry or Wet (13)

Area	Name of	Estimated Value Fifteen	Total
Acres	owner of		compensation
(14)	occupier	percent Land, Wells,	payable
	(15)	Total addition House, trees etc. (15-A) (16)	(17)

No- & Date of ward statement (18)	No. of covering letter (19)	i Amount of Compensation Total paid for Paid for wells, land Bids-, trees, etc. (20) (21) (22)	No. and date of vouchers (23) ^
			s

Date of transfer of land	Remarks ^ (24) (25)

Section No. 38**SUPPLEMENTAL AGREEMENTS - WHO HAS TO ACCEPT?****Acceptance of supplemental agreements by an authority lower than the one which accepted the original agreement - Propriety of - Instructions.**

[Memorandum No. 5473-QI/60-I9. Dl. 15-7-1963]

Order:—The Accountant General, Andhra Pradesh, Hyderabad, brought to notice of Government that er he has been objecting lo the acceptance by a lower authority of a supplemental agreement pertaining to an agreement accepted by a higher authority. He, requested that the Government might examine the legal position and issue suitable instructions.

2. On the point raised by the Accountant General, the Government are advised as follows:

When a Superintending Engineer or an Executive Engineer enters into an agreement officially he purports to do so on behalf of the Government. The contract will bind the Government if the requirements of Article 299 of the Constitution are satisfied. This is to say, the Contracts require (a) to be expressed to be made by the Governor, and (b) to be executed on behalf of Governor, (c) to be executed by Officers duly appointed in that behalf and in such manner as the Governor may direct or authorize- Article 299 does not however prescribe any particular mode in which authority must be conferred. Normally no doubt, such confinement will be by notification in the Official Gazette but there is nothing in the article itself to produce authorisation being conferred *ad hoc* on any person and when that is established, the requirements of the Article must be held to be satisfied.

3. Having regard to the above legal position in both the Superintending Engineer and the Executive Engineer have been authorised under Article 299 either by a notified order or otherwise, there can be no objection to the Supplemental agreement being executed by the Executive Engineer even if the original agreement was executed by Superintending Engineer provided the requirements of Article 299 of the Constitution and the conditions subject to which it should be exercised, are satisfied. In fact, item (5) of G.O.Ms.No, 1632, G.A., (Ser-C), dated 24-10-1958 lays down that the authorisation is made subject to any limit fixed by departmental order. So, the authority can execute the agreements subject to the instructions in the P.W.D. Manual, If he acts in disregard of the instructions the Government will not be bound by the agreement.

4. The Government therefore direct that the officers authorised to execute agreements on behalf of the Government should exercise their authority subject to the instructions issued in para 103 of the P-W.D. Manual. The C.Es. are requested to issue suitable instructions to their subordinate officers.

Acceptance of supplemental agreements by an authority lower than the one which accepted the original agreement - Further instructions - Issued.

[Lr.No./467-y 65-9, P.W. Department. Dt. 8-7-68]

Ref. :— 1. Govt Memo. No-5473-Qi/60-19, PW, Dl. 15-7-63.

2. Govl. Lr.No. 310-Y/64-3, PW. I, Dt. 12-1-65 it the Accountant General, Andhra Pradesh, Hyderabad.

3. From the A.G., A-P., Lr.No. WM. I/A/15, 73/64-65/141, Dt. 26-6-65,
4. From the A.G., A.P., Lr.No. WMI/A/15/73/65-66/601, Dt. 15-12-65. .

Order:—In your letters third and fourth cited the following points are raised :

1. Whether only an officer competent to contract in the first instance is empowered to agree to modification of contract for the simple reason that only parties to a contract can modify it under Section 62 of the Contract Act, and whether a distinction is intended between the modifications to the original agreements and execution of supplemental agreement.
 2. Whether the exact import of the word "thereafter" occurring in the *first* sentence of Govt. Memo.No. 310-Y-64-3, PW, Dt. 12-1-65 was that the execution of supplemental agreement could be made only after obtaining the approval for the rates, items, qualities etc., of the authority who approved the original agreement.
 3. If the lower authorities are entrusted with powers of accepting supplemental agreements for the work for which original agreement was accepted by higher authority, higher rates might be paid without bringing it to the notice of the latter.
 4. Whether in the case of contracts when the value of the original agreement together with the value of supplemental agreements exceeds the financial powers of the authority which accepted the original agreement or in the cases where actual value of work done for a contract entered into by a lower authority exceeds the limit up to which he can enter into contracts it would be necessary for the competent authority to sign afresh the original agreement, or a revised agreement for increased value, as the case may be.
- The Government have examined carefully the issues raised above. The Government are advised as below:
^

Para 1(1) above :—According to para 176(e) of PWD Code, in all cases of extra items of work which are not covered by the original agreement, the Executive Engineer, has no powers to order their execution when the revised estimate or deviation statement requires the sanction of a higher authority. It follows therefore, that the Executive Engineer, is competent to order execution of extra or additional items of work (by concluding supplemental agreements) in the cases where revised estimate or deviation statement does not involve approval by higher authority. So it follows that even though the original agreement might have been accepted by higher authority the lower authority can order execution of extra or additional items of work (by concluding supplemental agreement) so long as it does not involve sanction of revised estimate or deviation statement by higher authority. Hence the supplemental agreements can be executed by lower authority, even though the original agreement was accepted by higher authority subject to the limits fixed in para 176(c) of the A.P.W.'D' Code.

Para 1(2) above:—In view of the position in the preceding para, the Government hereby cancel the Government Letter No. 310-Y-64-3, P.W., dated 12-1-1965.

Para 1(3) above :—In Government letter No.25-Y/64-4, P.W., dated 29-6-68, the principle to be adopted in regard to the entrustment of works to contractors on nomination and entrustment of certain supplemental items to the original contractors on nomination j were laid down.

Para 1(4) above :—The matter is receiving the attention of the Government)
further clarificatory orders will be issued separately,

Supplemental items - Execution by the original contractors' inclusion of special condition in the tender documents - K2 Contractors - Instructions - Issued.

[Circular No. F I (2)/63601/66-27, 28-9-68]

Order:—Instances have come to the notice of Chief Engineer (Major Irrigation and General) to the effect that the contractors are refusing to execute supplemental items at the estimate rates or the rates worked out by the department on the protest that they are not workable. In such cases it becomes a problem for the department to secure another agency for executing the portion of work covered by supplemental items only. Sufficient provisions in K2 contracts were not available binding the contractor of the main work to execute the supplemental items.

2. However, the Board of Chief Engineers consider that the supplemental items should be treated as incidental and the contractor should necessarily carry out such items—Further it is felt that when he could carry out the main work in subsequent years while the rates are raising he can with equal facility carry out the supplemental items as well.

3. Hence the Board of Chief Engineers consider it desirable to introduce a special condition in the additional conditions of the contract binding the contractors to execute the additional items of work that may be found necessary during the course of execution. The special condition as detailed below should be enclosed as additional condition forming part of tender documents.

Additional condition to be enclosed to tender schedules and agreements (K-2).

"The contractor is bound to execute all supplemental works that are found essential, incidental and inevitable during execution of main work at the rates to be worked out as detailed below :

(i) For items directly deductible from similar items in the agreement the rate shall be derived by adding or subtracting the cost of cement or steel, etc.

(ii) For new items which do not correspond to any of them in the agreement the new rate should be estimate rate plus or minus the percentage excess or deficit of the accepted tender as compared to estimate. The estimate rate means, the rate for any item worked out as per the schedule of rates prevailing at the time of acceptance of original **tender**".

Acceptance of supplemental agreements by an authority lower than the one which accepted the original agreement - Further clarification - Issued.

[Letter No. 1767-Y/68-7. P.W.D., Dt. 25-8-1969]

Ref. :— I. Govt. Menw. No. 5473-QI/60-19, PWD. Dt. 15-7-63.

2. Govt. LT. NO. 310-Y/64-4. PWD. Dt. 12-1-1965.

3. Govt. Memo- No. 1467 Y/65-9, Dt. 8-7-1968.

4. Your Lr. No. WMI/A/15-73/6I-69/602, Dt. 31-7-1968.

Order:—The Government letter second cited was cancelled in Government letter No. 1467 Y/65-9, PWD., Dt. 8-7-1968

As regards the other point raised in your letter last cited that para 103 of the C.P.W.D. Manual is based on the provisions of the Contract Act which are also applicable to this State and that it is not beyond doubt that the instructions issued in the Government Memo. third cited are not in accordance with the spirit of Section 62 of the Contract Act, the matter has been examined in detail in consultation with the Law Department.

The Government are advised that the instruments executed by the Officers of the Government under Art. 299(1) have to comply with three mandatory requirements of the article that the contract has (a) to be expressed to be made by the Governor, (b) to be executed on behalf of the Governor, and (c) to be executed by the officers duly appointed in that behalf and in such manner as the Governor directs or authorises. In item 5 of the order issued in G.O.Ms.No. 1632, G.A., dated 24-10-1958, both the Superintending Engineers and Divisional Engineers (Executive Engineers) have been authorised to execute agreements on behalf of the Governor subject to the limitations fixed by the departmental orders and referred to in the Memo. of 1968 above. Under Art. 299(1) it is the Governor who enters into contracts and assurances of property in respect of PWD, works, and not the various officers of the Government who are duly authorised under Art- 299(1) to execute and sign such agreements in accordance with the limitations prescribed by the Governor, having regard to the value and magnitude of such P.W.D. works. Therefore, only the Governor is a party to the contract or assurance of property and not the various officers (Engineers) of the Public Works Department who in the manner stated execute and sign it on behalf of the Governor. Consequently, the Chief Engineer or Superintending Engineer who has executed and signed the original contract or agreement on behalf of the Governor relating to execution of a work need not, under law, execute and sign the supplemental agreement, which may be signed by any subordinate Engineer duly authorized in this behalf. The original and supplemental agreements will be binding on and enforceable against the Governor on the one part, and the contractor on the other, and not the engineer of the PWD, who had executed and signed such agreements on behalf of the Governor,

The scope of Section 62 was explained in the three illustrations given under that section. One of the parties to the contract made in the exercise of the executive power of the State and executed on behalf of the Governor under Art. 299(1) continues to be the Governor alone, but not any of the various officers authorised by him to execute the contracts on any of the various officers authorised by him to execute the contracts on his behalf, whenever they executed the original agreement or supplemental agreement. Section 62 merely specifies the circumstances or conditions when the original contract need not be performed by substitution, rescission or alteration of the contract. It does not prohibit the execution of a supplemental agreement relating to the execution of a work by an engineer different from the engineer who executed the original contract on behalf of the Governor when one of the parties to the contract is the Governor nor alone. Any Engineer who is duly authorised by the Governor under Art. 299(1), can agree with the contract, by executing a supplemental contract, to substitute a new contract or rescind or alter the original contract subject to the limitations specified in the departmental orders including obtaining previous sanction or approval of the higher authority for revision of rates, etc., even though the original contract was executed by some other authorised engineer on behalf of the Governor,

In the above circumstances, the Government consider that the instructions contained in the Govt. Memo. third cited are not in any way inconsistent with Section 62 of the Contract Act, 1872, but based on Art. 299(i) of the Constitution.

Supplemental agreements - Acceptance of an authority lower than the authority which accepted the original agreement - Further instructions - Issued

[Letter No. 310-Y/64-3, Public Works Department. Dt. 2-1-1965] Ref. :—Government Memo. No. 5473-Q/1/60-19, Dt. 15-7-1963.

Order:—In continuation of the instructions issued in the Government Memorandum cited, I am directed to state that the modifications to the original agreement have to be approved by the authority, who approved the original agreement and thereafter the supplemental agreement can be entered into by the lower authority if the value of that agreement is within the powers delegated to the lower authority to accept a tender although the supplemental agreement forms part of the original agreement. If the value of the supplemental agreement exceeds that monetary value, it should be submitted to the higher authority; who originally accepted the agreement. I am therefore to state that the supplemental agreements, the value of which is within the powers of Executive Engineer can be signed by the Executive Engineer.

Section No. 39

PIECEWORK AGREEMENTS - SCOPE OF

Piecework Agreement - K2/form - Scope of conditions 4-5 of the Piecework Agreement.

{Memo.No. 445- Y/67-1, Public Works Department, Dt. 11-4-1967}

Ref. :— 1, From the C.E. (GL) Madras, Memo.No. 3265/AC/41/CP, dated 11-9-1941.

2. From the C.E. (GL) Circular Memo.No, 4430-WVs/45-3, dated 9-10-1946.

3. From the F.A. & C.A.O., N.S. Project Lr.No. 12925/A57/FA2, Dt. 16-4-1957.

4. From the C.E. Lr.No-1 Re Acl (3)-3 5 81/5 7-46, Dt. 15-12-1965.

Order:—The attention of the C.E. (GL) is invited to the reference cited and he is informed that the Government are advised on the two points as indicated hereunder :

1. Whether condition 4 of the conditions of agreement appended to the tender notice relating to the piecework contractor, authorizing the Executive Engineer or any other P.W.D. Officer authorised by him, to put an end to the agreement at his option at any time, is valid.

2. Whether condition 5 of the above conditions which empowers an Executive Engineer or other officer authorised by him, to impose any fine for slow progress piece work is valid when no time for performance of the work is specified under the contract.

2. **Point (I) above:—**A piece work contract has to be executed in writing by a person duly authorised by the Governor and the contract should be expressed to be made by the Governor and be executed on his behalf as required by Article 299(1) of the Constitution. If it is not so executed and the contract is made in contravention of Article 299(1) then the contract is void and unenforceable. If a piece work contract duly executed on behalf of the Governor as required by Article 299(1) contains a specific provision as

[DCODE-411

that in condition 4 of the conditions attached to the tender notice, then the Governor can enforce the provision therein.

The agreement between the parties may give option to one of the parties to revoke it at his discretion, as provided in condition 4 of the conditions attached to the tender notice. Such a condition is valid and binding. The Executive Engineer or other officer authorised by him may, in the lawful exercise of his rights, determine the agreement at any time, without being answerable to the other party in damages by reason of lawful exercise of such powers.

Point (2) above:—Condition 5 of the conditions attached to the tender notice for piece work contract empowers the Executive Engineer or any other officer authorised by him to impose fine on the contractor up to 5% of the value of the completed work, for slow progress of work. It is stated that piece work is (hat which involves a payment for work done at stipulated rates only, without reference to total quantity or time. It follows that in a piece work contract, no fine for performance of the work will be specified. In such a case the contract must be performed by the contractor within a reasonable time as required by Section 46 of the contract. The question what is reasonable time is in each particular case, a question of fact. In a piece work contract, officer specified in condition 5 has to objectively determine, in each particular case of piece work contract, as to what is the reasonable time required for the complete performance of the work. If he considers that a particular work is not likely to be completed within the reasonable time determined by him, then he may impose the penalty as provided in conditions 5 for slow progress of work, after giving the contractor an opportunity of representation as to why such penalty should not be imposed, as required by the principle of natural justice. Such a condition to impose penalty is subject to Section 74 of the Contract Act, 1872, under which the Government are entitled to receive from the party who has broken the contract a reasonable compensation not exceeding the penalty specified therein. It is the duty of the court to determine reasonable compensation in each case, having due regard to all the circumstances of the case and to make good actual loss or damage which naturally arose as the consequence of breach of contract in the usual course of things, or which the parties knew when they made the contract to be likely to result from the breach.

3. Regarding Paras 3 (b) and (d) of the letter third cited, the Government are advised as follows:—

Paragraph 3(b) of the letter of F.A. & C.A.O., N.S.P.

The doubt of the Financial Adviser of the Nagarjunasagar Control Board is as to how it can be inferred in a piece work contract that the contractor should be considered to have contracted for executing the entire work as given in the Schedule on pain of forfeiture of deposit. It is laid down in paragraph 150 of the Public Works Department Code that in piece work contracts the piece worker merely agrees to execute a specified work at specified rates without reference to quantity or time. The conditions of the contract and the security to be taken from the piece worker for the due fulfillment of the contract are set forth in the form of the Tender Notice. The Department arranges for the Supervision, setting and measuring of all work and the piece work system is ordinarily confined to works costing not more than Rs. 2,500/-. Condition 1 of the Tender Notice, which forms part of the Contract, states that the competent authority shall within a period of two months from the date of acceptance of the agreement give to the contractor full and complete particulars of the work to be done hereunder. Public Works Department is requested to

5. The Chief Engineer (General) is Therefore requested to offer his remarks on the need for revision of Chief Engineer (General)'s instructions, whether condition 4 & 5 of the conditions of piece work agreement may be amended and if so, to suggest suitable amendments for consideration of Government-

Execution of Works by piece work arrangements - Fixation of monetary limit, etc. - Regarding.

[Letter No. 316-Y/67-I7, P.W.D. Dt. 4-5-1968]

Ref. :— 1. Your letter No. NMI/A/1-2/66-67/1015, Dt. 13-2-1967. 2. Your letter No. WM I/A/1-2/6 6-6 7/759, Dt. 15-12-1967.

Order:—In para 5(i) of the G.O.Ms.No. 1689, PWD. dated 13-7-1966, discretion was given to the departmental officers on a permanent basis to adopt K-2 or L.S. Contract forms and to adopt piece work system also in the case of works costing over Rs.2,500/- The following disadvantages in adopting K-2 forms of contract for works involving substantial amounts were pointed out by you from time to time :

(1) Time factor which is the essence of L.S. Contract is not provided in the K-2 form resulting in delay in execution of works and consequential loss to Government by way of indirect loss of revenue to Govt. etc.

(2) Employment of technical personnel by the contractors in respect of works costing over Rs-]0,000/- as contemplated in clause 18 of Appendix I to the M-D.S.S. (i.e., Tender Notice of L.S. Contracts) in respect of L.S. Contracts is not provided in the K-2 contracts even though the form is adopted for works costing more than Rs. 1 lakh or so.

(3) K-2 form does not contemplate of levy of penalty for abandonment of work and delay in execution by the contractors.

2. The points raised by you and the proposals of the Chief Engineer (Major Irrigation & General) in his letter fourth cited were examined in detail and the Government were advised as below :

1. **Fixation of monetary limit:**—It is not the value of contract for the work that should determine whether the contract should be in L.S. or K-2 but it is the nature of work. Further, in the case of L.S. Contracts, all the designs and drawings and estimates of the work are to be thorough and complete. Therefore, the L.S. contract could be adopted in such cases only where the designs, specifications and estimates are complete and thorough. The value of work may be high or small. For other works where they are likely to be wide variations ii designs or quantities due to the nature of work, K-2 contract in more suitable, In the above, circumstances it is considered that monetary limits need not be fixed for adoption of K-2 form of contract,

2. **Employment of technical Staff :**—The Rule 2(b) of the rules for registration as contractors provides for the employment of qualified engineers by I, II and III class contractors irrespective of the form of contract. Hence no specific provisions is necessary in the K-2 contracts in this regard.

3. **Penalty clause;**—Clauses 60(a) of P-S. to M.D.S.S- provide for penalisation by imposing penalties up to 10% in the case of L.S. Contracts whereas it is limited to 5% in the case of K-2 contracts. This provisions appears to be sufficient. Clause 6! Of P.S. Ip

Clarify whether in giving such complete particulars of the work to be done the competent authority shall not give full quantity of the work to be executed,

Paragraph 3(d) of the letter of the F.A. and Chief Accountant Officer, Nagarjunasagar Project.

If, as in the present case, the agreement between the parties gives option to one of the parties to revoke the agreement at his discretion for non-performance, such clause is valid-vide para 2(1) above.

4. With reference to the clarification sought in para 3(b) above, it was pointed out that the quantities indicated in the tender schedule are only approximate, that it is not possible to specify the actual quantity in any item of work and that all the items of work together with the approximate quantities are indicated in the tender schedule. Thereupon the Government are further advised as follows:

The tender notice and the schedule thereto no doubt form part of the contract between the Government and the piece work contractor- But, merely by reason of the incorporation of that schedule in the piece work agreement it cannot be said that the contractor has undertaken to do the entire quantity of work specified in that schedule. That is because paragraph 4 of the tender notice, which also forms part of the piece work agreement, makes it clear that the quantity mentioned against each item in the schedule is only approximate and that quantities are given in the schedule only with a view to enable the tenderer to quote his overall rate for each item of work specified in the schedule. But condition No. 1 of the piece work agreement casts an obligation upon the contractor to execute with due diligence the entire work as per the particulars that shall be furnished to him by the competent authority of the department within a period of two months from the date of acceptance of the Agreement. The particulars of the works so furnished by the competent authority of the department would, it is presumed include the quantity of work to be executed by the contractor. If as presumed, the quantity of work is also included in the particulars furnished by the competent authority of the department in pursuance of condition No. 1 of the agreement and it is more or less the same as the quantity specified in the schedule annexed to the tender notice then the legal obligation of the contractor to do the entire work arises, not by reason of the specification of the quantity in the tender schedule, but by reason of the inclusion of more or less the same quantity of work in the particulars furnished by the competent authority of the department to the contractor for execution of the work in pursuance to condition No. 1 of the piece work agreement. In other words, the contractor shall be deemed to have undertaken to execute the entire quantity of work by reason of the same being included in the particulars furnished by the competent authority in pursuance of condition No. 1 of the piece work agreement and not by reason of specification of that work in the schedule to the tender notice, though the tender notice and the schedule there to no doubt form part of the contract. If, in any specific case, the particulars furnished by the competent authority in pursuance of condition No. 1,1 of the piece work agreement do not include the quantity of work mentioned against any of the items in the tender schedule then that the contract cannot be deemed to have contracted to do that particular quantity of work merely by reason of specifications of that quantity in the schedule because the schedule by itself does not cast an obligation upon the contractor to execute the quantities of work specified therein.

It has been suggested that the advice referred to above necessitates the revision of the instruction issued by the Chief Engineer (PWD) General in the letter first cited.

M.D-S.S. provides for penalties in respect of abandonment of work by the contractors, etc. It is not necessary to include similar provisions in K-2 contracts as the unilateral powers of the departmental officers for termination of the contract and the provision for the imposition of penalty up to 5% of the value of the completed work for slow progress as per conditions 4 and 5 of the piece work agreement are considered adequate.

4. Time factor:—Unlike the L.S- Contracts (the K-2 contracts can be terminated unilaterally by the Departmental Officers at their option (vide condition 4 of the piece work agreement form). Clause 27(c) of the P.S. to M.D.S.S. provides for the action to be taken against the contractors in case of bad work or defective quality of material. The contractor can be fined according to condition 5 of the piece work agreement form. The above provisions are considered adequate and no modifications to the K-2 form are considered necessary.

5. Arbitration Clause :—The feasibility of incorporating a clause in the K-2 form of contract making provision for arbitration as in the case of L.S. Contract is under examination of the Government and orders in this regard will issue in due course.

Section No. 40

AMOUNT TO BE WITHHELD AT PAYMENT OF FINAL BILL

PAYMENT FOR INTERMEDIATE WORKS - INSTRUCTIONS

Fixation of rates for items of work in excess of quantities in Schedule A to Agreements - Payment for intermediate work - Instructions - Issued.

[G.O.Ms.No. 1871, Public Works (Y) Dept. Dt. 17-12-1971] Ref. —G.O-Ms-No. 1493, PWD. Dt. 25-10-1971.

Order:—It is noticed that in respect of certain works rate for an individual item was provided in the Agreement which is far in excess of the estimated rate for that item. Also the quantity actually executed in respect of the same work was far in excess as compared to the quantity indicated in the Agreement Schedule. For example in case of a work pertaining to restoration of tank while the estimated rate for an item is Rs. 8.82 per unit. the accepted and included in the agreement was Rs- 150.00 per unit- Similarly while the quantity to be executed as per estimate was 6 units in respect of the same item, the quantity actually executed was 297 Units resulting in undue benefit to the Contractor both in the rate fixed and the execution of actual quantity.

2. In order to avoid such irregularities involving undue and avoidable financial commitment, the Government consider that it is desirable to fix up rates for items of works to be executed in excess of quantity indicated in Schedule-A to the Agreements- The following instructions are accordingly issued :

(i) For all items of works in excess of the quantities shown in Schedule "A" of the tenders, the rate payable for such items shall be either tender rates or S.S. rates for the items plus or minus overall tender excess accepted by the competent authority whichever is less. The S.S. rates means the rates with which the estimate is prepared for comparing the tenders. G.O.Ms. No. 1493, PWD, Dt. 25-10-71 stands amended to the above extent.

AMENDMENT

(ii) "For all items of work the quoted rates of which are high, intermediate payments will be made provisionally at the estimate rate plus or minus overall tender percentagae. Full accepted agreement rates will be paid only after all the items of works are completed. The tender accepting authority will decide the exact items the rates of which are considered to be high for the purpose of the above clause and his decision shall be final and binding on the Contractor". (Memo. No, 544/Codn./72-22, PWD, DL. 6-7-1973)

3. The Government, also direct that suitable clauses incorporating the above instructions be included in the tender schedules and agreements. The proportional rate shall be so worked out as to safeguard the interests of Government.

Section No. 41**EMPLOYMENT OF TECHNICAL PERSONS BY CONTRACTORS****Employment of technical persons by contractors.**

[G.O-Ms. No. 158, PWD. Dt. 21-2-1975]

Order:—The Government considered the Accountant General's suggestion in consultation with the Chief Engineers (Major Irrigation & General), etc., and issues the following orders.

In the case of both L.S. and K2 contractors of Rs. 50,000/- and above in value, the Contractor, irrespective of his class shall be required to employ as towards technical personnel on the concerned works at his own cost, whether technical skill is required or not.

Cost of works	Scale of Technical Staff
From Rs. 50,000/-to Rs. 1 lakhs	One ITI Candidate between Rs. 1 lakh and 5 lakhs
Diploma Holder	One
Between Rs. 5 lakhs and 15 lakhs	One Graduate Engineer or One Diploma Holders.
Above 15 lakhs	One Graduate Engineer and Two Diploma Holders.

The appointment of staff shall be on full time basis and they shall be available at work site, whenever required by the engineer-in-charge to take instructions.

In case on failure of the contractor to employ technical staff as above, recovery shall be made from his bills at the following rates.

Costs of works	Rate of Recovery P.M.
Between Rs. 50,000 and Rs. 1 lakh	Rs. 200/-Between Rs. 1 lakh and Rs. 5 lakhs
Rs. 400/-	

Between Rs.5lakhs and Rs.15 lakhs Rs.600/- over Rs.1.5lakhs Rs. 1
 over**ENTERING INTO K2 AGREEMENTS PENDING ACCEPTANCE OF LS AGREEMENTS**
Entering into K2 agreements pending acceptance of LS Agreements, incorporation of
escalation clause in provisional K2 agreements - Revised Clause - Approved.

[G.O.Ms.No. 631. Public Works Department, Dt. 3-6-1975]

Ref. :— 1. G.O.Ms.No. 1748. PWD., Dt. 20-8-63.

2. From the A.G., A.P.Lr.No. W/B/137, Dt. 31-1-64.

3- From the A.G., A.P.Lr.No. WM I/A/15-103/66-67/495, Dt. 20-10-66.

4. From the C.E. (MI & GL) Lr.No- FI(1/55289/61, Dt. 19-6-70.

Order:—hi the Government Order first read above an Escalation Clause was prescribed for incorporation in K2 agreements to be provisionally entered into pending acceptance of LS agreements. On grounds of urgency it may be necessary to enter into some agreements and take up execution of works pending formal execution of contracts and it may not be possible to execute LS contracts for want of detailed plans, delay in finalisation of quantities, approval of LS tenders, etc- Hence a clause was ordered to be incorporated in the K2 agreements provisionally entered into providing for their conversion into LS agreements.

2. The Accountant General, Andhra Pradesh has pointed out that the Clause does not safeguard the interests of the Government in the event of the contractor backing out of the contract especially when the eventual terms of the contract are not attractive enough to him.

3. The Government have examined the points raised by the Accountant General, Andhra Pradesh in consultation with the Chief Engineer (Major Ir. & Gl.) etc., and approved the following revised clause for incorporation in provisional K2 agreements-

"The contract being a provisional agreement will stand superseded on entering into LS agreement. All the work under this contract will be treated as part of LS agreement and acted on accordingly. If the contractor fails to conclude the LS agreement within two weeks from the date of receipt of the notice, from the Department it will entail forfeiture of earnest money and the cost of the work done. Further, the contractor is liable to reimburse the extra cost included, if any, by the Department in completing the balance work".

4. The Chief Engineer (Major Irrign. & Gl.) is requested to suggest suitable amendments to the APDSS-

Section No. 43**AMBIGUITY IN AGREEMENT CLAUSES - CLARITY IN EXPRESSION**

[Memo.No. 1502-GV (I) 81-10, Irrigation (Projects Wing) Dept., Dt. 14-9-1982]

Order:—An instance has come to the notice of the Government wherein a Chief Engineer has reported that there is some ambiguity in the agreement wording for the trestle bund with regard to mode of measurement leading to scope for different interpretations, This shows that the agreement was not worded carefully by the Department-

2. The Chief Engineers under the administrative control of Irrigation (PW) Department are informed that according to para 152 of A-P.P.W.D. Code, the terms of contract must be precise and definite and that there must be no room for ambiguity or misconstruction thereon- No contract involving an uncertain or indefinite liability or any conditions of an unusual character should be entered into without the previous consent of the competent financial authority. It is necessary that agreements with contractors are carefully worded by the Engineers before they are entered into.

3. All the Chief Engineers under the administrative control of Irrigation (Project Wing) Department are therefore, requested to verify the contract agreements thoroughly before they are entered into and satisfy themselves about the technical contents of the contract and its precise nature, leaving no scope for ambiguity in interpretation later. Such certificate should be added to the copies of the agreements.

Section No. 44**AGRICULTURAL MARKET COMMITTEES - EXECUTION OF WORKS**

Execution of works by the Agricultural Market Committees - Detailed procedure to be followed - Instructions - Issued.

[G.O.-Ms.No. 426, Food and Agriculture (Agri. IV) Dept., Dt. 4-8-1980] Ref. :— I.

G.O.Ms.No. 143, Food and Agriculture (Agri. IV) Dept., Dt. 6-2-1974.

2. G.O.Rt.No. 1762, Food and Agriculture (Agri. IV) Dept., Dt. 16-9-1976.

3. G-O.Rt.No. 195, Food and Agriculture (Agri. IV) Dept., Dt. 4-2-1977.

Order:—Under Rule 87(2) of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Rules, 1969 and in supersession of the Government Orders read above, the Government prescribes the procedure as laid down in the Annexure to this order to be followed by all Agricultural Market Committees in the State, while calling tenders for and in execution of works by the Committees.

ANNEXURE

Under Rule 87(2) of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Rules, 1969 the Government of Andhra Pradesh prescribes the following procedure for calling of Tenders and execution of works by the Agricultural Market Committees:

I. Preparation of Plans and Estimates:

(a) The Market Committee shall propose works as per the norms laid down by the Director of Marketing from time to time either from out of its available savings or out of loans or out of grant-in-aid by December of each year in order to consider inclusion in the Budget of the next year-

(b) The Plans of such works shall generally be in accordance with the type designs duly approved by Director of Marketing.

(c) Plans and estimates for the works proposed to be carried out by the Market Committee shall be prepared by the technical person working under the Market Committee or in the Marketing Department.

(d) All the estimates of works shall be in conformity with the specifications of schedule of items of works detailed in APDSS or those in application in the Public Works Department.

(e) Where a Market Committee is to employ a private Architect for preparing designs, working plans, etc., for buildings estimated to cost over Rupees One Lakh it may do so with the prior approval of the Director of Marketing and pay only such centage charges as are sanctioned by the Director of Marketing, after executing a necessary agreement.

(f) The schedule of rates shall be in accordance with those prescribed for the place by the Public Works Department from time to time.

II. Technical Sanction:—Technical sanction to all the original works or repairs shall be accorded by the Engineering personnel of Department of Marketing according to the instructions of the Director of Marketing from time to time.

III. Administrative Sanction :—Market Committees shall obtain Administrative sanction from Director of Marketing for all works costing Rs. 5,000/- and more before tenders are called for.

IV, Procedure for Calling Tenders :

(a) Tenders shall be invited only after approval of (he Tender Schedules by the Asst. Engineer (Marketing) or Asst. Engineer (Agricultural Marketing Committee) concerned. Tenders in sealed covers shall be invited by the Secretary, Market Committee in such forms as may be specified by the Director of Marketing and in the most open and public manner in respect of all original works and repairs which are to be executed on contract from all the registered contractors of Marketing Department, Public Works Department and Zillah Parishads, the estimated cost of which exceeds Rs. 2,500/-, whereas works up to Rs. 2,500/- shall be let out on nomination basis within the sanctioned estimated rates.

b) Schedule for inviting Tenders.

No. of Newspapers in SL invited	Value of work	which Tenders to be	Time Schedule No.

1. Up to Rs. 10, 00, 000	One each in English Costal	15 days from the date of publication.	and Tehigu in

- (a) All tenders, the value of which is Rs. 50,000/- and below may be examined and decided by the Agricultural Market Committee, provided the offers are within the estimated rates.

(b) In respect of all other works costing above Rs. 50,000/-, the tenders shall be forwarded for obtaining the approval of the Director of Marketing.

(c) Normally the Agricultural Market Committee should accept the lowest tender. Where the Market Committee prefers to accept higher tender, but within the estimated rates, a reference should be made to the Director of Marketing to seek prior approval.

(d) In case the lowest tender received is higher than 10% of the estimated rate, the Agricultural Market Committee shall then recall tender under intimation to the Director.

(e) The Director may sanction tenders if the tendered rate is within 10 per cent of the estimate and if the tendered rate is above 10% of the estimate, the Director of Marketing shall seek sanction of the Government.

(f) In case of exigency or urgency the Director of Marketing either on his own motion or at the request of the Agricultural Market Committee let out works costing not more than Rs. 25,000/- on nomination basis of registered contractors.

(g) In respect of any individual item of overall tender, the offer shall not exceed the percentages stipulated by the Chief Engineer (R&P) or Chief Engineer (General) from time to time.

(h) (1) All agreement bonds shall normally be executed in K2 form for the works costing below Rs. 20,000/- and in L.S. form for the works above Rs. 20,000/-:

Provided that considering the exigencies the Director of Marketing may issue orders to execute agreement in K2 form instead of L.S. The preformed K2 and L.S. agreements shall be in forms communicated by Director of Marketing separately in this behalf.

(2) All agreements shall be drawn up between Contractor and the Market Committee represented by Chairman, Market Committee and two members of Market Committee as per Section 11 of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966 on non-judicial stamp paper. On execution of the Agreement, plans, specifications and detailed estimates duly attested by Chairman, Market Committee, two other members and Contractor, shall be furnished to the Contractor and his acknowledgement obtained.

VI. Execution and Check Measurements of works and Payment by the Market Committee.

(a) The Mark out given by the contractors shall be checked by the technical person of Agricultural Market Committee or the Marketing Department.

(b) All works shall be executed under the technical guidance of the Overseer or Supervisor of the Market Committee or the technical persons of the concerned Assistant Engineer's Office. The Asst. Engineer shall not check measure the item of works and the Secretary shall not make payment in respect of works done in deviation of the plan and estimate unless approved by the Director of Marketing.

(c) There shall be no deviation from the estimates and plans sanctioned by Director of Marketing. In case any deviation is necessary, prior approval of Director of Marketing shall be taken furnishing all the necessary information and work slip.

(d) A measurement book shall be maintained in which the quantity of work done shall be measured and recorded by the Overseer or Supervisor of the Market Committee or in their absence the Overseer or the Supervisor of the office of the Asst. Director of Marketing or Office of the Assistant Engineer concerned.

(e) The Secretary shall not make any payment to the contractors without getting the measurements, recorded in the Measurement Book by a technical person. Pending check measurement by Asst. Engineer, the Market Committee can make payment to the extent of 60 per cent of work done on a running bill on the responsibility of Market Committee wherever the Asst. Engineer has not been able to check measure the work or works within 15 days from the date of informing the Asst. Engineer concerned either through Certificate of posting or Telegram:

Provided that no such payment shall be made in respect of fittings, foundation of building or of laying RCC roofing.

(f) No final Bill shall be paid without the Check measurements, by the Asst-Engineer or Executive Engineer, as the case may be.

(g) The Secretary with the help of the Accountants shall check up the calculations and prepare the Bill according to the tendered rates of Contractor after the measurements are check-measured by the concerned Asst. Engineer. In respect of any supplemental item by way of deviation payment shall be made on the basis of rates approved by Director of Marketing.

(h) The foundations shall be filled under the supervision of the concerned Asst. Engineer.

(i) The Asst. Engineer concerned shall inspect the works at the stage of foundation, lintal level, roof level and at final stage on intimation by the Market Committee.

(j) A deduction of 7½ per cent of the value of the work done shall be made as security deposit (as retention money) on all bills payable in case of L.S. Contracts. In respect of K2 Contractors security (retention money) to be held shall not be less than 5 per cent of the value of the work done. Such deductions shall be adjusted and included for payment in the final bill on completion of the work-

(k) The Market Committee shall preserve the check measurements Books for a period of ten years and destroy them with due approval of the Director of Marketing.

VII. The Director of Marketing may issue instructions from time to time either in respect of works of a committee or committees as may be deemed necessary for execution of works in a proper manner.

Agri. Market Committee - Execution of works - Allotment of works to members of Schedule Castes and Scheduled Tribes - Orders - Issued.

[G.O.Ms.No. 564. Food & Agriculture (Agri. IV) Dept., Dt. 23-9-1978]

Ref. :— 1. G.O.Ms.No- 290, TR & B, Dt. 20-4-1977.

2. From the Director of Marketing, Lr. No. E/S/IV 2190 /77, Dt. 30-5-1978,

Order:—In the circumstances stated by the Director of Marketing in the letter second read above, the Government direct that the concessions granted to Scheduled Castes and Scheduled Tribes in regard to allotment of works (Roads & Buildings) up to Rs. 50,000/- in the G.O. first read above shall be extended to execution of works in Marketing Department. The Director of Marketing is hereby vested with the powers to let out works on nomination to Scheduled Castes Societies up to Rs. 50,000/- (Rupees fifty thousand

Only). He is requested to examine and report whether consequential amendments to the orders issued in G.O.Ms.No. 143, Food and Agriculture, dated 6-2-1974 are necessary.

The action of the Director of Marketing in having permitted the Chairman, Agricultural Market Committee, Nagarkumool, to let out works consisting below Rs. 50,000/- to the Labor Contract Co-operative Society on nomination in anticipation of Government approval is ratified.

Section No. 45

DELEGATION OF ENHANCED POWERS OF CHIEF ENGINEER OF PUBLIC HEALTH AND MUNICIPAL ENGINEERING AND TO HIS SUBORDINATES

Delegation of additional powers to the Chief Engineer (Public Health) and to his Subordinate Officers - Orders - Issued.

[G.O.Ms.No. 430, M.A. Department. Dt. 1-10-1973]

Order :—In supersession of all the orders issued in an earlier G.O., the Government Here by delegate the powers to the Officers of Public Health and Municipal Engineering Department as indicated in the Annexure to this order for a period of two years from the date of this order,

2. The Government ratify the action of the Chief Engineer (Public Health) in having exercised the powers delegated in the G.O. read above beyond 20-12-1969 in anticipation of the sanction of Government.

ANNEXURE

Statement showing the powers delegated to the Officers of the Andhra Pradesh Public and Municipal Engineering Department

Sl-No.	Particulars	Powers delegated (1)	(2)
(3)			

I. POWERS OF CHIEF ENGINEER

1. Administrative approval to estimates. Rs. 1.5 lakhs (subject to availability of budget provision).
2. Technical sanction - Original and Full Powers repair works.
3. Tender (Original and repair works) up- 5% over technical sanctions without more-to the limit of the estimates sanctioned tray limit-by the competent authority plus such Can pass excess expenditure on all works excess as he is competent to sanction irrespective of the total sanctioned estimate under excess over estimates.
4. Tools & Plant - Administrative approval. Full powers. subject to budget provision.

SLNo. fl)	Particulars (2)	Powers delegated w Full powers.
5.	Tools & Plant - Technical sanction.	10% subject to a monetary limit of Rs. 5 lakhs
6.	Excess over Estimates :	
(a)	For works costing up to Rs. 100 lakhs.	5% subject to a monetary limit of Rs. 10 lakhs,
(b)	Above Rs. 100 lakhs.	Nil.
(c)	Passing of excess expenditure on all works irrespective of total of sanctioned estimate without percentage limit.	Full powers (i.e., existing powers will continue).
7.	Insurance Charges :—To sanction insurance charges only in the case of fragile articles and costly machinery in transit	
	Purchase of Stores. Dispensing with Tenders.	
8.	Write off of irrecoverable values of Stores, As per Code rules.	
9.	unprofitable outlay on Works, & loss of revenue, loss in manufacture.	Rs. 50,000 at estimated rates.
1	Write off of tools and Plant and unserviceable machinery.	Rs. 5,000.
		Nil.
11.	II. POWERS OF SUPERINTENDING ENGINEERS	
1.	Administrative approval to Estimates-	
2.	Technical Sanction - Original and repair works.	
(a)	Acceptance of Tenders.	
(b)	Acceptance of agreements.	
3.	Rs. 30,000/-Rs. 5 lakhs.	
To accept tender for contracts for all original works and repairs up to the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of Para 4l7(d) i.e. up to 10 percent over the sanctioned estimate.		
To execute contracts and piece work agreements up to the limit of tenders accepted by competent authority regardless of whether they have been accepted by Chief Engineer of the Govt. and regardless		

Particulars (2)	Powers delegated (3)
(a) Tools & Plant - Administrative approval subject to budget provision.	(a) of the restrictions imposed on the powers Superintending Engineers in the matter of acceptance of tenders provided the agreements are drawn up in standard forms. Rs. 30,000.
(b) Tools & Plant - Technical sanction	Rs. 2.5 lakhs 10 per cent.
(a) Excess over estimates.	cent.
(b) To pass excess expenditure on all works irrespective of the total sanctioned estimate without percentage limit.	5% subject to a limit of his powers of technical sanction-
(c) Dispensing with tenders.	Can pass expenditure on all works irrespective of the total sanctioned estimate without percentage limit up to Rs. 3,000.
Dispensing with tenders.	
Purchase of Stores.	Rs. 25,000
Write off of irrecoverable values of stores, unprofitable outlay and works and loss of revenues and losses in manufacture, etc-	As per Code rules. Rs. 1,000/-
(b) Rs. 1, 000/-	
Write off of tools and plants.	To sanction insurance charges in case of special goods such as mathematical and scientific instruments, articles made of glass and other fragile articles only in case where the Railway authority insist on insurance as a condition of transport, but in other cases, the articles should be consigned at the railway risk.
Sanction of insurance charges for fragile articles, costly machinery, all C.I. Pipes and specials and A.C. pressure	

POWERS OF EXECUTIVE ENGINEERS (PUBLIC HEALTH)

Administrative approval to estimates.

Technical sanction - Original and repair works.

Acceptance of tenders.

Rs. 7,500/-

Rs. 50,000 subject to the condition that the excess over administrative sanction shall not exceed 10 per cent.

'to accept tenders for work up to sanctioned technical estimates plus such excess as the

<i>SLNo. (1)</i>	<i>Particulars (2)</i>	<i>Powers</i>	<i>delegated w</i>
		Executive Engineer is competent to sanction under excess over estimates subject to a maximum of Rs. 52,000/- for each tender.	
4.	(a) Tools and Plant - Administrative approval subject to budget provision.	Rs. 5,000/-	
	(b) Tools & Plant - Technical Sanction-5,	Rs. 25,000/-	
	(a) Excess over estimates.	5% subject to the limit of his powers of technical sanction.	
	(b) To pass excess expenditure of all works irrespective of the total of sanctioned estimate without percentage limit.	Can pass excess expenditure on all works irrespective of the total of sanctioned estimate without percentage limit up to Rs. 1,000.	
6.	Dispensing with tenders.	Executive Engineer will have no powers to sanction excess over revised estimate.	
7.	Purchase of Stores.	Rs. 10,000/-	
(a)	Write off of irrecoverable values of Stores, unprofitable outlay on works and loss of revenue and loss in manufacture.	As per Code rules.	
8.	(b) Write off of Tools and Plant unserviceable machinery.	Rs.200/-	
		Rs.200/-	
IV. POWERS OF ASSISTANT ENGINEERS (PUBLIC HEALTH)			
1.	Payment of bills to firms to make purchases to and to make payment of bills to firms.	Up to Rs. 500 subject to the condition that they exclude articles so purchased from the indent submitted to the Executive Engineers.	
2.	2,500 to accord technical sanction works.	Technical Sanction - Original and repair Upto Rs. to original and repair	
	Execution of Water Supply and scheme.	NIL. Drainage	
3.	To accept tenders and enter into piece	Rs. 10,000/-work.	

RELATING TO MUNICIPALITIES

Section No. 46

REMISSIONS TO CONTRACTORS AND LESSEES

Remissions to Contractors and Lessees of Municipal Councils Rules, 1965.

[G.O.Ms. No. 1323. Municipal Administration, Dt. 3-11-1965]

In exercise of the powers conferred by sub-section (1) of Section 326 of the Andhra Pradesh Municipalities Act, 1965 (Act No. 6 of 1965), the Governor of Andhra Pradesh hereby makes the following Rules for the grant of remissions to persons who have entered into leases and contracts with the councils, the same having been previously published at pages 84-85 of Rules Supplement to Part I of the Andhra Pradesh Gazette, dated 22nd April, 1965 as required under clauses (a) and (b) of sub-section (1) of Section 327 of the said Act.

1. These rules may be called the Andhra Pradesh Municipalities Grant of Remissions to Contractors and Lessees of Municipal Councils Rules, 1965.

2. All lessees of remunerative enterprises of Municipal Councils, all lessees of immovable property, belonging to or vested in Municipal Councils, and all persons who have entered into contracts with Municipal Councils shall be held strictly to the terms of their leases or contracts and no remissions shall be granted to them except in accordance with the provisions of Rules 3 and 4.

3. The grant of remissions by the Municipal Council to lessees and contractors shall be subject to the following restrictions and control, namely—

(a) remission shall be granted only in cases in which the lessee or contractor is prevented from carrying out his part of the lease or contract by reason of the occurrence of some extraordinary event which could not have reasonably been anticipated, for example, the compulsory closing on account of the outbreak of an epidemic in a market which has been leased out;

(b) the remission granted shall bear a reasonable proportion to the loss actually sustained on account of such extraordinary cause; and

(c) the Municipal Councils may sanction remissions as laid down below :—

<i>Municipalities</i>	<i>Amount of Remissions</i>	<i>Special and Selection Grade</i>

Municipalities	Not exceeding Rs. 1,000

I Grade Municipalities	Not exceeding Rs. 750

II and III Grade Municipalities	Not exceeding Rs. 500

Provided that the remissions exceeding the said limits and not exceeding Rs. 5,000 may be granted with the prior approval of the Director of Municipal Administration;

Provided further that for all remissions exceeding Rs. 5,000 the prior sanction of the Government shall be obtained.

4. Penalties provided in the lease or contract shall be strictly enforced in accordance with the terms of the lease or contract- Penalties for late payment of the amount due to the

[DCOOE—12]

Municipal Council under the lease or contract shall not be permitted except in cases where the payments of instalments of the amount due are in the opinion of the Municipal Council, fairly regular and the whole amount due to the Municipal Council under the lease or contract is paid before the end of the period to which the lease or contract, relates.

Section No. 47
CHECK MEASUREMENT OF WORKS RULES, 1972
(MUNICIPAL)

[G.O-Ms. No. 12, Municipal Administration, Dt. 17-1-1973 and Published in A.P. Gazette. R.S. to Part II. DI. 17-5-1973. p. 119]

Order :—In exercise of the powers conferred by sub-section (1) of Section 326 of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965) the Governor of Andhra Pradesh hereby makes the following Rules relating to Check Measurement of Municipal Works, the same having been previously published at pages 443-445 of Rules Supplement to Part II of the Andhra Pradesh Gazette, dated the 4th December, 1969 as required by clauses (a) and (b) of sub-section (1) of Section 372 of the said Act.

1. These Rules may be called "The Andhra Pradesh Municipalities (Check Measurement of Works) Rules, 1972".

2. These Rules shall apply to all municipal works other than the works executed by the Government under sub-rule (3) of Rule 1 i of the Andhra Pradesh Municipalities (Municipal Works) Rules, 1967 issued in G.O.Ms. No. 114, (M.A.) Dt. 28-2-1967.

3.(1) (a) The check measurement of every municipal work shall be done by the Municipal Engineer, Grade I, where there is a First Grade Municipal Engineer.

(b) The check measurement of every municipal work whose cost does not exceed Rs. 25,000, may be done by Municipal Engineer, Grade II, where there is a Second Grade Municipal Engineer. In the case of any work, the cost of which exceeds Rs. 25,000, the Executive Engineer (Public Health) who is having jurisdiction over that area shall check measure each such work, as many items as may be possible of the final bill.

(c) The check measurement of every work the cost of which does not exceed Rs. 8,000 in the case of original work and Rs. 12,000 in case of maintenance work, the Municipal Engineer, Grade III shall check measure where there is such an Engineer and also a Municipal Supervisor who shall record the measurements. In case where there is Municipal Engineer, Grade III but no Municipal Supervisor, the Municipal Engineer, should record the measurements and in this case, no check measurement is necessary.

(d) Where there is a post of Municipal Supervisor possessing the qualification of Municipal Engineer, Grade III but no Municipal Engineer, the Municipal Supervisor will exercise the powers of Municipal Engineer, Grade III.

(e) In the case of municipal works, the costs of which exceeds the technical sanctioning powers of Municipal Engineer, Grade III or Municipal Supervisor, the works shall be check measured by the Assistant Engineer (Public Health) or Executive Engineer (Public Health) who has jurisdiction over the area.

(2) (a) All the ordinary road maintenance works and the work of metalling roads and any other metalling work, the cost of which does not exceed Rs. 2,500/- shall be check measured by the Commissioner.

(b) In the case of works other than those mentioned in clause (a) and in the case of any work of a special nature in respect of which the Commissioner considers that technical assistance is necessary, the check measurement shall be done by an Executive Engineer or under his orders, by an Assistant Engineer concerned of the Public Health Department.

4. Check measurement shall be conducted with discretion in order to detect errors in measurement and to prevent fraudulent entries in measurement books selecting such items which appear to be obviously incorrect or easily susceptible of fraud or seriously affect the total amount of the bill if inaccurate. The check measuring officer shall check as many times as are necessary to enable him to give the check measurement certificate and take responsibility on himself for all the measurements in respect of which he gives such certificate.

5. The check measuring officer shall indicate the fact of having check measured the work in the measurement book at the time of such check measurement by initialing on the left hand side of the column 'particulars' in line with the item check measured.

6. In addition to check measurement by the Municipal Engineer or Commissioner, the Engineer of the Public Health Department may test check, check measure and inspect the works and exercise similar powers so laid down in Rules 6, 13 and 14 of the Municipal Works Rules :

Provided that the Chairperson, Municipal Council or the Municipal Commissioner, as the case may be, request the technical authority empowered to check measure and take up test check of works at any time.

7. A check measuring officer shall not; make an entry "*measured in my presence*" but shall record the measurements, sign himself along with the measuring officer.

8. Where the measurement of any portion of a work is likely to become impossible when the work would advance beyond a certain stage, the check measurement shall be done sufficiently early.

9. (I) Measurement of all Jungle to be cleared, whether the jungle is solid or in patches, shall be recorded by the overseers or supervisors or by the Municipal Engineer where there is no engineering subordinate, in a measurement book before clearance.

(2) The Municipal Engineer or other check measuring officer shall then check measure the work before clearance.

(3) The check measuring officer shall inspect the clearance of the jungle before payment is made for the same.

10. The check measuring officer shall obtain from the overseer or supervisor or engineer, as the case may be, the measurement book in which measurements of the work concerned have been recorded and shall note in the measurement book under his initials the date or dates on which the check measurement is actually performed together with the difference, if any, noticed by him in the measurements.

11. (1) Check measurement of materials collected on the roadside or a street or a group of streets or a ward shall ordinarily be done after the collection on the road or street

or group of streets or ward as the case may be, is completed so as to avoid allowing any opportunity to commit fraud.

(2) When the collection of materials already done is found incomplete and farther materials are required for the road or street or group of streets or wards, such further collection shall be suspended and the material already collected shall be check measured, and ordered to be spread. After the spreading of the materials is complete and check measured and after the balance of materials at site, if any, is recorded and check measured further collection of materials shall be proceeded with.

12. Check measurement of works shall ordinarily be made as early as possible after their completion. In no case, shall the check measurement be delayed for more than a period of two weeks from the date of completion of the work- In case of scheme works spread over number of years, check measurement of part-done work shall be made at least once in a month.

13. At the end of each month, every overseer, supervisor or engineer shall submit to the check measuring officer and to the officer empowered to make a test check, a list of works that have to be check measured or test checked and shall also intimate the check measuring officer all cases of completed works within a week of such completion with final measurements.

14. (1) Besides the list and intimation referred to in the above rules, the overseer, supervisor or engineer shall, within a week after recording the measurements bring to the notice of the check measuring officer, cases wherein prompt check measurement of part-done work is necessary such as foundations and other works of a defaceable nature,

(2) On receipt of such intimation the check measuring officer shall arrange to check measure the work as expeditiously as possible.

15. A fee of one percent of the value of the work check measured subject to a minimum of fee of Rs. 10 (Rupees ten only) for each such work shall be paid from the Municipal Fund to the credit of the State Fund for check measurement done by the Executive Engineer or the Assistant Engineer of the Public Health Engineering Department.

Section No. 48

MUNICIPALITIES (TENDER) RULES, 1967

[G.O.Ms. No. 620, Municipal Administration, Dt. 7.10-1967]

1. (1) These Rules may be called the Andhra Pradesh Municipalities (Tender) Rules, 1967.

(2) In these Rules "*Competent Authority*" means the authority competent to make contracts under Section 43 of the Andhra Pradesh Municipalities Act, 1965.

PART - I

Rules for the Invitation and Disposal of Tenders for Municipal Works

2. (1) In all cases where the estimated cost exceeds Rs. 2,000 the tender notices shall be prepared by the Municipal Engineer and, if there is no Municipal Engineer, by the Commissioner. If the technical authority approving the estimate certifies at the time of

sanction that the tender notice shall be approved by him also, the approval of that authority shall be obtained for the issue of tender notice- In the case of tender notices relating to the purchase of the pumping plant, the mechanical expert to the Superintending Engineer shall be consulted through the Superintending Engineer. [In all other cases, tender notices shall be approved by the committee mentioned in sub-section (1) of Section 43]. [A work must not be split up into parts with a view to give contracts on the nomination basis. The competent authority only shall accept the tender],

[Inserted and Amended by G.O.Ms. No. 214, (M.A.), Dt. 29-5-1974]

(2) The Competent Authority shall select the persons offering tender and enter into contracts with them in consultation with the concerned Engineering authorities who can accord the technical sanction to such works-

(3) The Competent Authority shall not, where the works or schemes are aided with loans by the Government Department, from the advice tendered in this behalf by the Engineering Authority concerned or the Mechanical Expert to the Superintending Engineer, except with their previous sanction.

(4) Where the tender [which the competent authority] as the case may be, proposed to accept, exceeds the sanctioned estimate by more than 5 percent (five percent), the Competent Authority shall consult the authorities who are competent to accord technical sanction to such works before the tender is accepted.

[Amended by G.O.Ms.No. 214, M.A., Dt. 29-5-1974]

(5) In the case of Water Supply and Drainage Scheme, the Officers of the Public Health Engineering Department shall exercise the powers which they would normally exercise under Rules in the Public Works Department.

(6) In the selection of tenders, the Competent Authority shall pay due regard to the advice given by the Municipal Engineer, the Executive Engineer, the Superintending Engineer or the Chief Engineer.

3. (1) The Commissioner shall invite tenders for every contract for the execution of a work in case the estimated cost of which exceeds Rs. 2,000:

Provided that the invitation of tenders may be dispensed with in the contracts relating to works under National Emergency-

[(2) At least 15% of the works may be reserved for entrustment to the Labour Contract Co-operative Societies formed of Scheduled Castes, Scheduled Tribes and Wadders and the individuals belonging to the said communities who happen to be unemployed or retrenched engineers]. [Subs. by G.O.Ms.No. 477, M.A. & U.D., Dt. 28-8-1989]

execution of works of urgent nature - Enhancement of powers for nomination.

[G.O.Ms.No. 150, H.M.A. & Urban Devtpt. Dept., Dt. 20-2-1981]

Order:—The Government have examined the matter carefully and they have decided to enhance the monetary limit for entrust the municipal works on nomination basis by the competent authorities to registered contractors from Rs- 2,000/- to Rs. 10,000/- in respect of Selection and Special Grade Municipalities and from Rs- 2,000/- to Rs. 5,000/- and below in respect of other municipalities.

Pending issue of an amendment to the Andhra Pradesh Municipalities (Tender) Rules, 1967, issued in G.O.Ms.No. 620, M.A., Dt. 7-6-1967, all the Municipal Commissioners and Special Officers are requested to implement the decision of the Government referred to above.

4. (1) Tenders shall be invited by the Commissioner in sealed covers in the most open and public manner possible;—

(a) in all cases by a notice in the language or the languages of the district pasted at the office of the council and such other places as the Commissioner may deem fit; and

(b) when the cost exceeds impress one lakh] by advertisement in at least one newspaper circulating in the District and in the State.

(Subs. for the words "rupees ten thousand" by G.O.Ms.No. 120, (M.A.), Dt, 27-2-1990]

(2) Every notice and advertisement published under sub-rule (1) shall state *inter alia*—

(i) when and where the contract documents may be inspected, the blank forms of tenders can be obtained and the charge for a set of plans and other tender documents;

(ii) the precise form of tendering, that is whether it should be at a specified percentage below or above the estimate rates or whether definite rate should be quoted for each item of work included in the schedule;

(iii) when and to whom tenders are to be submitted;

Note:—A minimum period of at least 15 days from the date of publication of the notice at the office of [the council, or in cases falling under clause (b) of sub-rule (1) of the first advertisement in a newspaper shall be allowed for the submission of tenders. If the fifteenth day happens to be a holiday the tenders received on the next working day shall be treated as having been received in time.

(iv) When and where they are to be opened;

(v) the amount of earnest money which should accompany the tender and the amount and nature of security required in the case the tender is accepted :

Provided that the earnest money shall in no case be less than 2% per cent, of the sanctioned estimate unless the Government relaxes the limit in special circumstances;

[Provided further that exemption from collecting Earnest Money Deposit in the case of works costing up to Rs- 1.00 lakh in respect of individuals and for works costing upto Rs. 10,00 lakhs entrusted to the Co-operative Societies formed of members of Scheduled Castes, Scheduled Tribes and Waddars, may be allowed],

[Subs. by G.O.Ms.No. 477, (MA&UD), Dt. 28-8-1989]

(vi) the authority to accept the tender;

(vii) that the authority competent to accept the tender reserves the right to reject any or all of the tenders received without assigning any reasons; and

(viii) that a tenderer who withdraws his tender without valid reasons (to be decided by the authority competent to accept the tender) shall be liable to have his subsequent tenders summarily rejected; and

(ix) that the earnest money remitted by a tenderer shall be forfeited to the municipal fund in case the tenderer fails to deposit the requisite security and enter into agreement, on intimation of acceptance of the tender.

5. (1) Tenders shall be opened by the Commissioner at the time and place specified in the tender notice in the presence of such tenderers or their authorized agents

as may be present. On opening the tenders, the Commissioner shall invariably date and initial not only the corrections in schedule of quantities, schedule of materials to be issued, specifications and other essential parts of the contract documents but also date and initial all the pages of the schedule of the quantities irrespective of the fact whether they contain corrections, overwriting, etc., or not. If, in the tender there are corrections unattested by the tenderer, a notice of such corrections shall be made on the tender itself when it is opened. The Commissioner shall keep a personal note of the total number of covers received and the total number of tenders opened by him in a register and verify with the number shown in the comparative statement of tenders. The tenders shall then be handed over to the Municipal Engineer who will tabulate and scrutinize the tenders and send them to the Commissioner for placing the same before the competent authority with his recommendation, for consideration and approval.

(2) Tenders from the registered contractors only shall be considered. In the case of contracts the value of which exceeds rupees twenty thousand, tenders from the engineering firms of repute and from contractors registered in or outside the district may be considered, provided that they get themselves registered as contractors of the municipality prior to the submission of the tenders. Tender schedules may be sold to un-registered contractors also.

6. The lowest tender should ordinarily be accepted. When it is considered undesirable to accept the lowest tender, the next lower tender should be accepted unless adequate grounds can be recorded for rejecting that tender also. The reasons recorded for the rejection of these tenders or for the acceptance of any other tender shall be recorded in writing and shall be marked and kept confidential, and made available for audit if so desired.

7. If any tender, other than the lowest tender, is accepted, the Municipal Engineer, where there is no Municipal Engineer, the Commissioner may, if he feels that such an acceptance will be against the financial interests of the municipality, recommend for re consideration of the decision to the competent authority. If, however, on re consideration, the competent authority or the council as the case may be, approves the same tender again, the contract may be entered into.

8. (1) In selecting tenders, the financial status of the tenderers, their capacity, the security offered by them and the record of their execution of any works previously done, shall be taken into consideration. Other conditions being equal, the lowest tender shall be accepted.

(2) Where the capacity for the work and integrity of the tenderer are not known, such tenders need not necessarily be rejected. In such a case extra security of 5 to 10 per cent, of the estimated value shall be taken if the Competent Authority considers it necessary.

[(3) Advances may be given to these Societies through the agencies like the Scheduled Castes and Scheduled Tribes Co-operative Finance Corporations or Banks. The amounts advanced shall be recovered from the works bills. Officers incharge of the works shall closely guide and help the Societies in executing the works entrusted to them].

[Subs. by G-0-Ms.No, 477, (MA&UD), Dt, 28-8-1989]

9. In no case shall a tender be accepted at rates other than the rates specified in that tender. If, however, the authority competent to accept the tender considers that the rates for certain items in an otherwise lowest tender, which is under consideration are

pitched too high, it may negotiate with the tenderer and secure reasonable rates for those items.

10. There shall be no avoidable delay in the disposal of tenders after they are opened. Ordinarily they shall be disposed of within a week of the date of opening and in no case shall the period exceed one month. In case in which negotiations are started, the period may be extended by another month.

11. (1) If none of the tenders is acceptable to the Competent Authority, fresh tenders may be invited rejecting all the tenders previously received and the reasons for rejecting them shall be recorded in writing and made available for audit.

[(2) Immediately after an agreement is entered into with the tenderer whose tender has been accepted the Commissioner shall intimate the other tenderers that the earnest money deposited by them will be refunded on the receipt of an application for refund with necessary acquittance.

(3) The Commissioner shall make arrangements for the refund within one month from the date of receipt of an application from any tenderer of the earnest money deposited by him unless it has been forfeited under Clause (ix) of sub-rule (2) of Rule 4. [Ins, by G.O.Ms.No. 214, M.A., Dt. 29-5-1974]

12. In cases where tenders are not received although they were invited, fresh tenders should be invited again, and if tenders are not received even then quotations should be invited. The procedure to be followed after the receipt of quotations should as far as possible be the same as that laid down for the disposal of tenders.

13. Notwithstanding anything contained in these Rules, competent authority shall negotiate with the tenderers in order to entrust the work to the most suitable tenderer having regard to all the local conditions and accept an offer at a rate lower than that specified in the tender with the concurrence of the authority who is empowered to accord technical sanction to the estimate for the work.

Note: - When negotiations are resorted to, the competent authority shall first negotiate with the lowest tenderer, only in the event of his refusal to reduce the rates to the extent desirable by either authority; negotiations shall be had with the next higher tenderer.

14. When any tender is accepted before the order of work is given, an agreement shall be drawn up and signed by the contractor or by his authorized agent as the first party and the Chairperson as the second party to the contract. Such agreement shall contain among others, provisions for the due fulfillment of the works and penalties for default, if any.

[14-A.(I) No Municipal Council shall place orders for supply of goods (other than for the execution of works) manufactured outside the State when similar goods are manufactured within the State. For this purpose, the Municipal Council shall consult the Directory showing the items manufactured by the Small Scale Industrial units within the State published by the Director of Industries from time to time. The Municipal Council shall seek the advice of the Director of Industries, if it is found difficult to secure the goods required by it from local Small Scale Industrial units.

(2) The Municipal Council shall prepare a list in December of each year of Small Scale Industrial Units and organizations carrying on business in goods manufactured in the State from which supplies can be had for the next financial year.

(3) The Commissioner shall call for tenders from the Small Scale Industrial units in the State as listed by the Council by adopting "*Limited Tender System*" by direct invitation to the select units. The Municipal Council shall purchase goods produced in the State only and if the goods required are not available with the Small Scale Industrial units in the vicinity, then goods manufactured in small scale industrial units in other States may be purchased. In order to confine the transactions to locally manufactured products. Municipal Councils are permitted to give price preference to those local products not exceeding the following limits, namely:—

(a) Local goods (i.e., goods manufactured within the State) may be given 5 percent price preference over other goods;

(b) Goods manufactured by Cottage and Small Scale Industries may be given 10 percent price preference;

(c) Goods manufactured by Co-operative Societies may be given 5 percent price preference over others;

(d) Besides the price preference allowed to the categories referred to above, 2 percent price preference may be given for the goods manufactured in this State with I.S.I. mark over other goods which do not conform to I.S.I. standards.

(4) In the event of any urgency, the goods required may be purchased by adopting the "*single tender system*" (by direct invitation) from a Small Scale Industrial unit selected by the Municipal Council from the list already approved by it under sub-rule (i). If owing to any failure on the part of the Small Scale Industrial units concerned or for any other reason it is considered desirable so to do, the Municipal Council may purchase the goods required from any Small Scale Industrial unit by adopting single tender system-

[(5) The procedure laid down in sub-rules (2) to (7) and sub-rule (9) of Rule 15 shall as far as possible be followed for the receipt and disposal of tenders received under this Rule in so far as they are not inconsistent with the provisions of this Rule],

[Ins. by G.O.Ms.No- 214, M.A., Dt. 29-5-1974]

PART—H

Rules for the Invitation and Disposal of Tenders relating to Supplies of Materials, Goods, etc., to the Councils

15. (1) (a) If a Municipal Council is not able to obtain goods (other than for works) required by it in full or in respect of any particular item after adopting the procedure laid down in Rule 14-A may with the previous approval of the Government proceed as hereinafter provided :
Provided that no approval of Government shall be necessary for the invitation of tenders under this Rule for the supply of hay, grass, bran, horse-gram etc., food for livestock maintained by the Municipal Council.

(b) There shall be prepared, annually, an estimate of items like stationery, printing articles, required for public health sections, or for sanitation purposes, clothing to be supplied to the members of the public health establishment, articles for engineering section, lighting articles and food for livestock and the estimate shall be approved by the competent authority before tenders are invited.

(2) Tenders shall be opened by the Commissioner at the time and place specified in the notice inviting tenders in the presence of such of the tenderers or their authorized, agents as may be present. On opening The tenders, the Commissioner shall invariably date and initial not only the correction in schedule of quantities, schedule of materials to be used, specifications and other essential parts of the contract document, but also date and initial all the pages of the schedule of quantities irrespective of the fact whether they contain corrections overwriting etc., or not. If, in the tender there are corrections unattested by the tenderer, note of such corrections shall be made on the tender itself when it is opened. The Commissioner shall keep a personal note of the total number of covers received and the total number of tenders opened by him in a register and verify with the number shown in the comparative statement of tenders. The tenders shall then be handed over to the Municipal Engineer, if the materials, etc., relate to Engineering Branch, or to the Municipal Health Officer, if they relate to Public Health Branch, as the case may be, who will scrutinise and tabulate the tenders and send with his recommendation to the Commissioner for placing them before the competent authority for consideration and approval.

(3) The lowest tender should ordinarily be accepted. Where it is considered undesirable to accept the lowest tender, the next lowest tender should be accepted unless adequate grounds can be recorded for rejecting that tender also. The reasons for rejection of these tenders or for the acceptance of any other tender shall be recorded in writing and shall be marked and kept confidential. They should however be made available for audit if so desired.

Note ;- Where a tender is in respect of more than one article, for example, stationery articles, the comparative prices can be considered either individually, for each article or conjointly for all the articles or for specified groups of articles as long as the lowest tender is accepted. provided that the intention of the authority competent to accept tenders to select the lowest tender in any of these ways is made clear in the tender notice. If the tender notice is considered conjointly of all the articles or for groups of articles, the cost of the probable requirements in respect of all articles or of all articles in each group, as the case may be, shall be worked out with reference to the rates given in each tender and the lowest tender will be that according to which the total cost of the probable requirements of all the articles proposed to be taken together works out to be the least.

(4) If any tender, other than the lowest, is accepted, the Municipal Engineer or the Municipal Health Officer and where there is no Municipal Engineer or Municipal Health Officer, the Commissioner may, if he feels that such an acceptance will be against the financial interests of the municipality, may recommend for reconsideration of the tender as the case may be to the Competent Authority, if, however on reconsideration, the competent authority approves the same tender again, the contract may be entered into.

(5) In selecting a tender, the financial status of tenderers, their capacity, the security offered by them and the record of their execution of any contracts previously, entered into, shall be taken into consideration. Other things being equal, the lowest tender shall be accepted.

(6) Where the capacity for supply and the integrity of a tenderer are not known, his tender need not necessarily be rejected. In such a case, extra security of five to ten percent of the estimated value shall be taken if the competent authority considers it necessary.

(7) Notwithstanding anything contained in sub-rules (3) to (6), the authority competent to accept tenders may refer the matter if it so wishes, to such authority as may be specified by the Government and accept the tender recommended by the authority,

(8) In no case shall a tender be accepted at the rates other than those specified in the tender. If, however, the authority competent to accept the tender considers, that the rates for certain items in an otherwise lowest tender, which is under consideration, are pitched too high, it may negotiate with the tenderer and secure reasonable rates for those items and then accept the tender with the rates agreed to by negotiation,

(9) There shall be no avoidable delay in the disposal of tenders after they are opened. Ordinarily they shall be disposed of within a week of the date on which they are opened and in no case shall tenders remain undisputed of for a period exceeding one month. In cases in which negotiations are started, the period may be extended by another month.

(10) In case the tenders received are not accepted or in case where tenders are not received, fresh tenders should be invited again and if tenders are not received even then, quotations should be invited. The procedure to be followed after the receipt of quotations shall, as far as possible, be the same as that laid down for the disposal of tenders.

16. Notwithstanding anything contained in these rules, the competent authority may negotiate with the tenderers in order to encrust the supply of articles etc., to the most suitable tenderer having regard to all the local conditions and accept an offer at a rate lower than that specified in the tender with the concurrence of the authorities specified by the Government in this behalf from time to time.

Note: - When negotiations are resorted to, the competent authority shall first negotiate with the lowest tenderer. Only in the case of his refusal to reduce the rates to the extent desirable by either authority, negotiations may be made with the next higher tenderer.

17. (1) In selecting tenders for electrical and mechanical plant and equipment, the tendered price shall not be the only factor to be considered. Particular attention shall be paid to efficiency, running cost, durability of materials, reliability of guarantees, necessity for repair and attention saving in spare parts due to standardization, purpose in view and technical qualifications and financial standing of the tenderer.

(2) In case it is found difficult to select a tender in view of the technical intricacies involved, the Superintending Engineer (Public Health) may be requested to offer his opinion in consultation with the mechanical expert in case of mechanical plant and equipment and an appropriate officer in case of electrical equipment.

18. (1) Tenders referred to in Rule 15 shall be invited by the Commissioner in sealed covers in the most open and public manner possible.

(a) In all cases, by a notice pasted in the language or languages of the district at the office of the Municipal Council and at such other places as the Commissioner may deem fit; and

(b) after advertisement in at least one newspaper circulating in the District and the State.

(2) Every notice and advertisement published under sub-rule (1) shall state *inter alia* :
(i) the conditions under which, and the officer from whom, a copy of the schedule of quantities of the various kinds of articles can be had if they cannot be mentioned in detail in the notice or advertisement;

(ii) the precise form of tendering that is whether the comparative value of the tender will be examined with reference to each article mentioned in the schedule of quantities or for all article conjointly or for a group of articles;

(iii). when and where tenders are to be submitted.

Note :- A minimum period of atleast fifteen days from the date of the publication of the notice at the office of the council, or of the first advertisement, as the case may be, in a newspaper shall be allowed for the submission of lenders. If the fifteenth day happens to be a holiday, the tenders received on the next working day shall be treated as having been received in lime.

(iv) when and where they are to be opened;

(v) the amount of earnest money which should accompany the tender and me amount and nature of security required in case the tender is accepted :

Provided that the earnest money deposit shall, in no case, be less than 2 1/2 percent of the sanctioned estimate, unless the Government relax this limit in special circumstances;

(vi) the authority competent to accept the tender;

(vii) that the authority competent to accept the lender reserves the right to reject any or all of the tenders received without assigning any reasons and that it will be permissible for the competent authority to allow price preference upon 15% in the case of indigenous products;

(viii) that a tenderer who withdraws his tender without valid reasons (to be decided by the authority competent to accept the tender) shall be liable to have his subsequent tenders summarily rejected; and

(ix) that the earnest money remitted by a tenderer shall be forfeited to the municipal funds in case the tenderer on intimation of the acceptance of the tender, fails to deposit the requisite security and enter into required agreement.

((3) Immediately after an agreement is entered into with the tenderer whose tender has been accepted by the Commissioner shall intimate to the other tenderers that earnest money deposited by them will be refunded on receipt of an application for refund with necessary acquittance,

(4) The Commissioner shall make arrangements for the refund within one month from the date of receipt of an application from any tenderer of the earnest money deposited by him unless it has been forfeited under clause (ix) of sub-rule (2) of Rule 4].

[Ins. by G.O.Ms-No. 214, M.A., Dt. 29-5-1974]

19. These Rules shall not apply to—

(i) the purchase of stores through the Indian Stores Department;

(ii) the purchase of stores through the Central Stores Purchase Department;

(iii) the purchase of articles from the metal and timber works and factories started by the State Government for the resettlement of ex-servicemen;

(iv) the purchase of bulls by municipal councils for conservancy and other purposes;

(v) the purchase of articles or equipment suggested in the syllabus for the bifurcated courses of studies introduced in secondary schools;

(vi) the purchase of controlled articles at controlled rates through a permit issued on orders of the Government or their agents;

(vii) the purchase of articles required for annual training sections in the secondary schools;

(viii) the purchase of articles manufactured by training-cum-production centers of the Government;

(ix) the purchase of articles manufactured by convicts in jails;

(x) the purchase of roneo duplicators; and

(xi) the purchase of petrol, kerosene oil, lubricants, grease, etc., from standard firms or their authorized agents;

[(xii) purchase of articles from the Super Bazaars; and

(xiii) leather goods manufactured by Sri Balasaraswathi Sthree Samajam, Tanuku]. [Ins. by G.O.Ms.No. 214, M.A., DI, 29-5-1974]

20. Notwithstanding anything contained in Rules 17 and 18, the competent authority, may as the case may be, with the previous sanction of the Government, dispense with tenders in respect of the following or similar classes of cases, namely—

(i) supply of materials, goods or services relating to war; air raid protection, civil defense measures and National emergency;

(ii) supply of materials or goods which are patented or are manufactured and sold solely by particular firms or their authorized agents ; and

(iii) standard materials or goods the prices of which are liable to continual fluctuation due to the unsettled conditions of the market

Note :-The classes of cases mentioned in this Rule are only Illustrative and not exhaustive.

21. Before an order is placed for supplies, an agreement shall be drawn up and signed by the supplier or his authorized agent as the first party and the Chairperson of the Council as the second party to the contract, such agreement shall contain, among others, provisions for the due fulfillment of the supply of materials, etc., and penalties for default, if any. - .

Section No. 49

MUNICIPALITIES (Municipal Works) RULES, 1967

[G.O.Ms. No. 114, Municipal Administration, Dt. 28-2-1967]

In exercise of the powers conferred by clause (g) of sub-section (2) of Section 336 of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965) the Governor of Andhra Pradesh, hereby makes the following Rules for the preparation of plans and estimates of municipal works, the same having been published at pages 51 to 61 of Rules Supplement to Part I of the Andhra Pradesh Gazette, dated 22nd April, 1967, as required under clauses (a) and (b) of sub-section (1) of Section 327 of the said Act.

1. Short title:—These Rules may be called the Andhra Pradesh Municipalities (Municipal Works) Rules, 1967.

PART-1**Municipal Works - Other than those relating to Water Supply and Drainage Schemes**

2- Preparation of plans and estimates :—Plans and estimates for municipal works (both original and repair works) shall ordinarily be prepared—

(a) in municipalities where there is a Municipal Engineer by or under the supervision of the Municipal Engineer; and

(b) in Municipalities where there is no Municipal Engineer by the Commissioner with the assistance of the highest engineering subordinate employed by the Municipality.

3. Technical sanction:—The technical sanction of the authorities specified in the table below or of the authorities specified from time to time shall be obtained to the plans and estimates relating to municipal works—

0)	(2)	(3)	m
Municipalities in which there is a first grade Municipal Engineer	Municipalities in which there is a second grade Municipal Engineer	Municipalities in which there is no third grade Municipal Engineer. or an Engineering Subordinate possessing the qualifications prescribed for Municipal Engineer.	Municipalities in which there is no Municipal Engineer or Subordinate possessing the qualification prescribed for Municipal Engineers.

A. Repair works — Roads (including Bridges and Culverts)

(1)	(2)	(3) "'•'	' • . (4)
The Municipal Engineer—All estimates (without limit of cost).	The Municipal Engineer—All estimates (without limit of cost).	(a) The Municipal Engineer or his subordinate possessing the qualifications prescribed for Municipal Engineer. All estimates not exceeding Rs. 12,000	(a) The Commissioner—All estimates not exceeding Rs. 2,500/

(b) Executive Engineer (Public Health) concerned above Rs. 12,000 (b) The Executive Engineer (Public Health) concerned above Rs. 2,500. All estimates exceeding Rs. 2,500.

B. Repair Works other than those relating to Roads, Water Supply and Drainage

(1)	(2)	(3)	(4)
The Municipal Engineer—All estimates (without of cost},	The Engineer—All (without limit of co	Municipal Engineer (a) The Municipal Engineering subordi	(a) Commissioner—Esti. not exceeding Rs- 2,500/-
	Estimates not exceeding 12,000		
(b) The Executive Engineer (Public Health) concerned above			(b) The Executive En (Public Health) concern All estimates exceeding Rs. 2
	Rs. 12,000.		

*(C. Original Works—Roads (including Bridges and Culverts)) (Subs. by G.O.Ms-No. 556, DL, 31-12.1975, A.P.G.G., R.S, to Part 1, DL. 29-1-1976, P. 17]

(1)	(2)	(3)	(4)
(a) The Municipal Engineer—Estimates not exceeding Rs. 50,000-	(a) The Municipal Engineer—Estimates not exceeding Rs- 25,000.	(a) The Municipal Engineer or the Municipal Engineering Subordi nates—Estimates not exceeding Rs. 5,000.	(a) Commissioner—Esti mates not exceeding Rs. 2,500.
(b) The Supdtg. Engineer (Public Health) concerned—Estimates exceeding Rs. 50,000 but not exceeding Rs. 5,00,000.	(b) The Executive Engineer (Public Health) concerned—Esti mates exceeding Rs. 25,000 but not exceeding Rs. 50,000.	(b) The Executive Engineer (Public Health) concerned—Esti mates exceeding Rs. 8,000 but not exceeding Rs. 50,000	(b) The executive Engineer (Public Health) concerned—Estimates exceeding Rs- 2,500 '[but no! exceeding Rs- 50,000].
(c) The Chief Engineer (Public Health)—Estimates exceeding Rs- 5,00,000 (i.e. full powers).	•[Subs. by G-O.Ms- 7, Dt 6-1-1977; A.P-C.R.S. PL I, Dt 3-2-1977, p. The Superin- tending Engi neer (Public Health) con cerned—Esti mates excee ding Rs. 50,000 but not exceed ing Rs- 5,00,000.	(a) The Supdtg. Engi neer (Public Health) concerned—Esti mates exceeding Rs- 50,000 but not exceeding Rs. 5-00 lakhs.	(c) The Superintending Engineer (Public Health) con cerned 'Estimates exceeding 50,000] but not excee ding Rs. 5.00 lakhs.
•[Subs. by G.O.Ms.No. 418, Dt. 20-5-1970; A.P- Govt. Gazette, R-S. PL 1, DL 25-6-1970.			

(d) (Public Health) Rs. 5.00.000 (i.e., full powers)	The Chief (d) Engineer —Estimates exceeding Rs. 5.00.000 (i.e., full powers)	The Chief Engineer (Public Health) —Estimates excee ding Rs- 5,00,000 (i.e., full powers).	(d) The Chief Engineer (Public Health)—ex ceeding Rs. 5.00 lakhs (i.e., full powers).]
ID- Original Works other than those relating to Roads, Water Supply and Drainage)			
(1)	(2)	(3)	(4)
(a) The Municipi- nal Engineer —Estimates not exceeding Rs. 50,000.	(a) The Municipal Engineer— Estimates not exceeding Rs. 25,000.	(a) The Municipal Bngi- eer or the Municipal Engineering Subord- nates—Estimates not exceeding Rs. 8,000.	(a) Commissioner—Esti- mates not exceeding Rs. 2,500.
(b) The Supdtg. (b) Engineer (Public Health) concerned— Estimates exceeding Rs. 50.000 but nol exceeding Rs. 5, 00,000.	(b) The Executive (b) Engineer (Public Health) concerned—Esti mates exceeding Rs- 25.000 but not exceeding Rs. 5.00.000. •ISubs- by 0.0-Ms.N7. Dt. 6-1.1977; A.P. ., R.S. Pt, I, Dt. 3-2-1977.	(b) The Executive Engi neer (Public Health) cone em ed— Est im exceeding Rs. 8,000 bul not exceeding Rs. 50.000.	(b) The Executive Engi- neer (Public Health) concerned-Estimates exceeding Rs. 2.500 *[but not exceeding Rs. 50.000].
(c) The Chief (c) Engineer (Public Health) concerned— Esti males exceeding Rs. 5.00.000 (i.e., full powers). •(Subs.	(a) The Superin- tending Engi neer (Public Health) con cerned—Esti mates excee ding Ra. 50.000 but not exceed ing Rs. 5,00,000. by G.O.Ms No. 7, Dt. 6-1-1977; A..P. Govl, Gazelle R.S. Pt. I, DI.	(c) The Supdi. Engineer (Public Heallh) concern ed—Esti ma exceeding Rs. 50.000 but not exceeding Rs. 5, 00,000.	(c) The Supdtg, Engineer (Public Health) con cerned—* [Estimates exceeding 50.000] bul not exceeding Rs. 5,00,000.
(d)	The Chief (d) Engineer (Public Health) —Estimates exceeding Rs. 5.00.000 (i.e., full powers)	The Chief Engineer (Public Health)— exceeding Rs. 5,00,000 (i.e., full powers).	(d) The Chief Engineer (Public Health)—Esti mates exceeding Rs. 5.00 lakhs(i.e., full powers).]

4. (1) The expressions "*original works*" and "*repairs*" shall refer to such works as may be defined by the Government by order from time to time.

(2) (a) The Director of Town Planning shall be consulted atleast two months in advance and his technical advice obtained in respect of all municipal building schemes involving an expenditure exceeding Rs-10,000/-, and schemes for opening new roads and by-pass roads, road widening and important road improvemems before technical sanction is accorded for me plans and estimates relating to such schemes 10 enable him to prepare (he designs and the municipality is at liberty to proceed with the further formalities and the execution of the works as per plans prepared by the technical staff of the municipality, if the plans and designs are not received back from the Director of Town Planning within a period of two months from the date of receipt by the Director of Town Planning of the proposals or if any particulars are called for by him from the municipality from the date of receipt of such particulars provided that the Director of Town Planning shall, within fifteen days from the date of receipt of the proposals call for further particulars if any required.

(b) The Municipality shall not normally deviate from the design furnished by the Director of Town Planning and whenever it is proposed to deviate from such design, the concurrence of the Director shall be obtained.

(c) Any Municipality which does not have a Town Planning Officer, shall refer to the Director of Town Planning all municipal building schemes involving an expenditure exceeding Rs. 5000.

(3) The existing instructions in Article 304/AA of the Municipal Accounts Code will apply in respect of approval to plans and estimates for education buildings.

5. Execution :—(1)The Municipal Engineer shall be in direct charge of the works executed by the Municipality. This does not however preclude the Chairperson of the Commissioner from inspecting the works in progress and the Engineer shall afford all facilities for inspection.

(2) The Municipal Engineers of Grades I and II may execute works without any limit or cost unless for special reasons a Superior authority which accords technical sanction to the estimate decides otherwise.

(3) The Municipal Engineer of Grade II! and Engineering subordinates possessing the qualifications prescribed for Municipal Engineers in paragraph I of Schedule B to the regulations governing the Andhra Pradesh Municipal Engineering Services may execute works which are within their powers of technical sanction. They may also execute works which are beyond their powers of technical sanction under the supervision of the authority competent to accord technical sanction.

(4) In the case of Municipalities in which there is no Municipal Engineer or subordinate possessing the qualifications prescribed for Municipal engineers in paragraph I of Schedule B to the regulations governing the Andhra Pradesh Municipal Engineering Service, the Commissioner with the assistance of the Engineering subordinates of the Municipality may execute works which are within his powers of technical sanction. He may also execute works which are beyond his powers of technical sanction subject to the supervision of the Assistant Engineer (Public Health) in the case of roads, and other works.

6. Inspection or test-check :—(1) Works in the Municipalities where there is a Grade I Engineer, need not ordinarily be lest-checked. However, in case if it is found desirable, the Chairperson or the Commissioner may get the work test-checked by a superior authority of the Public Health Engineering Department.

(2) Where there is no Grade 1 Engineer, the works shall be test-checked by a higher technical authority who is not in direct charge of its execution in order to ensure that the work is done generally in accordance with the plans and estimates, and to satisfy himself about the quality of the work.. He may also do some check-measurement while making the test-check work. The test-check shall be completed within one month from the date of receipt of information from the concerned Municipal Engineer or Commissioner:

Provided that, in the case of Municipalities employing II and III Grade Municipal Engineers, works costing more than Rs. 12,000 and Rs. 8,000 respectively only need be test-checked by a higher technical authority unless for special reasons the Chairperson or Commissioner reports for test-check of works below the value mentioned above.

(3) The authorities competent to inspect and test-check the execution of Municipal works shall be as shown below:

Municipality having an Engineer of	Municipality having no Engineer Grade 11	Municipality having an Engineer of Grade III
Executive Engineer (Public Health) or authority,	Assistant Engineer (Public Health) or any higher authority-	Assistant Engineer (Public Health). any higher

7. Excess over estimates and deviations from sanctioned plans and estimates and other qualifications allied thereto :—(1) The Municipal Engineer, Grade I shall be competent to sanction any expenditure in excess of the provision in the original estimate to the extent of Rs. 500 in respect of any individual item of the estimates :

Provided that the total of such excesses sanctioned by him does not exceed five percent of the scheme or work as a whole. But he shall not be competent to sanction such excess over any provision in a revised estimate sanctioned by a higher technical authority.

(2) A Municipal Engineer, Grade I, shall be competent to divert the provision ' for contingencies to new items of works or repairs not provided for in the sanctioned estimate up to a maximum limit of Rs. 5,000- He shall also be competent to divert the : provision for contingencies in an estimate to meet excess under other items,

(3) A Municipal Engineer, Grade 1, shall be competent to divert the provision under unforeseen works 10 new works which are considered essential either by him or by any higher technical authority for the due fulfillment of any precise object of the scheme up to a limit of Rs. 5,000.

(4) A Municipal Engineer, Grade I, shall be competent to sanction such alterations to constructional details during the execution, as may be necessary, but he shall report all such alterations to the Superintending Engineer in respect of works which are technically sanctioned by a higher technical authority, provided however that such alterations do not increase the cost of the work beyond the limits of the Municipal Engineer's powers of technical sanction including his powers to sanction excesses over sanctioned estimate. Where the alterations increase the cost of the scheme, the Municipal Council shall be apprised of the alterations and of the extra expenditure involved and its sanction shall be obtained therefore before they are carried out. When the scheme is one for which the

Government have given or are likely to give a loan, the Government shall also be apprised of the extra cost through the Superintending Engineer. No scheme technically sanctioned by higher technical authority than the Municipal Engineer, I Grade, shall be subjected to any deviation which will affect the general design of the scheme, except with the previous approval of the Superintending Engineer.

(5) In the case of schemes executed by Municipal Engineers, II Grade and III Grade and other Municipal Engineering subordinates, the Executive Engineer of the Public Health Department having jurisdiction shall exercise the power which a Municipal Engineer, I Grade, would have exercised, had the schemes been executed by him subject to the restrictions, controls and sanctions laid down in sub-rules (1) to (4) :

[Provided that in the case of a scheme sanctioned by a technical authority higher than the Municipal Engineer, Grade 1, minor deviations may be permitted so long as they do not change the structural design of the buildings, specifications contemplated in the original agreement and also do not enhance the estimated cost].

[Ins.by G.O.Ms.No. 19, Dt. 18-1-1964]

8. Bill Payment:—(1) Payments to contractors for the works shall be made by the Commissioner on bills approved by the Municipal Engineer or the Engineering Subordinates and passed by the Commissioner. The Accounts shall be maintained by the Commissioner and the bills on which payments are made, shall be kept with him. The Municipal Engineer or the Engineering Subordinate shall however maintain a register showing the details of budget provision and all the transactions made in relation thereto.

(2) In respect of schemes in direct charge of the Public Health Engineering Departments, payments shall be made in accordance with the procedure laid down in this behalf in the Public Works Department and the accounts shall be maintained by that department-

PART-II

Municipal Works relating to the Water-Supply and Drainage Schemes

9. Investigation, preparation of plans and estimates and administrative approval :—(1) New water-supply and drainage schemes and works and schemes for improvements to already existing water-supply and drainage works requiring investigation by the Public Health Engineering Department shall be investigated in the first instance by the Executive Engineer (Public Health) who shall then forward the reports through the Superintending Engineer (Public Health) to the Chief Engineer (Public Health) hereinafter referred to as the Chief Engineer, to the Government with a proforma estimate for according administrative sanction. Detailed plans and estimates will be prepared on receipt of administrative sanction; and technical sanction will be accorded by the competent authority.

(2) In the case of the existing water supply and drainage schemes or works the improvements to which are financed entirely from the Municipal funds and which do not require any detailed investigation as in the case of new schemes and the estimated cost of which is within the purview of the technical sanction of the Municipal Engineers, detailed plans and estimates thereof shall be prepared by the Municipal Engineers and the administrative approval of the appropriate authority shall be obtained as hereinafter provided—

(a) Where the estimated cost is beyond the limit of the Municipal Engineer's technical sanction, the sanction of the higher technical authority shall be obtained.

other Municipal Engineers and Commissioner shall be obtained before technical sanction is accorded to either new works or works of improvement involving structural additions or alterations or repairs to head works, fillers service reservoirs, settlement tanks, sewage disposal plants or to any works which materially effects the water-supply and drainage works of the Municipal Council;

[(b) every Municipal Council shall obtain the sanction of the Superintending Engineer (Public Health) indicating the bulk supply of water for house service connections and for public fountains. The Municipal Engineer shall give his technical advice in the case of new house service connections and public fountains and for shifting of existing public fountains with the bulk sanction given by the Superintending Engineer not involving any extension of main. The Chairman, Municipal Council shall exercise his powers of sanction in these cases strictly in accordance with the recommendations of the Municipal Engineer. In case of any difference of opinion between the Municipal Engineer and the Chairman, Municipal Council, the matter shall be referred to the Superintending Engineer concerned, whose decision thereon shall be final;] and

[Subs. by G.O.Ms.No. 189, Dt. 24-3-1977]

(c) the type of designs suitable for the works concerned issued by the Chief Engineer (Public Health) or the Director of Town Planning shall be adopted whenever they are available.

II. Execution :—(1) The Municipal Engineers and Engineering Subordinates mentioned in column (I) of the table below shall ordinarily be allowed to execute water supply and drainage schemes subject to the limits of cost mentioned against them in column (2) thereof—

**Maximum cost of
Grade of the Staff**

Scheme they will be allowed to execute

	Rs. No limit
(t) Municipal Engineer, I Grade	
(2) Municipal Engineer, II Grade	00,000 50,0
(3) Municipal Engineer, III Grade	
(4) (a) Commissioner with assistants of Municipal Engineering Subordinates not possessing the qualifications of Municipal Engineers.	
(b) Commissioner with the assistants of Municipal Engineering Subordinates not possessing the qualification prescribed for Municipal Engineers.	20,000

(2) In the execution of the schemes, the powers of Municipal Engineers and Municipal Engineering Subordinates and Commissioner mentioned in column (1) below shall be subject to the supervision of the officers mentioned against them in column (2)—

other Municipal Engineers and Commissioner shall be obtained before technical sanction is accorded to either new works or works of improvement involving structural additions or alterations or repairs to head works, fillers service reservoirs, settlement tanks, sewage disposal plants or to any works which materially effects the water-supply and drainage works of the Municipal Council;

[(b) every Municipal Council shall obtain the sanction of the Superintending Engineer (Public Health) indicating the bulk supply of water for house service connections and for public fountains. The Municipal Engineer shall give his technical advice in the case of new house service connections and public fountains and for shifting of existing public fountains with the bulk sanction given by the Superintending Engineer not involving any extension of main. The Chairman, Municipal Council shall exercise his powers of sanction in these cases strictly in accordance with the recommendations of the Municipal Engineer. In case of any difference of opinion between the Municipal Engineer and the Chairman, Municipal Council, the matter shall be referred to the Superintending Engineer concerned, whose decision thereon shall be final;] and

[Subs. by G.O.Ms.No. 189, Dt. 24-3-1977]

(c) the type of designs suitable for the works concerned issued by the Chief Engineer (Public Health) or the Director of Town Planning shall be adopted whenever they are available.

II. Execution :—(1) The Municipal Engineers and Engineering Subordinates mentioned in column (1) of the table below shall ordinarily be allowed to execute water supply and drainage schemes subject to the limits of cost mentioned against them in column (2) thereof—

**Maximum cost of
Grade of the Staff**

Scheme they will be allowed to execute

	Rs. No limit
(1) Municipal Engineer, I Grade	
(2) Municipal Engineer, II Grade	1, 00,000
(3) Municipal Engineer, III Grade	50,000
(4) (a) Commissioner with assistants of Municipal Engineering Subordinates not possessing the qualifications of Municipal Engineers.	
(b) Commissioner with the assistants of Municipal Engineering Subordinates not possessing the qualification prescribed for Municipal Engineers.	20,000

(2) In the execution of the schemes, the powers of Municipal Engineers and Municipal Engineering Subordinates and Commissioner mentioned in column (1) below shall be subject to the supervision of the officers mentioned against them in column (2)—

*Designation of the Municipal
Engineer or the Municipal
Engineering Subordinate*

*Designation of the Officers who
supervises*

w

(2)

(1) Municipal Engineer, Grade I	Superintending Engineer.
(2) Municipal Engineer, Grade II	Superintending Engineer & Executive Engineer.
(3) Municipal Engineer, Grade III	Superintending Engineer & Executive Engineer.
(4) Commissioner working with the assistance of Engineering Subordinates.	Superintending Engineer & Executive Engineer and the Assistant Engineer (Public Health).

(3) All water-supply and drainage schemes in the case of a municipality which has no Municipal Engineer and all such schemes in the case of any other municipality, where the cost of such schemes exceed the limits laid down in sub-rule (1) be executed by the Government with the consent of the Municipal Council as required under Section 65 of the Andhra Pradesh Municipalities Act, 1965.

12, Excess over estimates and deviations from sanctioned plans and estimates and other questions allied thereto :—(1) The Municipal Engineer Grade I shall be competent to sanction any expenditure in excess of the provision in the original estimates to the extent of Rs- 500 in respect of any individual item of the estimates :

Provided that the total of such excesses sanctioned by him does not exceed five per cent of the sanctioned estimate of the scheme of work as a whole. But he shall not be competent to sanction such excess over any provision in a revised estimate sanctioned by a higher technical authority,

(2) A Municipal Engineer, Grade I shall be competent to divert the provision for contingencies to new items of works or repairs not provided for in the sanctioned estimates up to a maximum limit of Rs. 5,000. He shall also be competent to divert the provision for contingencies in an estimate to meet excess under other items.

(3) A Municipal Engineer, Grade I shall be competent to divert the provision under unforeseen works to new works which are considered essential either by him or by any higher technical authority for the due fulfilment of any precise object of the scheme up to a limit of Rs. 5,000.

(4) A Municipal Engineer, Grade I shall be competent to sanction such alterations in constructional details during the execution as may be necessary but he shall report all such alterations to the Superintending Engineer in respect of works which are technically sanctioned by a higher technical authority, provided, however, that such alterations do not increase the cost of the work beyond the limits of the Municipal Engineer's powers of technical sanction including his powers to sanction excess over sanctioned estimate. When the alterations increase the cost of the scheme, the Municipal Council shall be apprised of the alterations and of the extra expenditure involved and its sanction shall be obtained therefor before they are carried out. When the scheme is one for which the Government have given or are likely to give a loan, the Government shall also be apprised of the extra

cost through the Superintending Engineer. No scheme technically sanctioned by higher technical authority than the Municipal Engineer, Grade I, shall be subject to any deviation which will affect the general design of the scheme, except with previous approval of Superintending Engineer.

(5) In the case of schemes executed by Municipal Engineers, Grade II and Grade III and other Municipal Engineering Subordinates, the Executive Engineer of the Public Health Department having jurisdiction shall exercise the powers which a Municipal Engineer, Grade I would have exercised, had the schemes been executed by him subject to the restrictions, controls and sanctions laid down in sub-rule (1) to (4)

[Provided that in the case of a scheme sanctioned by a technical authority higher than the Municipal Engineer, Grade I, minor deviations may be permitted so long as they do not change the structural design of the building's specification contemplated in the original agreement and also do not enhance in the estimated cost.]

[Added by G.O.Ms.No. 19, Dt. 18-1-1974]

13. Inspection and Test check:—The Superintending Engineer shall have free access to water supply and drainage schemes under execution and any advice he may offer in regard to the execution thereof shall be carried out by the executing authority.

14. The works carried out by Grade II Municipal Engineer may be test checked by the Executive Engineer and the work carried out by Grade III Municipal Engineers and other Municipal Engineering Subordinates may be checked by the Assistant Engineer and test checked by the Executive Engineer concerned. It shall not be necessary for an Executive Engineer to test check the work executed by a Grade I Municipal Engineer. The test check shall be completed within one month from the date of intimation from the concerned authority.

15. Bills and Payments :—(1) In respect of schemes in the direct charge of Municipal Engineer or the Commissioner, payments to contractor for the work shall be made by the Commissioner on bill approved by the Municipal Engineer or the Engineering Subordinates and passed by the Commissioner. The accounts shall be maintained by the Commissioner and the bills on which payments are made shall be kept with him. The Municipal Engineer or the Engineering Subordinate shall however maintain register showing the details of budget provisions and all the transactions made in relation thereto.

(2) In respect of schemes in direct charge of the Public Health Engineering Department, payments shall be made in accordance with the procedure laid down in this behalf in the Public Works Department and the accounts shall be maintained by that Department.

16. These Rules shall also apply to other works such as draw wells, tube wells with pumping units, distribution cisterns with supply taps, street drains, etc., pertaining to a water supply and drainage, though not connected with any scheme new or existing and also to repairs (ordinary or special) to existing works such as renewal of filter media, relaying of water supply main, reconstructing public fountains, flood drainage repairs, etc., as distinct from improvements, which are financed entirely from Municipal Funds,

Section No. 50**MUNICIPALITIES (Registration of Contractors) RULES, 1978****[G.O.Ms.No.633. HM.A and U.D. (MA). DL. 10-8-1978]**

In exercise of the powers conferred by Sec, 44 read with sub-section (I) of Section 326 of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965), the Governor of Andhra Pradesh hereby makes the following Rules for the registration of contractors, the same having been published at pages 75 to 82 of the Rules Supplement to Part I of the Andhra Pradesh Gazette, Dt. 16th February, 1978 as required by clauses (a) and(b) of subsection (1) of Section 327 of the said Act.

1. These Rules may be called the Andhra Pradesh Municipalities (Registration of Contractors) Rules, 1978.

2- Applications for registration of contractors shall be invited by the Commissioner between July and September of every year.

(a) by notice in the main language of the district, pasted at the notice board of the Municipality and at such other public offices as the Commissioner may think fit; and

(b) by advertising in one or more newspapers having wide circulation in the District.

3. (1) The registration of contractors shall be done in the following cases depending upon the monetary limits specified below—

Monetary Limit

Sl. Name of work No.	Class	Class Class am	Class iv
	Rs .Rs. Rs.	Us.	
t. Civil Works	2, 00, 000	1, 00,000 50,000	10,000
2. Sanitary and water Supply	10,000 Certificate	10,000 5,000	No Solvency
3. Furniture	" 10,000	10,000 5,000	Do.
4. Electricals	10,000	10,000 5,000	Do.

[(2) The members of the Labour Contract Co-operative Societies formed of Scheduled Castes and Scheduled Tribes and Waddars may be treated as Class II contractors]. [Rule 3 renumbered as sub-rule (1) and sub-rule (2) substituted by G.O.Ms.No, 478, (H, MA & UD), Dt. 28-8-1989]

4. The fee to be levied for the registration of contractors shall be fixed by the council for each class of the contractors, not exceeding the maximum limits as shown below—

Class I	—	Rs. 100	Class II
—	Rs. 50		

Class III — Rs- 25

Class IV Rs. 10

5. (1) Any person desirous of being registered as a contractor shall apply in the form prescribed, to the Commissioner enclosing a treasury receipt for the fee fixed and stating qualifications and previous experience with the list of works executed during past five years duly furnishing the date of agreement in respect of each work, date of completion. Penalties levied if any, value of work under execution on the date of application for registration. He shall also enclose a solvency certificate issued either by the Scheduled Banks on the basis of the deposits etc., held by the applicant or Solvency Certificate issued by the Revenue Authority not below the rank of a Tahsildar in respect of landed property and from the Municipal Commissioner in respect of buildings and other property situated in municipal limits for the amounts mentioned in Rule 3. The solvency certificates should be produced in either of the Forms prescribed in Appendix HI and IV.

[(2) No solvency certificate need be insisted for the purpose of registration for the members of the Labour Contract Co-operative Societies formed of Scheduled Castes and Scheduled Tribes and Waddars].

[Rule 5 renumbered as sub-rule (1) and sub-rule (2) substituted by *ibii*]

6. (1) If any contractor desires to be registered for more than one of the categories, a single fee appropriate to the registration fee for higher class thereunder shall alone be payable. The application shall be referred to the Municipal Engineer, or his subordinate, where there is no Municipal Engineer, who shall make a full enquiry and send the application to the Commissioner with the record of enquiry made by him and his recommendation in regard to the particulars in columns (4) and (5) of the Register of Contractors confidentially. The applicant shall enclose an income tax clearance certificate and sales tax clearance certificate at the final bill stage.

(2) In case of contracts of Rs. 50,000 and above in value, the contractor irrespective of his class, shall be required to employ as follows technical personnel on the concerned works at his own cost, whether technical skill is required or not—

Cost of Work

Technical Personnel

(i) From Rs. 50,000 to Rs. 1 lakh	One 1TI Candidate.
Between Rs. 1 lakh and Rs. 5 Lakhs.	One Diploma holder.
(ii) Between Rs. 5 lakhs and Rs. 15 lakhs.	One Graduate Engineer or Two diploma holders. One Graduate Engineer and One diploma holder.

The appointment of staff shall be on full time basis and they shall be available at work site, wherever required by the Engineer-in-charge to take instructions.

(3) In cases of failure of the contractor to employ the technical staff as required in sub-rule (2), the contract shall be liable to be terminated or the Government may appoint the technical staff at the cost and risk of the contractor.

(4) All contractors shall certify that they would not get themselves registered in more than one name.

(5) The Register of Contractors shall be maintained by the Municipal Council in the Form in Appendix I which shall be treated as confidential. However, the register and connected records shall be made available for perusal by the Inspecting Officers and the audit.

(6) The Register of Contractors shall be kept up to date; The Municipal Commissioner shall scrutinize the Register atleast once in six months and sign the Register in token of his scrutiny. The Municipal Commissioner shall take every care to fill up all columns in the register with required information. If the registered contractor withdraws his tender after it is accepted by the competent authority or if he defaults in execution of the work entrusted to him or if a contractor has neither executed the work nor even tendered for work during the past three years, the Municipal Council may order the deletion of the name of such contractor.

(7) The list of Contractors should be periodically reviewed by the registering authorities for weeding out from the approved lists such contractors who have not secured or not even tendered for any work during a period of three consecutive years. Before eliminating any name, a notice should be issued to him telling him why his name is proposed to be deleted, so that, in case he had tendered, he could give his reply and it should be examined whether the tender was of such a nature as to disclose, a reasonable desire on the part of the contractor to execute the work- The name of contractors whose performance had been bad with references to the remarks of the officer who concluded the agreement with the contractor, should be deleted.

(8) He shall not be eligible for registration till the expiry of 3 years from the date of receipt by Contractor of the Council resolution deleting his name. An appeal shall lie to the Chief Engineer (Public Health) against such order. Such appeal shall be preferred through the Commissioner within 7 days from the date of receipt of the decision of the Municipal Council by the Contractor. The orders of the Chief Engineer (Public Health) on such appeal shall be final.

(9) A Class IV Contractor could tender only for works of the Municipality where he gets himself registered. The tender schedules shall be sold even to remote and reputed firms provided they get themselves registered in the Municipality before submission of tenders.

7. A tender register shall be maintained by the Municipal Engineer or his Subordinate as the case may be, in the Form given in Appendix-II. He shall scrutinise the entries in the register and certify as to their correctness with reference to the original tenders which shall be preserved and made available for audit and inspections. He shall submit the Tender Register and the tenders to the Commissioner with his recommendations; The Commissioner shall place them with his remarks before the competent authority to select the tender.

8. While registering the contractors, the Commissioner shall not insist from the retrenched and unemployed engineers for the production of solvency certificate at the time of registration and allow other concessions to them granted by the Government from time to time.

APPENDIX - I

Register of Contractors

[Not Printed]

No construction or alteration of a bridge, culvert, dam, diversion or other work across and affecting any water way or drainage course within 1.60 kilometers of any railway line shall be executed or made by a municipal council except after consulting the Railway Administration concerned as regards the adequacy of the water-way provided and

the levels. In the event of any disagreement between the Municipal Council and the Railway Administration, the matter shall be discussed at a meeting of the State Committee of Engineers constituted, for reviewing the case in respect of construction of bridges, etc., near Railway lines in Andhra Pradesh and for working out solutions by the said Committee-The said solution shall be binding on the Municipal Council and the Railway Administration,

Section No. 52

TENDER RULES - THE MUNICIPAL CORPORATION OF HYDERABAD TENDER RULES, 1970

[G.O.Ms.No. 451, Municipal Administration, Dt. 6-6-1970]

In exercise of the powers conferred by sub-section(1) of Section 585 of the Hyderabad Municipal Corporations Act, 1955 (Act II of 1956), the Governor of Andhra Pradesh hereby makes the following Rules relating to the invitations and disposal of tenders for Municipal works and for the supply of materials, goods etc., the same having been previously published at pages 595 to 603 of Part II of the Andhra Pradesh Gazette, dated the 31st December, 1964, as required by sub-section (3) of Section 585 of the said Act.

RULES

1. Short title and Commencement:—(1) These rules may be called the Municipal Corporation of Hyderabad Tender Rules, 1970.

(2) They shall come into force on the date of publication in the Andhra Pradesh Gazette (i.e., from 23-4-1970).

2. Definitions :—in these rules, unless the context otherwise requires:—

(a) 'Act means the Hyderabad Municipal Corporations Act, 1955 (Hyderabad Act II of 1956);

(b) 'Corporation' means the Municipal Corporation of Hyderabad;

(c) 'Council' means the General Body of the Municipal Corporation of Hyderabad;

(d) 'Standing Committee' means the Standing Committee of the Municipal Corporation of Hyderabad constituted under Section 93 of the Act;

(e) 'Contractor' means a person, firm, or Corporation with whom an agreement has been made by the Commissioner or any Gazetted Officer duly authorized by him in that behalf for executing work defined in the concerned agreement and for purpose of instructions, regarding compliance with contract conditions and shall include the contractor's authorized agent, who is maintained on the work by the contractor.

(f) Words used but not defined in these rules shall have the meaning assigned to them in the Act.

PART I

Rules for the invitation and disposal of Tenders for Municipal Works, Constructions, etc.

3-(1) The Commissioner, Municipal Corporation of Hyderabad or any Gazetted Officer duly authorized by him in this behalf shall invite tenders for every contract for the

execution of work the estimated cost of which exceeds [ten] thousand rupees:

[Subs, by G.O.Ms.No. 39, (M.A.), Dt. 28-1-87]

Provided that tenders may not be called for in case of contracts for works, relating to war and civil defense and any other Special Committee duly authorized, in case the amount of contract exceeds three thousand rupees, but does not exceed ten thousand rupees and the council, in case the amount of contract exceeds ten thousand rupees but does not exceed twenty-five thousand rupees may at the instance of the Commissioner and for the reasons which shall be recorded in its proceedings authorize the Commissioner to enter into a contract for the execution of any work without inviting tenders.

(2) (i) The Commissioner, or the Superintending Engineer, authorised by the Commissioner in this behalf may nominate any registered contractor of the Corporation for works whose estimated cost is rupees [one lakh] or below in each case at estimated rates only when the work is of urgent nature leaving no time to invite tenders or when there is no response from any registered contractor of the Corporation even after inviting tenders twice as per the procedure prescribed in the Public Works Department Code:

Provided that the fact shall be reported by the Commissioner or the Superintending Engineer, as the case may be, to the Standing Committee or any Special Committee duly authorised.

(ii) The Standing Committee or any Special Committee duly authorised may, in an emergency, nominate any registered contractor of the Corporation for works whose estimated cost exceeds rupees [] in each case at estimated rates, at the instance of the Commissioner :

Provided that in the case of works whose estimated costs exceed rupees five thousand but do not exceed [], the Standing Committee may nominate only when no tender have been received after they are invited twice.

(iii) The Commissioner may, with the previous approval of the Council and the Government nominate any registered contractor of the Corporation for works, whose estimated cost exceeds rupees [] in each case at estimated rates, in case no tenders are received after they are invited twice.

(3) For works which are required by the Government to be executed by or under sections 176, 491(1), 565(i)(a), 639 and 677(a) of the Act, the Commissioner may execute such work or works in anticipation of the administrative sanction of the estimates when such sanction is necessary.

[3-A.(1)] In respect of any work the estimated cost of which is rupees fifty lakhs or more the Commissioner shall give notice specifying the following pre-qualifications :

- (a) Name of the Contractor or Firm;
- (b) Financial Status;
- (c) Details of experience in the execution of works of similar nature;
- (d) Equipment and machinery possessed;
- (e) Qualification of personnel employed including the technical personnel;

(t) List of major works of similar nature completed by the agency or under execution;

(g) Any other relevant information].

The notice shall be published in at least three daily news papers of nationwide circulationD-

(2) After receipt of the applications, the applications shall be placed before a Committee consisting of the three members of whom one shall be an Officer of the rank of a Chief Engineer. The Committee shall scrutinise and evaluate the application placed before it and select the applicants for issue of tender schedules relevant to the works to be awarded. Tender Schedules shall be issued to the selected applicants after approval by the Government. The Committee shall also scrutinise the tenders received and make recommendations to the Commissioner who shall deal with the tenders in accordance with the provisions of the Act]. [Insl. by G.O-Ms.No. 973 (M.A.), DI- 27-8.1981]

4.(1) Tenders in sealed covers shall be invited in the most open and public manner possible-Notice calling for tenders shall invariably be published in important local news papers having wide circulation at least in the State of Andhra Pradesh in respect of all works.

In case of large contracts, the last date of receipt of tender should be at least one month after the date of first advertisement or notice. The paper for publication has to be made in respect of works whose costs exceed rupees one lakh as per note of item IV of para 154 of the Andhra Pradesh Public Works Department Code.

(2) Every tender notice published shall state :

- (i) When and where the contracts documents can be seen;
- (ii) When and where the blank forms of tenders can be obtained;
- (iii) When and where the tenders are to be submitted and to be opened;
- (iv) The amount of earnest money to accompany the tender and the amount and the nature of security deposit required in the case of accepted tender. In case of lump sum contracts the amount of earnest money and that of additional securities and in case of piece works contract the amount of earnest money;
- (v) Production of certificate of income tax verification from the appropriate income tax authorities in the form prescribed thereof and tenders submitted without income tax verification certificate are likely to be summarily rejected;
- (vi) With whom the acceptance of contract will rest and period of completion of works
- (vii) The Standing Committee or any Special Committee duly authorised reserves right to reject all or any of the tenders so received without assigning any reasons therefor.

5. Tenders must be opened either by the Commissioner or by any Gazetted Officer authorised by him in this behalf at the time and place specified in the notice inviting tenders in the presence of tenders or their authorised agents who may choose to be present at the time.

The Officer opening the tender shall also initial all corrections in each tender, which have been initialed by the tenderer. If there are corrections in the tender unattested by the tenderers, the note of such corrections should be made on the tender itself, when it is

opened. The tenders should then be tabulated and scrutinised by the Commissioner or any Gazetted Officer authorised by him. The comparative statement shall be placed before the appropriate authority with the recommendation of the Commissioner or any other Gazetted Officer authorised by him for orders. Tenders will not be accepted from any person, who is directly or indirectly connected with the Government or Municipal Corporation Service. All tenders should invariably be received in the Office of the Tender accepting authority who is the tender inviting authority and not at his residence or any other place. Tenders must be submitted in sealed covers and should be addressed to the tender inviting authority, the names of the tenderer and the name of the work being noted on the cover. The officer opening the tenders should keep a personal note of the total number of tenders opened by him and verify them with the number in the comparative statement of tenders. Before the selection of the tenderer, the officer concerned should examine all the tenders and satisfy himself that no corrections which were not in the tender at the time he received them had been made in any of them subsequently. In selecting the tender to be accepted, the financial status of the tenderers, their capacities, the security offered by them or record of their execution of any work previously, should be taken into consideration, other conditions being equal, the lowest tender should be accepted:

Provided that in case whose estimated cost does not exceed rupees five thousand, the Commissioner or any Gazetted Officer authorised by him shall decide to whom the work is to be given [x x x x x].

6. The lowest tender shall ordinarily be accepted. In case when the tender other than lowest tender is accepted, confidential records should be kept for the reasons for doing so. This confidential record should be made available to the inspecting officers of audit department if required.

7. Where the capacity for work and the integrity of a tenderer are not known, his tender need not necessarily be rejected but extra security of five or ten per cent may be taken where circumstances warrant such a course.

8. When the lowest tender is rejected for reasons recorded, the next lowest tender shall be accepted unless adequate grounds can be assigned for rejecting that tender also.

9. Tenders offering the percentage reduction from or increases on the estimated amount, and those that are not submitted in proper form in due time will be rejected. Rates of lump sum amounts for items not called for shall not be included in the tender. No alteration in the contract forms, the drawing specification of quantities accompanying the same will be recognized and if any such alteration or modifications are made, the tender will be void.

10. A tenderer shall not be asked to reduce any of his tendered rate or rates- But the tender deciding authority or tender accepting authority may negotiate with the lowest tenderer only when he considers that the rate tendered for one or more items are pitched up too high by the lowest tenderer. In such case the tender deciding authority or the tenderer accepting authority may request the lowest tenderer in writing to reduce them to reasonable rates.

[11. (I) there shall be no avoidable delay in the disposal of tenders after they are received and in no case shall the period exceed one month. In cases where the tender falls beyond the competence of acceptance by the Corporation, the authority calling for tenders shall have the right to extend the time up to the limit required for the disposal of such tender.

PART II**Rules for the invitation and disposal of tenders relating to supplies of materials, goods, etc., to the Corporation**

12.(1) In respect of supplies of materials, goods or services, etc., (rather than those for the execution of works) whose estimated cost is rupees [] or below, tenders may be dispensed with, if the Commissioner considers such a course is necessary for administrative convenience:

Provided that the Standing Committee or any Special Committee duly authorised in this behalf in case the amount of contract exceeds [] rupees but does not exceed [] rupees, and the Council, in case the amount of contract exceed [] rupees but does not exceed [] rupees may at the instance of the Commissioner and for the reasons shall be recorded in its proceedings authorise the Commissioner to enter into a contract for the supply of materials, goods or services, etc. (other than those for the execution of works) without inviting tenders.

(2) Tenders shall be opened by the Commissioner or any Gazetted Officer authorised by him in this behalf at the time and place specified in the notice inviting tenders in the presence of such of the tenderers or their authorised agents as may be present. On opening the tenders, the Commissioner or any Gazetted Officer authorised by him in this behalf shall initial all corrections in each tender which may have been made and attested by the tenderer, a note of such correction shall be made on the tender itself when it is opened. The tenders shall then be tabulated and scrutinised by the Commissioner or any Gazetted Officer authorised by him and placed before the Standing Committee or any Special Committee duly authorised with his recommendation for orders-If the contractor produced a valid Income tax verification certificate for the first work or supplies tendered by him, at the commencement of the official year, the same may be considered as valid for all the works and supplies subsequently tendered by him during the course of the said year. Detailed reference should however be given by the tenderer to the Income tax verification certificate submitted earlier in the covering letter accompanying his subsequent tender.

(3) The lowest tender shall ordinarily be accepted. Where it is considered undesirable to accept the lowest tender, the reasons shall be clearly recorded and made available for purposes of audit.

Note:—Where a tender is in respect of more than one article, for example stationery articles, the comparative prices can be considered either individually for each article, or conjointly for all the articles or for specified groups of articles as long as the lowest tender is accepted, provided that the intention of the authority competent to accept tenders to select the lowest tender in any of these ways is made clear in the tender notice. If the tender notice is considered conjointly for all the articles or for groups of articles, the cost of the probable requirements in respect of all articles the cost of the probable requirements in respect of all articles or of all articles in each group, as the case may be, shall be worked out with reference to the rates given in each tender and the lowest tender will be that according to which the total cost of the probable requirements of all the articles proposed to be taken together works out to be the least.

(4) A tender shall not necessarily be rejected for the reason that the capacity for supply or the integrity of a tender is not known. In such cases such additional security, as the authority competent to accept the tenders considers necessary shall be taken from the tenderer if the circumstances warrant such a course.

(5) Where the lowest tender is rejected, the next lowest lender shall be accepted, unless there are adequate grounds which shall be recorded for rejection of that tender also.

(6) Notwithstanding anything in sub-rules (3) to (5) the authority competent to accept tenders may in suitable cases refer the matter to such authority, as may be specified by the Government and accept the tender accompanied by that authority.

(7) In no case shall a lender be accepted at rates other than those specified in that tender-

(8) There shall be no delay in the disposal of the tenders, after they are opened. Ordinarily, they shall be disposed of within a week of the date on which they are opened and in no case shall tenders remain undisposed of for a period exceeding one month.

(9) In case where tenders are not received, fresh tenders shall be invited and if lenders are not received even then, quotations shall be invited. The procedure to be followed after the receipt of quotations shall as far as possible be the same as that laid down for the disposal of tenders.

13. In selecting tenders for electrical and mechanical plant and equipment, the tendered price is not the only factor to be considered. Particular attention shall be paid to efficiency, running cost, durability of materials, reliability of guarantees, necessity for repair and attention, saving in spare parts due to standardization purpose in view and technical qualifications and financial standing of the tenderer,

14.(1) Tenders referred to in Rule 12 shall be invited by the Commissioner or any Gazetted Officer authorised by him in this behalf in sealed covers in the most open and public manner possible.

(a) In all cases, by a notice in the language or languages of the District, pasted at the offices of the Municipal Corporation and at such other places as the Commissioner, or any Gazetted Officer authorised him may deem fit; and

(b) When the cost exceeds rupees three thousand by advertisement in atleast one newspaper circulating in the district and the State.

(2) Every notice and advertisement published under sub-rule (1) shall state *inter alia*—

(i) the conditions under which and the officer from whom a copy of the Schedule of quantities of the various kinds of articles can be had, if they cannot be mentioned in detail in the notice of advertisement;

(ii) the precise form of tendering, i.e., whether the prices for various articles are to be quoted and whether the comparative value of the tender will be examined with reference to each article mentioned in the schedule of quantities or for all articles conjointly or for a group of articles;

(iii) for tenders up to a value of rupees one lakh and above a minimum period of one month from the date of publication of notice, may be given for submission of lenders. For tenders up to a value between rupees fifty thousand and rupees one lakh a minimum period of fifteen days may be allowed. For tenders of less than rupees fifty thousand, a period of ten days may be allowed;

(iv) when and where they are to be opened;
[DCODE—44]

(v) the amount of" earnest money which should accompany the tender and the amount and nature of security required in case the tender is accepted;

(vi) the authority competent to accept the tender;

(vii) the authority competent to accept the tender reserves the right to reject any or all the tenders received without assigning any reasons; and

(viii) the earnest money of a tenderer who withdraws his tender without valid reason within two months from the date of receipt of tenders by the tender inviting authority shall be forfeited.

15. These rules shall not apply to the purchase of:

(i) stores, through the Director-General, Supplies and Disposals, Government of India, through the Stores Department or the State General Stores Purchase Department;

(ii) articles from the metal and timber workshops and factories by the State Government for resettlement of ex-servicemen;

(iii) bills by the Corporation for conservancy and other purposes;

(iv) controlled articles at controlled rates through a permit issued on orders of the Government or their agents;

(v) articles manufactured in factories, industrial training-cum-p reduction Centres and workshops by the State Government or Centres of an equal status;

(vi) articles stored at the Government Sales Emporium;

(vii) The articles manufactured in the workshops and units run by or under the management of the Andhra Pradesh Small Scale Industries Development Corporation.

16, Notwithstanding anything in Rules 13 and 14, the Standing Committee or any Special Committee duly authorised in this behalf may with the previous sanction of the Government dispense with tenders in respect of the following or similar classes of cases, namely :

(i) supply of materials goods or services relating to war and civil defense measures;

(ii) supply of materials or goods which are patented or are manufactured and sold solely by particular companies or firms, or their authorised agents; and

(iii) standard materials or goods the prices of which are liable to continuous fluctuations due to the unsettled conditions of the market.

Note:—The classes of cases mentioned in this rule are illustrative and exhaustive.

17. In placing orders for the supply of materials or goods, etc., required by the Corporation, preference shall be given to the materials or goods manufactured by the industries located within the limits of the Andhra Pradesh State over similar materials or goods manufactured outside the Andhra Pradesh State, by giving the following price preferences, if necessary:

(i) indigenous materials or goods over imported ones, up to 15 per cent price preference;

(ii) material or goods manufactured within the limits of the Andhra Pradesh State, 5 per price preference over other Indian products;

(iii) materials or goods manufactured by Cottage and Small Scale Industries, 10 per cent price preference;

(iv) materials or goods manufactured by Co-operative Societies, 5 per cent price preference over others; and

(v) materials or goods manufactured within the limit of the Andhra Pradesh Slate with Indian Standard Institute marks, 2 per cent price preference, over similar other products which do not conform to the Indian Standard Institute standards, in addition to the above mentioned four categories of price preference.

18. The Commissioner shall maintain or cause to be maintained a tender register in the form prescribed in Annexure I to these rules. The tender register shall be scrutinised by the officer empowered by the Commissioner to invite and dispose of tenders for every contract either for the execution of works or for the supply of materials, goods at least once in a month and certify as to the correctness of the entries made in the register with reference to the original tender or tenders which shall be preserved and made available for audit. The tender register together with recommendations of the Officer empowered to invite and dispose of tenders shall be submitted to the Commissioner as and when required by him.

Municipal Corporation of Hyderabad

ANNEXURE I

(See Rule 18) *Tender Register*

.....Branch/Department

Whether registered contractor Nature of the Work
St.No. Name of tenderer or not and if registered,
the serial number in the
register of contractors
(1) (2) (3)

goods, materials,
etc., for which
tendered
(4)

Tender deposit tender of tenders and the Commissioner (5)	Amount of the officer authorised (6)	Recommendations of competent to (7)	Orders of the authority to invite and dispose (8)	percentage accept the

RELATING TO PANCHAYATS/MANDALS/ZILLA PARISHADS

Section No. 53

Execution of Works - Streamlining the Tendering Procedure –Panchayat Raj Department.
[G.O. Ms. No. 477, Panchayat Raj & Rural Devpl. (Progs. II) Dept., Dt. 12-1-1998]

Ref. .— 1. G.O. Ms. No. 589, PR & RD (Mandats-I) Dept., dated 29-9-1989.

2. Govt. Memo. No. 87931/RS-1I/89-3, Dt. 4-10-1990.

3. G.O. Ms. No. 132, TR & B(R.I.) Dept. Dt. 11-8-1998.

Note:—G.O. Ms. No. 589, PR & RD (Mandats-I) Dept; dated 29-9-1989 is printed at page 234 of this book

Order:—In the G.O. 1st read above. Governments have issued certain rules for Panchayat Raj Engineering Department in regard to invitation and acceptance of tenders. In the Memo second read above executive instructions were issued for entrustment of RWS works on nomination basis. In the G.O. 3rd read above, Govt. have issued comprehensive orders to be followed by all works departments for streamlining the tender procedure and enhancement of technical sanctions to the EEs and SEs, In pursuance of these orders the Engineer-in-Chief (PR) has requested the Govt. in Panchayat Raj & Rural Development Department for issue of executive instructions for Panchayat Raj Engineering Department,

2. Government, after careful consideration of the proposal of the ENC, PR hereby issue the following instructions, in cancellation of the instructions issued in the memo second cited and pending issue of necessary amendment to the rules issued in the G.O. first read above.

(a) Items to be included in the estimate after its preparation as per SSR :—

The following items may be included in the estimate after its preparation as per SSR :

(1) Turnover tax @ 1% in rates of various items relating to works of canal digging, lining and repairing, road works and other than the above 3% on all categories of contracts-

(2) A tumpsum provision be made in the abstract estimate considering the agreement period and one year's observation period by obtaining the details of insurance premium from insurance organisations.

(3) Lumpsum provisions be made in the estimate to meet the expenditure to be incurred by a contractor on:

(A) Engaging technical personnel

(B) Performance guarantee

(C) Construction of temporary store sheds.

(b) Reduction of permissible tender excess:—The tenders with an excess of 20% of the estimated rates shall be summarily rejected.

(c) Steps to be taken to ensure that ultimately tender excess is not more than the prescribed **limit**:—with a view to prevent collusion or the formation into a ring by contractors, the following procedure shall be followed:

(1) Tender schedules shall be issued till a date prior to the last date of submission of tenders.

(2) Once a contractor buys a tender schedule, he shall not be permitted to return the schedule. After buying a tender-schedule, if a contractor does not tender for the work, his EMD shall be forfeited (cash or bank guarantee or both). If the EMD paid at the time of purchasing the tender-schedules is less because of the contractor having a L.S.D. (Lumpsum Deposit) concession then in forfeiting the EMD, the remaining amount of LSD refunded to the contractor so that he can make a fresh deposit of LSD.

(3) Time allowed from the date of publication of tender notice to the date of receipt of tenders is reduced to 14 days for the first call and 7 days for the second call.

(4) The total value of works grounded in any year including works given through tenders or through nominations shall not exceed the budget provided to each District.

(d) How to deal with cases where the tender filed is less than the estimated cost:—Tenders up to 15% less than the estimate may be accepted but for tenders less than 15% of the estimate, a bank guarantee or Demand Draft for the difference between the tendered amount and 85% of the estimate value should be taken so that if the tenderer leaves the works midway and the Department is forced to call for tenders for the work once again, the bank guarantee or Demand Draft shall be used to finance the re-tendered work.

(e) To improve the work culture and speed up the execution of works, the Govt. issue the following orders :—(1) The powers of technical sanction be enhanced to Rs. 10 lakhs in respect of an Executive Engineer and Rs. 50 lakhs in respect of a Superintending Engineer and these Engineers are given the powers to approve the tender-notices, tender-schedule and finalize the tenders at their level for the works for which they are technically empowered to sanction.

(2) Tenders shall be received in 2 parts in 2 different sealed covers; The first cover shall contain the qualification data viz., annual turnover and value of works under execution. The second cover will contain the financial bid for the works in question. All Engineers opening tenders shall first open the first sealed cover containing the qualification data and see whether the tenderer is qualified by using the formula:

2 (AN-B) estimate value, where A is annual turnover on all civil contracts of the tenderer, N is period of completion for the work for which tender is submitted and B is the value of works under execution by the tenderer.

The second cover containing the financial bid will be opened only of those tenderers who are qualified according to this formula. The financial bids of the tenderers who are not qualified shall not be opened and they shall be kept in the sealed covers only.

(3) For the works above Rs. 50 lakhs and up to Rs. 50 lakhs the tender notice shall be published in District editions of two Telugu Dailies with the largest circulation. For works costing more than Rs. 50 lakhs, the tender notices will be published in one Telugu daily and one English daily having largest circulation at the State level. To reduce the cost

of each publication, the format for the tender notice in the newspaper shall be finalized by the ENC, PR so that the cost of the advertisement is kept to the minimum.

(4) The tender schedules should contain not only the quantities but also the rates worked out by the Department and the amount for each item and the total value of the contract. The tenderer will not be required to quote item wise. He should indicate his willingness to do the work either at the estimated value of the work or at a percentage in excess of the estimated value of the work or at a percentage less than the estimated value of the work. The work order should be issued to the successful tenderer on same day or next day of opening of tenders subject to fulfilment of conditions prescribed. Once the work order is issued to the successful tenderer, EMD of all the remaining contractors should be refunded within 2 days by Registered Post with Acknowledgement Due.

(5) The monetary limits for registration of contractors is revised as follows:

<i>SL No.</i>	<i>Class of Contractor</i>	<i>Monetary Limits</i>	<i>Authority to register</i>
		above Rs. 5 crores	Board of C.Es.
1.	Spl. Class		
2.	Class-1	Rs. 1 to 5 crores	C.Es.
3.	Class-n	Rs. 50 to 100 lakhs	S.Es.
4.	Class-III	Up to Rs. 50 lakhs	E.Es.

(6) Contractors who execute their works within time as per specifications shall be issued a merit certificate acknowledging their timely completion ensuring good quality. The merit certificate shall be given in a public function with due publicity to increase the prestige and standing of the contractors in the society. The performance of the contractors on the works shall be obtained, and maintained in the offices of the Registering authorities viz., EEs, SEs, CE and Board of CEs. The performance shall be assessed annually and the results shall be made use of while considering applications for renewal of contractors' registrations.

(7) Payments for execution of quantities, in excess of agreement quantities, should be made without delay and the EEs should take prompt action to obtain the approvals of the competent authority to make the payment to the contractors. Failure in this regard shall result in disciplinary action being taken against the concerned engineers. Similarly, final payments to contractors should not be delayed for want of a certificate from the Quality Control Staff. The Chief Engineers should ensure proper performance of the Quality Control Wing and see that they give the certificates in time on pain of disciplinary action to avoid delays in the payment of final bills to the contractors.

(8) The site order book shall be maintained as provided for in the Codes and it should contain the remarks and instructions of all engineers who visit the works viz., the EE, SE, CE and E in C.

Section No. 54**FORMATION OF AYACUTDAR COMMITTEES**

(G.O. RI. No. 1863. Pawhayat Raj & Rural Devpl. (Progs. !) Dept., DI. 23-11-1998)

Ref. :— 1. From the Engineer-in-Chief, P.R. Hyderabad Lr- No. 101 MI/98 dated 26th October, 1998.

Order:—The Engineer-in-Chief, Panchayat Raj has submited a proposal stating that in Panchayat Raj Department there are 70,474 Minor Irrigation sources having an ayacut of less than 40 hectares and the ayacut under these sources is 6,02,780 hectares. The sources are under the control of mandals. The Minor Irrigation sources were not formed initially with the required standards and there is need for regular maintenance of Minor Irrigation tanks. The Minor Irrigation tanks are maintained by the Department through regular departmental procedure and the involvement of the Ayacutdars is very much needed for effective maintenance of Minor Irrigation sources. Minor Irrigation sources in Panchayat Raj are small tanks and they can be maintained by the proposed for formation of Ayacutdar Committee for maintaining Minor Irrigation sources from out of the Ayaculdars of the source.

2- The Government after careful consideration hereby accept the proposal of the Engine er-in-Chief, Panchayat Raj and issue the order to form Ayaculdar Committees to carry out all the maintenance and restoration work of Minor Irrigation sources and to entrust the flood damage works to the above Committees initially and also to extend the procedure to the maintenance of works sanctioned under Minor Irrigation plan funds in future with the following conditions:

1. The Mandal Parishad Development Officer will form the Ayacutdar Committee on usual terms and conditions. The Ayacutdar Committee, so framed will carry out all the maintenance and restoration work of the Minor Irrigation sources. The Committee will have a Secretary in whose name a bank/posi office account will be opened on behalf of the Committee and the Mandal Parishad Development Officer will entrust the work to the Committee at estimated rates and enter into an agreement with the Committee.

2. The Mandal Parishad Development Officer will transfer a predetermined amount of funds to work. When a certain amount of work is done, the AEE/AE will record the measurements, prepare the bill and send it to MPDO. The MPDO will pass the bill and adjust it against the funds transferred to the Committee. He will men transfer a further amount of funds to the Committee. This process will continue till the works are completed.

3. The work shall be measured and check-measured as per the existing departmental procedures and the bills shall be prepared by the AEE/AE and the Mandal Parishad Development Officer shall pass all the bills and adjust against the funds transferred.

4. The Ayaculdars shall repair and maintain field channels for effective use of the water for irrigation and the cost of the repair and maintenance of the channel shall be bome by the beneficiaries. The beneficiaries shall remove the weeds grown in the tank bed periodically as Sramadan. The storages capacity of the tank is reduced by silting of the tank beds. The tanks shall be desilted annually in summer season by the beneficiaries as Sramadau. The Ayacutdar Committee shall regulate the water

flow through sluices and channels so that the tail end ayacut do not suffer. The Committee should protect the foreshore tank bed against encroachments and the land width on the rear side of the bund shall be protected against the encroachment-Trees shall be grown on the foreshore land and vacant site on the rear side of the bund.

The Ayacutdar Committee will attend to the above work.

3, The Engineer-in-Chief, Panchayat Raj, Hyderabad is requested to take necessary action in the matter.

Section No. 55

ESTIMATES OF GRAM PANCHAYAT WORKS

According of Technical and Administrative sanction within a month to the estimates of Gram Panchayat Works - Instructions ~ Issued.

(G.O. Ms. No. 58, Panchayat Raj and Rural Devpt. (Estt. Hi) Dept., Dt. 6-2-1999)

Ref. :— 1. Representation of President of Andhra Pradesh Panchayat Sarpanches Sangham, Dated 31st December, 1998 addressed to the Minister for P.R. & R.D.

2. From the Engineer-in-Chief (Panchayati Raj), Hyderabad, Letter No. TL/25013/ 88-2, dated 5th February, 1999-

Order:—In the letter second read above, the Engineer-in-Chief (Panchayati Raj), Hyderabad has stated that the Hon'ble Chief Minister had announced in the State Level Conference of Gram Panchayat Sarpanches on 3-2-1999 that the Administrative and Technical sanction to the estimates of Gram Panchayat works should be given within a month and requested the Government to issue suitable orders in the matter.

2. Government after careful consideration of the request of the Engineer-in-Chief (Panchayati Raj), Hyderabad, hereby instruct all the concerned authorities of Gram Panchayat works to accord administrative and technical sanction to the estimates of Gram Panchayat works within a month.

3. The Commissioner, Panchayati Raj and Rural Employment, Hyderabad and the Engineer-in-Chief (Panchayati Raj), Hyderabad are directed to implement these orders by issuing circular orders to the District Panchayat Officers and Superintending Engineers and Executive Engineers at District level respectively.

4. This order will come into force with immediate effect

According Technical approval to estimates on Gram Panchayat Works -Procedure to be followed.

(G.O. Ms. No. 66, Panchayat Raj and Rural Devpt. (Estt. Ill) Dept., Dt. 9-2-1999)

Ref. :— 1. Demands of the A. P- Panchayat Sarpanches Association, Dt. 11-1-1999,

2. From the Engineer-in-Chief (Panchayati Raj) Hyderabad, Letter No. TL/25013/ 88. dated 5th February, 1999,

Order:—In the reference first read above, the Andhra Pradesh Panchayat Sarpanches Association has requested that the procedure of according technical approval to Gram

Panchayat, Mandal Parishad and Zillah Parishad works should be dispensed with; and that orders should be issued to this effect.

2. In the reference second read above, the Engineer-in-Chief (Panchayati Raj), Hyderabad has slated that the preparation of technical estimate is compulsory for arriving the amount of Administrative sanction. The concerned Assistant Executive Engineer or Assistant Engineer will prepare estimates and send them to Gram Panchayat. The Gram Panchayat in turn will seek administrative sanction from the concerned. After administrative sanction is accorded, technical sanction will be accorded by the competent authority.

3. After careful consideration of the request of the Andhra Pradesh Panchayat Sarpanches Association and the proposal submitted by the Engineer-in-Chief (Panchayat Raj), Hyderabad, Government hereby order that since the Gram Panchayat is utilizing public fund for public purpose, there is a necessity to prepare proper technical estimates as per the schedule of rates approved by the Government from time to time. In the absence of proper technical estimates there may be chances of misuse of public funds which will not be in public interest. Government, therefore order that all the Gram Panchayats in the State will get the technical estimates prepared by the Mandal Engineering Officers following the current schedule of rates and the Gram Panchayat shall accord administrative sanction to those works depending upon the availability of funds. Thereafter, the appropriate authority will give technical sanction. It is also ordered that Gram Panchayat shall not accord administrative sanction to works over and above the budget estimates approved by the Divisional Panchayat Officer under any circumstances-

4. The Commissioner, Panchayati Raj and Rural Employment, Hyderabad and the Engineer-in-Chief (Panchayati Raj), Hyderabad are directed to implement these orders by issuing circular order to the District Panchayat Officers and Superintending Engineers and Executive Engineers at District level respectively.

5. This order will come into force with immediate effect.

Section No. 56

CIVIL WORKS IN GRAM PANCHAYATS –

ADMINISTRATIVE SANCTION

Civil Works in Gram Panchayats - According of Administrative Sanction to Civil Works up to Rs. 2,00,000/- by Major Gram Panchayats and Rs. 1,00,000/- by Minor Gram Panchayats - Orders - Issued.

(G.O. Ms. No. 91, Panchayat Raj and Rural Devpt. (Esll. Ill) Dept., Dt. 4-3-1999)

Ref. :— 1. Demands of the A. P. Sarpanches Association, dated 30th January, 1999.

2. From the Engineer-in-Chief (P. R.), Hyderabad, Letter No. T 1/25 013/88-3, dated 5th February, 1999.

Order :—In the reference 1st read above, the Andhra Pradesh Panchayat Sarpanches Association has requested that the Major Gram Panchayats in the State shall be given powers to accord administrative sanction up to Rs. 2,00,000/- and the Minor Gram Panchayats to accord administrative sanction up to Rs. 1,00,000/- and that over and above these financial limits, the Divisional Panchayat Officer shall be vested with powers to accord administrative sanction and the powers vested with the District Collector shall be dispensed with.

2. In the reference 2nd read above, the Engineer-in-Chief (Panchayati Raj), Hyderabad has submitted proposals on the demands of the Andhra Pradesh panchayat Sarpanches Association and requested to issue necessary orders.

3. After careful consideration and in supersession of all earlier orders. Government hereby order that the Major Gram Panchayats shall accord administrative sanction to Civil Works up to Rs. 2, 00,000/- and Minor Gram panchayats shall accord administrative sanction up to Rs. 100,000/-. For Civil Works costing over and above Rs. 1,00,000/ Rs. 2,00,000 in Minor/Major Gram Panchayats, but up to Rs- 3,00, 000/- the administrative sanction shall be issued by the Divisional Panchayat Officer, and that over and above Rs. 3,00,000/- administrative sanction shall be issued only by the District Collector- These powers are applicable to all works under all grants. It is also ordered that all the Gram Panchayats should call for the Gram Sabhas, prioritise the works and prepare annual budgets and submit them to the Divisional Panchayat Officers for approval. The Divisional Panchayat Officers are entrusted with the duty of approving annual budget of each Gram Panchayat and also the Civil Works as per Section 77 of the Andhra Pradesh Panchayat Raj Act.

3. The Gram Panchayats should not take up works over and above the financial viability of respective Gram Panchayats. The Executive Officers and Extension Officer (panchayats) are ordered that they should frequently inspect the Civil Works and ensure the quality and standard of the works.

4. This order will come into force with immediate effect

Section No. 57

TECHNICAL SANCTION POWERS - PANCHAYAT RAJ ENGINEERS

Technical Sanction powers to Panchayat Raj Engineers - Enhancement - Orders - Issued.

(G.O. Ms. No. 94, Panchayat Raj and Rural Devpt. (Estt. Ill) Dept., Dt. 8-3-1999)

Ref. :- 1- Demands of the Andhra Pradesh Panchayat Sarpanches Association, Dt. 11-1-1999.

2. Letter No. Tl/25013/88, dated 22nd January, 1999 and 5th February, 1999 of the Engineer-in-Chief (P.P.), Hyderabad.

Order:—In the reference first read above, the Andhra Pradesh Panchayat Sarpanches Association has submitted that the Deputy Executive Engineers in the districts belonging to Panchayati Raj Department may be vested with technical sanction power up to Rs. 2,00,000/- and requested that an order may be issued to this effect.

2. In the reference second read above, the Engineer-in-Chief (Panchayati Raj), Hyderabad had submitted proposals that the Cabinet Sub-Committee on Administrative Reforms has also agreed to the enhancement of powers to the Panchayati Raj Engineers.

3. The Engineer-in-Chief (Panchayati Raj), Hyderabad has requested the Government to enhance the Technical sanction powers of Panchayati Raj Engineers as follows:—

Sl. No.	Designation	Existing powers	Proposed powers
(1)	(2)	(3)	(4)
1.	(a) Assistant Executive Engineers/ Assistant Engineers with less than 3 years service	Gram Panchayat works : 2,000 Jawahar Rozgar (Gram Panchayat) works: 25,000	25,000.
	(b) Assistant Executive Engineers/ Assistant Engineers with 3 years service	Gram Panchayat works: 5,000 Jawahar Rozgar (Gram Panchayat) works: 25,000	25,000.
2.	Deputy Executive Engineer	Gram Panchayat Works: 40,000. J.R.Y. & E.A.S. works: 50,000 Janmabhoomi works: 2, 00,000 Normal Works: 40,000- Gram Panchayat works up to 2, 00,000. Jawahar Rozgar Yojana (Gram Panchayat) works: 1, 50,000. Janmabhoomi works: 5, 00,000 J.R.Y. & E-A.S. works: 3, 00,000 Normal works: 10, 00,000	2, 00, 000
3.	Executive Engineer	Gram Panchayat works: up to 2, 00,000. Jawahar Rozgar Yojana (Gram Panchayat) works: 1, 50,000. Janmabhoomi works: 5, 00,000 J.R.Y. & E-A.S. works: 3, 00,000 Normal works: 10, 00,000	50, 00,000
4.	Superintending Engineers	Gram Panchayat works: up to 2, 00,000. Jawahar Rozgar Yojana (Gram Panchayat) works: 1, 50,000. Janmabhoomi works: 5, 00,000 J.R.Y. & E-A.S. works: 3, 00,000 Normal works: 10, 00,000	

(1)	(2)	(3)	(4)
		Panchayat) works above 1, 50,000. Normal works 50, 00,000 Janmabhoomi, Jawahar Rozgar Yojana & Employ- ment Assurance Scheme: works 20, 00,000 Gram Panchayat works: above 20, 00,000. Normal works: above 50, 00,000 Janmabhoomi, Jawahar Ro%gar Yojana & Employ- ment Assurance Scheme: above 20,00,000	<i>above 50, 00,000.</i>

4. Government after careful consideration of the request of the Andhra Pradesh Panchayat Sarpanches Association and also the proposal submitted by the Engineer-in-Chief, Panchayati Raj, Hyderabad, hereby order that the technical sanction powers of the panchayati Raj Engineers in various categories shall be as follows :—

Category	Technical sanction powers for all works under Panchayati Raj Engineering Department

1. Assistant Executive 25,000/-Engineer/Assisltant Engineer	Rs.
2. Deputy Executive Engineer	Rs. 2, 00,000/-
3. Executive Engineer	Rs. 10, 00,000/-
4. Superintending Engineer	Rs. 50, 00,000/-
5. Engineer-in-Chief/ Chief Engineers,	Above Rs. 50, 00,000/-

5. The above technical sanction powers vested with various categories of Panchayati Raj Engineers are in supersession of the earlier orders issued from time to time,

6. This order shall come into force with immediate effect.

Section No. 58**GRAM PANCHAYAT WORKS - TENDER COSTS**

Gram Panchayat Works - Calling and Acceptance of Tenders - Approval of Tender Costs under Gram Panchayats - Authorisation to Deputy Executive Engineers - Orders - Issued.

(G.O. Ms. No. 95, Panchayat Raj and Rural Devpl. (Esst. 111) Dept., Df. 8-3-1999)

Ref. :— 1. Representation of President, Andhra Pradesh Panchayat Sarpanches Sangham, Dated 31-12-1998 addressed to Minister for Panchayati Raj and Rural Development.

2. From the Engineer-in-Chief (Panchayati Raj) Hyderabad, Letter No. TI/25013/88-4, dated 5th February, 1999,

*Order :—*In the State Level Sarpanches Conference held on 3-2-1999, the Sarpanches Association have requested the Government to authorise the Deputy Executive Engineers of Panchayati Raj Department to call for and accept tenders of Gram Panchayats works costing up to Rs. 3.00 lakhs.

2. The Engineer-in-Chief (Panchayati Raj), Hyderabad in his letter second read above have proposed to authorise the Deputy Executive Engineers of Panchayati Raj Department to approve the Tender Notice and Tender Schedule for the Gram Panchayat works costing Rs. 2.00 lakhs and also proposed to authorise him to approve the Tenders for Gram Panchayat works costing Rs. 2.00 lakhs at estimated cost.

3. The Government after careful examination of the matter, has accepted the request of the Sarpanches Association and hereby authorise the Deputy Executive Engineers of Panchayati Raj Department to approve the Tender Notice and Tender Schedule for the Gram Panchayat works, costing Rs. 2.00 lakhs (Rupees two lakhs only) and also authorise the Deputy Executive Engineers to approve the Tenders for Gram Panchayat works costing Rs. 2.00 lakhs (Rupees two lakhs only) at estimate rates.

Section No. 59

**INVITATION AND ACCEPTANCE OF TENDERS FOR
CONTRACTS IN RESPECT OF WORKS OF MANDAL PRAJA
PARISHADS AND ZILLA PRAJA PARISHADS**

[G.O.tvs. No. 589, PR & RD, Dt. 29-9-1989]

1. Execution of works :—(1) (a) All works of construction of buildings, roads, bridges or any other development works, except Minor Irrigation Works, which are sanctioned on contribution of more than 35 percent of the estimated cost by Mandal Praja Parishad or a Zilla Praja Parishad or by the Government, shall be entrusted to the local Gram Panchayat, if the Gram Panchayat itself undertakes the responsibility of collecting the specified contribution and undertakes the work by itself.

All other works (except Minor Irrigation Works) for which the contribution is 35 percent and less of the estimated cost and all full grant works shall be entrusted only after calling for tenders.

(b) In case, a local Panchayat is entrusted with a work under Clause (a) the work shall be undertaken by the Panchayat itself, the Sarpanch/Executive Officer acting on behalf of the Gram Panchayat being responsible for the execution of the work in accordance with the terms of the agreement. The Gram Panchayat shall not nominate any other person as its nominee for undertaking the work on behalf of the Gram Panchayat. All the penal clauses of the agreement will also be made applicable and enforceable to such of these Sarpanches/Executive Officers who undertake the execution of the works representing the Gram Panchayats concerned.

The execution of work shall be entrusted to the Gram Panchayat in the name of its executive authority and not to the Sarpanch/Executive Officer (in his personal capacity). As no advances are allowed to be drawn against the works to be executed by Gram Panchayats. The work shall be entrusted to the Gram Panchayat depending upon its financial capacity. The District Panchayat Officers have to assess the financial position of each of the Gram Panchayats in the district and fix up the financial limits up to which each Gram Panchayat can take up the works. In fixing this figure, normal revenue demand under all items and normal expenditure under all items should be taken into account and with reference to the surplus and that may be available the limit shall be fixed. It is not the intention of the Government that the Gram Panchayats should undertake execution of works to the detriment of the panchayat administration.

(2) Where a Local Panchayat does not fulfill the conditions specified in clause (a) of sub-rule (1) the work shall be entrusted to the sponsors on the specific conditions that—

(a) the sponsors undertake the responsibility of collecting and paying the people's share in full before commencement of the work and that they shall also enter into an agreement in such form of agreement as is prescribed for contractors holding themselves responsible for the proper execution of works;

(b) the sponsors are prepared to undertake the work and agree to utilize the profits, if any for the benefit of the village;

(c) the word "Sponsor" (whenever used in these rules) means agencies like a school building committee, village development committee, a group of ayacutdars or a group of beneficiaries who come forward to take up the constructional work for the benefit of the community. Such a sponsor who comes forward to execute a particular work, shall not give it to any nominee, other than one of the members of the committee, group, etc., on behalf of the entire group who shall execute the work himself;

(d) that such work shall be started within 15 days from the date of entrustment of the same. In case the work is not taken up the Executive Engineer or the Mandal Development Officer may get the work executed through other agencies.

(3) In case of Minor Irrigation works, the priority in entrustment of works shall be as under—

- (1) Major ayacutdar.
- (2) Single or a group of big ayacutdars.
- (3) Single or a group of other ayacutdars who are willing to take up the works.
- (4) Gram Panchayats represented by Sarpanch.
- (5) Contractor.

Explanatory instruction for entrustment of Minor Irrigation Work:—

- (a) An ayacutdar shall be given priority provided he has the financial capacity to execute the work.
- (b) A group of other Ayacutdars who are willing to take up the works:—Same procedure as indicated in para (i) above shall be followed. However, if more than one Ayacutdar comes forward to execute the works and if all of them are financially sound, preference shall be given to ayacutdar quoting the lowest rates.
- (c) The contractor should be a registered contractor and where works are minor in nature, there should be no objection to grouping of such minor works conveniently for calling for tenders.

(4) *Departmental Execution* :—In exceptional cases, where departmental execution is considered desirable in the interest of the work either on account of its urgency or of its special nature, the authority competent to call for the tenders to the work may order for taking up departmental execution of the work, with the approval of next higher authority (Technical).

(5) The authority competent to call for tenders in respect of minor work shall also be the authority competent to entrust the works sanctioned on contribution of more than 35 percent of the estimated costs to the Gram Panchayat or sponsor.

2. (1) All works specified in sub-rule (1) of Rule 1 and other works, if any which are not accepted by the local Panchayat or sponsors for execution and those works which could not be executed departmentally, shall be entrusted to Contractors for execution-

(2) The works shall be executed by the contractors by any of the following methods namely: (a) by piece work agreement for works costing up to Rs. 20,000/- (b) by an agreement based on the lump sum tender system for all works irrespective of the estimated cost of work.

3. Calling of Tenders :—(1) Tenders shall be called for in respect of every work which is to be executed on contract basis and contract amount of which exceeds Rs. 2,500/- :

Provided that the Executive Engineer/Mandal Development Officer may dispense with the tenders in case of a supplement maintenance work relating to a road which is found necessary after the annual maintenance contract for the road has been settled, if the contract amount of the supplemental maintenance work does not exceed 50 per cent of the amount of the original estimate or Rs. 5,000/- whichever is less;

Provided further that the Executive Engineer may, entrust the works on nominations the estimated cost of which does not exceed Rs. 5,000/-.

(2) Where tenders are not called for or are dispensed with the work shall be got done through Panchayat or a contractor selected from the Register of Contractors at rates which shall not exceed the sanctioned estimate rates.

4. Register of Contractors :—(1) A register of Contractors shall be maintained in the Offices of Executive Engineer, Superintending Engineer and Chief Engineer in the form in Appendix I. The register of contractors shall be kept up-to-date. The Executive Engineer/Superintending Engineer/Chief Engineer shall scrutinise the register at least once in three months and sign it in token of his scrutiny and effect any changes, if necessary.

(2) Any person desiring to be registered as a contractor shall apply to the Executive Engineer/Superintending Engineer/Chief Engineer with required fee and other details as needed under the rules prescribed in O.O. Ms. No. 521, Irrigation Department, dated 10-12-1984.

(3) The rules prescribed in the said G.O. 521, Irrigation Dept., Dt. 10-12-1984 with its amendment from time to time shall be followed in registration of contractors.

(4) The register and connected papers shall be available for perusal of the audit or supervising officers.

5. Publicity :—(1) Sealed tenders shall invariably be invited by the officers mentioned in Appendix II in the following manner, namely;—

(i) where the estimated value of the work is more than rupees one lakh,—

(a) by a notice in the principal language of the district, pasted at the offices of the Dy. Executive Engineers, Executive Engineers, PR, Mandal Praja Parishads, and at such other public places, as the officer calling for tenders may deem fit, and

(b) where the estimated value of the work is more than rupees one lakh the tender notice shall be published in the digest published by the Commissioner for Information and Public Relations, Hyderabad and also in one or more daily newspapers having circulation in and around the District.

(ii) Where the estimate value is not exceeding Rs. 1.00 lakhs, by sending to the local officers for display on their notice boards, and

(iii) In all cases the tender notices shall be sent to Registered contractors. *The notice shall state,—*

I. The time and place at which tenders are to be submitted and opened if the contract is for a major work costing more than one lakh, the last date for submission of tenders should be at least one month, after the date when publicity is first given to the invitation of tenders.

II. The authority competent to accept the tenders—III. The amount of earnest money that shall be sent with the tender and nature of security deposit to be made by the successful tenderer.

IV. That the contractors who under quote can be called upon to furnish additional security at 5% over the estimated contract value—

V. The tenders from a tenderer who has failed to complete the works under any other contract is liable to be rejected.

(2) The intending tenders shall be given free access to the contractual documents. The notice shall state :

(a) last date for the submission of tenders.

(b) the time and place at which the contractual documents can be seen and the forms of the tender can be obtained and also the amount to be paid for the sets of plan or other tender documents.

(3) In case of majority bridge works. Over Head Service Reservoirs tender notice shall include a clause that the contractors may submit alternative designs with quotation for complete work, in addition to quotation as per the Departmental design, complete set of

drawings, estimates and detail calculations (designs) should be required to be furnished by the tenderers so that the alternative design can be fully and quickly examined-

6. Earnest Money Deposit :—(i) Earnest Money Deposit shall be limited to 2½% in all i.e., 1½% with tender documents and 1% at the time of entering into agreements.

(ii) No F.S.D. shall ordinarily be retained from the bills for works below Rs. 50,000/-.

(iii) For works above Rs. 50,000/- in value, F.S.D. at 3% shall be retained from work bills.

(iv) The Earnest Money Deposit should be collected at 2½% in respect of nomination contracts (except to those entrusted, to Labour Contract Co-operative Societies). Where it is not collected in advance, deductions must be made from each bill at 5%.

(v) *Income Tax and Sales Tax Clearance Certificate* :—The income tax verification certificate and sales tax clearance certificate shall be produced by the contractors before final payment, if the contract amount is more than Rs. 10,000.

7. Disposal of tenders :—(a) Power shall always be reserved to reject any or all of the tenders received without assigning any reason and this shall be expressly stated in every invitation to tender.

(b) The notice calling for tender of works to be given OB contracts shall be in the forms contained in Appendix 111.

(c) The officer competent to invite tenders shall open the tenders in the presence of any of the tenderers or their authorised agents who are present at the notified time and place and also read out the rates to them. The Officers opening the tender shall initial every correction in each tender which has been initialed by the tenderer, If there is any correction in the tender which has not been initialed by the tenderer, the officer who opens the tender shall make a note in regard to it on the tender itself, when it is opened.

(d) He shall keep a personal note of the total number of covers received and the total number of tenders opened by him and verify with the number shown in the comparative statement of tenders.

(e) After receipt of the comparative statement of tenders and before the selection of a tender, the officer concerned shall examine all the tenders and satisfy himself that no corrections which were not in the tenders at the time of the receiving them had been made in any of the tenders.

(f) Only tenders from registered contractors under particular category and class required (to be indicated in notice calling for tenders) shall be considered. Tenders from unregistered contractors in particular class may also be considered, if he applies for the inclusion of his name in the register of contractors before publication of the advertisement of the notice calling for tenders in respect of any work may be considered, treating as a registered contractor in respect of that work, if the tenders are accompanied with proof of application for registration of contractors, copies of testimonials or record of previous execution by them of any such work and by proof of their financial stability and capability for executing such works.

8. Register of Tenders :—After the tenders are opened they shall be tabulated and posted in a tender register in the form given in Appendix-IV maintained in the Mandala Praja Parishad Office/Deputy Executive Engineer/Executive Engineer, Superintending
(DCODE—45]

Engineer, Panchayati Raj Offices- They shall scrutinise the entries in the register and certify that the tabulation is correct with reference to the original tenders which shall be preserved and made available for the purpose of audit.

9. Withdrawal of Tenders :—(a) The tenders received will be decided by the Executive Engineer/Superintending Engineer/Chief Engineer respectively within a period of one / two/ three months after the expiry of the last date prescribed for the receipt of tenders and the decision regarding the disposal of the tenders should be indicated to contractor at any time within the said period. During the above mentioned period no plea by the tenderer for any sort of modifications of tender based upon or arising out of any alleged misunderstanding or misconception or mistake or for any reason will be entertained. All earnest monies deposited by the tender will be forfeited in the event of such tenderer either modifying or withdrawing his tender at this instance within the said period specified in the tender.

(b) In addition to clause (a) above a contractor who withdraws his tender within the period specified in the tender shall be liable to have his name removed from the register of contractors by the registering authority for a period ranging from one to five years depending upon the gravity.

10. Acceptance of Lowest Tender ;—(1) The lowest tender shall ordinarily be accepted. Where it is considered undesirable to accept the lowest tender, the reasons shall be clearly recorded in writing by the authority competent to accept the tender and the case shall be disposed of in the manner specified below:

(a) Where the capacity to do the work and the integrity of a tenderer are not known, his tender need not be rejected. Such additional security not exceeding 10 per cent of the contract amount as the authority competent to accept the tender considers necessary shall, however, be taken from the tenderer if the circumstances warrant such a course;

(b) Where the lowest tender is rejected, the next lowest tender shall be considered.

(2) The officers competent to accept tenders as shown in Appendix-H shall pass orders. If the lowest tender is not accepted the orders of the next higher authority shall be obtained by the officer who is competent to accept the tender as the case may be, and the decision of that authority shall be final. The reference and the order thereon shall contain clear and convincing reasons for not accepting the lowest tender.

(3) In no case shall a tender be accepted at rates other than those specified in the tender, if however, the authority competent to accept the tender considers that the rates for certain items in an otherwise lowest tender, which is under consideration are pitched too high, he may negotiate with the tenderer and secure reasonable rates for those items without higher sanction.

(4) There shall be no avoidable delay in the disposal of tenders after they are opened. In cases, where the officers competent to open the tenders are competent to dispose of tenders, they shall do so ordinarily within a week of the date on which they are opened and in any case within a period not exceeding one month. In other cases, no tenders shall remain undisposed for a period exceeding two months/three months, by Superintending Engineer/Chief Engineer from the date on which they are opened.

11. Acceptance of tenders which exceed the estimated rates:—The procedure for acceptance of tenders shall be as indicated in Appendix-U.

The Tender Committee for acceptance of tenders which are not within the competency of Chief Engineer, Panchayati Raj (General) or R.W.S. consists of the following members:

(1) Chief Engineer, Panchayati Raj (Rural Water Supply).

(2) Chief Engineer, Public Health.

(3) Secretary to Government, Finance and Planning (Finance Wing) or his nominee.

12. Dispensing with tenders and negotiation :—notwithstanding anything in these rules, the Executive Engineer may,—

(1) dispense with further call of tenders (nomination) when either no tender is received in the first instance or only high premium tenders, which are not considered reasonable, are received—

(i) if the estimated amount of the work does not exceed Rs. 20,000 without reference to any higher authority;

(ii) if the estimated amount of work exceeds Rs. 20,000 but does not exceed Rs. 60,000 with the previous approval of the Superintending Engineer, Panchayati Raj;

(iii) if the estimated amount of work exceeds Rs. 60,000 but does not exceed Rs. 1,00,000 with the previous approval of the Chief Engineer, Panchayati Raj; and

(iv) in all other cases with the approval of Government;

(2) negotiate with the tenderers in order to entrust the work to the most suitable tenderer, having regard to all the local conditions and accept an offer at a rate lower than that specified in the tender (by the tender receiving or higher authority),

(3) *Entrustment of R. W.S. Works* :—The Chief Engineer, R.W.S. is empowered to entrust the R.W.S. Works up to 25% excess over estimated rates to the Gram Panchayat or village level committee or through Departmental execution or through a contractor, dispensing with calling of tenders, if there is no response when the works are put for tenders at least two times.

(4) The Officer competent to accord technical sanction to the revised estimate can entrust the additional work to the original contractor after the revised estimate or additional work is administratively sanctioned by the concerned standing committee of Mandala Praja Parishad or Zilla Praja Parishad or other competent authority if the additional work is contingent on the main work otherwise additional work may be treated as a separate item work and executed as per rules.

13. Concessions given to the Labour Contract Co-operative Societies :—(1)

The Labour Contract Harijan/Girijan Co-operative Societies consisting of S.Cs., S.Ts. and waddras may be treated as Class III contractors eligible up to Rs. 10.00 lakhs.

(2) The individuals belonging to these weaker sections of who are unemployed Engineers and who are not members of Co-operative Societies may be treated on par with unemployed or retrenched Engineers for the purpose of extending concessions as to the entrustment of work.

(3) No second work should be given unless sufficient progress is shown on the 1st work entrusted and also that no 2nd work to be entrusted unless 1st work is completed, wherever it exceeds original agreement period in execution-

(4) No solvency certificate need be insisted for the purpose of registration.

(5) Exemption from collecting E.M.D. for works consisting up to Rs. 1.00 lakh in case of individuals (unemployed Engineers of These weaker sections) and Rs. 5.00 lakhs in the case of societies may be allowed.

(6) Entrustment of works on nomination at the estimated rates:-

The following officers empowered to entrust works to the extent of costs indicated against each.

(i) Executive Engineer, (PR) Rs. 25,000/- (ii) Superintending

Engineer (PR) up to Rs. 50,000/-

(iii) Chief Engineer, P.R. up to Rs. 1.00 lakh for individuals, up to Rs. 5.00 lakhs in case of Societies.

(7) The identification of individuals, formation of societies etc., will be taken care of by Co-operative Department with the active guidance of District Collectors.

(8) These concessions will apply to the Labour Co-operative Societies of S.Cs. S.Ts- and Wadderas and also to the persons belonging to S.Cs., S.Ts. or Wadderas who happen to be unemployed or retrenched engineers.

(9) Reservation of works for allotment to these societies in a Mandala Praja Parishad, shall be up to 15% of the Budget allotment made to the Mandala Praja Parishads.

(10) Advances shall not be sanctioned.

(11) The concessions will not apply to the individuals unless they happen to be either unemployed or retrenched Engineers-

(12) The societies or individuals to whom these concessions are sanctioned are forbidden from sub-letting or giving power of attorney to others and a stipulation may be made in Agreements to this effect.

In case it is noticed that the work entrusted to agency is executed by others i.e., regular professional contractors, the concession holder will be debarred from availing of concessions for a period of three years. If professional contractors are found to be in collusion with the concession holders, their (professional contractors) names shall be deleted from the approved list of contractors.

(13) The labour co-operative societies consisting of Scheduled Castes, Scheduled Tribes and Waddars should execute the works within the Jurisdiction of Mandala Praja Parishads to which they belong.

14. Concessions given to unemployed Engineers:—The concessions given to unemployed Engineers and retrenched Engineers from time to time by Government are subject to the following conditions:—

(1) The concessions should not be allowed to those who have already availed themselves of the concessions over a period of three years from the date of first availing.

(2) The total number of works to be awarded in a year to individual contractors (i.e., retrenched or unemployed Engineers) should be limited to Rs. 2.00 lakhs in value.

(3) The retrenched or unemployed Engineers should neither sublet the contracts given to them nor give power of attorney to anybody else.

In case it is noticed that the work entrusted to them are executed by others, these retrenched or unemployed Engineers, shall be deleted from the approved list of contractors

under State Government for a period of 3 years. The value of work done should also be forfeited.

(4) The retrenched and unemployed Engineers should execute the works within the Jurisdiction of the Division in which they are registered.

(5) No second work should be awarded to unemployed Engineers or retrenched Engineers or firms comprising solely unemployed and retrenched Engineers till the first work is completed and due certification by the Executive Engineer concerned is issued.

(6) (a) The exemption from collection of deposits (EMD) only may be restricted for works entrusted on nomination and the same may be recovered in running bills.

(b) In case, where the -unemployed Engineers or retrenched Engineers or firms consisting unemployed or retrenched Engineers participated in tenders, they should remit E.M.D. along with tenders,

15, Agreement Period :—(i) Reasonable agreement period for each contract should be fixed by the tender inviting authority keeping the nature of work in view. Time should be the essence of the contracts and works should generally be got executed within the original agreement period.

(ii) If there is any need for extension of agreement time, the following procedure is prescribed:

(a) *Zilla Praja Parishad Works Contracts* :—In respect of Zillah Praja Parishad works contracts, the authority to grant extension of time beyond the original agreement period shall vest with the officers next higher than the one who accepts the tenders.

In case where the tenders are accepted either by the Chief Engineer (P.R.) or by Tender Committee, the Chief Engineer. PR himself can grant extension of agreement time up to a maximum period of one year beyond the original agreement period, provided the balance cost of work does not exceed Rs. 5.00 lakhs and there is no supply of material like cement, iron, etc., by the Department. However no revision of the contract rates shall be allowed during the extended period- Cases of extension of agreement time beyond the above limit shall be submitted to Government for approval.

(b) In respect of Mandala Praja Parishad works contracts, where the tenders are accepted by the Mandala Development Officer with the recommendation of the Deputy Executive Engineer/ Executive Engineer/Superintending Engineer, the authority to grant the extension of agreement time shall vest with the Executive Engineer/Superintending Engineer/Chief Engineer respectively. In respect of tenders accepted with the recommendation of Chief Engineer or tender committee, the extension of time can be granted up to a period of 6 months over original agreement time by the Chief Engineer, PR provided the balance cost of work does not exceed Rs. 5-00 lakhs. Cases of extension beyond the above limit shall be submitted to Government for approval.

16. Revision of Rates: — (i) No revision of rates is accepted and agreements of all kinds are prohibited during the currency of such agreement- Once the agreement has been entered into, there should be no question of granting increase in rates without calling for fresh tenders, following the prescribed procedure. But the revision of rates in current agreement shall be limited to rectifications of bonafide mistakes or errors in original

agreements such as clerical or typographical errors only. No revision of rates in current agreement for other reasons is permissible.

(ii) *Correction of rates in lenders* :—After opening of tenders, if any contractor makes a representation regarding an error that has crept in through oversight or inadvertence in any of the rates quoted by him, the revision requested for could be taken into account of evaluating the lender. The tender deciding authority should be ascertained whether it is a case of genuine error out of sheer oversight or inadvertence or it is a case of deliberate attempt to under bid in the first instance and being lowest trying to gain advantage by enhancing the rate still below the next higher tender. This can be done by comparison of the rate quoted with the estimated rate and the rates bid by other tenderers for the item in view. In the former case (oversight or inadvertence), the bid should be corrected according to the request of the bidder and evaluated for further consideration. In the latter case the lender should be summarily rejected and or such action taken against the tender as is permissible under the conditions of the bid of the rules of Registration of Contractors.

17. Splitting of Estimates:—All estimates in respect of work executed should be self contained and full in all respects. Personnel responsible for splitting of estimates should be severally punished.

18. Refund of Deposits:—That in respect of unsuccessful tenders the Executive Engineer (PR) Mandal Development officers shall enter the deposits in his cash book and the deposits register with reference to challans enclosed to the tender documents. The Earnest Money Deposits in such cases be refunded by noting in the Deposit Register in the month in which the refund is made along with Voucher No. and that the fact of refund should also be recorded on the Treasury Challan to prevent double repayments.

APPENDIX—I

Register of Contractors

[See Rule 4]

Sl. No.	Name of Contractor	Address	Money limit of subsisting contracts can be safely entrusted to him for execution at any time in the course of one year.	
(1)	(2)	(3)	(4)	
	Whether fit for supply of material only for road works, or for masonry works, or all works in general (5)			

APPENDIX—III**Chit Tender Notice***[See Rule 7(b)]*

Sealed Tenders in the prescribed forms for the works noted below will be received from the registered Contractors by the Mandal Development Officer, Mandal Praja Parishad/ Executive Engineer, Zilla Praja Parishad/ Superintending Engineer, (PR) at his office up to p.m. on.....and will be opened on the same day at.....p.m. in the presence of the tenderers or their agents by the Mandal Development Officer, Mandal Praja Parishad/ Executive Engineer (PR)/Superintending Engineer, (PR) or his Deputy.

Tender documents will be issued from to.....on all working days during office hours to the intending tenderers on application in writing, accompanied by Treasury Challan towards the cost of each set of tender schedules noted against each work below including Sales Tax to the credit of Mandal Praja Parishad ••Zilla Praja Parishad under Mandal Praja Parishad/Zilla Praja Parishad Fund. This amount is not refundable under any circumstances.

If the date fixed for receiving tenders happens to be an extraordinary holiday the tenders will be received on the following day at the time fixed already and opened in the manner specified above-The Mandal Development Officer/Executive Engineer, reserves

the power for rejecting

any or all tenders without assigning any reasons.

All the rates should be quoted both in words and figures in Rupees and Paise. The contractors who under quote can be called upon to furnish additional security at 5% over the estimated contract value.

The tender from a tenderer who has failed to complete the work under any other contracts is liable to be rejected

Every tender should be accompanied with Earnest Money Deposit as noted in the Chit tender notice against each work in the shape of Challan or Call Deposit or Bank Draft or National Savings Certificate endorsed in favor of the Officer inviting tenders or in the name of the Officer specified in the tender notice.

SLNo.	Name of the work	Cost of each tender document (1»
(2)	(3)	

Earnest Money Deposit	Time for completion	Nature of contract (4)
(5)	(6)	

APPENDIX—IV**Tender Register***[See Rule 8]*

Name of the work:

Total amount of the contract:

Number of tenders received:

SLNo.	Name of tenders	Whether a registered	Tender percentage
		contractor or not/ Registration number of the contractor.	
(1)	(2)	(3)	(4)
Total deposits		Recommendations of the Engineers	Order of the tender accepting authority.
(5)		(6)	(7)

Section No. 60**RULES REGULATING POWERS OF SANCTIONING WORKS AND SCHEMES
UNDER TAKEN BY A MANDALA PRAJA PARISHAD**

*[G.O.Ms.No. 399, Panchayat Raj & Rural Devlpt. (Mandah-J) Dept., Dl. 25-6-1987
& Published in A.P. Gazette, R.S. to Part VII, Est.No. 36, Dl. 29-6-1987]*

hi exercise of the powers, conferred by sub-section (1) of Section 92 of the Andhra Pradesh Mandala Praja Parishads, Zilla Praja Parishads, Zilla Abhivrudhi Sameeksha Mandals Act, 1986 (Act 31 of 1986) the Governor of Andhra Pradesh hereby makes [he following rules.

Rule 1. The Mandal Development Officer, the Mandala Praja Parishad appropriate Standing Committee of Zilla Praja Parishad and the State Government shall be the authorities competent to accord administrative and financial sanctions to works and schemes undertaken by Mandala Praja Parishad when the total cost of expenditure involves the amounts specified under columns (2), (3), (4) and (4) of the table below :

TABLE

<i>Mandas Devlpt. Item Officer</i>	<i>Mandala Praja Parishad of Zilla Praja Parishad</i>	<i>Appropriate Standing Committee</i>	<i>Govern ment</i>
1. To accord administrative sanction in respect of works and schemes			
(a) for each item of Rs. 500/-non-recurring expenditure	Over Rs. 500/- but not exceeding Rs. 0-75 lakhs.	Over Rs. 0.75 lakhs but not exceeding Rs. 1.50 lakhs.	Exceeding Rs. 1.50 lakhs.
(b) for each of recurring expenditure —	Rs. 10,000/-and below.	Over Rs. 10,000/-but not exceeding Rs. 20,000/-	Exceeding Rs. 20,000
2. To sanction grants-in-aid in respect of each scheme			
(a) Non-recurring —			
(b) Recurring	Rs. 5,000/- and below.	Over Rs. 5,000/- but not exceed-Rs. 10,000/-, Over Rs. 2,000/-	Exceeding Rs. 10,000
3. To sanction non-recurring expenditure for each contributory work without detailed estimates-	Rs. 2,000/- and below.	bul not exceed-Rs. 5,000/-.	Exceeding Rs. 5,000/-
	Rs. 2.50W' and below.		

Provided that:

(a) every item of cost of expenditure sanctioned by the Mandal Development Officer shall be placed before the Mandala Praja Parishad for information;

(b) the Mandala Praja Parishad shall have powers to review any item of cost of expenditure rejected by appropriate Standing Committee of Zilla Praja Parishad and sanction it if is in the opinion of the Mandala Praja Parishad beneficial to the public with the approval of the Government;

(c) the Mandala Praja Parishad shall first consider every item of cost of expenditure exceeding the maximum limits specified under column(3) of the Table and place it together with their recommendations before the appropriate Slandir Committee of Zilla Praja Parishad shall consider the item of cost of expenditure of placed before it and if such item falls within the limits specified in column (4) it may reject it or may sanction it either in its entirety or subject to modifications or may forward it to Government with its recommendations. The Government may reject it or may sanction it either in its entirety or subject to modifications:

Provided further that in case where administrative sanction is accorded by the Government for any work or scheme undertaken by Mandala Praja Parishad, separate administrative sanction, as required in the Table shall not be necessary. The matter shall however, be placed before the Mandala Praja Parishad for information-Rule 2. No work or scheme shall commence until it has been sanctioned by the Mandal Development Officer, Mandala Praja Parishad, appropriate Standing Committee of Zilla Praja Parishad or the State Government, as the case may be, with or without modifications.

Rule 3. No material change in any item of cost of expenditure sanctioned as aforesaid shall be carried into effect without obtaining the competent sanction.

Rule 4. No expenditure or financial commitment shall be incurred by any authority on behalf of the Mandala Praja Parishad unless sufficient funds therefor are provided in the sanctioned budget of the Mandala Praja Parishad.

Rule 5. If any subject relating to sanction of expenditure to be incurred or to be placed before the Mandala Praja Parishad or other authorities, the Mandal Development Officer, shall prepare a note for the information of the members and others, as the case may be, containing his specific remarks and recommendations:

(i) Whether the proposed expenditure is within its powers of sanction;

(h) Whether it requires the sanction of a higher authority;

(iii) Whether such expenditure has been prohibited either by any of the Statutory Rules framed by the Government or by the executive orders issued by them by any authority; and

(iv) Whether in the circumstances of the case, he does not recommend the sanction of the expenditure.

Rule 6. If any irregular or objectionable items of expenditure is sanctioned either by the Mandala Praja Parishad or by the appropriate Standing Committee of Zilla Praja Parishad without previous information of the Mandal Development Officer or without giving him reasonable time to scrutinise its propriety and legality, he shall, before incurring the expenditure invite the attention of the Mandala Praja Parishad and the appropriate Standing Committee of Zilla Praja Parishad, as the case may be, to the correct position and advise it to reconsider its resolution in the light of his examination. He shall also bring such cases to the notice of the District Development Officer, Zilla Praja Parishad.

Rule 7. The Mandal Development Officer shall be solely responsible for any loss or illegal expenditure incurred from the funds of the Mandala Praja Parishad by failure to follow the rules and orders of the Government.

Rule 8. The Mandala Praja Parishad or the appropriate Standing Committee of a Zilla Praja Parishad shall not pass a resolution to incur expenditure of the Mandal Development Officer has pointed out that incurring of such expenditure is against the orders of Government or any other Competent Authority or that it is not covered by the powers of sanction of the Mandala Praja Parishad or the appropriate Standing Committee of Zilla Praja Parishad, as the case may be.

Rule 9. If the Mandala Praja Parishad or the appropriate Standing Committee of a Zilla Praja Parishad passes a resolution for incurring of expenditure contrary to the advice of Mandal Development Officer that the incurring of such expenditure is against the rules or the orders of Government or any other competent authority or it is not covered by any powers of sanction of Mandala Praja Parishad or appropriate Standing Committee of Zilla Praja Parishad and if any irregularity or impropriety takes place or if any loss occurs to the funds of the Mandala Praja Parishad in such case, the liability for such irregularity, illegality, impropriety or loss to the Mandala Praja Parishad shall be fixed entirely on the members of Mandala Praja Parishad or the members of appropriate Standing Committee of Zilla Praja Parishad, as the case may be, who voted for such resolution.

Rule 10. If the Mandala Praja Parishad or the appropriate Standing Committee of Zilla Praja Parishad sanctions any item of expenditure subject to the requisite sanction of the Competent Authority being obtained, the Mandal Development Officer shall obtain such sanction being incurring the expenditure-Rule 11. Notwithstanding anything contained in the above rules, the Government may at any time, stop, reject or modify any work which is administrate lively sanctioned by Mandal Development Officer, Mandala Praja Parishad, or appropriate Standing Committee of Zilla Praja Parishad. -

Section No. 61

RULES RELATING TO THE CONSTRUCTION OF BRIDGES, CULVERTS, DRAINS AND DIVERSIONS NEAR RAILWAY LINES

[G.O.Ms.No. 708. PR & RD. Dt. I8-12-S990]

Order :—No construction or alteration of a bridge, culvert, dam, diversion or other work within 0-8 K.M- (1/2 Mile) of any railway line shall be executed or made by a Mandal Praja Parishad or Zilla Praja Parishad except after consulting the railway administration concerned in regards the adequacy of the water-way provided and the levels. In the event of any disagreement between the Mandal Praja Parishad or Zilla Praja Parishad and the railway administration, the matter shall be referred to the Andhra Pradesh Committee of Engineers for Railway Administration and other Public Works through the Chief Engineer (Panchayat raj) and the decision of the Committee with respect thereto shall be final.

Section No. 62

GUIDELINES ON ERECTION OF STATUES ON ROADS IN ANDHRA PRADESH STATE

(G.O. Ms. No. 55. Transport. Roads & Buildings (R.I) Department. Dl. 8-04-2003) Ref. -

From the CE (R&B) Roads, Hyd., Lr.No.1762/TA-12/AE.6/2001.

Order:—In the reference read above, the Chief Engineer (R&B) Roads has requested Government to issue guidelines on erection of Statues on roads in Andhra Pradesh State.

2. Government after careful examination of the proposal, hereby issues the following guidelines for installation/erection of statues/monuments.

1. No new statues should be permitted for erection on any R&B Roads henceforth by the R&B Department. Existing statues that are located on traffic islands and not obstructing view of the drivers/traffic may continue and the statues causing inconvenience to the public accidents etc. shall be removed and kept in safer places with the permission from the concerned authorities. Maintenance shall however be done by the concerned Agencies/ Organisations/Departments. Each Executive Engineer shall maintain a list of statues in his jurisdiction and take up with the concerned agency and formalise the responsibility of maintenance.

2. In regard to statues already approved for Hyderabad city, such statue erection works should be completed within a period of one month from the date of issue of this G.O. and henceforth no permission should be given by the Collector or concerned authorities as the case may be for erection of new statues without the approval of Government (R&B Department).

3. For statues that have already been erected without proper permission, the concerned Collector should review the structure with the concerned Statue erection organisations and such statues should be removed or located with the permission of the Collector or concerned authorities as the case may be following the guidelines wherever necessary. Such organisations should be penalized for an amount of Rs. 10,000/- in case of erection without prior permission of the Collector/concerned authorities as the case may be. They should also bear the cost of relocation/removal of statues etc.

4. If statues/monuments are unavoidable on roads, they should be located only on large traffic islands. Public gardens, parks, premises of Government buildings, town halls or places of public importance. In case, any approval of Government is required, recommendation by a Statue Committee headed by the District Collector and comprising Superintendent of Police, Superintending Engineers (R&B), Chairman/CEO, Local Municipal Body, Superintending Engineers (PR), Superintending Engineer (AP Transco) and the concerned Executive Engineer (R&B) is mandatory. This Committee, which may also draft if necessary representatives of other Departments, should examine all aspects before making any recommendation including possibility of proposed statues obstructing the flow of Iritic, future expansion of roads & the design of the roads, the waster supply and sewerage pipe lines, electrical and telephone wires and cables as well as the local situation. The size of the statue/monument, metal used & the design should also be considered and a site plan shall be prepared and approved by Committee before forwarding to the Government.

5. The concerned organization who wants to install/erect the Statue/monuments should procure land on payment of compensation to the concerned land owners/concerned department as the case may be.
6. The concerned organization/department should complete the erection works of statues/monuments within a period of three months from the date of issue of permission by the Collector or concerned authorities as the case may be.
7. In case, if any organization fails to complete the erection of statue within the stipulated period of three months from the date of receipt of permission, such organization should seek renewal of permission for a further period of three months and if they fail to seek renewal, it will be construed that permission issued will be deemed to have been cancelled.
8. Maintenance of the Statues/monuments, cost of erection, clearance of essential services i.e. shifting/realigning etc., of electrical/telecom wires, drainage lines etc., on the proposed site of erection of statue/monuments on R&B road must be borne by the sponsoring agency/department and in no circumstances will be borne by the R&B Department.
9. The organization will have no claim on land, on which it is permitted to install the statue/monument and the ownership of the land will continue to vest with the Department.
10. After the approval from the Government is obtained, the sponsoring organization/department must also obtain the clearance of the Municipal Corporations/ Municipalities/Urban Development Authorities/Panchayats/R&B Department/Electricity authorities/Water/drainage authorities concerned wherever necessary before actual execution,
11. The Agency/organization/department responsible for maintenance of statue/ monument on R&B roads must be clearly spelt out and the concurrence of the organization obtained at the time of taking up the project. The organization responsible for maintaining the landscape of the area should also be clearly specified.
12. If any damage is caused to the erected statue/monument, it should be replaced with a new statue/monument or repairs should be taken up within a period of one month and completed and all the expenditure should be borne by the concerned installation organization, otherwise, the organization may be penalized by the concerned authorities for an amount of Rs. 10,000/- for each month of delay.
13. The permission for erection of Statues should be given only in exceptional cases. Erection of statues at Road junctions or busy traffic points should not be permitted.
14. The organisations seeking permission to erect statues should clearly indicate the dates on which any function is likely to be organized in a year. The type of function to be organized should not obstruct the traffic in any manner and period of such functions, when permitted, should be very brief (not more than ten to fifteen minutes).
15. Statues of persons with criminal record should not be permitted.
16. Statues that are likely to appeal to narrow sectarian ideologies, or likely to cause disaffection amongst people or extol violence/hatred should not be permitted at public places.
17. These guidelines are applicable for all R&B roads and the Right of Way and also the lands abutting to R&B roads-

18. An undertaking must be taken from the organization that they will abide by the decision taken by R&B Department from time to time in regard to installation/erection of Statue/Monimient-

Section No. 63

e-PROCUREMENT

Validation and enablement of procurement process through e-Procurement Market Place by the participating departments/agencies of Government of Andhra Pradesh - Orders - Issued.

(G.O. Ms. No. 2, information Technology & Communications Department, Dt. 15-01-2003)

Ref. :-1. Agreement with M/s. CI India, dated 17th June, 2002.

2. Minutes of the Steering Committee on e-Procurement held on 28-09-2002.

Order:—The Information Technology Act, 2000 provides legal recognition for transactions carried out by means of electronic communication, commonly referred to as 'Electronic Commerce'. As a part of its e-Governance initiatives, Government of Andhra Pradesh has identified e-Procurement as one of the key thrust areas and has taken up e-Procurement project as one of the core IT initiatives. Government of Andhra Pradesh has selected a consortium led by M/s- CI India as the partner to develop, operate and maintain e-market place for a pilot project initially covering four departments/agencies viz., Andhra Pradesh Technology Services Ltd. (APTS); Andhra Pradesh State Road Transport Corporation (APSRTC); Commissionerate of Tenders (CoT) (Covering Irrigation and Command Area Development Deptt. and Roads & Buildings Deptt.) and Andhra Pradesh Health Medical Housing & Infrastructure Development Corporation (APMHIDC), and has entered into an agreement with M/s. CI India on 17th June, 2002 in this regard,

2. The targeted benefits that would accrue to the departments by migrating to the e-Procurement market place would be as mentioned below; -

- (a) Demand aggregation to leverage buying power with the supply market.
- (b) Transactional effectiveness.
- (c) Effective Tender Processing.
- (d) Ensuring consistency in goods and services costs at the best price across all departments.
- (e) Wider customer base when disposing off redundant assets.

3. The Steering Committee in its meeting held on 28th September, 2002, decided that a general order would be issued authorizing Government Departments and organizations to adopt e-Procurement processes in place of and in addition to conventional processes, covering but not limited to the following:

- (i) Publishing notices inviting tenders-(ii)

Release/sale of tender documents. (iii)

Supplier/Contractor registration

[DCODE—46]

- (iv) Receipt of bids - EMD Security Deposits etc.
 - (v) Auctions - Forward and Reverse Auctions.
 - (vi) Evaluation of Tenders.
 - (vii) Release of work order-
 - (viii) Catalogue based order.
 - (ix) Receipt of goods.
 - (x) Payment to supplier.
 - (xi) Information required to be maintained in file as an audit trail for AGs audit purpose.
 - (xii) Compliance with relevant provisions of Financial Code/PWD Code/Accounts Code/appropriate statute.
4. The four participating departments/organisations have already firmed up and documented their "As is Process" and the "To Be Processes" and have arrived at a plan of action regarding what would now be processed and preserved in the electronic form and the rules/code provisions/GOs that need to be amended in order to provide legal validity to the e-Procurement process.
5. The Government after careful consideration and detailed examination hereby authorize the participating departments/organizations to take up e-Procurement through electronic processes defined initially in their "To Be Processes", as may be amended from time to time. The Government has further decided that notwithstanding any existing provisions of the A.P. Public Works Department Code as well as other orders and executive instructions in force, e-Procurement processes shall be valid for procurement of goods, and services and for entrustment of contracts for engineering, IT and other projects, covering, but not limited to, the following specific processes;
- (i) Publishing notices inviting tenders
 - (ii) Release/sale of tender documents
 - (iii) Supplier/Contractor registration
 - (iv) Receipt of bids - EMD Security Deposits etc.
 - (v) Auctions - Forward and Reverse Auctions
 - (vi) Evaluation of Tenders
 - (vii) Release of work order
 - (viii) Catalogue based order
 - (ix) Receipt of goods
 - (x) Payment of supplier
6. Any tender for an engineering work or procurement of goods and services of a value of Rs. 1 Crore and above by the Commissionerate of Tenders shall be taken up only through the e-Procurement marketplace from the date of issue of this order. In respect of AFTS, APSRTC & APHMHIDC, the administrative departments are requested to issue suitable guidelines in this regard.

7. The e-Procurement marketplace shall provide an online self-service registration facility to such of the suppliers, who are already registered with the respective participating departments for supply of specified goods and services. As an incentive for early registration, basic registration by suppliers, that allows them to participate effectively in the e-Procurement process, shall be enabled on the e-Procurement marketplace without levy of any registration or subscription fee up to 31st March, 2003 or such later date, as may be decided by the Steering Committee. However, the e-Procurement marketplace may levy charges for such value-added services as may be decided by the Steering Committee.

8. The participating departments shall issue necessary amendments/changes in the existing procedures as deemed necessary for switching over from the conventional/ existing procurement processes to equivalent e-Procurement process. Pending the issue of necessary amendments/changes by the participating departments/agencies, the present order would be construed to authorize the participating departments/organisations to deploy e-Procurement for their procurement functions.

9. The participating departments/agencies will pay service charges payable to M/s. CI India as per the agreement entered by Government of Andhra Pradesh with M/s. CI India on 17th June, 2002 as indicated below:

- a. Tender hosting charges - Rs. 4,500/- per tender
- b- Transaction Fees - 0.24% of the value of an end-to-end

Transaction conducted through the e-Procurement marketplace.

The tender hosting charges shall be paid by the concerned department while the _ transaction fee shall be added to the estimate for the respective works and made payable by the successful bidder/supplier on receipt of purchase order/work order.

The concerned departments and agencies may issue further guidelines governing the modalities of payment of service charges to M/s. CI India to bring in a centralized system of invoicing, payment (within the period of 15 days of invoicing as per the agreement entered between Govt. of A.P. and M/s. CI India) and accounting to facilitate smooth conduct of e-Procurement operations.

10. The participating departments may enter into an appropriate Service Level Agreement (SLA) with M/s. CI India.

11. Provisions of this order will be reviewed at the end of the pilot project

Section No. 64

e-PROCUREMENT

Introduction of 'e' Procurement in irrigation and R & B Departments - Guidelines/Procedure to be Followed - Orders - Issued.

(G.O. Ms. No. 36, Irr. and CAD (PW- COD), Dept., DL 07-03-2003)

Ref- :- 1. Agreement between Government of A- P. & M/s CI India Pvt. Ltd., Dt. 17-06 - 2002

2. G-0. Ms. No 2, Information Technology & Communication Dept., Dt. 15-01-2003.

3. Engineer-in-Chief (AW) I & CAD Dept. Letter. No. Re. / ENC (AW) / 'e' Procurement, Dt. 10-02 -2003.

Order:—Government from time to time have been initiating several reforms in tendering process for public works with a view to bring in simplification of the procedure, greater transparency and healthy competition in procurement methods.

2. As part of its 'e' governance initiative. Government identified 'e' Procurement as one of the key thrust areas and has taken up e- procurement Project as one of the core IT initiatives. Accordingly, Government entered into an agreement with M/s. CI India Pvt. Ltd., to develop, operate and maintained' - marketplace as a Pilot-Project initially, covering the following four departments;

(1) Andhra Pradesh Technology Services.

(2) A. P. State Road Transport Corporation.

(3) A. P. Health and Medical Housing and infrastructure Development Corporation,

(4) Conunissionerate of Tenders (Irrigation, R & B Department).

3. Government in Information Technology & Communication Department vide G.O. 2nd read above have issued orders authorizing the above 4 departments to take up 'e' procurement through electronic process, stating that, notwithstanding any existing provisions of A. P. PWD code as well as other orders and executive instructions in force 'e' procurement processes shall be valid for procurement of goods and services and for entrustment of contracts for engineering, IT and other projects.

4. It is also ordered that the participating departments shall issue necessary amendments / changes in the existing procedure, as deemed necessary, for switching over from the conventional / existing procurement processes to equivalent 'e' procurement process.

5. Accordingly, the above issue was discussed in the Board of Chief Engineers meeting held on 31.1.2003 and the Engineer-in- Chief (AW) I&CAD Department vide his letter 3rd read above has submitted the draft G.O. containing the detailed guidelines / procedure to be followed in conducting 'e' Procurement in Irrigation and R & B Departments as finalized by the Board of Chief Engineers in its meeting held on 31.1.2003.

6. Government after careful consideration of the Guidelines / Procedures to be followed in conducting 'e' procurement, as finalized by the Board of Chief Engineers hereby issue the following orders :-

(1) As a Pilot project, me 'e' procurement shall be adopted in Irrigation, R & B Departments in respect of works coming under the purview of the Chief Engineers / Engineer -in -Chief/ Commissionerate of Tenders, costing Rs. 1.00 Crore and above taken up with State Government funds (including NABARD, AIBP) and NH. Works costing above Rs. 1.00 crore, adopting the guidelines / procedures as indicated in the Annexure enclosed.

(2) All me existing codal rules, G.Os executive instructions applicable to the processing of conventional tenders are all applicable to the bids to be procured through 'e' Procurement, except to the extent modified / revised in the guidelines enclosed.

(3) In respect of works which are included in 'e' procurement tenders will not be received in the conventional method.

(4) The other circles will be included in 'e' procurement when ever the works are identified for tendering.

7. The above orders shall come into force with immediate effect.

ANIXURE-1

(G.O.Ms. No. 36, I & CAD (PW-COD) Dept, Dt. 07-03-2003)

Guidelines / Procedure to be followed in introduction of 'e'-Procurement in Irrigation and R & B departments in respect of works coming under the purview of Chief Engineers / Engineer-in-Chiefs /Commissionerate of Tenders i.e. works costing Rs. 1.00 crore and above in Irrigation & R & B Departments and works costing more than Rs. 1.00 crore in National Highway Department taken up with State Government funds (including NABARD, AIBP)

1.0 Notice inviting Tender (NIT) / Tender documents ••

The Notice Inviting Tenders (NIT) and Tender documents etc., shall be in the Standard formats as applicable to conventional Tenders and will be finalized/approved by the officers competent as in the case of conventional Tenders.

2.0 Publication of NIT:

The officers competent to publish NIT in case of conventional Tenders will host the NIT in the 'e' market place @ "www.eprocurement.gov.in" Simultaneously, a notification should also be published in the newspapers, and "Tenderia Samachara Patrika" as per existing rules, in the following format, to affect economy :-

**Government of Andhra Pradesh
Irrigation & CAD Department
"e" procurement Notice**

I. Name of the work:

2. Estimated cost: Rs.....

3. Last date / Time for receipt of tenders.

4. Name and address of the SE concerned:

Further details can be seen @ 'e' procurement market place @ "www-procurement.gov.in"

3.0 Time allowed for Tendering:

Time allowed from the date of hosting of NIT at 'e' market place to the last date of receipt of tenders at 'e' market place is 14 days, as in conventional Tenders.

4.0 Registration of contractors with 'e' market place:

The 'e' procurement market place provides an online self service registration facility to such of the suppliers, who are already registered with respective participating departments for supply of specified goods and services- As an incentive for early registration, basic registration by suppliers, that allows them to participate in the 'e' procurement process shall be enabled on the 'e' procurement market place without levy of any registration or subscription fee upto 31st March, 2003 or such later date, as may be decided by the

Steering Committee. However, the 'e' procurement market place may levy charges for such value-added services as may be decided by the Steering Committee on 'e' procurement as laid down in the G.O. second read above.

5.O Payment of cost of Tender documents;

The collection of cost of Tender documents is dispensed, as there is no physical supply of tender documents and also to have absolute anonymity of the bidders participating in 'e' procurement. The bidders can view / download the tender documents, from the 'e' market place.

6.0 Submission of Bids :

The bidders who are desirous of participating in 'e' procurement shall submit their Technical bids, price bids etc., in the standard formats prescribed in the Tender documents, displayed at 'e' market place. The bidders should upload the scanned copies of all the relevant certificates, documents etc., in the 'e' market place in support of their Technical bids. The bidder shall sign on all the statements, documents, certificates, uploaded by him, owning responsibility for their correctness / authenticity.

After uploading the Technical / Price bid , the attested copies of the uploaded statements , certificates, documents, (except the price bid / offer) are to be submitted by the bidder to the concerned Superintending Engineer, so as to reach before the date of opening of the price bid. Failure to furnish any of the uploaded documents, certificates, before the price bid opening date will entail rejection of the bid and forfeiture of EMD, Similarly, if any of the certificates, documents, etc., furnished by the bidder is found to be false / fabricated / bogus , the bidder will be blacklisted and the EMD forfeited.

7.0 Payment of EMD (Earnest Money Deposit) ;

The EMD payable along with the bid is 1% of the estimated contract value and the balance EMD payable at the time of concluding agreement is 1 % of contract value. The DD / EG shall be from a Nationalized Bank valid for a period of 6 months. Zero copy of the DD / BG is to be scanned and uploaded along with the Bid, and the original DD / BG shall be sent to the concerned SE so as to reach before the date of opening of the Price Bid. Failure to furnish the original DD / BG before price bid opening date will entail rejection of bid and blacklisting.

8.0 Technical bids / Price bids opening:

The Technical bids will be opened online by the concerned Superintending Engineer at me time and date as specified in the tender documents. All the Statements, documents, certificates, DD / BG etc., uploaded by the Tenders will be verified and downloaded, for technical evaluation. The clarifications, particulars, if any, required from the bidders, will be obtained either online or in the conventional method by addressing the bidders. The technical bids will be evaluated against the specified parameters / criteria, same as in the case of conventional tenders and the technically qualified bidders will be identified. The result of Technical bid evaluation will be displayed on the 'e' market place, which can be seen by all the bidders who participated in the Tenders.

Similarly, at the specified date and time, the price bids of all the technically qualified bidders will be opened online by the concerned Superintending Engineer and the result will

be displayed on the 'e' market place which can be seen by all the bidders who participated in the Tenders, Till the technical bids are opened, the identity of the bidders who participated in the Tenders are to be kept confidential. Similarly, till the price bids are opened, the bid -offers are to be kept confidential.

9.0 Processing of Tenders:

The Superintending Engineer will evaluate and process the tenders and submit to the concerned Chief Engineer / ENC (Irrigation) as done in the case of the Conventional tenders. The Chief Engineer / ENC (Irrigation) after his evaluation will finalize tenders up to Rs. 200 lakhs and submit to the COT in case the value of tenders is more than Rs. 200 lakhs. The COT will examine the bids and decides the successful bidder and communicates its decision to the Chief Engineer / ENC (Irrigation). The Chief Engineer / ENC (Irrigation) in turn communicates the Commissioner's decision to the Superintending Engineer. All this process will be online.

10.0 Charges payable to M/s CI India Pvt. Ltd. :

The service charges payable to M/s CI India Pvt. Ltd., as laid down in the GO 2nd read above are as indicated below:

(a) Tender-hosting charges: Rs. 4,500=00 per Tender.

(b) Transaction fee: 0.24% of the Agreement value of the work

The tender-hosting charges are payable by the concerned Executive Engineer on hosting of a Tender notice. The Executive Engineer shall arrange payment within a period of 30 days from the receipt of the bill from M/s CI India Limited. In respect of tenders cancelled at any stage and record again only tender hosting charges are payable. The transaction fee is payable by the successful bidder through a DD drawn in favor of M/ s CI India Private Limited, Hyderabad at the time of conclusion of the agreement. The said DD shall be sent to M/s CI India Limited by the Superintending Engineer who is entering into agreement with the successful bidder. Suitable provision should be made in the estimate of the concerned work to meet the above expenses by the bidder

11.0 List of CIRCLES (SE's offices) identified for introduction of 'e' procurement in the pilot stage in Irrigation & CAD, R & B Departments.

QUIIGATLON AND CAP DEPARTMENT

- (1) Superintending Engineer, Irrigation Circle, Chittoor
- (2) Superintending Engineer, F.F. Canal Circle, Jagityal
- (3) Superintending Engineer, Imgalion Circle, Ananapur.
- (4) Superintending Engineer, Somasila Project Circle, Nellore.
- (5) Superintending Engineer, Irrigation circle, Nizamabad.
- (6) Superintending Engineer, PJP Circle, Gadwal.
- (7) Superintending Engineer, SRSP, Construction Circle, Huzurabad
- (8) Superintending Engineer, NSLC, O&M Circle, Miryalguda
- (9) Superintending Engineer, Irrigation circle, Dowlaiswaram.
- (10) Superintending Engineer, SRBC, Construction Circle, III, Nandyal.
- (11) Superintending Engineer, GVC. 1, SRSP, Nizamabad District.

- (12) Superintending Engineer, NSRC, O&M Circle, Lingamgunlla
- (13) Superintending Engineer, irrigation Circle, Kurnool.
- (14) Superintending Engineer, M &W Circle, Hyderabad.
- (15) Superintending Engineer, Irrigation Circle, Guntur.
- (16) Superintending Engineer, YRPC Circle, Kakinada
- (17) Superintending Engineer, D.M.Circle, NSRSP, Srisailam Dam East,
Kumool District.
- (18) Superintending Engineer, Irrigation Circle, Vijayawada

ROADS & BUILDINGS DEPARTMENT

- 1. Superintending Engineer, R & B, Visakhapainam,
- 2. Superintending Engineer, R & B, NH Vizianagaram.
- 3. Superintending Engineer R & B Kakinada
- 4. Superintending Engineer R & B Eluru.
- 5. Superintending Engineer R & B Vijayawada
- 6. Superintending Engineer R & B Guntur
- 7. Superintending Engineer R & B NH, Ongole.
- 8. Superintending Engineer R & B Nellore
- 9. Superintending Engineer R & B Chittoor.
- 10. Superintending Engineer R. & B Cuddapah
- 11- Superintending Engineer R & B NH Anantapur
- 12. Superintending Engineer R & B Kumool
- 13. Superintending Engineer R & B Warangal
- 14. Superintending Engineer R & B Khammam
- 15. Superintending Engineer R & B Karimnagar
- 16. Superintending Engineer R & B Nizamabad
- 17. Superintending Engineer R & B Nalgonda.
- 18. Superintending Engineer R & B Rural Circle, Hyderabad
- 19. Superintending Engineer R & B Head Quarters Circle, Hyderabad.
- 20- Superintending Engineer R & B, NH Circle, Hyderabad.

Section No, 65

E-PROCUREMENT

Publication of NIT on the e-Procurement market place

(Memo. No. 4859/R/(2j)/2003-I, Tr. R. & Bidg. (R.1) Dept., DI. 23-04-2003)

Order:—It is informed that, during the review meeting held in the chambers of Spl, C.S. to Govt, R & B Department on 28-3-2003, among other things.. Spl. Chief Secretary has directed to host Nits on e-Procurement market place even for such of the works not covered under e-procurement by duly following guidelines under item 2.0 Annexure-I of G.O.Ms.No.36, dated 7.3.2003 of &CAD (COD).

2. Accordingly the Engineer-in-Chief's/Chief Engineers under the administrative control of I & CAD Department, TR&B Department and Commissioner of Tenders are directed to host NITS on e-procurement market place even for such of the works not covered under e-procurement by duly following guidelines under item 2.0 of Annexure-I of G.O.Ms.No.36, Ing. & CAD (Cod) Department, Dated 7.3.2003-

Section No. 66

REGISTRATION OF CONTRACTORS AND TENDER RULES

Registration of Contractors and Tender Rules - Modified - Orders - Issued,
(G.O.Ms.No.S, TR&B (R.I) Deptt, Dated: 08-01-2003)

Ref: - 1. G.O. Ms. No. 521, Irrigation (P,W) Deptt., Dt. 10-12-1984.

2. G.O. Ms. No.132, TR&B (R.I) Deptt., Dt. 11-8-1998.

3. G.O. Ms. No. 23, 1. and C. A. Development (P.W.COD) Deptt., Dt. 5-3-1999.

4. G.O. Rt. No. 938, TR&B (R.I) Deptt., Dt. 29-11-2000.

5. From G.A. (Cabinet) Deptt., U.O.No.269(6)/2002, Dt. 7-10-2002.

Order:—Government have constituted a Cabinet Sub-Committee in the reference fourth read above. The Cabinet sub-committee examined various issues relating to revision and streamlining offender procedures with the following objectives,

(1) Simplification of procurement procedures.

(2) Achieving greater transparency in procurement

(3) Reducing delay in procurement

(4) Improving quality of construction.

(5) Ensuring timely completion of projects.

2. The Cabinet Sub-Committee analysed the deficiencies in the existing procedures in respect of registration of contractors, qualification criteria, verification of certificates, standard bidding documents, lender premium, purchase of tender documents by non-serious bidders, prevention of cartel formation, deduction of taxes at source, maintenance of assets, grading of contractors and engineers, quality control measures etc., and examined different alternatives in order to achieve better results and made recommendations to the Government for consideration. Government, after careful examination of the recommendations of the Cabinet Sub-Committee and in partial modification of the orders issued in the G.O. first read above read with G.Os 2nd, and 3rd read above, hereby issue the following orders:

(1) Registration of Contractors

Registration of contractors which is presently being done in each specialization in Special Class and Class-1 is dispensed with. In future. Registration under these categories will be done without any specialization as is being done in respect of other categories of contractors. Existing contractors of Special Class and Class-1 will be eligible for all categories of works unless otherwise specified in the lender process, specialisation if required for any works shall be specified clearly in the qualification criteria in the tender process.

The Registration of contractors shall be done as detailed.

S-No.	Class of Contractors	Monetary limits of works	Registering Authority
(1)	Special Class	Committee of Engineers-in-Chief and the Commissioner, Commissioner of Tenders.	
(2)	Class-1	Above Rs.10.00 Crores	Committee of Engineers-in-Chief and the Commissioner, Commissioner of Tenders.
(3)	Class-n	Above Rs.2 Crores Up to Rs. 10 Crores	Committee consisting of the Chief Engineer concerned, another Chief Engineer of the same or other Department and a Member of Commissioner of Tenders to be nominated by me Commissioner, Commissioner of Tenders.
(4)	Class-m	Above Rs. 1 Crore Up to Rs,2 Crores	District level Committee comprising the Superintending Engineers available in the District and a representative/nominee of the Commissioner of Tenders.
(5)	Class-IV	Rs-50 Lakhs to Above Rs. I Crore	District level Committee comprising the Rs. 10 lakhs superintending Engineers available in the Up to Rs.50 Lakhs District and a representative/nominee of the Commissioner of Tenders.
(6)	Class-V	Up to Rs. 10 Lakhs	Executive Engineer of the Division concerned.

The solvency of registering various classes of contractors is increased to 10% of the minimum monetary limit of that class. This will apply to all future registrations and renewal of registrations by existing contractors.

(2) Qualification criteria, verification of certificates and Experience:

A Website will be created and maintained by the Commissioner of Tenders wherein details of all contractors will be made available. The Commissioner of Tenders shall finalize in consultation with Engineer-in-Chief (Irrigation) and Engineer-in-Chief (R&B) the format and the details to be kept in the Web-site within two months of the issue of this G.O. and send proposals to Government and obtain approval. Existing Contractors should submit the details of their experiences with an affidavit before the Commissioner of Tenders within 3 months from the date of issue of this order. The Commissioner of Tenders should place all these details on the Website- Those having objections should File before the Commissioner of Tenders, within a period of one month from the date of placement of experience particulars on the Website, The Commissioner of Tenders should conduct the investigation on the objections of the contractors filed and final experience certificate should be displayed on me Website within one month from the date of receipt of objections filed by the contractors. If any contractor submits false information, he will be liable for blacklisting. The Commissioner of Tenders should send proposals recommending to the Government with proper justification for blacklisting such of those contractors who furnish false information.

All Executives agencies in different departments will be given a password for making necessary entries in the Webshe from time to time. Updating of the information on the Websile shall be done by me awarding authority as and when a work is awarded. Similarly if a work is cancelled, the same should also be reflected in the Website by the canceling authority. Verification of certificates by sending to various agencies should be done away with while examine the eligibility. Instead, the information in the Website should be used by all. This information should be cross checked by the Commissioner of Tenders every year. The Commissioner of Tenders will also examine the objections as and when received. Those giving false objections shall be penalized up to an amount of Rs. 10,000/-. Detailed orders in this regard will be issued separately for which proposals shall be sent by Commissioner of Tenders, The Commissioner of Tenders can also examine and have details verified *suomolu*.

The Commissioner of Tenders should issue passbooks to each contractor containing all the details covering experience, financial capacity, etc- The contractors should enclose a Xerox copy of the pass book along with tender application. Works awarded/cancelled should be entered in the pass book by an officer not lower than the rank of Executive Engineer, The details in the pass book should tally with those in the Website. Duplicate pass books can be issued on payment of an amount of Rs-5000/- on the first occasion and Rs.25000/- subsequently.

(3) Adoption of standard bidding document:

The Commissioner of Tenders should submit a standard bidding document within three months to the Government for approval.

(4) Ceiling on tender premium;

For all works the ceiling of tender premium shall be 10%. As per the guidelines, even after two calls if the tender premium quoted is more than 10%, the matter should be referred to the Government and the Government may order for fresh call or may constitute a Committee to award the work on nomination to a reputed contractor from the list to be maintained by the Department on the basis of performance of contractors.

(5) Collection of E.M.D. at the time of issuing tender documents:

In order to discourage purchase of lender documents by non-serious bidders, tender documents shall be issued to contractors on payment of Earnest Money Deposit, at 10% of the Estimated Contract Value- Successful bidders will pay balance Earnest Money Deposit of 1 'A% of Contract Value at the time of concluding the agreement. This requirement should also be applicable even in case of e-procurement.

(6) Prevention of cartel formation:

Any bidder who is afraid to drop his bid in the tender box on the specified date can send his tender by post with the requisite Earnest Money Deposit so as to reach one day prior to the last date of receiving of tender/ auction. He can also participate at the time of tender opening/auction.

E-procurement should be adopted by all Engineering departments OD adoption by the Government.

(7) Maintenance Contracts:

The Contractors are responsible for the quality of works executed till the expiry of defect liability period which is now prescribed as two years. Each Department should formulate and issue guidelines based on the nature and life span of works,

(8) Grading of Contractors and Engineers;

Grading of contractors should be undertaken depending on their performance, maintenance of quality, timely completion of works and adherence of agreement conditions. The Commissioner of Tenders shall take action and finalise the modalities of grading of contractors within 60 days of the issue of this G.O and submit proposals to Government. The grading should be updated every year as on 1st June.

Likewise, the Engineers should be graded depending on their performance for which all Engineering Departments should issue guidelines that are specific to them.

(9) Quality Control ;

The Contractor and the Engineers incharge of construction/maintenance are responsible for the quality of construction/maintenance. The Departmental Executive Engineers will act as Quality Assurance Engineers. The Quality Control officials are accountable for the quality of the work where certification issued by them. They should also act as Quality Audit Engineers for which proposals with detailed guidelines should be sent by ENC (Administration) (R&B).

If external agencies are engaged, for conducting quality audit; the following methodology given below should be adopted.

(a) Before inspecting the work, the external agency should inform the Head of the Department- It should conduct quality control tests as per the standard procedures in the presence of Construction and Quality Control Engineers and the Contractor who is executing the work.

(b) The observations of the external agencies on the quality of work should be recorded then and there and signatures of all the concerned obtained as a token of acceptance of the observations.

(10) For all works costing more than Rs.2.00 Crores, the Contractor shall submit quality plan and also show proof of owing Quality Laboratory or having tie-up with an established Quality Laboratory. The details of Quality Control Test Equipment required should be incorporated in the Tender Documents- The equipment needed should be standardised by individual departments depending on nature of work.

All the major Contractors should be encouraged to have ISO certification and those having the same may be given preference in awarding of works.

(11) Price adjustment shall be granted where administered prices are enforced and that too for works estimated at more than Rs.2.00 Crores and having completion period of more than 18 months. This should be applicable within the original contract period or extended period owing to departmental delays. This will not apply to cases attributed to contractors fault.

(12) Powers delegated to the Chief Engineer/Engineer-in-Chief to finalise tenders

are enhanced from Rs. 100.00 to Rs. 200.00 Lakhs in view of the cost escalation. However, separate orders issued in regard to National Highways works shall hold good.

(13) Sub-Contracts:

If the prime contractor desires to sub-let a part of the work, he should submit the same at the time of filing tenders itself or during execution, giving the name of the proposed Sub-contractor, along with details of his qualification and experience. The Tender Accepting Authority should verify the experience of the Sub-contractor and if the Subcontractor satisfies the qualification criteria in proportion to the value of work proposed to be sub-let, he may permit the same. The total value of works to be awarded on sub-letting shall not exceed 50% of contract value. The extent of subletting shall be added to the experience of the sub-contractor and to that extent deducted from that of the main contractor.

(14) Limits of technical sanction and inspection of works:

The Department officials should inspect works before technical sanction is accorded by the competent authority as per the monetary limits indicated below:

For Engineers-in-Chief/Chief Engineers Rs. 500.00 lakhs and above

For Superintending Engineers Rs. 50.00 lakhs to below 500.00 lakhs

For Executive Engineers Up to Rs. 50.00 Lakhs

Scrutiny of estimates should be taken up at random by authority one level higher than that competent to issue technical sanction to the estimates except in the case of Chief Engineer or Engineer-in-Chief.

(15) Training:—Up to one percent of the budget allocation shall be set apart to train Engineers of the Departments at all levels for introducing new technologies, practices, materials in execution of works.

Orders issued by Information, Technology and Communication Department and other Departments on procurement will be implemented by all Engineering Departments to the extent they are applicable to them.

Further orders on tender procedures will be issued in consultation with the concerned departments.

SUBJECT INDEX

This index deals only with the Niles in the several chapters and does not cover the Appendices except No. 1. It has been compiled solely for the purpose of references and no expression used in it should be considered as in any way interpreting the rules.

Subject	Para No.	Subject	Para No.
	Not required for irrigation works		
Accidents—		Note to 4 of App.1	
Executive Engineers required to report		Of Govt. of India when required	
	29, 194		12 of App.1
Accountant—		Of Govt. of India when required all	
Divisional— responsible for correct		works paid from military works funds	
compilation of accounts	33		39 and 45 of App.I
Functions of divisional	50	of local Govt. of India required for outlay	
in the personal custody of—	158	on the first installation of electrical works	
Accounts—		in residential buildings	442
Extent 10 which— procedure dealt with in Code		Power of military secretary to his	
1		Excellency the Governor to accord to	
Responsibility of Executive Engineers for		electrical works in Govt. houses	443
33, 34		Powers of local Govt. and officers	
Responsibility of Superintending Engineers for—		of the central departments to buildings	
8, 9, 16, 17		(central) residential or non-residential	
Responsibility of Chief Engineers for—			11 and 32 of App.I
Acquisition of Land—		power of local Govt. to accord-	
Sre Land Additions—		to construction of Govt. houses	
See Alterations Administration report—			411(2)
Chief Engineers responsible for		powers of local Govt. to accord-	
preparation of— of department	6	to residential buildings (central)	
Administration approval—			note to 13(a) of App.I
Applications for— to works costing less		Powers of local Govt. to accord-	
than Rs. 5,000	100	military works	41,45 of App.I
Authorities empowered to accord— to		powers of heads of departments to	
military works	41, 45 of App. 1	accord- to residential buildings	
By whom given	99,101	to electrical works in non residential	
Conditions on which— to construction		buildings (provincial)	441
of residential buildings given		Power of chief engineers to accord to	
439, 440 and 10, 11 of App- 1		non residential buildings (provincial)	415(a)
Definition of— Para 99 and 4 of App. 1		power of superintending engineers to	
Local Government empowered to		accord- to non-residential buildings	
accord to Central works up to		(provincial)	417(a)
Rs. 20,000	10 of App. I	power of executive engineer to accord-	
Local Government may delegate its powers		to non residential buildings (provincial)	
of— to subordinate officers	14 of App. 1		428((a),100

Subject	Para No.	Subject	Para No.
Procedure for obtaining		Alterations-	
Procedure to obtain— to military works	109 and 9 of App. I	administrative approval of Govt. of India to-of exsting residential buildings (central) when required	13(a) of App.I
Revised— to alterations when required	41, 45 of App, I	Administrative approval of local Govt. to-existing residential buildings(central) when required	13(a) of App.I
Revised— when necessary in cases of excesses over original estimates	Note to 4 of App. I	Commensiment of work estimates of which required	134,185
When required	102 and 15 of App. I	Exicutive engineers prohhited from making-in sanctioned designs	31
1Advance*—	100, 101, 102 and 4 of App.	imported structcural -required orders or original sanctin authority	187 and 6 of app.I
Of Pay and traveling allowances, house buildings, etc.	5, 425, 434	Powers of superintending engineer to sanction-in designs	4 17(c)
Prohibition of— Government money in the case of works financed wholly from public contribution, etc,	Note under 203	Powers of executive engineers to sanction –in design	428(d)
To Contractors—generally prohibited	197	rent-payable for-done to leased residences	263
How recovered	197	Revised estimate required if-likely metirially to affect cost of work	187
Local Government may authorise	107	Sanction of Govt. of India required to- likely to case exc beyond local Govt's power	188
Not exceeding Rs, 80 may be made by s ubordinates	197	Ambulence Wagons-	
One security of materials	197	may be required by public works department	47
Agreement—		Annonymous communications -	
Execution of— in the case of emergent works	178	Action to be taken	75
No formal— is necessary in regard to petty works and repairs	175	Appropriation-	
No work should be started with out an—	174	Defination of	4 of App. I
When revised— providing higher rstes should take effect	176	Operates as expenditure sanctioned	5 of App.I
Agricultural and Civil Veterinary Departments—		Appropriation and Re-appropriation-	
Powers of administrative approval of officers of—		Approval of General Officercommanding required for-	
To non-residential buildings	438	of military works funds	47 of App.I
To residential buildings	440	local Govt. may delegates it powers of-to the superintending Engineers	29 of App.I
Allowances—		Powers of local Govt.in reguard to- of funds	
Extent to which dealt in with in Code	5	Sanction of the Govt. of India for –when required	28 of App.I
Ordinarly inadmissible to officers employed on local fund works	53		
What are included in emoluments for purpose of determining rent	263		

Subject	PwraHo.	Subject Para No.	
Approval—		To construction of residential buildings (provincial)	440
Definition of term	99		
Arbitrators—		to executive electrical works (non residential buldings)	441
Rules under which officers may act as	78		
Archaeological Officers—		to execute electrical works(residential buildings)	442
Duties of	258		
Powers of— to accord administrative approval to buildings (Central) residential or non-residential	32 of App. I	Bonus- Payment of in exceptional cases	150
Assistant Engineers—		Brick kilns- Cost of construction and up keep of - irrigation canels and channels	
May be appointed as Sub-divisional Officers	49	to be met from irrigation funds	189
Must periodically count cash in hands of cashiers	302	Bridges- Cost of construction and up keep of- over irrigation canels and channels	
Audit Officers-		to be meet from irrigation funds	352
Exercise concurrent control with Chief Engineers over account matters	8	Removal of – required sanction of Govt.of India	126
Local Government should consult— in cases of doubt as to their powers	408	Budget estimate- Chief engineer responceble , for preparation of	9
Must be informed if work (Central) is commenced without necessary sanction or funds	8 of App. I	Buildings All public-to be inspect annually by executive engineers	260
Objections raised by— to orders of local Government must be submitted to Government of India Relation of—	408	Application for new –or for additions and alterations to existing –how made	105
To Superintending Engineers in regard to accounts matters	17	Commencement of new- or of alterations to exsting –must be notified to head of department concerned	179
Required periodically to inspect furniture and stock in residences of high officials	233	Consent of Exicutive engineers required to occupation of public - as Residences	247
Auxiliary forces—		cost of portion of –dismanded how adjust	93 and I-A of App.I
Occupation of Government buildings by	259	Costoday of vacant Govt.-	249
B			
Bicycles—		Eriction of civil -newfortifications requires sanctions of Govt.of India	122
Classification of charges for purchase and repairs of	311		
Initial supply of— requires sanction of— Government	310	Executive engineers amt sanction the Provincial buldings	236
Procedure to be adopted when— are to be repaired	310	Executive engineers responceble that plans of –correcet when alterations made	262
Board of Revenue—		Insurance of Govt.- when permissible	227
Powers of— lo sell land and building	164		
Powers of administrative approval of to construction of non-residential buildings (Provincial)	438		

Subject	Para No.	Subject	Para No.
Lease of Government (o private		Terms on which-may be exceeded	
Individuals may be granted by		to local aulhorities	165
Chief Engineers	243	See also Residential buildings. No	
Local Government may sanction the—		proposals for supply accommodation	
of Centra! Buildings costing		occupants	267
Rs. 10,000 and less	54 of App.	Canals—	
Municipal taxes not livable on public—		See irrigation works (Cantonment	
in cantonments	250	Committee) Executive Engineers may be	
Non-residential civil— occupied by Forest		required to serve on	
Department to be maintained by		Cantonments—	
P.W.D.	97(5)vi	Municipal tares not leviable on	
Officers in charge should make some		public buildings in	250
one responsible for condition of public	225	Capital cost—	
Papers to be submlited with applications		Determination of— of residential	
for sanction to purchase	234	buildings for assessing rent	259
Powers of Superintending Engineers to		Items included in— of productive	
sanction lumpsum estimates for repaire		irrigation works	373
to—	147	Of houses purchased as residences	
Public— to be provided with necessary		how calculated	263
fixtures	229	Of residential buildings to include cosi of	
Purchase of— requires sanction of local		renewals necessitated by unforeseen	
Government	234	calamities	94 and 263
Register of— how maintained	261	Principles for determining what	
Repairs lo fixture in— how executed		expenditure is chargeable to of	
and charged	229	productive irrigation works	379
Restrictions on construction of civil—		Where office accommodation provided	
near zones of defensive works	120	in Officer's residence— of remainder	
Rules regarding— of historical		to be separately estimated	263
interest	43, 257, 258	Write-off of portion of—	
Rules regarding occupation of		of residential buildings	263
Government by Auxiliary forces	259	Cash-	
Rules regarding (he apportionment		In bands of cashiers to be counted	
of sale proceeds of	233	Periodically by Executive and	
Rules regarding the upkeep of the		Assistant Engineers	302
compounds of public	283		
Sale or dismantlement of		Rules regarding custody of	298
Chief and Superintending Engineers		Cashiers—	
may sanction the Provincial buildings	235	Cash in hands of –to be counted	
Sanction of Government of India required		periodically by executive and	
for the— Central buildings costing		asst. engineers	302
more Than Rs, 10,000	54 of App. I	Mat be appointed under orders of	
Sanitary, water-supply and electrical		local Govt .	300
installations in Government— now		May tsken payments for more than	
executed and repaired	254, 256	one sub division	301
Taxes on public— by whom payable	250	Must furnished security	303
Tc.-ms of leases of public— to			
private individuals	243, 246		

Subject	Para No.	Subject	Para No.
Casualties—		Responsible for administration report of department	9
Procedure to be observed when charges fall vacant owing to sudden	365	Churches—	
<i>See also deaths</i>		Realization of contributions for— Sw also	
Check measurements—		Ecclesiastical works	203
A Register of— should be maintained in each Division	295	Civil Account Code—	
Sub-divisional officers should check-measure all final bills on running account, etc.	294	Relation of— to the Public Works Department Code	I
Cheques—		Rules in— overridden by A.P. Public Works Department Code	186,240
Destruction of counterfoils of	App. XV	Civil Officers—	
Responsibility Government for fraud or misappropriation in respect of	299	Extent to which Executive Engineers required to comply with demands of for estimates	106 and 4 and 6 of App. I
Chief Engineers—		Required to sign requisitions, completion a reports and certificates of execution	222
Control of— over expenditure	10	Requisition by— For petty works	108
Correspondence by— with other departments	11	For repairs	110
Duties of	6-12	works executed by— acting as P.W. disbursers	181
Excise concurrent control with Audit Officers over accounts matters	8	Rules regarding execution of works by Civil Works Central-	97
Forms of deeds and contracts to be furnished through	83	Powers of local Government to accord technical sanction— to construction of	3 of App. I
May grant leases of public buildings to private individuals	243	Code, Public Works Department—	
Position of	6	Scope of	1
Powers of— to		Collection—	
accept contracts	415 V. 416 IV	Estimates for— of materials how dealt with	323
Powers of— to accord technical sanction to works (Central)	18 of App. I	Of materials costing more than Rs. 10,000 must be covered by estimate	323
Powers of— to issue the list of contribution works for which the maintenance cost is recoverable	208	Commencement of work—	
Powers of—to purchase office furniture	414.IV. 416 III	Before detailed estimates of complete project sanctioned	183, 185 & 25 of App.I
Powers of—to run the tolls on Government loads departmentally	350	By Executive Engineers prohibited without sanction of competent authority	31
Prescribe security to be furnished by cashiers	232	Detailed estimates must be sanctioned and fund allotted before	173
Responsible for communication of sanctions to Audit Officers	51 of App. I	On buildings for other departments must be intimated to local head	
Responsibility of— for removals, transfers and postings	7	On buildings for other departments must be intimated to local head of department	179
Responsibility of— for budget estimates	9		
Responsibility of— for revenue assessments	9		

Subject	Para No.	Subject	ParaNo.
on periodical repairs in anticipation of sanction to estimate	140	Particulars to be furnished with revised Period allowed for submission of— of irrigation works	281 401
On work estimate of which requires alterations	184, 185	Superintending Engineer to decide for intermediate—for parts of large schemes necessary	217
Prohibited on land not duly made over by responsible civil officers	180	Utilization of— as revised estimates	215.
Rules to be observed before	8 of App. I	When required	216 and 22 of App. I 216
Commission—		Contingencies—	
Of 5 per cent allowable to auctioneer on sale of stores	339	Allowances for— in estimates	117
Rules under which officers may act as	73	Powers of authorities to divert to new works— Executive Engineers	428(e)
Common ictions—		Restriction on diversion of— to new works	117
See Roads		Superintending Engineers	417
Compensation for loss of property—		Contract documents—	
Local Government may relax rule disallowing	51	For contract of unusual nature must be approved by— higher authority	152
Not ordinarily admissible	51	For works of great magnitude should be approved by	
Competitions—		Government Law Officers	153
Officers may lake part in	73	List of— required	151
Complaints—		Must be approved by authority	
Against Government servants must be received and inquired into	75	Competent, lo accept lender before tenders invited	152
Completion of certificates—		Originals of contract agreement should be kept in the personal custody of the Accountant	158
Must be signed by officers of department for which work executed	222	Originals of— approved by	
Office of record of	224	Sub-divisional officers to be in their personal custody	
Procedure when unfavourable remarks recorded on	224	Contractors—	
Completion of Plans—		Advances not exceeding Rs. 100 and 250 may be made by Sub-divisional Officers and Executive Engineers to	197
Disposal of	224	Advances to— generally prohibited	197
When required	223	Advances to— on security of materials	197
Completion reports—		Local Government may authorize advances to	197
Authorities empowered to pass— of productive public works	402	Contractors' profits—	115
Delay to be avoided in submitting	219, 220	Extra percentage allowed in certain Executive Engineers	431
Disposal of	224	Should not be allowed on the cost of materials supplied departmentally	114
Executive Engineers responsible for	32		
Expenditure between closing estimate and receipt of approval so—of irrigation works			
403 How to be framed	216		
Office of record of	224		
Papers to accompany—of irrigation works			
401			

Subject	Para No.	Subject	Para No.
Contracts—		Realisations and contributions	203
A description of every Government material to be supplied should be entered in schedule	150	Transfer of contribution, between— prohibited	205
Definition of term	150	Convict Labour—	
Except under legal advice must be executed on standard forms	153	See Prison Labour	
Government— exempt from stamp duty	153	Correspondent e—	
Must be strictly enforced	153	Rules regarding— with higher authorities	
Officers empowered to execute	159	Court of law—	
Powers of authorities to accept— Chief Engineers	41SV, 416 IV	Production in— of official documents	
Power of officers to give several— for the same work to different contractors	160	Customs Departments	
Powers of the Agents to the Governor in Visakhapatnam and the Government Agent, Godavari, to enter into	446	Powers of administrative approval of officers of— to non-residential buildings or residential buildings	82 of App. I
Provision to be made in— for imported		D	
Stores		Death -	
Rules to be noted in entering into	161	Of members of medical establishment	
Superintending Engineers	422	Procedure in cases of— due to accident	
Sub-divisional Officers	436(d)	Of work	194
See also Contract documents, tenders		Defensive Works—	
Contribution works—		Procedure When— undertaking by State Government	35 of App. I
Advances of Government money to newt arrears in contributions for— prohibited	203	Special rule regarding zones of	123
Allowance to be made in estimates for— for departmental charges	204	Department Charges—	
Authorities authorised to sanction undertaking of—		See Establishment, Tools and Plant	
415(a), 416(a), 417(b) 420(a), 430(a), 435		Deposit Works—	
With Government irrigation system	207	A list of— for which the cost of maintenance is recoverable	208
Department may be required to undertake		Special rules for— wholly financial from non-Government funds	206
local Govt. empowered to remit		Superintending Engineers are empowered to recover contributions by suitable installments on fixed dates	203
department chargeson – costing less than Rs.1,000	204	Special rules applicable to— connected	
no intrest allowed on sum deposited for	203	Deputation—	
Procedure to be followed in Undertaking	206	Temporary— of officer and subordinates to local fund works	52
Procedure when works executed partly From departmental funds and partly	202	Designs—	
		For coach houses should includ provision for a motor pit	125
		Preparation of structural	120
		Direct charges—	
		classification	396

<i>Subject</i>	<i>Para No.</i>	<i>Subject</i>	<i>Para No.</i>
Dismantlement—		Preparation of estimate for and	
Executive Engineers may sanction—		execution of	525
of temporary buildings	236	Provisions of— in residences	256
Of Central buildings costing more than		Reduction of rent on	263
Rs. 10,000 requires sanction of		Rent chargeable on	263
Government of India	54 of App. I	Works and repairs in connection	
Of Central buildings costing less than		with—how executed	255, 256
Rs. 10,000 requires the sanction of State		Embankments—	
Government	54 of App. I	Projects for—must detail financial	
Superintending and Chief Engineers may		responsibilities of Government	395
sanction— of Provincial buildings	235	Emergent Works—	
Distributaries—		Procedure that should be adopted in	
Savings on— of an irrigation project may		the case of	178
not be diverted to Other heads	398	Establishment—	
Zilla Parishad Works—		Allowances to be made for—	
See Local Fund Works		in estimates	204
E		For contribution works	204
Earnest money—		For irrigation works	396
Amount of— (to accompany lenders)	155	Generally	
Should always accompany lenders	155	State Government empowered to	
Ecclesiastical Works—		remit charges for—on contribution	
Special rules regarding— not		works costing less than Rs. 1,000	204
overridden by Code	2 of App. I	Savings on— in an irrigation project	
See also Churches—		may not be diverted to other heads	398
Electrical Engineers—		See also Temporary establishment,	
Powers of administrative approval to		Work-charged establishment,	
original works	435-I(a)	Medical establishment	
Powers of technical sanction	435-I(b)	Estimates—	
Powers of technical		Abstract of— how framed	112
sanction to ordinary repairs	435-U	Administrative approval may be exceeded	
Powers to accept lenders	435-VI	in preparation of certain—	102
Powers to pass excesses over		Allowances for contingencies in	117
estimates	435-JII	Allowance to be made in for	
Powers to write-off (the value		establishment and tools and plant in	
of stores, etc.	435-V	For contribution works	204
Others powers	435-VI	For irrigation works	396
Electrical Installations—		Generally	118
Administrative approval of Government		Commencement of periodical	
required for the first— on residential		repairs to	140
buildings	442	Commencement of work before	
Charges on account of current and		detailed of complete project	
meter hire may not be remitted	263	sanctioned	183, 185
Posts and Telegraphs Department		Date of closing of construction of	
authorised to execute and repair		irrigation works	399
	56 of App. I		

Subject	Para No.	Subject	Para No.
Definition of term	112	Superintending Engineers may sanction	
Estimates are strictly confidential	121	lump-sum— for repairs to buildings	147
For manufacture or collection of material how dealt with	323	Will be recorded in Executive Engineer's Office	211
For periodical repairs should show date when work last executed	141	Working year for annual maintenance fixed by State Government	136
For repairs to buildings to be countersigned by occupants	145	See also Revised estimates	
For repairs to public buildings should include taxes payable by Government	146	Supplementary estimates	
For roads must include cost of inspection houses	328	Excesses—	
For road metal how framed	149	Authorities competent to sanction over original and revised estimates of over revised estimates	410, 445
For work on which prison labour is to be employed	119	Executive Engineers responsible for reporting probable	36
Incidental expenditure to be provided for in	117	On residential buildings forming part of a project estimate (Central)	25 of App. I
Items to be included in— for repairs		Over technical sanction how dealt with when less than 5 percent	21 of App. I
134,135 Lapse of sanction to—		Powers of authorities to pass over technical sanction	21 of App. I
186 and 30 of App. I		Powers of authorities to pass over estimates— Executive Engineers	
Lapse of sanction to— for repairs other than special	137	428(c) 41 l(c), 430(c) and 21 of App. I	
Main headings in— for irrigation works	396	Superintending Engineers	
Of cost of land for acquisition how framed	166	4P(d), 411 (d), 420(c) and 21 of App. I	
Powers of authorities to sanction detailed working— against provision in projects for irrigation works	398	Chief Engineers	415(c), 416(c)
Provisions for taxes on public buildings to be made in the annual repairs	250	State Government (Government House works)	411(2)
Provision for work-charged establishment in how made	59	State Government (Irrigation Works)	411(l)
Provisions to be made in repairs	138	Revised Administrative approval necessary in case of— over original estimate	102 and 15 of App. I
Reports that should accompany for— bridges	129	See also Revised Estimates, Supplementary estimates	
Required for collection of manufacture or materials costing more than Rs- 10,000	323	Executive Engineers—	
Required for purchase or manufacture of tools and plant if cost exceeds Rs. 500	309	Appoint inferior and petty establishment	41
Sanction to for special repairs does not lapse at end of year	139	Area ex-officio professional advisors of all departments	44
Separate necessary of repairs to each work or group of works	135	Authorities competent to fix rents for office accommodation of—	240
		Authorities from whom— can receive orders	26
		Consent of— required to occupation of public building as residence	247

Subject	Para No.	Subject	Para No.
Correspondence by— with other departments	44,48	To purchase stores for reserve stock	323, 324, 432(a)(v)
Duties of—	" 25, 48 and 308	To purchase stores and sanctioned estimates	323, 432(a)(iv)
Empowered to authorise undertaking of contribution works	'OOfr), 4	To sanction alterations in designs	428(d)
Empowered to sanction sale or dismantlement of Provincial (temporary) buildings	236	To sanction detailed working estimates against provision in project for irrigation works	398
Extent to which—required to comply with demands of civil officers for estimates	107 and 4 and 6 of APP. 1	To sanction emergent repairs	429(a)(ii)
May be appointed as Sub-divisional Officers	49	To sanction estimates for annua repairs	429(a)(i)
May be required to serve on cantonment committees	46	To sanction estimates for special repairs	429(a)(i)
May grant travelling allowance to labourers brought from a distance	60	To sanction repairs to tools and plant	432(a)(i)i)
May reduce technical sanction if excessive	24 of App. I	To sanction work-charged establishment	59
May relax rule requiring recoveries of workshop charges in advance	357	To write off tools and plant	432(1))
May remit percentage charges on sale of surplus stock	331(a), 432(c)(n)	Prohibited from making material alteration in sanctioned designs	187
May sanction advances of pay and travelling allowance to work establishment on transfer	61	Rent admissible to— when provided office accommodation in their residences	240
Miscellaneous powers	434	Required to count cash held by cashiers periodically	303
Position of in relation to divisional accountants	33-35	Required to furnish certificate of security of strong rooms	42
Powers of— In re-appropriation	433	Required to inspect all public buildings annually	260
To accept contracts	431	Required to inspect fumiture in the residence of H.E- the Governor	233
To accord technical sanction to estimates	428(b) and 430(b)	Required to inspect monuments and buildings of historical interest	43, 258
To accord technical sanction to works (Central)	17 of Appendix I	Required to maintain register of buildings	261
To dispose of unserviceable or surplus Stores	432(c)(iXiii)	Required to oppose proposals for construction of works unless satisfied by their necessity	107 and 4 of App. I
To divert contingencies to new works	428(e)	Required to report accidents	29, 194
To grant advances to contractors on security of materials	197	Required to report annually the condition of surveying and mathematical instruments	38
To issue Stores or private persons	43 2(c)(ii)	Required to report interruptions of large works in progress	192
To pass excess over estimates	428(e), 429(c) and 430(c)	Required to report sanctions accorded by them monthly	21Z
To purchase and manufacture tools and plant	432(a)(i)		
To purchase stores for reserve stock	323, 324, 432(a)(v)		
To purchase stores and sanctioned estimates	323, 432(a)(iv)	Required to report unusual losses in manufacture of materials	193

Subject	Para No.	Subject	Para No.
Responsible for the purchase, manufacture, care and disposal of all stores in his division	39	Fees— Acceptance of— for acting as arbitrator or commission	73
Responsibility for revenue assessment	37	Family Labourers	
Responsibility of transfers	30	Employment of— in neighbour-hoods of barracks prohibited	195
Responsible for accounts	33, 34	Ferries— Removal of— requires sanction of Government of India	126
Responsible for arrangements for custody of stores, public property	305	Ferry boats— Rules regarding the maintenance of	352
Responsible for assessment taxes	250	Finance Department— Powers of administrative approval of officers of— to Expenditure sanction to works (Central) given by Finance Department	16 of App. I
Responsible for completion of reports	32	Buildings (Central) residential or non-residential	32 of App- I
Responsible for land and buildings in their charge	27, 28	Supply of—and the other necessary appurtenances	228
Responsible for reports as to buildings to be sold or dismantled	235, 237	Fixture— Public buildings to be provided Both necessary	229
Responsible for reports of probable excesses	36	Repairs to will buildings how executed and charged	229
Responsible for submission of revised estimates when necessary	214	Flags and Flagstuffs— Supply of— to public buildings	299(5)
Responsible that plans of buildings corrected on completion of alterations	262	Floating Plant— Purchase of— for use in divisions	312
Should endeavour to find tenants for vacant buildings	249	Forms— Custody and verification of Stock of—	82
Will not supply nor repair furniture except for new Offices	230	Local Printing of—	79, 80
Expenditure— Debit of— on investigations	389	Of deeds and contracts to be settled by Law Officers	8
Expenditure sanction— Definition of	5 of App. I	Sanction of Government of India required to alterations in standard—	79
Given by Finance Department for works (Central)	16 of App. 1	Submission of indents for	81
Modifications in	17 of App. I	Fortification— Government of India must be consulted as to sites for civil buildings near—	122
Extensions and Improvements— To irrigation works how charged	379 F	Special rules for—	34 for App. I
Famine relief works — Liability of State Government	413	Fond amenta I Rules— Applicable to the Public Work Department	I
Powers of Superintending Engineers to sanction relief works	419		
Famine tools— Details, of—			
Superintending Engineers are empowered to sanction the recoupment of deficiencies in—	321		
Superintending Engineers to see to the maintenance of the stock of—	328		
Fees— Acceptance of— for acting as arbitrator or commission	73		
Family Labourers—			

Subject	Para No.	Subject	Para No.
Furniture—		Administrative approval of required	
Bxecutive Engineers will not supply nor		to all works paid for form Military	
repair except for new offices	230	Works Funds require the administrative	
For rest-houses how charged	230	approval of the— conveyed by	
May be included in estimates of offices		genera] or special orders	39 ofApp, I
at discretion of Slate Government	230	Construction of residential buildings	
May be supplied for inspection houses	139	(Central) in certain cases	32, 51 ofApp,
Permanent incumben its of appointments		To estimate In excess of the powers of	
may be in certain cases, store— rent— free		State Government or offices oi" the	
in their residences during absence on leave		Central Departments	12 of App. I
263 Must be consulted as to sites for		buildings near fortifications	122
Powers of Chief Engineer and		Objections raised by Audit officers to	
Superintending Engineer to accord		order of State Government must be	
sanction for <i>the</i> provision or for		referred to	408
inspection bungalows	231, 232	Orders of— if" Military Engineer officer	
Powers of authorities to purchase Office		fortifications	34-3
Chief Engineers	415 IV. 4)6 01	Probable excesses over estimates	
Superintending Engineers	423(a)(2	in certain cases	188 App. I
Scale of for inspection bungalow	232	Alterations in standard forms	9
Special rules regarding—		Construction of military buildings	
in Government Houses	233	in certain cases	36-38 ofApp. I
G			
Gardens—			
Rules regarding maintenance of—			
by the State	264(c)	Occupation of land held for military	
Government House—		purposes	17!
Authorities competent to sanction excesses		Removal of bridges and ferries	126
over estimates for	411(2)	Sale of dismantlement of buildings	
Military Secretary empowered to account		costing more than Rs, 10,000	54 ofApp. 1
administrative approval to additions and		Sanction of thc-for appropriation or	
improvements; to electrical works		reappropriation of funds for Central	
connected with	443	Works, when required	28 ofApp. I
Occupied free of rent	279	Grant-in-aid—	
Payment of taxes on	250	Works subsidised by Government	202
Powers of State Government to sanction		Groups of works—	
outlay on	4)1(2)	Definition of—	9 of App. I
Powers of the Military Secretary to		Limitations on sanctions of officers	
write off the value of tools and		III, 409 and 9 of App.)	
plant in his charges	448	Guards—	
Restriction of powers of Stale		Employment of— other than police	64
Government (o sanction		Rules regarding employment of Police	63
supplementary estimates for	411(2)	Heads of Departments-	
Special rules regarding furniture in		Powers of administrative approval by—	
Government India	233	To residential buildings	440
Administrative approval of the military		To non-residential buildings	438
works when required	4 ofApp. I		

Subject	Para No.	Subject	Para No.
Powers of administrative approval— To electrical works in residential buildings	442	Inspection house or bungalows— Classification of	286
To electrical works in non-residential buildings	441	Custody of	285
Hire- Rules governing the hire of tools and plant	340 and 341	Estimates for roads must include cost of	128
Hostels- Hostels attached to schools and Colleges need not be shown in return of buildings	289	Every Executive Engineer should keep a register of—	287
House-rent allowances— Certificate should be given by officers in receipt of	263	Furniture may be supplied for	230
Powers of State Government to sanction expenditure on repairs and— to residences of political pensioners	55 of App- 1	Inspection reports— On Executive Engineers' offices required from Superintending Engineers	16
I Improvements— See extensions and improvements		Instruments— Vide Mathematical and Surveying instrument	
Inaugural Ceremonies— Powers of State Government to sanction expenditure on—	53 of App. 1	Insurance Claims for loss or damage of English stores should be made against "Marine Insurance"	314
Indent!— Emergent— other departments to be avoided	320	Local Government may effect— of specially valuable property	23
For Forms	81	Of Government buildings when admissible	227
For Stationery	78	Interest— Not allowed on sums deposited as	
On Ordinance Department and Supply and Transport Corps prohibited when articles otherwise obtainable	317	Interruptions— Of large works in progress must be reported to Superintending Engineer	192
Rules regarding— on departments other than Ordinances	317-319	Iron works— Purchase of— from Government workshops	322
Rules regarding on Ordinance Department	313 319	Irrigation Works— Administrative approval to— not required	4 of App. I
Superintending Engineers pass— for stores	423(a)(iv)	Allowance to be made for establishment and tools and plant in estimates for	396
Procedure in cases of projects affecting	394	Information to be given to Survey Department regarding new	199
Rules regarding purchase of European stores for or by— inapplicable in certain cases	313	Information to be submitted with project for	390-393
Indirect Charges— Classification of	396	the cost of which exceeds the powers of sanction of	
		Provincial Governments rules governing the submission of estimated for and the construction of	406

Subject	Para No.	Subject	Para No.
Main heading in estimates for	396	Rules regarding leasing of residences for Government officials	263
Productive and unproductive definition	370-374	Taxes on residences held on lease by whom paid	240
See also productive irrigation works, minor irrigation works, extensions and improvements		Terms of— of public buildings to private individuals	243-246
L			
Labour reports—		Lightning conductors—	
How prepared	290	Rules regarding provisions of	124
Land—		Testing of— Powers Magazine	124
<i>Charges</i> for— to be included in capital cost of residential buildings	263	Lime Kjlos—	
Commencement of works prohibited on— not duly made over to		Must not be erected near inhabited parts of towns	189
responsible civil officers	180	Local bodies—	
Lease of— in charge of		Rules regarding purchase of European	
Public Works Department	172	Stores for or by inapplicable in certain cases	313
Must be sold through Revenue Department	162, 163, 235	Terms of transfer to of immovable property generally	165
Occupation of— should be timed to avoid destruction of standing crops	189	Residential buildings	239
Periodical inspection of" vacant— by the Executive Engineer	28	Local Funds Works—	
Procedure in case of— acquired by private negotiation	172	Additional emolument for work on-ordinarily inadmissible	53
Rules for acquisition of held for military purposes	166-170	Classes of employment on—	52
Terms on which— and immovable property may be ceded to local authorities	171	Rules regarding reemployment on—	52-53
	165	<i>Slate Government—</i> Constitution of new sub-division requires sanction of	49
Lapse of sanction—		Definition of term—	2
To estimates	186 & 30 of App. I	Empowered to accord administrative approval to Central works upto Rs. 20,000	10 of App, 1
Law suits—		Exercise discretion as regards insurance of provincial property	227
Procedure in regard to—	76-77	Fix rents for office accommodation for Superintendents of Works and Executive Engineers when in excess of Rs. 100 per mensum	240
Production of official documents in—	77	Fix rent for office accommodation for Superintending Engineers	240
Leases—		Fix reserve limits of stock for divisions	324
Capital expenditure on leased residences to be avoided	263	Fix working year for annual maintenance estimates	
To Chief Engineer may grant— of Public buildings to private individuals	243		
Rent chargeable on leased buildings—			
Rent payable on alterations to leased buildings	263		

Subject	Para.No.	Subject Para /Vo.
May authorise execution and repair of sanitary, water-supply installation by agency other than the Public Works Department	254-256	Powers of— to accord administrative approval to additions or alterations to residential buildings (Central) I3(a) of App. I
May authorise execution of works by civil officers	95-98	Powers of— in miscellaneous matters
May authorise maintenance of capital and revenue accounts of minor irrigation works costing less than Rs. 50,000	381	To approve expenditure on buildings appertaining to Government of India App. 1
May delegate its powers of administrative approval to subordinate officers of App-1		To incur expenditure on irrigation works between closing of estimate and receipt of approval to completion report 403
May delegate its powers of appropriation or reappropriation on to PWD, Officers of a status not less than that of a Superintending Engineer	29 of App. I	To purchase livestock 423(a)(ii)
May dispense with capital and revenue accounts of minor irrigation works costing more than Rs- 50,000	381	To reduce or remit rents of residential buildings 263
May permit inclusion of furniture in estimate for new officers	230	To remit rent on sanitary, water-supply
May permit investigation of anonymous complaints	75	To sanction employment of temporary establishment 54
May relax rule disallowing grant of compensation for loss of property	51	ceremonies (Central) 53 of App. I
May remit departmental charges on contribution works costing less than Rs. 1,000	204	To sanction expenditure on repairs and improvements to residences
May sanction employment of cashiers	300	for political pensioners 55 of App. I
May sanction local purchase of stationery	78	To sanction outlay on Government Houses 411(2)
May sanction purchase of buildings for public purposes	208	To sanction reappropriation funds 414
May sanction sale or dismantlement of Central buildings valued at less than Rs. 10,000	54 of App. I	To sanction remissions and reductions of rent 263
May sanction sale or dismantlement of provincial buildings in excess of Rs. 10,000	235	To sanction sanitary watersupply and electrical installations in residential buildings 263
May transfer residential buildings from Class 1 to Class II and vice versa	268	To write off irrecoverable value of stores lost (Central) 52 of App. I
Musl submit objections raised by Audit Officers to their orders to the Government of India	468	To write off losses of public money (Central) 52 of App. I
Opinion of must be recorded when occupation by civil department of military land is proposed	171	Powers of— in regard to appropriation or re-appropriation of funds for Central Works 26, 27 of App. I
		approval 10 Alteration and additions to residential buildings (Central) or residential buildings (Central) 13(1) of App- I
		Construction of non-residential buildings (Central or residential building (Central))32 of App- I
		Powers of— to accord technical sanction to estimate for Group works forming project 409

<i>Subject</i>	<i>Para No.</i>	<i>Subject</i>	<i>Para No.</i>
Military works	39 of App. T	Lower Subordinates—	
Powers of— to accord technical sanction		Authority competent to	19
to military works	43, 46, 49 of App. I	Order dismissal of— By whom	
Prescribe scale of punkas with fillings		appointed	19
for residential buildings	229	May be appointed as sub-divisional	
Procedure when defensive works		officers	49
undertaken by	35 of App. I	May be required to furnish security	303
Renewals and replacements of civil		Manufacture—	
(Central) and military works	39-48	Estimates for— of materials how	
Required to frame sanitary rules		dealt with	323
for extensive works	198	Estimates required for of tools and	
Responsibility for losses caused		plant if cost exceeds Rs. 500	300
in encashment of personal bills		Executive Engineer may stock to keep	
of officers	299	reserve up to sanctioned limit	323, 324
Restriction on powers of to sanction		Of material costing more than	
supplementary estimates for		Rs- 10,000	323
Covenant houses	411(2)	Powers of authorities— to Stores—	
Should consult Audit Officer in		Executive Engineers	432(a)(i)
case of double as to powers	408	Powers of authorities to— tools and	
Losses—		plant—	
Of stores to be reported to		Executive Engineers	432(a)(i)
Superintending Engineer	320, 329	Superintending Engineers	423(a)(i)
Police investigation of stores	330	Unusual losses in— of materials to be	
Powers of authorities to write-off' of public		reported to Superintending Engineers	193
money— Superintending Engineers (Provincial)	432(d)	Materials—	
Superintending Engineers (Central)		Advances to contractors on security	
52 of App. I Chief Engineers (Provincial)		Of—	197
415 VI, 416, V		Charged to works included under	
Chief Engineers (Central)	52 of App. I	Estimates for manufacture and	
State Government (Central)	52 of App. I	collection of— how dealt with	323
Powers of authorities to write-off of		Manufacture or collection of— costing	
stores—		more than Rs. 10,000 must be covered	
Superintending Engineers	423(b)(i)	by estimates	323
Powers of Superintending Engineers		Mathematical and surveying instruments	
to sanction estimates for		Cost of repairs of damage to	
— of stores due' (o depreciation	423(c)	reasonable from persons responsible	38
Responsibility of Government for		Executive engineers required to report	
caused in encashment of personal		annually on condition of	38
bills of officers	299	General superintendent, P.W. stores,	
Superintending Engineer is competent		is required to see that— not stocked	
to deal with of measurement books	296	in excess of needs	342
See also Compensation for		repairs to— how executed	342
loss of properly Unusual in manufacture of			
materials must be reported to			
Superintending Engineer	193		

Subject	Para No.	Subject	Para No.
<i>To be obtained from Mathematical Instrument Office or from the High Commissioner, India Office</i>	342	must be constructed according to standard designs of the Government of India	36 of App. I
Measurement books—		Military works—	
Basis of bills of contractors and suppliers	290	Most urgently required— should be given preference over afl others	
Destruction of—	App. XV		
How maintained	292	sanctioned	40 of App. I
Superintending Engineers required to inspect	296	Powers of State Government to accord technical sanction to— Original Work	39 of App. 1
Superintending Engineer is competent to deal with the losses of—	296	Revised and supplementary estimates of App, Special rules for	34-39 of App. I
Measurements—		When required the administrative approval of the Government of India	45 of App. I
Detailed—when may be dispensed with	263	Minor Irrigation works—	
Firewood should be measured by weight	308	Authorities competent to sanction works against open capital account of	416(a)420(a), 430(a)
Medical Establishment—		Authorities competent to extend dates of completion of open capital works on	399
Leave, retirements and resignations of members of—	69	Capital and revenue accounts to be mainlained for— costing more than Rs. 50,000	380
Removal of members of—	70	Definition and classification of	3S3, 384
Requirements of department usually let from civil branch of subordinate	65	Expenditure on— between closing of estimate but receipt of approval to completion report	403
Rules regarding—	65-70	charged	379
See also Sub-Assistant Surgeons		Financial prospects how to be exhibited	392,401
Medicine—		State Government may authorise maintenance of capital and revenue accounts for— costing less than Rs. 50.000	380
Indents for the supply of—	353	state govt. may dsipance with capital and revenue accounts for costing more than Rs.50,000	381.
Metal-Estimates for road— How Framed	149	papers to a company complition reports or	401
Road— included under head of "Stores"	304	period allowed for submission of complition reports of	401
Meteorological Department—		technical senction to	
Powers of administrative approval of officers of—		original; works	411(1)
Non-residential buildings or residential buildings	32 of App. 1		
Military buildings—			
Authorised	39 of App. I		
Approval of Government of India necessary to plants of— for which no standard plans exist	37 of App. I		
Expenditure on— should not be incurred before funds are allotted and estimates sanctioned	48 of App.i		

Subject	Para No.	Subject	Para No.
Renewals and replacements of—			
how charged	379	Superintending Engineers	240
Rules regulating charges to the open capital account of	379	No deduction for rent of residential buildings permissible for—	
Superintending Engineers may sanction re-appropriations of ascertained savings on— from one sub-head to another 420(c)		if separately provided	263
Transfer of— to class of productive works	375	Payment of taxes on residences in which provided by occupant	240
Modifications—		Rent admissible to Sub-divisional Officers who provide—	
<i>See</i> Alterations		in their residence	
Money—		Rent admissible to Superintendents of Works and Executive Engineers who provide— in their residence	240
Powers of authorities to write-off value of public lost—	415 VI, 416V	Where— provided in officer's residence capital cost had repairs of remainder to be separately fixed	263
Chief Engineers (Central) 52 of App. I		By whom appointed	7, 18, 41 0
State Governments (Central) 52 of App. I		Office establishment—	
Superintending Engineers (Provincial) 423(e)		May be required to furnish security	303
Superintending Engineers (Central) 52 of App I		Open Capital Accounts—	
I Monuments—		Authorities competent to extend dates of completion of irrigation projects	399
Care of ancient devolves on the Central Government	50 of App. I	Classification as remunerative and un-remunerative of works chargeable to the— of a productive irrigation project	375
Rules regarding preservation of 257, 258 & 50 of App. I		Power of State Government to pass excesses on estimates chargeable to the— of a productive irrigation project	410
Mosques—		Register of sanctions against—	
<i>See</i> Religious edifices		to be maintained	405
Municipal tax—		Rules regarding charges to the— of irrigation projects	403
Procedure to avoid delay in the assessment and payment of	253	Operations—	
Rules regarding remission of for vacant buildings	252	Classification of the— of the department	88. 92
Muster Rolls-		Ordinance Department—	
Labour reports prepared from	290	otherwise obtainable	317
Must be written up daily	291	Rules regarding indents on	317-319
To be used for work done by daily labour	290		
N			
Notifications—			
Affecting outside public to be published in draft	14		
Authority competent to fix rents for—		Original works	
Superintendents of Works and Executive Engineers	240	cost replace how adjusted	3&2-A of App.I
State Government fix rent for—			

Subject	Para No-	Subject Para No.	
Definition of	89&2-A of App. I	Plantation establishment—	
Procedure to be observed in regard to	108	May be required to furnish security	303
costing more than Rs. 1,000		Police guards— <i>Vide</i> Guards	
P		Post and Telegraphs Department—	
Paper Currency Department—		Authorised to execute and repair	
Powers of administrative approval of		electrical installation in	
officers of— to non-residential buildings		their buildings	56 of App. I
or residential buildings	32 of App. I		
Pay-		Postmaster-General Hyderabad Circle,	
Medical subordinates' scales of— of	67	responsible for rent on residential	
Pensions—		building of	251
Not dealt with in Code	1	Powers of administrative approval of	
Of re-employed pensioners included		officers of— to non-residential buildings	
in emoluments for purpose of		or residential buildings.	32 & 51 of App. I
determining rent payable	263	With regard to appropriation or	
Personal Interest—		re-appropriation of funds.	51 of App. I.
On part of officials in works and contracts		Powers of sanction—	
prohibited	72	<i>See</i> Executive Engineer,	
Petty establishment—		State Government etc., Powers—	
By whom appointed	7, 18, 41	Board of Revenue have— to sell	
May be required to furnish security	303	buildings with site. Collectors have—	
Not required to furnish temporary		to sell buildings with site	164
service declaration	56	Prison labour—	
Petty Supervision—		How include in estimates	119
Allowances for— in estimates	117	Prickly-pear—	
Petty Works-Definition of—		Clearance of	210
Detailed estimates not required for—		Prises—	
99, 108, 111, 112		Officers may compete for—	
Procedure in regard to—	108	offered by municipalities for designs	73
Requisition by civil officers for—	108	Productive Irrigation Works—	
Piece work—		Authorities competent to accord	
Definition of—	150	technical sanction	416(b), 420(b), 430(c)
Plans-		Authorities competent to classify	
Estimate for a bridge should		work as	375
accompany (he	130	Authorities competent to extent dates of	
Executive Engineers responsible for		completion of open capital works on	399
maintenance of—all land within their		Authorities competent to sanction original charge	
estimates for 411(1), 416(a), 420(a), 430(a)		Agency to open account of	411(1)
Executive Engineers responsible that—		Authorities empowered to pass	
of buildings corrected when any		Completion report of	401
alterations made	262	Classification to works chargeable	
Record— to be maintained in		to the open capital accounts of—as	
Executive Engineer's Office	85, 223	remunerative and un-remunerative	379,400

Subject	Para.No.	Subject	Para No.
Conditions to be fulfilled to admit of work being classified as	373-397	For roads how to be submitted to Government of India	127
Date of closing of construction estimates of	399	For water-supply schemes how to be prepared.	13), 132
Definition of	371	Information to be submitted with irrigation.	392-
Expenditure on— between closing of estimate and receipt of approval of completion report	403	Information to be submitted with— for water supply	131, 132
Extensions and improvements to— how <i>charged</i>	379	Papers to be submitted with	112
Financial prospects how to be exhibited.	392	Requiring sanction of the Secretary of State	411(1)
How financed	368	Superintending Engineer to revise the estimates for— if owing to material deviations from the original proposals and intimate to the Executive Engineer and Audit Officer	23 of App, t.
Items included in capital cost of	369	Savings due to omission of substantial section of— may not be utilized on other sections	182
Papers to accompany completion reports of	401	Provincial Government—	
Powers of authorities to sanction detailed working estimates against provision in projects for	398	Term—when used	2
Principles for determining what expenditure, is chargeable to capital and revenue	379	Public Works Department—	
Provision for establishment and tools and plant in estimates for— may not be transferred to other heads	398	Acts as agent of the Government of India	4
Renewals and replacements of— how charged	379	Organisation and functions of the	2
Rules regarding charges to the open capital accounts of	401	Punkbu—	
Superintending engineers may sanction re-appropriations of ascertained savings on— from one sub-head to another	398	Articles included in term	229
Progress report—		Purchase—	
Preparation and submission of	297	Capital cost of residential buildings purchased by Government how calculated	263
Projects-		Conditions under which— of residence for officials permissible	264
Affecting interest of more than one province require sanction of		Estimates required for— of tools and plant if cost exceeds Rs. 500	309
Government of India	411(1)	Executive Engineers may— stock to local of indigenous stores desirable	
Allowance for establishment and tools and plant to be made in— for irrigation works	396	Of buildings required sanction of State Govt.	234
Cost of substantial sections of— abandoned, how dealt with	23 of App, I.	Of European stores	313
For embankments must detail financial responsibilities of Government	395	Of stock for execution of sanctioned works	307
		Of works from Govt. works papers to be submitted with appl. for sanction to — buildings	322
			234

Subject	Para No.	Subject	Para No.
Powers of authorities to office furniture—		Of residential buildings when permissible	263
Chief Engineers	415 IV, 416	Of leased buildings when permissible	263
Superintending Engineers	423(a)(ii)	Of sanitary, waier-supply and electrical installations	263
Powers of authorities to stores—		Papers to accompany applications to—	270
Executive Engineers	432(a)(v)	Powers of Stale Government to sanction—	263
Superintending Engineers	423(a)(i)	Remission of rent when a well in a Government building is dry or otherwise unfit for use	271
Powers of authorities to—		Registers of buildings—	
Tools and plant—		How maintained	261
Executive Engineers	432(a)(i)	Registers incumbents—	
Superintending Engineers	423(a)(i)	To be maintained in divisional and sub-divisional officers	359
Powers of certain departments—		Regulations—	
To residential buildings (Central)		Affecting outside public to be published in draft	
32 & 51 of App. I		Religious edifices—	
Powers of State Government to—		Musl not be desroyed or injured in execution of works	19
Livestock	423(a)(iii)	Must not be occupied as residences	24B
R		Remission of rent—	
Rates-		See Reduction of rent	
Duty of Superintending Engineer to watch and control the	15	Remission—	
No higher— except those provided in the agreement or contract may be paid	176	Of departmental charges	204
Of rent chargeable on Provincial buildings occupied by Forest		Of percentage charges on stores	331 (a)
Department and departments of the Central Government	245	Removals—	
Revised— Will have effect from the date of revised agreements	176	Duties of Chief Engineers regarding—	7
Schedule of— to be maintained	113	Duties of Superintending Engineers regarding—	18
Record—		Of members of medical establishment	70
Office of— of completion reports	224	Renewals—	
Place of— of estimates	211	Of portions of residential buildings damaged by calamities how dealt with	263
Record Plans—		Renewals and Replacements—	
Must be prepared immediately work completed	223	General Rules regarding classification of—	93, 94 and 2-A of App. I
To be maintained in Executive Engineer's office	85	Of irrigation works how charged	379
Record Racks—		Rent-	
Supply of— to buildings occupied by a Zilla Parishad	244	Admissible to Sub-divisional Officers who provide office accommodation in their residences	
Records—			
Destruction of official—	84		
Recoveries—			
Of advance	197		
Reduction of Rent—			

Subject	Pans No.	Subject	Para No.
Admissible to Superintendent of Works and Executive Engineers who provide office accommodation in their residence	240	Residential buildings may be grouped together or treated separately for purposes of assessment of Rules for assessment of—	269
Allowances Included in emoluments for purpose of assessing Authority competent to fix for office accommodation for Superintendents of Works and Executive Engineers; Chargeable on Provincial buildings occupied by Forest Department and other departments of the Central Government	263	on residences	263
Chargeable on residences held on lease	240	Rules regarding of class II residential buildings	263
Chargeable on sanitary, water-supply and electric installations	245	Rules regarding rounding off— Superintending Engineers may be empowered to fix—	278
For office accommodation for Superintending Engineers fixed by State Government	263	of residential buildings	278
Incumbent of appointment for whom residences provided is responsible for	240	See also reduction of rents	
Incumbent of appointment when relieved of responsibility for	263	Rent-free quarter;—	
Classification of	133	Authority for grant of— to be communicated to Audit Officer	272
Leviable on residential building hired for accommodation of officials	298	Grant of— on condition that occupant executes repairs is prohibited	274
Municipal taxes payable by occupant leviable in addition to	250	Papers to accompany applications for grant of	270
No deduction from admissible for office accommodation separately provided	263	Taxes on— by whom payable	250
Of Class I residential buildings how fixed	263	Repairs—	
Of Government residences let to private persons— how assessed	275	Allowances to be made for ordinary— to residential buildings	263
Of houses leased for residences should not exceed 10 per cent of officer's emoluments	263	Classification of	133
Payable on alterations to leased residences	263	Commencement of work on periodical in anticipation of sanction to estimate	
Postmaster-General, Hyderabad Circle, responsible for—	263	140, 91, 134, 177 and 2-A of App. I	
Residential buildings of the Posts and Telegraphs Department	251	Detailed estimate not required for petty	110 and 6 of App. I
Repairs necessitated by calamities not included in calculation of residential buildings	263	Detailed estimates not required in certain cases	110, 147
		Estimates for periodicals should show date when work last executed	141
		Estimates for— to buildings to be countersigned by occupants	145
		Expenditure on ordinary— to Government buildings to be limited to 10 per cent on the capital cost	144
		Garden establishment of unoccupied residences chargeable to	56
		Grant of rent-free quarters on condition that occupant executes prohibited	274
		Items to be included in estimates for	133

Subject	Para No.	Subject	Para.no.
Lapse of sanction to estimates for other than special	179	To residential buildings should	
State Government fix working year for estimates	136	include municipal taxes payable by Government	263
Necessitated by calamities not included in calculation of rent of residential buildings	268	When to leased buildings executed by Government the cost to be borne by tenant	263
Papers to be submitted with estimates for	112	Where office accommodation provided in officer's residence cost of— to remain to be separately estimated	203
Powers of authorities to sanction emergent—		<i>See also Special Repairs</i>	
—Executive Engineers	429(a)(ii)	Replacements—	
—Superintending Engineers	418(c)	<i>See Renewals and Replacement</i>	
Power of authorities to sanction estimates for annual—		Requisitions—	
—Executive Engineers	429(a)(i), 430(b)	By Civil Officers for petty works	108
—Superintending Engineers	418(a), 420(b)	By Civil Officers for repairs	110
Powers of authorities to sanction to tools and plant		Reserve of stock—	
—Executive Engineers	432(a)(iii)	How accounted for	324
—Superintending Engineers	423(a)(v)	Rules regarding the maintenance of—	324
Powers of State Government to sanction expenditure on— and improvements to residences for political pensioners		Residential buildings—	
55 of App. 1		Allowance to be made for ordinary – repairs to	263
Powers of Superintending Engineers to sanction lump-sum estimates for—		Applications for administrative approval to the construction of— requiring reference to the Government of India	28 et. Seq.
to buildings	147	Authority exempting an officer from payment of rent of—	
Procedure regard to requisitions for	110, 145	should be communicated to the Accountant-General	272
Requisitions by civil officers for	110	Capital cost of—	
Separate estimates necessary for to each work or group of works	135	how determined for assessing rent	263
Superintending Engineers may authorize commencing of periodical—		Capital cost of— purchased by Government— how calculated	263
in anticipation of sanction estimates	140	Capital expenditure to be avoided on leased	263
Taxes on public buildings payable by Government to be included		Classification of—	263
<i>in estimates for</i>	146	Conditions on which administrative approval to construction of (Central) given	
To ambulance wagons and tongas may be executed by the Public Works Department	147	13(a) of App. I	
To fixtures in buildings how executed and charged	229	Conditions under which construction of purchase of permissible	264
To mathematical and surveying instruments have executed	397	Damage to— by tenants	280

<i>Subject</i>	<i>Para No.</i>	<i>Subject</i>	<i>Para No.</i>
Incuinbcnl of appointment tor whom— providi-ij is responsible for rent	263	Rent payable lo officers who provided officer accommodation in their	263
Incumbent of appointment when		Rent to be charged onBy tenant—	
relieved of responsibility for rent of	263	held on lease	263
May lie grouped together or treated separatel" for purpose as assessment of rent	239	Rent of Class 1— how fixed	263
N" ditluction from rent admissible for oftk" ... cum mod a! ion if such		Rents of— let to private persons how assessed	275
accoim.. xJalion separately provided	263	Repairs necessitated by calamities not included in calculation of rent of	263
Oullay on lhc first installation of Electrical works in - requires ihe sanction of		Restriction on powers of Superintending Engineers to sanction lump-sum estimates for repairs to	147
Govcmmeid	442	Rules regarding assessment of rent on	263
Payment of taxes on in which office		Rules regarding leasing of for	
accom moduli on provided occupant	240	Government officials	263
Periodical review of concessions		Rules regarding sub-letting of—	263
gru!!inJ 10 occupiitiis of	273	Rules regarding upkeep of the compounds of—	183, 284
Postmaster- Genera I. Hyderabad Circle, responsible for rent on— of Posts and		Superintending Engineers empowered to fix rents of	278
Telegraphs Department	251	Taxes on— by whom paid	250, 263
Powers of administrative approved of officers of Central Departments to the construction of— 32&51 of A pp. I		Term of transfer of— to local bodies	165, 239
Powers of State Government lo accord 165, 239 administrative approval to additions to (Central) 13(a) of App. I		Transfer of from Class I to Class II and Vice Versa	268, 281
Powers of Slate Government to accord administrative approval to construction of (Central) 10-14 of App. I		Use of vacant— as rest-houses where office accommodation provided in officers'	
Powers of the State Governments to sanction expenditure on repairs and improvements to of— political pensioners 55 of App. I		residence capital cost and repairs of remainder to be separately estimated	263
Pu',;ers of Slate Government to sanction remission and reductions of rent on	263	Write-off of portion of capital cost of See also Rent-free quarters	263
Picposals, for improvements of buildings for which reduced rents have been s anctioned	270	Resignations—	
Provisions of electrical, water-supply and sanitary installations in	263	Of members of medical establishment	69
Punkahs in— may be supplied and maintained by Government	229	Retirements—	
Reductions of rents of— when permissible	263	Of members of medical establishment	96
Renewals of portions of damaged by calamities how dealt with	263	Returns—	
		Necessity for examination of periodica	87
		Revenue—	
		Expenditure chargeable to account of productive irrigation works	379
		Chief Engineers	9
		Executive Engineers	37

Subject	Para.No.	Subject	Para.No.
Revenue Establishment—			
May be required to furnish security	303	Conimission allowable to auctioneer on— of stores.	339
Revised estimates—		Chief and Superintending Engineers may be empowered to sanction—	
Comparison with latest sanction necessary	214	of Provincial buildings	235
Powers of State Government to accord technical sanction to—		Executive Engineers may sanction— of temporary buildings-	236
Of Military works	49 of App. I.	Rs. 10,000 requires sanction of Of Government land must be arranged through Revenue Department	235, 237
Powers of Public Works Department Officers to accord technical sanction to (Central)	20 of App-1	Of stores must be by public auction	339
Report and comparative statement must accompany	214	Percentage addition ordinarily to be made to value when stores sold to public or other departments	331(a)
Required if alterations in proposed design are likely to affect materially cost of work	187	Rules regarding the sale of usufruct of trees	344, 346
Utilisation of completion report as—	215	The— of land or bungalow with the site is generally left to Collector	163
When necessary	214 & 19 of App. I	<i>Salt Department—</i>	
Roads—		Powers of administrative approval of or residential buildings	32 of App. I
Estimates for— must include cost of inspection houses	128	Sanction—	
Information to be given to Survey Department regarding new	199	Amount of is— strictly confidential	121
Main— may not be abandoned without sanction of Government of India	126	Definition of term	99
Papers to be submitted to Govt. of India with projects for—	127	Lapse of— to estimate; 186 & 30 of App. I	
See also Metal		Monthly return of—	212 & 31 of App. I
Royal Engineers—		Of State Government pertaining to works expenditure from Central revenues should be pre-audited	33 of App. I
Officers of— only may be entrusted with supervision of construction of fortification	34-35 of App. L	To works applies only to precise objects for which	
Rules-			
Affecting outside public to be published in draft.	74		
Ryots' shed—			
Sanction of Government required for the construction of	288		
S			
Sile-			
All land should be sold through the Revenue Department	162		
Authorities competent to remit percentage charge on of surplus stock	331(a), 423(b)(i), 432(c)(ii)		

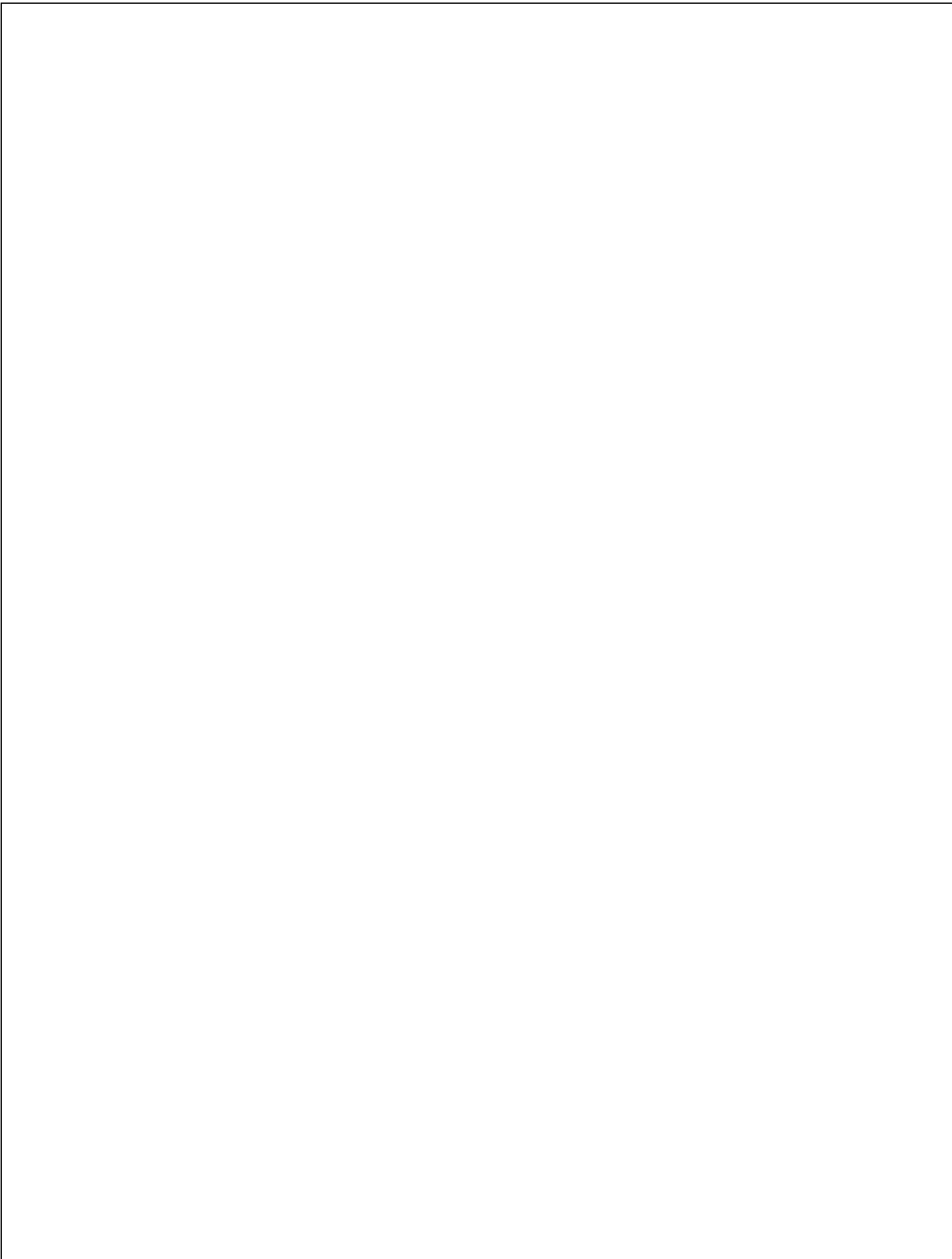
Conimission allowable to auctioneer on—

Subject	Para No.	Subject	Para.No.
Sanitation—		Stationery—	
State Government may authorised expenditure on — on works as		Authorities empowered to sanction	
contingent outlay	198	local purchase of	78
Savings—		Custody and verification of stock of	82
Due to abandonment of substantial section of a project may not be utilised on other sections	182	Rules for supply of	78
On work may not be utilised for additional work not contemplated in original project	182	Stock-	
Schedule of rates—		Authorities competent to remit percentage charges on sale of surplus	331(a), 423(b) (i), 432(c) (ii)
The procedure for the preparation of the—	116	Executive Engineers may purchase or manufacture— to keep revenue up to sanction limit	323, 324
See Rates		Included under the head of "Stores"	304
Secretary of State—		Not likely to be required within twelve months to be reported for orders to Executive Engineers	326
No excess permissible in estimates for central civil work administratively approved by—	410	Purchase of— for execution of sanctioned works.	307
Security deposits—		Superintending Engineer responsible for verification of— in divisions	14
Form of— for performance of contracts	157	Stock-taking—	
Rules regarding— of establishment	303	Arrangements to be made for—	335
See also Earnest money.		Must be conducted annually	325
Service—		Store-keepers—	
Officers of Indian Service of Engineers liable to— in any part of India	71	May be required to furnish security	303
Sites-		Stores-	
Local authorities must be consulted as to convenience of	122	Cases where rules regarding purchase of European— in-applicable	313
Of buildings must be fixed before designs and estimates prepared	122	Commission allowable to auctioneer on sale of	330
Special allowances—		Disposal of serviceable surplus materials at— site of work	335
Admissible to Sub-Assistant Surgeons	67	Executive Engineers responsible for purchase of, etc.	39
Special repairs—		Executive Engineers responsible for arrangements for custody of	305
Definition of term	134		
Estimates for— requires the sanction of competent authority	144		
Powers of authorities to sanction estimates for—			
—Executive Engineers	429(a)(i), 430(b)		
—Superintending Engineers	408(a), 420(b)		
Sanction to estimates for does not lapse at end of years	139		
Stamp duty—			
Contracts exempt from	153		

Subject	Para No.	Subject	Para No.
Powers of Agenis to the Governor at Visakhapatnam and the Government Agent, Godavari to dispose of	447	Pay of—	67
Powers of authorities to purchase or Manufacture		Removal of—	70
—Executive Engineers	432(a)(v)	Special allowances admissible to—	67
—Superintending Engineer	423(a)(i)	Transfer of—	68
Powers of authorities to write off irrecoverable value of— lost		Sub-division—	
—Chief Engineer	415(vi), 416(v)	Constitution of new— requires sanction to State Government	49
Powers of Officers to dispose of unservicable or Surplus		Sub-divisional Officers—	
—Executive Engineers	423(c)(b)(iii)	Classes which may hold appointment	49
—Superintending Engineers	423(b)(i)	Originals of contract agreements approved by— lo be kept in their personal custody	158
Powers of officers to issue from Storeyards to public		Powers of sanction of the Assistant Superintendent. Public Works Workshops, and the Junior Superintendent of Workshops at Vijayawada and Dowlaishwaram to approve work order estimates	437
—Executive Engineers	423(c)(ii)	Rent admissible to— who provide office accommodation in their residences	240
—Superintending Engineers	423(b)(i)	Responsibilities of— Responsibilities for stores within sub-division	304
Powers of Superintending Engineers to sanction estimates for losses of due to depreciation	423(c)	Rules regarding transfer of—	360-365
Provision to be made in contracts for imported	150	Powers of sanction to estimates, agreements	436
Report of unserviceable	333	Sub-letting—	
Superintending Engineer	423(d)	Rules regarding— of residences	263
Responsibility for - on death or departure of person in charge	306	Sale of— must be by public auction	339
Sub-division officer responsible for	304	Appointment when admissible	24
Superintending Engineers pass indents for	423(a)(iv)	Authority competent to fix rent for office accommodation for—	240
Surplus— from Ordinance Department		Powers of—	24
to be relumed to nearest magazine	332	Rent admissible to— who provide office accommodation in their residences	240
Unserviceable articles of— 10 be sold in public auction after sanction	334	Superintending Engineers—	
See also Stock, Tools and Plant, Malerials,		Accidents must be reported to	194
Reserve of Stock, Livestock		Appoint lower subordinates	19
Strong rooms—			
Executive Engineer required to furnish certificates of security of	334		
Sub-Assistant Surgeons—			
Allowed as pan of departmental establishment Appointment of—			
how made	65, 66		
Leave, retirement, resignation of	69		

Subject	Para.No.	Subject	Para No.
Fil; rents for office accommodation for superintendents of works and Executive Engineers Upto Rs. 100 per mensem	240	rent of buildings occupied by Forest Department and Department of the Centra] Government	245
Interruption of large works in progress must be reported to	192	To dispense of unservicable or surplus stores	423(b)
Many authorise commencement of work on periodical repairs in anticipation of sanction to estimate	140-418(b)	To divert contingencies to new works	417(b)
Many authorise sale of store otherwise than by public auction	339	To establish temporary telephone connections	426
Many authorise undertaking of contribution work	417(b)	To lease out collection of tools on Government roads	350
May extend dates of completion of open capital works on productive irrigation projects	399	To issue stores from storeyards to public	423(b)(i)
May divert the contingencies of an estimate to new works	117, 417(f)	To pass completion reports, if in excess over revised estimate (Central) 22 of App. I	
May fix rents on residential buildings	278	To pass excess/over estimate 417(d),418(d), 420(c)	
May remit percentages charge on estimate to new works	331(a), 423(bXi)	To pass indents for stores	• 423(a)(iv)
May require security from office, pely plantation and revenue establishment	303	To sanction alterations in designs	417(c)
May sanction destruction of records	84	To sanction detailed working estimates against provisions in irrigation projects	398
May sanction payments of rent to their subordinate officers for office accommodation provided in their residences	240	To sanction emergent repairs	418(c)
May sanction sale or dismantlement of buildings	235	To sanction employment of work-charged establishment	59
May sanction sale or dismantlement of provincial buildings valued at less than Rs. 5,000	235	To sanction estimates for annual repairs	418(a), 420(b)
Must maintain register of buildings	261	To sanction estimates for losses of Stores due to depreciation	243(c)
Must report sanctions accorded by themselves and by iheir Executive Engineers monthly to		To sanction estimates for repairs to tools and plants	423(a)(v)
Chief Engineers	31 ofApp. I	To sanction estimates for special repairs	418(a), 420(b)
To accept tenders	422	repairs to buildings	147
To accord technical sanction to works 417(c), 420(b)		To sanction occupation of Govenunent buildings as offices	239(ii)
To accord technical sanction to works (Central) 18 of App. I		To sanction photograph charges	421
To alter dates of birth in the service		To sanction purchase and manufacture of stores	423(a)(i)
		To sanction purchase and manufacture of tools and plan!	423(a)(i)
		To sanction purchase and furniture	423(a)(ii)
books of non-gazetted establishment under them	427		

Subject	Para.No.	Subject Para No.
To sanction re-appropriation of ascertained sayings from one head to another for irrigation works	398	Supply and Transport Corps—
General	417(c)	Indents on— prohibited when articles are otherwise obtainable 317
To sanction re-appropriations	424	Survey Department—
To sanction the renting of ordinary office accommodation to a limit of Rs. 5	241 242	Information to be given to— regarding new roads and irrigation works
To write-off value of public money lost	423(d)	Survey Instruments—
To write-off irrecoverable value of stores lost	423(d)	See Mathematical instruments Surveys—
To write off unserviceable stores	423(b)(i)	Allowances to be made for establishment in estimates for large irrigation 396
		T
Relation of— to Audit Officer in regard to account matters	17	Taxes-Estimates for repairs to public building should include payable by Government 146
Rent for office accommodation for fixed by State Government	240	On residences held on lease by whom paid 240
Required to exercise supervision over Local Fund Works	23	Payable by Government on residential buildings to be included in repairs 263
Required to inspect and report on offices of Executive Engineers	16	Payment of— on residences in which office accommodation provided by occupant 240
Required to inspect measurement books	296	Procedure for the levy of— on new buildings 263
Responsibilities for removals, transfers and postings	18	Provision for payments of— on public buildings to be made in the annual repair estimates 250
Responsibility for revenue assessments	21	Rules regarding payment of local and municipal 250
Responsible for efficiency of establishment in their circles	16	Technical Sanction—
Responsible that limit of reserve stock not excessive	324	Authorities competent to accord— to irrigation works
Responsible that sanitary rules on extensive works are observed	198	411 (a), 416 (b), 420 (b), 430 (b)
Unusual losses in manufacture of materials must be reported to	193	Can be accorded only in Public Works Department 99 and 6 of App. I
Supplementary estimates—		Definition 99 and 6 of App. I
Amount of original estimate to be included in—		Modification on amount of 213
Powers of State Government to accord technical sanction to— for		23 and 24 of App. I
—Civil Works • Central	41, 42 of App. I	Not required for petty works, petty repairs and lump-sum repairs to buildings 99, 147 & 6 of App. I.
—Military works	49 of App. I	
—Irrigation works	411 (i)	Powers of State Government to accord—
Restriction on powers of State Government to sanction— for .		
Government Houses	411(2)	
When necessary	213	



Subject	Para No.	Subject	Para No.
Powers of the Agents to the Governor at Visakhapatnam and the Government Agent, Godavari, to accord	444 .	Theatres- Government buildings not to bar use as	226
Powers of officers to accord— —Executive Engineers 428(b), 430(b) and 18 of App. 1 —Superintending Engineers 417 (c), 420 (b) and 18 of App. 1 —Chief Engineers 415 (b), 416 (b) and 1 8 of App- I Powers of officers of P.W.D. lo accord to revised estimate (Central)	20 of App. I	Tolls- Right to collect- on Government Boards	350
To component parts of projects 25 of App. I	I	Tombs- See Religious edifices Tools and Plant- Allowance to be made for— in estimates for Contribution works Generally rrigation works ncluded under the head of "Stores"	204 11 396 304
Public Works Department to accord— to civil works in charge of civil officers acting as Public Works disbursers	103	State Government empowered to remit charges for— on deposit works costing less than Rs, 1,000	204
Telephones— Powers of Superintending Engineers to establish temporal	426	Powers of authorities to purchase and manufacture Executive Engineers Superintending Engineers	432(a)(i) 423(a)(i)
Temples— See Religious edifices.		Powers of authorities to repair— Executive Engineers	432(a)(iii)
Temporary establishment— Powers of officers to sanction Rules regarding employment of	55, 56 55-57	Superintending Engineers Purchase of manufacture of must be covered by estimates if cost exceed Rs, 500	423(a)(v) 309
Tenders Advertisements and forms of— must be approved by authority competent to accept	152	Savings on ordinary— in an irrigation project may not be diverted to other heads	398
Amount of earnest money to accompany	155	Transfers— Duties of Chief Engineers regarding—	7
Contents of notice calling	154	Duties of Executive Engineers regarding	30.
Lowest-should usually be accepted	15	Duties of Superintending Engineers regarding—	18
May not be accepted from persons directly or indirectly connected with Government	154	General rules regarding— of charges	358
Officers empowered to accept	159	Of charges other than divisions and sub divisions	363
Opening of	154	Of funds between contribution works	
Rules regarding invitation acceptance of	154, 156	prohibited	205
Should be accompanied by earnest money	155	Of members of medical establishment	68
Tents- Should be purchased from the Jail Department	316		

Para.No.	Subject	Para.No.	Subject
	Procedure in regard to— of divisional and sub-divisional officers	360, 365	
	Terms of— Government buildings to Zilla Parishads	239	
	Immovable property generally	165	
	Travelling allowance—		
	To labourers brought from a distance	60	
	U		
	Upper subordinates—		
	Appointment and dismissals of—		
	May be appointed as sub-divisional officers	49	
	V		
	Verification—		
	Reserves of rough stone and metal kept for irrigation works should be verified at least annually	327	
	Veterinary Department—		
	See Agricultural Department		
	W		
	Water-supply—		
	Information to be submitted with projects for	131, 132	
	Provision of— installations in residences	263	
	Reduction of rent on—installations	263	
	Rent chargeable on— installations	213	
	The agency by which the work connected with— to Government buildings should be done	196	
	Works and repairs in connection with— installations how executed	254	
	Work charged establishment—		
	Not required to furnish temporary service declarations	57	
	Powers of Executive Engineers to sanction	59	
	Powers of Superintending Engineer to sanction	59	
	Rules regarding employment of	58-62	
	Wages and travelling allowance of— for period occupied in journey to and from work,	60	
	Works		
	Classification of—		2-A of App. I
	Contingent of outlay on—		190
	Definition of— (Central)		1 of App. T
	Main stages of— (Central)		3 of App. I
	Procedure in regard to partly contributed or by Zilla Parishads and private parties		209
	Workshops—		
	Cost of work executed in divisional— for private parties to be recovered in advance		357
	Only work required by department to be undertaken in divisional—		356
	Purchase of work iron— work from Government		322
	Status of divisional		355
	Workslip—		
	Submission when necessary		36
	Write-off—		
	buildings		263
	Powers of Agents to the Governor in Visakhapatnam and Government Agent, Godavari, to— stores		447
	Powers of authorities to— irrecoverable value of stores lost —Chief Engineers	415(IV), 416(V), 52 of App. 1	
	—State Government		52 of App. I
	—Superintending Engineers		423(d) 52 of App. I
	Powers of authorities to— losses of public money		
	—Chief Engineers		415(V1), 516(V)
	—Chief Engineers		52 of App. I
	—State Government		52 of App. I
	—Superintending Engineers		423(d)
	—Superintending Engineers		52 of App. I
	Powers of officers to— tools and plant		
	—Executive Engineers		43 2(b)(i), (ii) & (iii)
	Powers of officers to - unserviceable stores		
	—Superintending Engineers		432(c)(iii)
	— Superintending Engineers		423(b)(i)

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