

**Government of West Bengal  
Finance Department  
Audit Branch**

No.8183-F(Y)

Kolkata, the 26<sup>th</sup> September, 2012.

**MEMORANDUM**

<b>Subject :</b>	<b>Clarification regarding engagement of 'Agency' under Rule 47D of Finance Department's Notification No.5400-F(Y) dt.25.6.2012</b>
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The Governor is pleased to insert the following item in Annexure - D after serial no.9 of this Department Notification No.5400-F(Y) dt.25.6.2012 and issue the following clarifications:

In Annexure-D after serial No. 9

"10. "Engineering Projects (India) Limited."

2. In connection with para (II), rule 47B(7) of the aforesaid Notification the rates of various items under rate contract of the Director General of Supplies & Disposals [DGS&D], Government of India can be viewed at their website [www.dgsnd.gov.in](http://www.dgsnd.gov.in).

3. After issuance of the aforesaid Notification various clarifications have been sought by different Departments regarding the appointment of Government Agency for execution of work in terms of rule 47D. In order to clear the confusions over scope of Rule 47D included in the Finance Department Notification no.5400-F(Y) dt.25.6.2012, the undersigned is directed to issue the following clarifications:

(I) Under Rule 47D, Administrative Departments, other than the Works Departments of the State Government viz. Public Works Department, Irrigation & Waterways Department, Public Health Engineering Department, Housing Department etc., can engage Government Agency on nomination basis from the list appended as Annexure 'C' and Annexure 'D' of the aforesaid notification.

(II) the Administrative Department, other than Works Department, can engage an Agency for assisting it in the execution of works only when the Departmental Secretary is satisfied that the Works Department of the State Government is not in a position to execute the job within the required time-frame.

(III) The Government Agency shall perform the job like Works Department at the fees prescribed in the above mentioned Notification.

(IV) the Agency so engaged by the Administrative Department shall not execute the work on its own and has to get the work executed by a contractor to be selected through a transparent tendering process. Also, it cannot bid for the work for which it has been engaged to perform the agency functions.

(V) The Department/ Office appointing such Government Organisation as "Agency" for execution of work shall enter into an agreement/Memorandum of Understanding [MoU] with that Organisation in this regard.

(VI) Normally, the Agency shall perform the following jobs on behalf of the Administrative Department:

- (a) Prepare the Drawing & Design including detailed architectural and structural drawings and specifications of the works as per standard code of the Bureau of Indian Standard [BIS]/Indian Road Congress [IRC].
- (b) Submit the Drawing & Design including detailed architectural and structural drawings and specifications of the works to the concerned Department/office for Administrative approval.
- (c) After getting Administrative Approval, prepare the detailed cost estimate and detailed specification of works as per schedule of rates of the P.W. Department for 'schedule' items and market rate for 'non-schedule' items. Submit the detailed cost estimate for administrative and financial approval of the Department.
- (d) After getting administrative and financial approval for the project from the Administrative Department, invite tender observing the existing rules and procedures of the State Government. Select the L1 rate in case of procurement and H1 rate in case of sale/disposal.
- (e) Enter into agreement with the selected contractor for detailed execution of work and terms of payment.
- (f) Execute the works through the selected Contractor. Monitor and supervise the works in order to ensure that the work conform to specifications and drawings.
- (g) (i) Verify the running account bill of the contractor, (ii) raise a summary bill along with a 'certificate on work done conforming to specification and quality' on the basis of that running account bill, and (iii) submit the bill with certificate as at (ii) to the employing Administrative Department for payment. All payments to the contractor shall be routed through the Agency.
- (h) Bill for Agency Fee shall be raised separately.
- (i) Submit completion certificate for the completed works immediately after its full execution.

(VII). The Administrative Department shall make a primary verification of the claim with reference to work done and scrutinise the Bills for Agency fee and charges for work done. After satisfaction about the claim, the Administrative Department shall process the bill of the Agency for payment through Treasury/Pay & Accounts Office using Contingency Bill Form [T.R. Form No. 26] along with the sub-voucher of the Agency and work done certificate.

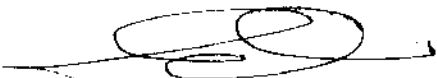
(VIII). On the basis of the completion certificate the Administrative Department shall make necessary entry of such fixed asset of the State Government in the Fixed Asset Register of the Department.

Sd/-

**[H. K. Dwivedi]**  
Secretary to the  
Government of West Bengal.

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C' East Wing, 5<sup>th</sup> Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary ,  
..... Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
6. The Commissioner, \_\_\_\_\_
7. The District Magistrate, \_\_\_\_\_
8. The Sub-Divisional Officer, \_\_\_\_\_
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1<sup>st</sup> Floor, Salt Lake, Sector -III, Kolkata - 700 106.
12. The Treasury Officer, \_\_\_\_\_.
13. \_\_\_\_\_
14. The Principal Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.

  
(Swapan Kumar Paul)  
Special Secretary to the  
Government of West Bengal.  
Finance Department.