



Government of West Bengal
Public Works Department

Public Works Department Code

Volume 1

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THE Bengal Public Works Department Code, First Edition, was published as early as in 1925. With the passing of years and the attainment of the country's independence in 1947 and the partition of Bengal, the Bengal Public Works Department Code was outdated and required thorough revision. The work of its revision was accordingly taken up with the appointment of a Special Officer in September, 1952.

2. In preparing this new Code of the Public Works Department, Government of West Bengal, the arrangements in the old Bengal Public Works Department Code, 1st Edition, have been closely adhered to. The new Code has, however, been made as comprehensive as possible embodying in it all the relevant rules of the Bengal Public Works Department Code which are still in force, as also the various orders, rules and procedure relating to administration, execution and management of works of the department as issued by Government from time to time. An opportunity has also been taken to incorporate in the new compilation a chapter describing fully the powers which the various officers of the Public Works Directorate as well as some local officers of other departments of this Government now exercise in the different spheres of activity of the Public Works Department. The rules regarding contracts have also been elaborately dealt with in the Code for the guidance of officers of the Directorate. The new Code has been divided into two volumes—Volume 1 contains the text and Volume 2, the appendices and forms.

3. For facility of reference, a concordance has been inserted as an annexure to Volume 1 showing the source of each rule in the new Code. The Accountant-General, West Bengal, and the Heads of Departments under the Public Works Department are requested to bring to the notice of the Public Works Department any suggestions for corrections or additions that may be considered necessary.

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to the Govt. of West Bengal.

A. K. BHATTACHARYA,

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CALCUTTA.

The 10th April, 1961.

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Public Works Department Code with Appendices

CHAPTER I—ESTABLISHMENT

A. INTRODUCTORY

1. This Code defines the scope of the administrative and executive functions of officers and subordinates of the Public Works Department and is applicable to the whole of the State of West Bengal. It embodies such rulings as are necessary in the interest of State control over matters placed under the administrative control of the Public Works Department in relation to "public works" specified in the "State List" and the "Concurrent List" in the Seventh Schedule to the Constitution of India, viz.—

(a) State List—Communications that is to say, roads, bridges, ferries, and other means of communication not specified in the "Union List" in the Seventh Schedule; ropeways; works, land and buildings vested in or in the possession of the State.

(b) Concurrent List—Archaeological sites and remains other than those declared by Parliament by law to be of national importance.

2. This Code does not deal with the question of pensions nor directly with those relating to leave and allowances except where the rules governing the same are peculiar to the Public Works Department, nor with the procedure to be followed in connection with the Departmental Accounts. The Fundamental and Subsidiary Rules, the Financial Rules, the West Bengal Services (Revision of Pay) Rules, 1950, the West Bengal Service Rules, Parts I and II as well as rules in the Civil Account Code, the Audit Code and the Public Works Account Code are applicable to the Directorates attached to the Department as circumstances require, except in so far as they may be overridden by express provision in this Code. The Superior Civil Services (Revision of Pay, Passage and Pension) Rules, the Civil Service Regulations and the Revised Pension Rules, 1952, will apply in matters relating to pension of Government servants in the Public Works Department as circumstances require.

B. ORGANIZATION OF THE PUBLIC WORKS DEPARTMENT

3. The immediate control of operations of the Public Works Department is, irrespective of the source from which the funds are provided, entrusted to the Governor of West Bengal.

4. The functions of the Public Works Department shall be executed through two Directorates, viz.—

I. Public Works Directorate, and

II. Archaeological Directorate.

5. The establishment of the Public Works and Archaeological Directorates shall consist of —

I. Engineering Services comprising—

(i) West Bengal Senior Service of Engineers.

(ii) West Bengal Service of Engineers.

(iii) West Bengal Subordinate Engineering Service.

II. West Bengal General Service.

III. West Bengal subordinate services and posts.

IV. Divisional Accountants and Senior Accounts Clerks.

C. RECRUITMENT OF OFFICERS IN THE DIRECTORATES UNDER THE PUBLIC WORKS DEPARTMENT

I. General

6. Subject to the provisions of any special rules relating to his recruitment, no person shall be appointed in the Directorates under the Public Works Department, whether temporarily or in a permanent capacity, without a medical certificate of fitness from the appropriate authority:

Provided that—

- (i) except as provided in sub-para. (ii) below, certificates of medical fitness from District Medical Officers in districts and from Presidency Surgeons in Calcutta or from the Medical Board, where necessary, will have to be produced by selected candidates even in the case of temporary appointments, before the candidates are allowed to join;
- (ii) a certificate of fitness will, however, not be necessary where the appointment is for a period of less than six months. Where an appointment for less than six months is subsequently extended, such a certificate will be necessary before the expiry of six months from the date of first appointment;
- (iii) a temporary employee, found medically fit on entering Government service, need not ordinarily be again examined medically should he be found otherwise fit for confirmation, though it will always be open to the appointing authority to insist on a subsequent medical examination prior to confirmation if he so deems necessary;
- (iv) in individual cases, the production of a medical certificate may be dispensed with, in the case where the pay or the maximum in the scale of pay for the post does not exceed Rs. 50, by the authority having power to make the appointment, and by Government in other cases.

7. Subject to the provisions of any special rules relating to his recruitment, no person may be appointed in the Directorate under the Public Works Department who is not a citizen of India as defined in Part II of the Constitution of India.

8. All persons appointed permanently in the Directorates under the Public Works Department to any service or post which is substantively vacant on or after 1st April 1950 shall be appointed on probation and the period of probation shall be—

(a) in the case of persons directly appointed to a service or post ... 2 years.

(b) in the case of persons appointed by promotion to—

- (i) the West Bengal Senior Service of Engineers, West Bengal Engineering Service, West Bengal Subordinate Engineering Service, and posts of Electrical Executive and Assistant Engineers and Government Architect, 1 year.

(ii) services or posts not included in (i) above...

Such period as may be fixed by the appointing authority subject to a maximum of 2 years.

9. Except as otherwise provided in the Code, no person whose age exceeds twenty five years may be admitted into any pensionable service or post under Government.

10. As regards matters not provided for in the special recruitment rules to services and posts in the Directorates under the Public Works Department hereinafter provided, the general provisions of the Bengal Provincial Services Recruitment Rules shall apply in so far as the West Bengal Senior Service of Engineers and West Bengal Service of Engineers are concerned, and the general provisions of the Bengal Subordinate Services (General Recruitment) Rules, 1936, shall apply in so far as the West Bengal Subordinate Engineering Service and other subordinate services and posts are concerned.

11. Public Works Engineering Services

11. The special rules Nos. 12 to 25 hereunder provided apply to the Engineering Services of the Public Works Department, Government of West Bengal, with effect from the 27th August, 1959.

PART I—CADRE.

12. (1) There shall be the following three services, namely,—

- (a) West Bengal Senior Service of Engineers consisting of the posts of Chief Engineers, Superintending Engineers and Executive Engineers.
- (b) West Bengal Service of Engineers consisting of the posts of Assistant Engineers.
- (c) West Bengal Subordinate Engineering Service consisting of posts of Sub-Assistant Engineers.

(2) Eighty per cent. of the cadres of Executive Engineers and of Assistant Engineers on the date of promulgation of the rules shall be placed on a permanent footing.

13. There will be an examination held by the Public Service Commission, West Bengal, for recruitment to posts of Assistant Engineer. A certain proportion of such posts as may be determined by the Public Works Department from time to time, will be filled up by candidates in order of merit, who will be given a higher initial pay of Rs. 325 per month in the time-scale of pay for Assistant Engineers. In order to be eligible for such higher initial pay a candidate must secure 66 per cent. or above of the total marks in the said examination.

14. The scale of pay for different posts shall be as follows:

Chief Engineer—Rs. 1,800—100—2,000.

Superintending Engineer—Rs. 1,300—50—1,500.

Executive Engineer—Rs. 500—30—680 (E.B.)—40—1,000 (E.B.)—40—1,200.

Assistant Engineer—Rs. 250—25—850—Selection grade 3 per cent. of the cadre at Rs. 1,000 (E.B. after 10th and 18th stages).

West Bengal Subordinate Engineering Service—Rs. 125—5—240—10—250 (E.B. after 12th stage).

Note.—The initial pay of an Assistant Engineer when appointed to officiate as Executive Engineer, shall be the pay in the Executive Engineer's scale equal to (or if there be no such pay in that scale, the pay in the scale next above) the aggregate of the officer's pay in the time-scale of West Bengal Service of Engineers plus Rs. 150.

PART II—RULES OF RECRUITMENT

A. The West Bengal Senior Service of Engineers

Posts of Chief Engineers and Superintending Engineers

15. Recruitment to the posts of Chief Engineer and Superintending Engineers shall ordinarily be made by promotion from the ranks of Superintending Engineers and Executive Engineers, respectively, on the basis of merit.

Executive Engineers

16. An Assistant Engineer will be eligible to officiate as an Executive Engineer after he reaches the stage of Rs. 400 per month in the time-scale of pay for Assistant Engineers and will be eligible for confirmation as an Executive Engineer after he reaches the stage of Rs. 475 per month in that time-scale.

17. An Assistant Engineer, promoted from the Subordinate Engineering Service, shall not be eligible to officiate or to be confirmed as an Executive Engineer unless he has acquired an Engineering degree or equivalent qualifications, e.g., Sections A and B of Associate Membership Examination of the Institution of Engineers (India).

B. The West Bengal Service of Engineers

Assistant Engineers

18. Recruitment to the permanent posts of Assistant Engineers shall be made as follows:—

- (a) Forty per cent. of the vacancies shall be filled by direct recruitment on the results of a competitive examination to be conducted by the Public Service Commission, West Bengal, as mentioned in rule 13 supra.
- (b) Forty per cent. of the vacancies shall be filled by selection from amongst directly recruited temporary Assistant Engineers who have rendered two years' satisfactory service, selection being made by the Public Service Commission, West Bengal.
- (c) Twenty per cent. of the vacancies shall be filled by promotion of confirmed Sub-Assistant Engineers.

19. Recruitment to temporary posts of Assistant Engineers shall be made as follows:—

- (a) Eighty per cent. of the vacancies shall be filled by direct recruitment on the results of a competitive examination referred to in rule 18(a) above.
- (b) Twenty per cent. of the vacancies shall be filled by promotion of confirmed Sub-Assistant Engineers.

20. (1) Qualifications required for direct recruitment to the posts of Assistant Engineers, permanent or temporary, shall be as noted below:

- (i) A degree in Civil Engineering of a recognised University or any other qualification in Civil Engineering exempting a candidate from appearing in Sections A and B of Associate Membership Examination of the Institution of Engineers (India).

- (ii) One year's post-graduate practical training or study or research or practical engineering experience.
- (iii) Age not more than 27 years on the first day of August of the year in which the recruitment examination is held.

Note.—The age-limit shall in the case of candidates who have been in the employ of the Central or the State Government or of the Damodar Valley Corporation or of any other statutory body recognised for the purpose by the Government and who are not out of such employment for more than a year on the said date be relaxable to the extent of actual period spent continuously in such employment. This relaxation of age-limit will not be permitted to a candidate who had already appeared in the examination thrice.

- (2). No candidate will be allowed to take more than three chances.
- (3). Departmental candidates are eligible to apply provided they fulfil the requisite qualifications.

21. Notwithstanding anything contained in these rules, the Governor may, in case of emergency, fill up vacancies in the posts of Assistant Engineers—both permanent and temporary—by advertisement and interview, through the Public Service Commission, West Bengal.

22. A Sub-Assistant Engineer shall not be promoted as a temporary or permanent Assistant Engineer unless he has rendered 10 years' service. To be eligible for promotion, he must pass a written and an oral examination which will be conducted by the Public Service Commission, West Bengal, and will be of the same standard as Professional Examination referred to in Chapter VI of the Services (Training and Examination) Rules, West Bengal. Sub-Assistant Engineers who have been confirmed in their posts and have rendered 8 years' service including temporary service in that post shall be eligible to sit for such examination. A panel of Sub-Assistant Engineers fit for promotion as temporary or permanent Assistant Engineers shall be maintained in consultation with the Public Service Commission, West Bengal.

C. West Bengal Subordinate Engineering Service

Posts of Sub-Assistant Engineers

23. Recruitment to the posts of Sub-Assistant Engineers shall be made by the Chief Engineer, Public Works Directorate, West Bengal, by selection from amongst candidates possessing the following qualifications:—

- (i) Essential—Overseer Certificate or L.C.E. Diploma or any equivalent qualifications;
- (ii) Desirable—One year's practical training after completion of the course.
- (iii) Age—Not ordinarily more than 25 years on the first day of August of the year in which recruitment is made provided that the age-limit shall, in the case of candidates who have been in the employ of the State Government as temporary Sub-Assistant Engineers, be relaxed to the extent of the actual period spent in such employment.

PART III—TRANSITIONAL PROVISIONS

24. All permanent vacancies in the rank of Executive Engineer available on the date of promulgation of these rules, shall be filled by selection from amongst the permanent Assistant Engineers serving in the Public Works Department including those on deputation to the Development (Roads) Department and elsewhere who have rendered at least six years' satisfactory service, selection being made by the Public Service Commission, West Bengal. All permanent vacancies occurring thereafter will be filled under rule 16 above.

25. Eighty per cent. of the permanent vacancies available as a result of conversion of the temporary posts of Assistant Engineers on the date of promulgation of these rules will be filled by selection from amongst the directly recruited temporary Assistant Engineers serving in the Public Works Department [including those on deputation to the Development (Roads) and Housing Departments] who have rendered two years' satisfactory service and the remaining 20 per cent. will be filled by promotion of confirmed Sub-Assistant Engineers who have rendered 10 years' service selection being made in both cases by the Public Service Commission, West Bengal. If suitable candidates from amongst Sub-Assistant Engineers are not available for the vacancies reserved for them, such vacancies may be thrown open to selection from amongst directly recruited temporary Assistant Engineers who have rendered two years' satisfactory service.

III. West Bengal General Service

26. (1) The West Bengal General Service under the Public Works Directorate shall consist of posts of Superintending Engineer, Electrical Circle, Electrical Executive Engineer, Electrical Assistant Engineer, Government Architect, Junior Assistant Architect, Mechanical Executive Engineers and Mechanical Assistant Engineers. Recruitment to posts other than the post of Junior Assistant Architect shall be made by promotion of officers serving in the same service and in ranks subordinate to that to be filled up, and/or by selection from outsiders. Recruitment to the posts of Junior Assistant Architect shall be made by selection only.

(2). The West Bengal General Service under the Archaeological Directorate shall consist of posts of the Director of Archaeology and Superintendent of Archaeology.

27. Recruitment of officers to each of the posts by method of selection or otherwise shall be made subject to the following rules:—

A. Public Works Directorate

(a) Post of Superintending Engineer, Electrical Circle—

A candidate must not be less than 36 years of age. He must possess a recognised degree (or equivalent diploma) in Electrical Engineering with three years' practical experience in an electrical or mechanical engineering workshop or electrical power station, followed by regular engagement for a period of not less than ten years in the practice of Electrical Engineering. Preference will be given to persons who have held positions of responsibility and who have the knowledge and capacity for formulating and carrying out hydro-electrical schemes and schemes for harnessing and developing the electrical resources of the State.

(b) Post of the Electrical Executive Engineers—

A candidate must not be less than 30 years of age. He must possess a recognised degree or equivalent diploma in Electrical Engineering with three years' practical experience in an electrical or mechanical engineering workshop or electrical power station, followed by regular engagement for a period of not less than five years in the practice of Electrical Engineering.

(c) Post of the Electrical Assistant Engineers—

A candidate must not be more than 30 years of age. He must possess a recognised degree or equivalent diploma in Electrical Engineering with two years' practical training or apprenticeship followed by one year's experience in a responsible position, both periods being served with approved electrical concerns.

(d) Post of the Government Architect—

A candidate must not be more than 40 years of age. He must possess a degree in Architecture of a recognised University or Associateship of the Royal Institute of British Architects or recognised equivalent qualifications with three years' experience in an Architect's office or with the Architectural Department of some Public Body.

(e) Post of the Junior Assistant Architect—

A candidate must not be more than 40 years of age. He must possess a degree in Architecture of a recognised University or Associateship of the Royal Institute of British Architects or diploma in Architecture of a recognised institution with one year's experience in an Architect's Office or with the Architectural Department of some Public Body or of Government.

(f) Post of the Mechanical Executive Engineer—

A candidate must not be more than 40 years of age. He must possess a B. E. degree in Mechanical Engineering of the Calcutta University or any other equivalent degree or diploma of an Indian or Foreign University with at least seven years' experience of running independently a Mechanical workshop of repute, and must have carried out the installation, operation, maintenance and repair of mechanical equipment; as well as have sufficient administrative ability and experience in the control and management of big engineering stores.

(g) Post of the Mechanical Assistant Engineer—

A candidate must not be more than 30 years of age and must have a degree in Mechanical Engineering of any recognised University or any equivalent qualification with one year's approved post-graduate practical training or study or research or practical engineering experience. Experience in the working and maintenance of road-rollers, tractors, scrapers, graders, etc. is desirable.

B. Archaeological Directorate

(h) Post of the Director of Archaeology—

(i) Recruitment shall be made by selection/or transfer from West Bengal Senior Educational Service, subject to the condition that the officer to be appointed by transfer shall possess the qualifications prescribed for direct recruitment or promotion.

- (ii) A candidate shall not be more than 45 years of age.
- (iii) Candidates must possess a *first* or *second* class M.A. degree in Ancient Indian History and Culture with Indian Archaeology as a special subject, or in Archaeology of an Indian University or equivalent degree or diploma of a foreign University, with Sanskrit or Pali as one of the subjects in the degree course (i.e. at the graduation stage) together with practical experience at least for five years in excavation and exploration work with a fair idea of conservation and substantial knowledge of topography preferably with some research work.
- (iv) A first class honours degree in History or Sanskrit or an oriental language or Archaeology at the graduation stage is desirable.
- (i) Post of the Superintendent of Archaeology—
 - (i) Recruitment shall be made by selection.
 - (ii) A candidate should not ordinarily be more than 27 years of age; in exceptional cases the age-limit may be relaxed up to 30 years and for members of the Scheduled Castes and Tribes the limit may be relaxed by five years.
 - (iii) A candidate must have at least a second class M.A. degree in Ancient Indian History and Culture or in Sanskrit (Gr. I) with Indian Archaeology as a special subject or in Archaeology of an Indian University or equivalent degree or diploma of a foreign university together with one year's experience in exploration work.
 - (iv) A *first* class Honours degree in History or Sanskrit or an oriental language or Archaeology at the graduation stage is desirable.

IV. West Bengal subordinate services and posts

28. (1) The subordinate services and posts under the Public Works Directorate will comprise of posts of the Electrical Overseer and Estimator, Mechanical Overseer and Assistant Mechanical Foreman, Draftsman, Tracer, Typist, Clerk, Work-assistant, and all other superior non-gazetted posts and fourth grade posts.

(2) The subordinate services and posts under the Archaeological Directorate will comprise of the posts of Conservation Assistant, clerical posts, posts of typists and fourth grade posts.

29. Recruitment to the posts mentioned above shall be regulated by the following rules:—

A. Public Works Directorate

(a) Electrical Overseers and Estimators—

- (i) Recruitment shall be made by selection.
- (ii) A candidate must not be more than 30 years of age.
- (iii) He must hold a Licentiate in Electrical Engineering diploma granted by the State Council for Technical Education, West Bengal, and shall have one year's practical training in a recognised workshop. He will be required to acquire Electrical Supervisor's Certificate of Competency under rule 48(1) of the Indian Electricity Rules, 1937, for parts 1, 2, 3, 4 and 11 within two years of appointment.

(b) Mechanical Overseer—

- (i) Recruitment shall be made by selection.
- (ii) A candidate must hold a diploma of Licentiate in Mechanical Engineering granted by the State Council for Engineering and Technical Education, West Bengal or its equivalent.
- (iii) He must possess practical experience in Mechanical Engineering for at least one year.

(c) Mechanical Foreman—

- (i) Recruitment shall be made by promotion or selection.
- (ii) A candidate must either hold the Licentiate in Mechanical Engineering diploma with at least four years' practical experience in the repair and maintenance of internal combustion engines, or shall be a Matriculate or hold an equivalent certificate with at least eight years' practical experience in the repair and maintenance of internal combustion engines out of which four years must have been spent in a supervisory capacity.

(d) Mechanical Assistant—

- (i) Recruitment shall be made by selection.
- (ii) A candidate must either hold the Licentiate in Mechanical Engineering diploma and have practical experience in Mechanical Engineering for at least one year; or shall be a Matriculate or hold an equivalent certificate with four years' practical experience in some workshop in repairs and maintenance of internal combustion engines.

(e) Draftsman—

- (i) Grade I in Government Architect's Office—Recruitment shall be made by promotion or selection. A candidate must be a matriculate or hold an equivalent qualification and shall be a passed draftsman from a recognised school of Art together with at least 10 years' experience as an Architectural Draftsman and Designer in an Architectural firm of repute or in some Architect's office; he should be able to draw perspective and have a thorough knowledge of constructional details.
- (ii) Grade II in Government Architect's Office—Recruitment shall be made by promotion or selection. A candidate must pass the Draftsmanship Examination of a recognised school of Art and shall possess at least seven years' experience in Architectural drawing and designing in an Architectural firm of repute or in some Architect's office; he should be able to draw perspective and have a thorough knowledge of constructional details.
- (iii) Grade III in Government Architect's Office—Recruitment shall be made by promotion or selection. A candidate must have studied for at least 2 years the draftsmanship course in a recognised school of Art and possess at least 5 years' experience in the work of an Architectural Draftsman and Designer in an Architectural firm of repute or in some Architect's office, or shall have two years' experience in draftsmanship in some Civil Engineer's Office.
- (iv) Draftsmen in other offices—Recruitment shall be made by selection. Minimum qualification necessary is a draftsmanship certificate from the State Council for Engineering and Technical Education, West Bengal or any other equivalent qualification.

(v) Tracers—Recruitment of tracers shall be made by selection on the basis of a practical test.

(f) Typists—

Recruitment shall be made by selection on the basis of a practical test. A candidate must be a matriculate or possess equivalent qualification and have a fair knowledge of typing.

(g) Clerks of different grades—

Direct recruitment to the posts of clerk will ordinarily be made in the lowest grade, i.e., in grade IV. Appointments in higher grades will be made by promotion of clerks in the next lower grade on the criteria of merit and seniority. Minimum qualification for recruitment in Grade IV is passing of matriculation or equivalent examination.

(h) Work-Assistant—There are two categories of posts of work-assistants, viz., posts on lower scale and posts on higher scale, recruitment to which shall be regulated by the following rules:—

- (i) For recruitment to the lower scale post, a candidate must be a matriculate or hold equivalent qualification and recruitment shall be made by selection.
- (ii) Fifty per centum of the posts on higher scale will ordinarily be filled by direct recruitment and fifty per centum by promotion of work-assistants on the lower scale.
- (iii) For direct recruitment in the post of higher scale, a candidate must possess a sub-overseership certificate or its equivalent.
- (iv) Promotion to the posts on the higher scale shall be on the basis of an examination to be held annually by a Committee consisting of a Superintending Engineer as President and two Executive Engineers as members. The Committee shall be constituted by the Chief Engineer, Public Works Directorate and shall have the power to co-opt other members from the Electrical and Mechanical Branches of the Directorate when examining work-assistants of those branches. A Work-assistant who has put in at least five years' satisfactory service in the lower scale post will be eligible to sit for the aforesaid examination.

Note.—In each Division, the ratio of the number of posts of Work-assistants in the lower scale of pay to that in the higher scale shall be 2:1.

B. Archaeological Directorate

(i) Conservation Assistant—

- (i) Recruitment shall be made by selection from outsiders or by transfer of permanent Sub-assistant Engineers serving under the Public Works Directorate, and Irrigation and Waterways Directorate, etc. under the State Government.
- (ii) A candidate directly recruited shall not ordinarily be more than 25 years of age on the first day of August of the year of recruitment, *provided* that the age limit may be relaxed in exceptional cases. Departmental candidates shall not be more than 35 years of age on the first day of August of the year of recruitment.

*Promotion
of Sp. H.A.
+ new gp.
W/A*

- (iii) A candidate must hold a Licentiate in Civil Engineering diploma of the State Council for Engineering and Technical Education, West Bengal or its equivalent with experience of conservation work for at least one year.

(j) Clerks and typists—

Recruitment to the clerical posts in the Lower Division and to the posts of typists shall be made through the Public Service Commission, West Bengal. Appointment to the Upper Division posts and to the posts of Section-in-charge will ordinarily be made by promotion from the next lower rank.

- (k) Peons, orderlies and other employees of the fourth grade if any, shall be appointed by the Director of Archaeology.

30. In the absence of special instructions, Superintending Engineers will have the power to appoint clerks in Grade IV, Typists, draftsmen, tracers and fourth grade Government servants namely, peons, orderlies, etc. in their respective offices.

31. In the absence of special instructions, Executive Engineers will have the power to appoint fourth grade Government servants, such as peons, orderlies, etc. in their respective offices.

V. Divisional Accountants and Senior Accounts Clerks

32. The Divisional Accountants and Senior Accounts Clerks are employed in the Divisions under the Public Works Directorate. They are, however, recruited by the Accountant-General, West Bengal and their establishments are controlled by him. Candidates on passing the Initial Recruitment Examination are generally admitted to the Cadre of Senior Accounts Clerks. The Senior Accounts Clerks, though under the control of the Accountant-General, West Bengal, are governed by the rules framed by the State Government. On qualifying himself in the Departmental Examination and on being adjudged fit in other respects, a Senior Accounts Clerk is appointed in the Cadre of Divisional Accountants, as and when vacancy occurs. The Divisional Accountants are not governed by the rules framed by the State Government.

E. ANNUAL REPORTS

(a) Officers with Gazetted ranks

33. (1) In order to ensure that promotions shall be given with the utmost fairness to Officers on the one hand and with due regard to the interests of the public service on the other hand, it is essential that close and continuous attention should be paid to the work, character and capacity of all Officers. A continuous record shall, therefore, be maintained with Government of the State of service of all gazetted Officers of Public Works and Archaeological Directorates. The report should be written annually and in the form prescribed by Government for writing annual confidential report of gazetted officers. A statement in a concise and descriptive manner shall further be added to the report concerning each technical officer, indicating clearly and with sufficient completeness the manner in which he has performed his duties during the year under report, his qualifications, ability, and anything else that may be of help to the authority with whom the power of giving promotions rests in forming an opinion of the usefulness and capacity of the Officer. In particular, each report should contain a definite expression of opinion as to whether or not an officer is considered to be fit for promotion to the next higher rank.

(2) The reporting officer shall normally be one grade higher and the countersigning officer normally two grades higher than the officer concerned with the report.

34. (1) The report shall be treated as confidential. Annual reports of all gazetted officers up to the rank of Superintending Engineers of Public Works Directorate, and of Superintendents of Archaeological Directorate, shall be submitted to Government through/by the respective Heads of Directorates as early as possible after it has become due for record in the confidential report file of the officer concerned. Extracts from documents in which an officer has been officially praised or censured should also be recorded in his personal file.

(2) In the case of Executive Engineers posted in districts, the Superintending Engineer shall first obtain a report of the District Magistrate concerned or the Deputy Commissioner, as the case may be on certain specific items, which shall form a part of the annual reports.

35. The communication to officers of the Public Works Directorate of unfavourable remarks, that may be made in regard to them in the annual reports or on other occasions, should be regulated according to the principles detailed below:—

Annual reports

- (a) When a report is built up on the individual opinions recorded by different departmental superiors in gradation, it is only the opinion of the highest authority which need be considered from the point of view of communication.
- (b) As a general rule an officer should never be kept in total ignorance for any length of time of the fact that his superiors, after sufficient knowledge of his work, are dissatisfied with him; in cases where a warning might eradicate or help to eradicate a particular fault, the advantages of prompt communication are obvious; where criticism is to be withheld the final authority to consider the report should record instructions, with reasons, according to the nature of the defect discussed, as to the period for which communication is to be kept back.
- (c) Only those defects need be pointed out which can be remedied.
- (d) The reporting officer should specifically state whether the defects reported have already been brought, in connection with any other matter, to the notice of the officer concerned.
- (e) Remarks in cases in which the Government or the head of a department or other officer suspends judgment should not be communicated.
- (f) Great attention should be paid to the manner and method of communication in order to ensure that the advice given and the warning or censure administered, whether orally or in writing, shall, having regard to the temperament of the officer concerned, be most beneficial to or effective on him.

Special reports

36. Special reports may be of any of the following kinds—

- (a) reports of particular incidents or acts which, if disciplinary action is taken, required either regular proceedings or definite censure after the defence of the officer concerned had been taken;

(b) reports in reply to inquiries whether an officer who has not been well reported on in the past has improved and is fit for promotion; or

(c) reports in answer to requests for opinions as to the fitness of an officer for a particular appointment, etc.

No special instructions are necessary in respect of the first class. Remarks contained in reports of the other classes should not be communicated unless the reports disclose facts or allegations which, in the opinion of Government, should be conveyed to the officer concerned.

(b) Non-gazetted officers of superior services

37. A continuous record of the services of each non-gazetted officer of Superior Service Establishments under the Public Works and Archaeological Directorates shall be maintained with the Chief Engineer in the cases of Overseer-Estimators and Sub-Assistant Engineers including those officiating as Sub-divisional Officers, and with the Superintending Engineers in the cases of other superior non-gazetted officers working under their respective circle, and with the Director of Archaeology in the cases of all superior subordinate staff under him, and with the Executive Engineers in case of others. The record should be written annually in a concise and descriptive manner in the form prescribed by Government for writing confidential annual reports about members of the staff other than the Gazetted Officers and according to instructions noted therein.

F. PUNISHMENTS, RESIGNATIONS, REMOVALS, DISMISSALS AND DEATHS

I. Treatment of cases of misconduct

38. All cases of misconduct or neglect of duty on the part of the delinquent officers of the Public Works and Archaeological Directorates above the rank of Assistant Engineers or the Assistant Architect or the Superintendent of Archaeology, particularly the serious cases which would render them liable to removal from the Directorate must be reported to Government.

39. Serious cases of misconduct or neglect of duty on the part of Assistant Engineers, Assistant Architects and Superintendent of Archaeology must be reported to Government. Less important cases of misconduct or neglect of duty on the part of such officers may be disposed of by the Executive, the Superintending Engineer or the Chief Engineer, or the Director of Archaeology as the case may be.

II. Punishments

40. Subject to rules laid down in parts XII and XIII of the Civil Services (classification, control and appeal) Rules, Government may, for good and sufficient reasons, impose the following penalties upon members of the services other than the subordinate services under the Public Works Department, namely:—

- (i) Censure.
- (ii) Withholding of increments or promotions, including stoppage at an efficiency bar.
- (iii) Reduction to a lower post or time-scale, or to a lower stage in a time-scale.

- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.
- (v) Suspension.
- (vi) Removal from the service which does not disqualify from future employment under Government:
- (vii) Dismissal from the service which ordinarily disqualifies from future employment under Government:

Provided that no member may be removed or dismissed by an authority subordinate to that by which he was appointed.

41. Subject to the provisions of the Bengal Subordinate Services (Discipline and Appeal) Rules, 1936, the officers of the Public Works and Archaeological Directorates may impose the following penalties upon members of the subordinate services under their respective control, namely:—

- (i) Censure.
- (ii) Withholding of increments or promotions including stoppage at an efficiency bar;
- (iii) Reduction to a lower post or time-scale, or to a lower stage in a time scale.
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.
- (v) Suspension.
- (vi) Removal from service, which does not disqualify from future employment under Government.
- (vii) Dismissal from service, which ordinarily disqualifies from future employment under Government:

Provided that no member may be removed or dismissed by an authority subordinate to that by which he was appointed.

42. Without prejudice to the provisions of rule 55 of the Civil Services (Classification, Control and Appeal) Rules, no order imposing a penalty specified in rules 40 and 41 of the Code, other than an order of censure or suspension pending proceedings, or an order based on facts which have led to his conviction in a criminal court, shall be passed against a member of a service unless the officer concerned has been given an adequate opportunity of making any representation that he may desire to make and such representation, if any, has been taken into consideration before the order is passed:

Provided that the requirements of this rule may, for sufficient reasons to be recorded in writing, be waived where there is difficulty in observing them and they can be waived without injustice to the officer concerned.

43. Every member of a subordinate service shall be entitled to appeal from an order other than an order of the Government imposing upon him any of the penalties specified in rule 41 according to rules and procedure laid down in the Bengal Subordinate Services (Discipline and Appeal) Rules, 1934.

III. Suspension

44. Any person whose conduct is undergoing investigation on a serious charge should be placed under suspension until his case has been decided by the authority competent to dismiss him.

IV. Resignation

45. Except with the sanction of appointing authority no person shall be allowed to resign his post, or be transferred from the branch in which he is serving, while his conduct is under investigation. In forwarding to superior authority any application for resignation or transfer, it should be stated whether anything affecting the character of the applicant has occurred.

V. Dismissals

46. The following general principles should be observed with regard to dismissals of public servants:

- (i) It should be remembered that a distinction exists between the removal or discharge and the dismissal of a public servant. Removal from an office for such a cause as unfitness for the duties of that office need not usually entail any further consequences. It ought not to bar re-appointment to another office for the duties of which the person may be suited, and it should not be accompanied by any subsidiary orders which would affect him adversely. Removal should be the penalty when it is not thought necessary to bar his future re-employment under Government. Dismissal precludes the dismissed officer from being re-employed under Government.
- (ii) As a precaution against inadvertent re-employment of men, who may have been dismissed, all notices regarding dismissals and exclusion from further service shall be sent to the Special Branch of Police, Calcutta, in the case of an employee who is a permanent resident of Calcutta, and to the Deputy Inspector-General of Police, Intelligence Branch, and the Superintendent of Police of the district concerned in all other cases.
- (iii) The dismissal of Government servants should be notified in the official gazette only when it is necessary to notify the public of the removal from service of an officer either because his appointment was previously gazetted or for any other cause. The reasons for the dismissal should not be stated in the notification even in cases in which a conviction has been obtained in a Criminal Court. It will be sufficient to announce that the Government has dispensed with his services.

VI. Deaths

47. In the event of the death of any officer or subordinate of the Directorate, if there is no one at hand entitled to administer his estate, the senior member of the Directorate on the spot will at once take measures to ensure the safety of all property the deceased may have possessed, excepting only the personal necessities of his family (if any), and will take an inventory of the same, forwarding a certified copy through his immediate superior to the Head of the Department with an estimate of the value of the property. A police guard should (when there is any risk of misappropriation) be applied for and put over the effects immediately after the death, until there is time to take an inventory. The Government of West Bengal will communicate with his relatives or friends, if none such were present on the spot.

48. Casualties of any persons holding appointments in the Directorate must be reported immediately, through the regular channel, to the authority by which the appointment was made.

G. DUTIES OF OFFICERS OF THE PUBLIC WORKS DIRECTORATE

I. Chief Engineer

49. The Chief Engineer is the professional head of the Public Works Directorate and is responsible for the efficient working of the Directorate. He is the responsible professional adviser of Government in all matters relating to public works excluding archaeology.

50. It will be the duty of the Chief Engineer to recommend to Government removals, transfers and postings of Superintending or Executive Engineers within the Directorate in his charge, as well as the transfers of Assistant Engineers from one circle of superintendence to another.

51. The Chief Engineer 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 will be bound to arrange for the Audit Officer being kept fully cognizant of all proceedings and proposals, to enable the latter to fulfil his functions.

52. When 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 Officer Commanding Divisions or Brigades. The Chief Engineer may correspond direct with the heads of departments on all matters relating to details of buildings or works appertaining to those departments.

53. In regard to matters relating to finance and accounts, the Chief Engineer will—

- (a) exercise a concurrent control, with the Accountant-General over the duties of the officers of the department in maintaining accounts, and give legitimate support to the Accountant-General in enforcing strict attention to the rules concerning the disbursement of money, the custody of stores and submission of accounts;
- (b) prepare, annually, the portion of the budget estimates relating to works under his control; administer the grant, and, with this object, keep a close watch over the progress of the expenditure against it, with a view to seeing that no excess is permitted to occur, and that, if additional funds are necessary, application for the same is made;
- (c) see that the grant is fully expended in so far as is consistent with general economy and the prevention of large expenditure in the closing months of the year;
- (d) also see that any 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.

II. Superintending Engineer

54. The administrative unit of the Directorate 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 Directorate within his circle.

55. It is the duty of the Superintending Engineer to inspect the state of various works within his circle, and to satisfy himself that the system of management prevailing is efficient and economical. Besides regular tours for inspection it is also the duty of the Superintending Engineer to proceed to any place within his jurisdiction to report on any important design or work, or on any serious accident or threatened danger connected with the works within his charge.

56. The Superintending Engineer is required to ascertain and report on the efficiency of the subordinate, office, and petty establishments, and to see that the staff employed in each division is actually necessary and adequate for its management. He will also examine the condition of surveying and mathematical instruments at the headquarters of divisions.

57. Superintending Engineers are empowered to transfer and post executive subordinates, that is, officers below the rank of those belonging to the State Services within their respective circles and to recommend transfer to another circle.

58. A Superintending Engineer may correspond direct with any of local authorities, civil or military, within his circle. He will address General Officer Commanding Divisions or Brigades through their Staff Officers, and all other officers direct.

59. The Superintending Engineer will—

- (a) inspect the various works in progress within his circle and satisfy himself that the system of management prevailing is efficient and economical; also inspect periodically all important public buildings and other works within his jurisdiction;
- (b) see that different articles in stock are duly verified according to the rules laid down, and that there is no accumulation of stock in any division beyond its requirements;
- (c) see that no delay is allowed to occur in the submission of Completion Reports;
- (d) inspect the divisional offices at least once a year and forward, for the information of the Chief Engineer, reports of his inspections of Divisional Offices detailing therein the results of his examination of initial accounts, accounts of stocks, tools and plant and stock manufactured, registers of works and other divisional books, mode of preparation of estimates, contract agreements, contractors' accounts, system of recording plans and papers and office work generally;
- (e) see that the authorised system of accounts is maintained throughout his circle;
- (f) examine the books of Divisional Officers and their subordinates, and see that matters relating to the primary accounts are attended to personally by the Divisional and Subdivisional Officers, and that the accounts fairly represent the progress of each work;
- (g) examine the register of works, watch the total expenditure to date under each sub-head of work in contrast with the sanctioned estimate, and see that revised estimates for any work, if required, are submitted in due time to the sanctioning authority; and

- (h) make it his special duty to see, during his tours, that the measurement books are carefully kept and measurements properly recorded, and that they are complete records of the actual measurements of each kind of work done for which certificates have been granted.

III. Government Architect

60. It is the duty of the Government Architect—

- (a) To advise Government on all estimates and plans for public buildings which require the sanction of the Government of India or of the State Government and also to undertake the preparation of such plans and estimates when called upon to do so.
- (b) To advise and assist Government in all matters relating to the architecture of public buildings.
- (c) To enter into direct communication with Superintending Engineers, and, when so authorised, with any of their Executive Engineers, in regard to all matters of constructive or decorative details relating to public buildings in course of design or construction.
- (d) To inspect important public buildings while under construction, and to offer such advice or recommendations as may be necessary.
- (e) To submit an annual report to Government (through the Chief Engineer) on the architectural work of the year in the State of West Bengal with brief descriptions of the more important public buildings sanctioned or completed during the year.
- (f) To prepare designs, without claiming additional remuneration, for any public building which require the sanction of the Government of India, and the Government of West Bengal, irrespective of the source from which the funds are derived for the construction or maintenance of such building.
- (g) To give advice on designs for buildings of any importance, and on other questions requiring expert advice which may be referred to him by the Superintending Engineer when considered necessary, in order to benefit by his professional advice to the fullest extent.

IV. Executive Engineer

61. The executive unit of the Directorate 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.

62. An Executive Engineer can receive positive orders only from his own departmental superiors, the head of the Administration, or other civil officers duly authorised.

63. An Executive Engineer shall inspect, at least once a year, the more important buildings and works in his division and be responsible for seeing that proper measures are taken to preserve them and to prevent encroachment on Government lands in his charge. He will keep accurate plans of all such lands and take care that his subordinates make themselves acquainted with the boundaries and see that they are respected.

64. Every Executive Engineer is required to report immediately to the Superintending Engineer any important accident or unusual occurrence connected with his division and to state how he has acted in consequence.

65. An Executive Engineer may transfer subordinate engineers, that is, members of subordinate engineering services not holding charge of subdivisions, from one station to another within his own division without reference to superior authority. The transfers will be reported in the ordinary course to the Superintending Engineer.

66. Executive Engineers are strictly prohibited from making or permitting any deviations, except trifling ones, from any sanctioned design in the course of execution except under specific authority or in case of emergency, when the change should be forthwith reported to the Superintending Engineer.

67. The divisional accountant is responsible to the Executive Engineer for the correct compilation of the accounts of the division from the data supplied to him. The Executive Engineer is responsible to see that his accounts are regularly posted from day to day and that the accountant carries out his duties regularly and punctually. The relative position of a divisional accountant to the Executive Engineer in respect of accounts is analogous to that of a Subdivisional Officer to an Executive Engineer in respect of works, and the responsibilities of the latter for the work of the divisional accountant are similar to those which attach to him in respect of the execution of works in the charge of other subordinates.

68. Immediately on its becoming apparent that, whether from excess of certain rates or from departure from a design or any other cause, the estimated cost of a work is likely to be exceeded, the Executive Engineer is bound to report the fact forthwith to the Superintending Engineer, describing the nature and cause of the probable excess and asking for orders. This report should be made on the Works Slip Form. Executive Engineers must also submit the Works Slip, with such explanation as will enable the Superintending Engineer to pass orders on the case, on the occurrence, or the probability of the occurrence, of any irregularity in the rate or cost of a subhead. All important liabilities, not brought to account, should also be noted on the Works Slip.

Note.—It will not be necessary for the Executive Engineer to submit the Works Slip in cases in which he can pass finally excesses over estimate, under the powers delegated to him.

69. The Executive Engineer is responsible that the surveying and mathematical instruments in his division are properly cared for, 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.

70. (1) As laid down in Subsidiary Rule 69(ii) under the Treasury Rules, the existing strong room of the Treasury and Sub-treasury will be inspected annually by the Executive Engineer, or an experienced Assistant Engineer, or a Subordinate Engineer holding subdivisional charge, deputed by the Executive Engineer for the purpose. The inspecting officer will grant a certificate of safety and it is the duty of the Treasury Officer to obtain such a certificate annually. S. R. 69(i) under the Treasury Rules gives the conditions of certificate to be granted for the first time.

(2) The Executive Engineer will be required to inspect at least once a year and to report on, and suggest measures for, the protection of any public monument or building of architectural or historical interest, whether public or private property, which appears likely to fall into decay, and he will be held responsible for any neglect or destruction which he has failed to report.

In the case of private property it will be for Government to decide what steps, if any, are to be taken to obviate further neglect or destruction.

71. The Executive Engineer, in addition to his other duties, will consider himself to be ex-officio the professional adviser of all departments of Government within the limits of his charge. He will transact business of this sort with the chief military or civil authorities within his division, and it will be incumbent on him to see that no undue formalities are allowed to interfere with the performance of those duties which are essential or pressing.

72. Executive Engineers may, where the services of an officer of the Military Works Services are not available, be called upon by General Officers Commanding Divisions or Brigades to be members of committees appointed to select sites and determine general boundaries of cantonments.

73. Executive Engineers will address Officers Commanding Divisions, Brigades or stations through their Staff Officers.

74. The Executive Engineer-in-charge of a division will—

- (a) not commence the construction of any work or spend public funds without the sanction of competent authority;
- (b) close the accounts immediately after the work is finished, and prepare the Completion Report, if required by the rules;
- (c) take necessary steps for obtaining cash for the works under his control, keep accounts and submit them punctually to the Accountant-General, under the rules for the time being in force;
- (d) exercise a thorough and efficient control and check over his divisional accountant, and carefully examine the books, returns and papers from which the monthly accounts are compiled;
- (e) be responsible for the correctness, in all respects, of the original records of cash and stores, receipts and expenditure and for seeing that complete vouchers are obtained;
- (f) afford information in cases of probability of excess of actual over estimated cost of work, and report the fact forthwith to the Superintending Engineer describing the nature and cause of the probable excess; and
- (g) be responsible for administering the grant made for public works in his division, and with this object keep a close watch over the progress of expenditure against it with a view to seeing that no excess is permitted to occur and that, if additional funds are necessary, application for the same is made in time.

V. Subdivisional Officer

75. A division is divided into subdivisions in charge of subdivisional officers who may be Assistant Engineers, or where no such officer is available, Subordinate Engineers, who shall be responsible to the Executive Engineer in charge of the division for the management and execution of works within the subdivisions and also for the due submission of their accounts to the divisional office.

H. DUTIES OF OFFICERS OF THE ARCHAEOLOGICAL DIRECTORATE

I. Director of Archaeology

76. (1) The Director of Archaeology will be in over-all charge of the Archaeological Directorate. He will advise Government on the administration of the West Bengal Preservation of Historical Monuments and Objects and Excavation of Archaeological Sites Act, 1957. He will act subject to authorisation by the State Government in this behalf, as the "Commissioner" within the meaning of the aforesaid Act and will have necessary appellate power over the decisions of the Collector under sub-section (3) of section 7 of the Act.

(2) He shall discharge the financial responsibilities of the Head of Department as laid down in the West Bengal Financial Rules, Volume I and shall also exercise the powers of the Head of Department as defined in the West Bengal Service Rules, Part I.

II. Superintendents of Archaeology

77. The Superintendent of Archaeology will be the Executive officer of the Archaeological Directorate. He will undertake extensive tour in the State to explore ancient monuments, objects, sites and remains of historical or archaeological interest in the State as defined in the West Bengal Preservation of Historical Monuments and Objects and Excavation of Archaeological Sites Act, 1957 and submit reports to the Director of Archaeology. He will assist the Director of Archaeology in the administration of the Directorate and supervise the work of the conservation assistants.

I. SCALES OF PAY IN PUBLIC WORKS AND ARCHAEOLOGICAL DIRECTORATES

78. The scales of pay for officers and subordinates of the Public Works and the Archaeological Directorates shall be as given in Schedule I, Part XIII appended to the West Bengal Services (Revision of Pay) Rules, 1950.

79. (1) The essential qualities which should be taken into consideration in determining the fitness of officers other than the Executive Engineers in the different services under the Engineering Establishment of Public Works Directorate as well as of officers under the Archaeological Directorate to cross the efficiency bar, are physical health, intellect, will, quickness, energy, perseverance, clearness, co-operativeness, initiative and integrity. To each of these attributes should be assigned 10 points as full marks, and any officer failing to secure 70 per cent. of the total marks should be declared as unfit to pass an efficiency bar.

(2) In each case the reporting officer should be held responsible for the correctness of his statement regarding the attributes of the officer reported on. A list of the marks assigned in each case with the name and signature of the reporting officer should be kept in the file of confidential reports of the officer reported on, to be referred to in case of necessity at a later date.

80. Increments will be given for approved service only. An increment which will carry an officer past an efficiency bar will require the sanction of the authority competent to sanction his appointment, and accordingly the report on an officer, who reaches the stage of the efficiency bar, should be submitted through proper channel to the appointing authority not less than three months prior to the date when his passing the bar falls due.

J. SPECIAL PAY, ALLOWANCES AND ADVANCES

I. Special pay

81. A member of a subordinate engineering service will, when placed in charge of a subdivision, be entitled to a special pay of Rs. 60 a month. To qualify for the special pay the subordinate must have definite charge, directly under the Executive Engineer, of a duly authorised subdivision, but the charge of more than one subdivision does not entitle him to a special pay of more than Rs. 60 a month.

82. The staff posted in the Terai area of Darjeeling district will draw Terai allowance at the rate of 20 per cent. of their pay out of which 10 per cent. will be in the nature of special pay and 10 per cent. will be treated as compensatory allowance.

83. Executive Engineers and Assistant Engineers posted in Duars will be entitled to Duars allowance of Rs. 20 and Rs. 25 respectively per month. Superior non-gazetted staff posted in the area will get such allowance at the rate of 12½ per cent. of pay per month.

II. Allowances

(a) *Transit pay and travelling allowances during joining time*

84. Transit pay and travelling allowances during joining time shall be payable to the officers of the Public Works and the Archaeological Directorates according to rules laid down in the West Bengal Service Rules Parts I and II, subject to the condition that a Government Servant having no substantive appointment under Government shall not be entitled to any pay or leave salary during joining time, but if, while officiating in a post, he is transferred in the public interest to another post, the authority ordering the transfer may allow him to draw during his transit pay which he would have drawn had he not been transferred or the pay which he will draw on taking charge of his new post, whichever is less.

85. When it is necessary to bring labourers and artificers from a distance, they may be allowed, wages for the number of days occupied in the journey to and from the site of the work, provided they join the work with proper despatch. At the discretion of the Executive Engineer bona fide travelling allowance may also be allowed to them. The above charges must be borne by the estimate of the work.

86. (1) When a candidate for a specialist appointment, recruitment to which is not confined to the residents of the state, is summoned for an interview, and such candidate is at that time resident outside West Bengal, the authority upon whose summons he attends the interview may sanction the payment of travelling allowance to cover the expenses of his journey in accordance with the following rules:—

- (i) The travelling allowance admissible to a candidate summoned from outside West Bengal to attend an interview in connection with a specialist appointment shall be the cost of a single ticket each way, by rail or steamer, and halting allowance at the rates prescribed under rule 57, W.B.S.R., Part II.
- (ii) For this purpose the grade of the candidate shall be determined under rule 22 of W.B.S.R., Part II with reference to the initial pay of the post for which he is an applicant.

Other candidates for appointments, whether specialist or not, who may be summoned at an interview, or at an examination of candidates or before a Medical Board, shall not be entitled to travelling expenses.

(2) It should be definitely stated in the communication summoning a candidate for appointment to appear at an interview before selection, whether travelling expenses will be paid or not, with the necessary particulars regarding scale of payment, if any. Any travelling allowance paid to a candidate under these rules shall be treated as a contingent charge of the Department.

(b) Allowances to officers serving with an Army in the field

87. Extra allowances may be granted to civil officers and subordinates of the department when serving with an Army in the field on the scale laid down in the Army Regulations. These allowances will supersede all departmental and local allowances, but will not affect travelling allowances, which will be granted at the ordinary rates.

III. Advances.

88. A Superintending Engineer or an Executive Engineer of the Public Works Directorate may grant to any officer under his jurisdiction having a substantive appointment under Government, including himself, under orders of transfer an advance up to an amount not exceeding one month's substantive pay plus the travelling allowance to which he may be entitled in consequence of the transfer. The advances should be recorded on the officer's last pay certificate. The advance of pay should be recovered from the pay of the officer in three equal monthly instalments beginning with the month in which a full month's pay is drawn after the transfer. The advance of travelling allowance should be recovered in full on submission of the officer's travelling allowance bill.

89. Advances may be paid to nongazetted officers or inferior servants having a substantive appointment under Government while proceeding on tour, by the head of their office, to an amount sufficient to cover their personal travelling expenses for a month subject to adjustment on completion of their tour or 31st March whichever is earlier.

90. Advances may be paid by Superintending Engineers to engineering subordinates having a substantive appointment under Government for the purchase of a tent on the first occasion of their requiring one; such an advance should be limited to a reasonable amount, and should be recovered in twelve equal monthly deductions from pay commencing from three months after the date of the advance.

91. Advances of pay, etc. and other concessions may be granted to Government servants proceeding to an authorised hospital or dispensary or at the Pasteur Institute, Calcutta for anti-rabic treatment under rules reproduced in Appendix I.

K. LEAVE

92. The principles governing grant of leave and submission of all applications for leave shall be as contained in chapter XV of the West Bengal Service Rules, Part I.

L. EXAMINATION

I. Professional Examination for Engineer Officers of Public Works Directorate.

93. All Assistant Engineers (including Electrical Assistant Engineers) except those promoted from the Subordinate Engineering Service or from the Electrical Overseers Establishment shall have to pass the Professional Examination prescribed in the following paragraphs during the period of their probation.

94. The Professional Examination shall be of a practical nature and shall be conducted by the Public Service Commission and may be held twice every year namely in May and November.

95. The subjects for the examination, which will be partly written and partly oral, will in the case of officers other than an Electrical Assistant Engineer be as given below:—

Paper I.

- (i) Preparation of simple designs and estimates.
- (ii) Process for preparing materials for works.

Paper II.

- (i) Resources of materials and mode of utilisation and management of works.
- (ii) Departmental Rules and accounts procedure.

96. (1) In Paper I the candidates will be tested regarding their capacity to draw up simple designs and prepare estimates in respect of works of a type usually undertaken by Government.

(2) They will also be tested regarding their knowledge of recognised processes of preparing various categories of materials and modes of construction in use in India.

97. (1) In Paper II they will be examined regarding their knowledge of the resources of materials available in the district where an officer is posted and modes of their utilisation. The capacity of officers regarding management and control of staff and works will also be tested.

(2) The officer's acquaintance with the departmental rules and accounts procedure in particular will also be tested.

98. During the oral test the officers will be asked questions on the subjects stated in the foregoing rules. The candidates will be tested regarding their capacity to give correct and clear answers promptly.

99. The following "table" gives the details of the test and the standard thereof.

Subject	Full Marks	Pass Marks	Time.
Paper I (written)	100	60	3 hours.
Paper II (written)	100	60	3 hours.
Oral Test	100	60	about 15 minutes each.

100. The subjects for the examination in the case of Electrical Assistant Engineers, which will be partly oral and partly written and will be of a practical nature shall be as follows:—

- (i) Technical Knowledge and ability to apply the same to departmental projects.
- (ii) Preparation of simple designs and estimates.
- (iii) Departmental Rules and Accounts procedure.

101. The following table gives the details of the test and standard thereof in respect of the examination for Electrical Assistant Engineers.

Subject	Full Marks	Pass Marks	Time
Written test	100	60	3 hours
Oral test	100	60	about 15 minutes each

102. (1) An Assistant Engineer desirous of undergoing a Professional Examination may apply in writing to the Chief Engineer through the Executive Engineer concerned for being examined accordingly. and the Executive Engineer and the Superintending Engineer shall in forwarding such application submit a statement showing the different types of work on which the intending examinee has been employed from time to time since the date of his appointment on probation. The Superintending Engineer will also attach therewith a special report regarding his qualifications which cannot be tested by examination, specially in regard to the officer's physical energy and efficiency and practical work and capacity to manage subordinate staff. These reports shall always be considered before holding the examination and until the reports have been received and found satisfactory by the Chief Engineer, the candidate shall not be entitled to be examined.

(2) The Chief Engineer shall forward the names of selected candidates to the Public Service Commission, not later than the 15th of April and October each year.

103. (1) For the purpose of conducting the examination, written and oral, the Public Service Commission will constitute two committees in consultation with the respective Chief Engineers.

(2) In respect of the examination for Electrical Assistant Engineers the Committee shall consist of the Superintending Engineer, Electrical Circle as President and two Electrical Executive Engineers as members. For the examination in respect of other officers the Committee shall be composed of one Superintending Engineer as President and two Executive Engineers as members.

104. The questions in the written tests, which shall be confined to matters arising out of works in which the candidate had practical experience, will be framed by the respective committees and forwarded to the Public Service Commission. The Committee will examine the scripts and also conduct the oral tests.

105. The Committee will submit their reports on the results of the examination in the form given in Appendix 2A and forward the same to the Public Service Commission. The results as finally approved by the Public Service Commission will be published in the Calcutta Gazette.

106. The Assistant Engineers (including Electrical Assistant Engineers) on first appointment should be posted to such duties as will offer an experience of work necessary to enable them to pass the examination laid down

in the preceding rules. Cases may, however, occur in which owing to the exigencies of the public service, illness or want of time or opportunity for convening a committee, an officer may not be able to pass the examination in question within the prescribed period. In such cases an officer may at the discretion of the State Government be afforded a reasonable extension of time up to a limit of one year and if he passes within this further period no penalty should be enforced. In the event of an officer failing to pass the examination within the extended period, his pay, increments and subsequent confirmation or otherwise should be governed by rules in Part A of Chapter I of the Services (Training and Examination) Rules, West Bengal.

II. Departmental examination for Engineer Officers of the Public Works Directorate

(a) General

107. All Assistant Engineers (including Electrical Assistant Engineers) recruited direct shall be required to pass the departmental examination in the following subjects during the period of probation, viz.:—

- (i) Bengali.
- (ii) Hindi.
- (iii) Accounts, Paper I (without books).
- (iv) Accounts, Paper II (with books).

108. The Public Service Commission, West Bengal, shall direct and control these departmental examinations.

109. The departmental examinations shall be held every six months at a single centre in Calcutta, ordinarily in the months of May and November, unless otherwise specified. The dates of the examinations and the time fixed for each paper will be announced in the Calcutta Gazette.

110. The Heads of Directorates shall report to the Public Service Commission not later than the third week of February and August, respectively, or two clear months before the examination if held at any other time, the names of officers serving under them who are liable and intend to sit for the examination. The report shall be given in the form prescribed in Appendix 2B.

111. The Public Service Commission shall thereafter prepare a complete list of all officers liable to appear at the examination and forward copies thereof to the Heads of Directorates concerned.

112. The Public Service Commission shall appoint separate committees consisting of three members each for conducting the viva voce examinations in Bengali and Hindi in terms of the rules set forth for such examinations.

113. Officers whose mother tongue is Bengali shall not have to appear in the examination in Bengali and officers whose mother tongue is Hindi or Urdu shall not have to appear in the examination in Hindi. The Heads of Directorates shall be competent to certify with regard to such exemptions.

114. The Public Service Commission shall notify in the "Calcutta Gazette", the names of officers who have passed in the different subjects and also indicate there the subjects in which they have still to pass. The names of those who obtain distinction, that is 80 per cent. or above of the full marks, in a subject will also be indicated.

115. The date of passing the departmental examination shall be the date following the last date on which the examination was held.

116. Government Officers undertaking journeys to attend the departmental examinations will be entitled to travelling allowances in terms of rules in Chapter X of the West Bengal Service Rules, Part II.

117. (1) No application for leave from an officer liable to the departmental examinations will ordinarily be entertained if the following half-yearly departmental examination takes place before the expiry of the leave applied for, unless the officer gives an undertaking that he will attend the examination.

(2) If such leave is applied for, the application for leave should be forwarded to the Government in the Public Works Department with the aforesaid particulars so that Government may decide whether for reasons stated the leave should be granted and, if so, on what conditions.

118. An officer may sit for the examination in any of the prescribed subjects by lower or higher standard or such other standard as the case may be and if he succeeds in passing in any of the subjects or papers, he shall not again be required to appear at the examination by the same standard in the subject or paper in which he was successful. He shall not, however, be deemed to have passed completely unless he passed in all the prescribed standards, higher or lower or such other standard, as the case may be.

119. No probationer will be confirmed until he has passed completely the departmental examination prescribed for him. Failure to pass the examination within the probationary period will make him liable to discharge.

(b) Examination in Bengali

120. The examination in Bengali shall consist of two tests, lower and higher, and no officer who is liable to this examination shall be deemed to have passed unless he passes by both the standards. An officer may appear at both the standards simultaneously, but unless he passes by the lower standard also, he shall not be declared to have passed by the higher standard.

121. The following tests are prescribed:

(i) Lower Standard

Details of subject	Time	Full Marks	Pass Marks
A. Dictation from text books	5 minutes for dictation and 7 minutes for revision.	10	5
B. (i) Translation into English from text-books. (ii) Translation into Bengali from simple passages in English.	1 hour.	20	10
C. Viva Voce: (i) Simple conversation on topics of general interest and (ii) reading ordinary manuscript letters.	about 15 minutes.	20	10

(ii) Higher Standard

Details of the subject	Time	Full Marks	Pass Marks
A. Dictation from selected pieces outside text books,	10 minutes for dictation and 10 minutes for revision.	10	5
B. (i) Translation into English of passages selected from text-books. (ii) Translation into Bengali from passages cut of English newspapers and periodicals.	1 hour.	20	10
C. Viva voce: (i) Conversation on topics relating to candidate's official duties; and (ii) Reading of newspaper cuttings petitions, letters, etc.	About 15 minutes each	20	10

122. If a candidate fails to pass in any of the parts in either standard he shall not be deemed to have passed by the lower or the higher standard, as the case may be.

123. The following syllabus is prescribed for the examination—

(i) Lower Standard

Text-books—

- (i) 'Kishalaya' for Class III—omitting the portion on Arithmetic—published by the Education Directorate of the West Bengal Government.
- (ii) 'Patha Parichaya Part IV', pages 1-13, 43-48, 62-68, 88-102, by Rabindranath—published by the Vishwabharati.

Recommended as help to the study of the language—

Byakaranika by Samadhis Chandra Mukhopadhyay—published by Mahajati Prakashak, 13 Bankim Chatterjee Street, Calcutta-12.

(ii) Higher Standard

Text-books—

- (i) 'Chandranath' by Sarat Chandra Chatterjee.
- (ii) 'Kapalkundala' by Bankim Chandra Chatterjee, Abridged Edition by Dr. Bijon Behari Bhattacharyya—published by Asutosh Library, 5 Bankim Chatterjee Street, Calcutta-12.

Books and publications recommended as help to the study of the language—

- (i) 'Desh—a weekly magazine of Calcutta.
- (ii) 'Madhya Bangla Byakaran' by Dr. Suniti Kumar Chatterjee and Dr. Sukumar Sen—published by Bani Mandir, 14 College Square, Calcutta.

(c) Examination in Hindi

124. The examination in Hindi shall be held in two parts, viz., Part I—Written, and Part II—Oral. Candidates passing in one part shall be exempted from appearing at the same part again.

125. Details regarding the two parts of the examination are given below.—

(i) *Part I—Written*

Details of subjects.	Time.	Full Marks.	Pass Marks.
(a) Dictation from prescribed text—books.	10 minutes for dictation and 10 minutes for revision.	20	35
(b) Translation from English to Hindi	2 hours	15	
(c) Translation from Hindi to English		15	
(d) Letter-writing		10	
(i) Personal type		10	
(ii) Official type			
Total		70	35

(ii) *Part II—Oral*

Conversation in Hindi on matters of topical interest and matters connected with official duties of candidates.	30	15
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126. (1) The following books are prescribed.—

(i) 'Nibandha Kusumkar'—published by Bangiya Hindi Parisad, 15 Bankim Chatterjee Street, Calcutta-12.

(ii) 'Saptosaroj'—by Prem Chand.

(2) The following books are recommended as help books.—

(i) 'Rashtrabhāṣa Prabesh'—by Bidhu Bhusan Das Gupta.

(ii) 'Rajbhāṣa Bodhini'—by Debduṭ Bidyarthi—published by Akhil Bharatiya Hindi Parisad, New Delhi.

(iii) 'Gaban' (abridged)—a novel by Prem Chand.

Note 1.—All these books are obtainable from the Bangiya Hindi Parisad, 15 Bankim Chatterjee Street, Second floor, Calcutta-12.

Note 2.—Candidates are advised to listen to the broadcasts in Hindi by the All India Radio.

(d) *Examination in Accounts*

127. The examination in Accounts shall consist of two papers—Paper I and Paper II—both in the higher standard. An officer will not be adjudged to have passed in accounts unless he has passed in both the papers.

128. During the examination candidates will not be allowed to consult any book in answering Accounts, Paper I. In answering Accounts, Paper II, they will be allowed to consult unannotated printed copies of Rules and Codes.

129. The questions in Accounts, Paper I, will be more of a theoretical nature; while those in Accounts, Paper II, will, generally speaking, relate to practice and procedure and will be intended to test candidates' ability to apply rules to facts and circumstances within the range of common experience.

130. (1) The questions for both the papers will be set by the Accountant-General, West Bengal, or by Accounts Officers selected in consultation with him.

(2) The statement below shows the full marks, the pass marks and the time allotted for each of the two Papers in Accounts:

Subject.	Full marks.	Pass marks.	Time.
Accounts, Paper I	50	25	1½ hrs.
Accounts, Paper II	100	60	2½ hrs.

131. The syllabus for the examinations in Accounts shall be as follows:—

Accounts, Paper I (without books)

Questions will be of a theoretical nature and will have reference to the matter dealt with in the following chapters of "An introduction to Indian Government Accounts and Audit", issued under the authority of the Auditor-General of India—Latest Edition 1950:—

Part II—Chapter 6—The General structure of the Financial Administration in India. Chapter 7—Currency and Resources Arrangements. Chapter 8—The Working of a Treasury. Chapter 10—The Original Records. The Basis of Accounts and Audit. Chapter 11—Classification of Receipts and Expenditure in Government Accounts.

Part III—Chapter 13—Audit of Receipts. Chapter 14—Audit of Expenditure. Chapter 21—Relations between the Audit Department and the Finance Department of the Central and State Governments.

Part IV—Chapter 27—Contingent Expenditure.

Part V—Chapter 37—Compilation of Accounts.

Accounts, Paper II (Office procedure) (with books)

(i) Bengal Financial Rules, First Edition (Reprint), 1920, Chapters 1 to 6, 10 to 12 and Appendix 3.

(ii) Treasury Rules, Bengal, and the Subsidiary Rules, Volume I.

Part I—Sections IV, V, VII and IX.

Part II—Chapter II, sections I and II.

Chapter IV, section I, sub-section I, sections II to V, and VII to IX.

Chapter VI, section III.

Chapter VII, sections I to III.

Chapter X, section III.

Chapter XI.

(iii) West Bengal Service Rules, Part I Chapters I to III, V to VII, IX to XI and XV.

(iv) West Bengal Service Rules, Part II—Chapters I to IX, XIII.

- (v) Civil Account Code, Vol. I, Chapter 9.
- (vi) Civil Service Regulations, Part IV and Chapter XXV, Part V and Chapter XXXVIII (Part VI).
- (vii) Bengal Audit Manual.
- (viii) Account Code, Vol. I.
- (ix) Account Code, Vol. II.
- (x) Audit Code (except section IV).
- (xi) (a) Public Works Account Code.
- (b) Bengal Financial Rules, Chapters 8 and 9.

M. EMPLOYMENT ON LOCAL FUND WORKS

132. Officers of the Directorate may be employed on Local Fund Works at the discretion of Government, and when so employed they may also be permitted to receive fees and honoraria with prior sanction of the competent authority according to rules laid down in Chapter VI of the West Bengal Service Rules, Part I. They will also be subject to the special rules below:

133. (1) Officers, whose services are detached for the sole purpose of Superintending Local Fund Works and who are placed under the orders of the local civil authority or Local Board for the purpose, and paid entirely from Local Funds, may, at their option and subject to the sanction of Government, be permanently transferred to the authority concerned and be treated as supernumeraries; provided that any officer thus transferred permanently can return to the department in his former grade only at the discretion of Government, but he may be brought back to the regular establishment of the department by the order of Government whenever his services may be required in the same or any higher grade as Government may think suitable.

(2) In other circumstances the officer shall be treated as on temporary deputation for such employment, and retained in the list of Public Works Directorate establishment, the entire charges being borne by the Local Funds.

134. Officers, who are employed wholly on Local Fund Works which are constructed under the administration of the Chief Engineer and according to the rules of the Directorate, shall be subject to the rules of the Department.

135. Officers may be employed on Local Fund Works in addition to their regular duties only when such employment is not detrimental to the public service.

136. Superintending Engineers may be required to exercise, in addition to their ordinary duties, supervision over Local Fund expenditure in communication with the civil officers under such orders and rules as Government may lay down.

N. INTER-STATE AND INTER-DEPARTMENTAL TRANSFERS

137. Before the transfer of any officer of the Engineer establishment of the Public Works Directorate from the State of West Bengal to another State or from this Department to another Department of the Government of this State is carried out, a confidential report of his character and qualifications should invariably be forwarded to the authority by whom the

transfer is ordered, for transmission to the State or the department to which he is under transfer. It should always be distinctly stated in the report whether the promotion of the officer would have been recommended, had he not been transferred.

138. Transfer of members of the Engineering Services from one State to another may be made with the mutual consent of the two Governments concerned.

139. The following rules shall regulate submission of applications by the members of the West Bengal State and Subordinate Services or holders of posts in the Public Works Directorate for transfer of services to other offices or departments of West Bengal Government or to any other Government. The instructions shall apply equally to officers on leave whether with or without leave salary:—

- (i) A Government servant shall not apply for an appointment in another office or department of the West Bengal Government, or under another Government, unless the head of such office or department or such other Government has invited applications for the purpose.
- (ii) A Government servant must submit his application for such an appointment through the appointing authority of his own post or service, who shall decide whether he shall be permitted to apply. Such permission shall ordinarily be granted, unless such authority considers that the application should not be allowed on the ground that the transfer would not be consistent with the interests of the public service. Applications submitted direct to the authority making the appointment shall be rejected, if the authority is a department of, or subordinate to, the West Bengal Government.
- (iii) No canvassing shall be allowed in the case of applications referred to in this rule.

Exception.—A Government servant, who wishes his name to be considered for an appointment for which applications are not ordinarily invited, may inform the authority which makes the appointment by a letter submitted through the appointing authority of his own post or service.

140. (1) In dealing with applications submitted by Engineer Officers, Overseer-estimators, Sub-assistant Engineers, etc., for employment elsewhere, the appointing authority shall, more or less, be guided by the following broad principles:—

- (i) Applications of temporary Engineer Officers, Sub-assistant Engineers and electrical Overseer-estimators, etc., who have no reasonable chance of being made permanent, may be forwarded if the post applied for is of higher rank and status, or if the post is a permanent one.
- (ii) Applications from Engineer Officers, Sub-assistant Engineers and electrical Overseer-estimators, etc., for employment in private firm shall be withheld if an officer wishes to apply for such an employment, he shall first resign and then apply.
- (iii) Applications for scholarships offered by foreign Governments in the case of temporary Assistant Engineers may be forwarded with the clear understanding that they shall have to resign before actually availing of the said scholarship and that they will have no claim for reappointment on return.

(2) Notwithstanding anything contained in sub-rule (1), application of any officer may be withheld if it is decided that his services cannot be spared in the interest of public service.

O. EMPLOYMENT OF TEMPORARY AND WORK-CHARGED ESTABLISHMENTS

I. Temporary Establishment

141. In order to meet the demand for extra supervision which may arise from time to time, as well as to ensure that the Public Works Directorate establishments shall be capable of contraction as well as of expansion as the expenditure on works diminishes or increases, the permanent establishments may be supplemented by temporary establishments to such extent as may be necessary, and may vary in strength from time to time according to the nature of the work to be done. Temporary establishment will include all such non-permanent establishments, no matter under what titles employed, as are entertained for the general purposes of a division or subdivision, or for the purpose of the general supervision, as distinct from the actual execution, of a work or works.

142. (1) In cases of all officiating appointments and appointments to temporary posts, the appointments should be made, whenever practicable, for a specified term which should be clearly stated in the appointment order. Persons thus employed temporarily will be on the footing of monthly Government servants and they should be clearly informed in writing that their employments carry with them absolutely no claim to pension or to any leave salary beyond those conditionally given to temporary employees under rules in Chapter XV of the West Bengal Service Rules, Part I.

(2) A month's notice or salary in lieu of notice is required to be given in cases of discharge of persons employed temporarily when in their appointment orders it is not specified that their services are liable to be terminated with notice of a specified period, and also when the temporary appointments are made until further orders and/or are terminable without notice, or without reference to any such stipulation.

(3) Where the temporary appointment is for a specified term no notice or salary in lieu of such notice is required to be given when a temporary employee is discharged on the expiration of the term of his appointment.

Note.—The above procedure should also apply and regular appointment order should be issued as such, in every case of appointment of contingency menials as well as work-charged staff.

II. Work-charged Establishment

143. (1) 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 the departmental labour, 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.—Superintending Engineers may waive the rule, which prescribes that works establishments must be employed upon a specific work, and determine in such cases the proportions in which the cost of such establishment shall be allocated between the works concerned.

(2) In the case of repair, however, the cost may be debited monthly in accordance with the proportions fixed in advance by the Superintending Engineer for the year or the total period of engagement, irrespective of the fact that the establishment has not yet been employed on the particular work during the month for which the debit is made, provided that the establishment is employed on the work for some time during the period it is engaged and that no debit is made on account of the wages of establishment for periods of unemployment, except in cases of short casual leave granted on full pay or on reduced wages, or in cases of such other leave as may be admissible to them.

144. Superintending Engineers and Divisional Officers may, subject to limits of pay of Rs. 250 and Rs. 100 per mensem, respectively, for each post, sanction the entertainment of work-charged establishment subject to the condition that provision for the same has been made in a separate sub-head of the sanctioned estimate. Provided, further, that the pay of no such work-charged post shall exceed the prescribed rate in cases where such rates have been definitely laid down by higher authority for any particular class of posts.

Note.—Lump sums fixed in lieu of estimate for repairs will be deemed to include such provision.

145. (1) The cost of works establishment must be shown as a separate sub-head of the estimate.

(2) Special rules governing conditions of service of work-charged establishment under the Public Works Directorate shall be as given in Appendix 3.

P. POLICE AND OTHER GUARDS

146. 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 guards should be made to the Superintendent of Police by an officer of not lower status than a divisional officer. Such guards may not, however, be supplied, unless the officer travelling is in charge of Government money or valuable Government property, or unless the country is disturbed.

147. 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 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 immediately they are no longer required.

Q. MEDICAL ESTABLISHMENT

148. Civil Sub-Assistant Surgeons in charge of Public Works Directorate dispensaries will be considered as part of the Directorate establishment and furnished with medicines at the public expense.

R. MISCELLANEOUS RULES

I. Personal

149. All officers of West Bengal Service of Engineers shall be liable to serve in any part of West Bengal, unless it is otherwise expressly stated in their agreements.

150. Persons employed in the Directorates 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 shall further be subject to the rules laid down in "West Bengal Government Servants' Conduct Rules, 1959".

151. Every officer of the Directorates must consider that his pay and allowances, for the 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 shall be bound to report to his departmental superior any infringement of this rule which may come to his knowledge.

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

- (i) 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.
- (ii) No public officer shall act as an arbitrator in any case which is likely to come before him in any shape by virtue of any judicial or executive office which he may be holding.
- (iii) If an officer acts as arbitrator at the request of private disputants, he shall accept no fees except as provided in rules under Chapter VI of the West Bengal Service Rules, Part I.
- (iv) 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 Directorates 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 Public Works Directorate, 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 (ii) of Note 1 above. If he accepts the commission, he may retain such fees as are fixed by the court.

II. Publication of rules and notices

152. Drafts of rules, regulations and notifications having the force of law and affecting the outside public should, before final issue under any Act be published in the prescribed manner 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.

III. Anonymous communications

153. No anonymous communication regarding the conduct of any Government officer shall be acted upon without the permission of Government, excepting so far as to endeavour to remove any apparently well-founded cause of complaint which does 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

154. When any officer or subordinate in the department is personally sued in any 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 *bona fide* on behalf of Government, it will be necessary that he defend 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 accused.

155. An officer, receiving a *subpoena* 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.

V. Security deposits

156. (1) Cashiers, whether appointed permanently or temporarily, must furnish security but the post of cashier was abolished from all Divisions under the Public Works Directorate where the cash work is now done by accounts clerks working under the direction of the Divisional Accountant who is held responsible in the matter of cash chest, cash books and cheque books.

(2) Storekeepers, cash sircars and dafadars as well as treasure guards, burkundazes and chowkidars and other subordinates in charge of cash or stores are required to furnish security deposits, the amount being regulated according to circumstances and to local custom in each case under the sanction of the Chief Engineer. With the special sanction of the Superintending Engineer in each case, half the security deposit may be paid down and the balance by instalments of one-third of the pay. Members of Subordinate Engineering Service other than those belonging to temporary establishment in charge of cash or stores are, however, exempted from furnishing any security deposit.

(3) Temporary sub-assistant engineers entrusted with the handling and custody of Stores are required to furnish security deposit of Rs. 1,000 (Rupees one thousand) only in cash and another Rs. 1,000 (Rupees one thousand) only in fidelity bonds plus two personal securities of Rs. 2,000 (Rupees two thousand) only each.

(4) The Superintending Engineer of a circle is also empowered to dispose of the question relating to a refund of not more than one half of the security deposit of a subordinate officer of 20 years' pensionable service or upwards.

VI. Stationery and forms

157. (1) The supply of stationery shall be governed by the contingent rules as provided in the Financial Rules and that of forms by the rules in the Forms Manual.

(2) The Chief Engineer, the Superintending Engineers, the Government Architect and the Director of Archaeology, are authorised to submit direct indents for free supply of forms. The Executive Engineers may submit indents for free supply of Public Works accounts forms direct and indents for free supply of other forms through their Superintending Engineers. The Officer in charge, Drawing Office should submit indents for supply of forms through the Chief Engineer.

158. Account of receipts and issues of stationery articles in all offices under the Directorates shall be maintained in the Bengal Executive Form No. 402. The receipt and issuer of stationery articles will put their respective initials in the columns provided for the purpose at the time of receipt and issue of stationery. At the same time the issuer will cancel the blank columns. The opening and closing balances will be struck monthly by the clerk in charge of stationery articles. The stock of stationery will be verified half yearly by a gazetted officer, and a certificate to this effect together with any remarks as to the defects which may have been disclosed will be submitted to the head of the office concerned.

VII. Destruction of official records

159. (1) The periods after which records in the offices of the Executive Engineers and their subordinates may be destroyed under orders of the Executive Engineer shall be as specified in Appendix 4. The following should, however, on no account be destroyed:—

- (i) Records connected with expenditures which are within the statute of limitation.
- (ii) Records connected with claims to service and personal matters connected with persons in the service.

(2) In regard to destruction of records not referred to in Appendix 4, the approval of the Accountant-General in the case of accounts records and of the Superintending Engineer in the case of other records should be obtained. Similar approval should be obtained in any case in which an Executive Engineer is in doubt as to whether a particular record should be destroyed.

(3) Superintending Engineers shall be competent to sanction the destruction of all other records in their own and subordinate offices as may be considered useless, but the records of experiments and observations should on no account be destroyed.

(4) Full details of all records destroyed should be maintained permanently in P.W.A. Form No. 97 in the office to which the records belong.

VIII. Recording of plans and drawings

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

- (i) Copies of all standard plans of buildings.

- (ii) Complete plans, sections and elevations of every building under his charge, whether military or civil, as actually constructed, any departure from sanctioned design being carefully noted. The boundaries of the ground attached to any building should be distinctly shown.
- (iii) Plans of roads under his charge showing the quarries whence metal is obtained.
- (iv) Detailed drawings including foundations, where practicable, of all bridges and other works in the division as actually constructed any departure from sanctioned design being carefully noted. The boundaries of the ground attached to any building should be distinctly shown.

IX. General rules of office procedure

161. No officer should correspond direct with an authority superior to the officer under whom he is immediately serving, or with the State Government or 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.

162. Letters containing proposals concerning other departments should, so far as is needful, be accompanied by reference to the opinion of the officer concerned (in the case of a building, of the officer occupying it) and of the head of the department on the spot.

163. (1) Wherever, in any matter connected with the rights or conditions of his service, a Government servant wishes to press a claim or to seek redress of a grievance, the proper course for him is to address his immediate official superior, or the Head of his office, or such other authority at the lowest level, as is competent to deal with the matter. An appeal or representation to a higher authority must not be made unless the appropriate lower authority has already rejected the claim or refused relief or ignored or unduly delayed the disposal of the case. Representations to still higher authorities (e.g., those addressed to the Governor, or to Ministers) must not be made unless all means of securing attention or redress from lower authorities may have been exhausted; even in such cases the representation must be submitted through the proper channel (i.e., the Head of the office, etc., concerned). There will be no objection at that stage, but only at that stage, to an advance copy of the representation being sent direct to a higher authority.

(2) If the Government servant persists in prematurely addressing the higher authorities, suitable disciplinary action should be taken against him.

(3) Any attempt by a Government servant to seek a decision on such issues in a court of law (even in cases where such a remedy is legally admissible) without first exhausting the normal official channels of redress, should also be regarded as contrary to official propriety and subversive of good discipline and may well justify the initiation of disciplinary action against the Government servant.

X. Periodical returns

164. With regard to periodical returns not prescribed by the Government of India, 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 OPERATION OF THE PUBLIC WORKS DEPARTMENT

165. The operations of the department are divided primarily into two classes "Original Works" and "Repairs or Maintenance".

166. (1) Original Works comprise all new construction, 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 for bringing them into use.

(2) Repairs or Maintenance include primarily operations undertaken to maintain in proper conditions buildings and works in ordinary use and also new works in circumstances indicated in sub-rule 3 and the "exception" to sub-rule 4 below.

(3) When a portion of an existing structure or other work, not being a road surface, road bridge, causeway, embankment, ferry approach, protective or training work in connection with a road is to be replaced or remodelled (whether or not the change involves any dismantlement) and the cost of the change represents a genuine increase in the value of the property, the work of replacement or remodelling as the case may be, should be classed as "original work", the original cost of construction (which should be estimated if not known) of the portion replaced or remodelled being credited 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 1.—In case of immoveable Government properties the capital value of any portion of a property which is abandoned or dismantled without replacement should be written off the total capital value of the property, in any *pro forma* account of its cost.

Note 2.—The expenditure on minor additions and alterations to buildings, up to the monetary limits as hereinafter stated, may be classed at the discretion of the Superintending Engineer as petty works expenditure and debited to repairs, provided that if such works relate to residences, the cost is taken into account in determining the capital cost and in calculating the rent in accordance with the rules issued by Government—

(a) Rupees 500 should be the limit when these petty works operate to reduce the maintenance charges; and

(b) Rupees 200 when these would increase the maintenance charges. The monetary limits of Rs. 500 and Rs. 200 hereinbefore mentioned have been raised to Rs. 1,250 and Rs. 500 respectively with Government sanction accorded on year to year basis.

(4) When an existing portion of a road surface, road bridge, causeway, embankment, ferry approach, protective or training work in connection with a road is to be replaced or remodelled (whether or not the change involves any dismantlement) and the change represents a genuine increase in the value of the property, the whole cost of replacement or remodelling, as the case may be, should be classed as "new work" and the cost or value of the portion replaced or remodelled should not be debited to "repairs"

Exception.—Petty and miscellaneous items of work in any material, as hereinafter described, which ordinarily should be classed as "new works" should be debited to "repairs" up to the limit of Rs. 10,000 in any one case, provided that the works in question do not in the opinion of the Superintending Engineer form part of any comprehensive scheme or project covered by a works estimate:—

- (a) Super-elevation at curves.
- (b) Widening the formation or carriageway of a road, widening a drain, or cutting back a hill side to improve vision at curves, provided that acquisition of land is not involved in any case.
- (c) Improvements of alignment or gradients or changes of grade at Irish Bridges or dips, carried out at the time of renewing a surface, provided that the acquisition of land is not involved in any case.
- (d) Improvements to or re-construction 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.
- (e) The construction or reconstruction of road surface in different materials for the purposes of experiment.
- (f) The reconstruction or remodelling of bridges, culverts, causeways, embankments, ferry approach, protective or training works in connection with a road.

The aforesaid limit of Rs. 10,000 has been enhanced to Rs. 25,000 with sanction of Government accorded on year to year basis.

(5) In addition to all repairs and renewals in material similar to that pre-existing, the following items of road work should be classed as "repairs":—

- (i) Ordinary repairs and maintenance, including surface painting and the necessary addition of stone chips, gravel or sand, but not including asphaltic concrete, premix asphalt macadam, bitumen grout, bitumen semi-grout, mix-in-place, cement concrete, or cement macadam.
- (ii) Special repairs and periodical renewals.
- (iii) Petty and miscellaneous items of work in any material, as described in "exception" to clause (4) above.

B. ADMINISTRATIVE APPROVAL AND TECHNICAL SANCTION

167. There are four main stages in the project for a work, namely, administrative approval, expenditure sanction, technical sanction, and appropriation or re-appropriation of funds.

I. Administrative approval

168. (1) For every work (excluding repairs) initiated by, or connected with, the requirements of another department, it is first necessary to obtain the concurrence of the department concerned to the proposals. The formal acceptance by the department concerned is termed "administrative approval" of the work, and is, in effect, an order to execute certain specified works at a stated sum to meet the administrative needs of the department requiring the work. Such approval should not, however, be accorded until

the professional authorities have intimated that the proposals are structurally sound and that the preliminary estimate is sufficiently correct for the purpose. In the case of works required to meet the administrative needs of the Public Works Department, the administrative approval should be accorded in that Department.

(2) No administrative approval is necessary in respect of works chargeable to repairs.

169. Application for administrative approval should be submitted to the authority competent to accord it accompanied by a preliminary report, by an approximate estimate and by such preliminary plans, information as to the site and other details as may be necessary fully to elucidate the proposals and the reasons therefor. The approximate estimate and preliminary plans should be obtained from the Public Works Directorate, when the work is proposed to be carried out through that Directorate. If, however, the work is not likely to cost more than Rs. 10,000, detailed plans and estimates may be prepared in the first instance and submitted to the authority competent to accord administrative approval.

170. This procedure will also apply to modifications of the proposals originally approved if such modifications are likely to necessitate eventual submission of a revised estimate, to material deviations from the original proposals even though the cost of the same may possibly be covered by savings on other items, and to cases where the detailed estimates, when prepared, exceed the amount administratively approved by more than 10 per cent. In these cases, as also in cases in which it becomes apparent, during the execution of the work, that the amount administratively approved may be exceeded by more than 10 per cent., owing to increase of rates or other causes, the revised administrative approval of competent authority must be obtained to the increased expenditure without delay, and in the case of modifications during construction, without awaiting the preparation of a detailed supplementary or revised estimate.

171. In the case of works required not for a particular department but in the interests of the general public, such as communications, irrigation works, and miscellaneous improvements, preliminary designs and estimates should be submitted for scrutiny by and approval of the Administrative Department concerned.

II. Expenditure Sanction

172. Expenditure sanction means the concurrence of the Government to the expenditure proposed in cases where this is necessary. In all other cases the act of appropriation or re-appropriation will operate as sanction to the expenditure concerned. The duty of obtaining expenditure sanction, where necessary, rests with the department requiring the work.

III. Technical sanction

173. For every work proposed to be carried out, except petty repairs the cost of which is not likely to exceed Rs. 2,500, and annual repairs for which a lump sum provision has been sanctioned by the Superintending Engineer, a properly detailed estimate must be prepared for the sanction of competent authority; this sanction is known as the technical sanction to the estimate. Such sanction can only be accorded in respect of works to be executed through the Public Works Department by Government in the Public Works Department, or, where power has been delegated to them, by officers of that department.

Note.—It is not essential that expenditure sanction should invariably be obtained before technical sanction is given; but, until funds for the work have actually been allotted or promised by competent authority, a Divisional Officer can not be required, except by his departmental superiors, to prepare the detailed plans and estimates for the purpose of technical sanction.

IV. Appropriation and re-appropriation

174. Appropriation or re-appropriation represents the allotment of a particular sum of money to meet expenditure on a specified object; it is operative only for the official year for which it is made.

175. It is fundamental 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 and orders for its commencement issued in writing by competent authority. Provision in the Budget Estimate for expenditure on a work conveys no authority for the commencement of outlay.

C. REQUISITIONS BY CIVIL OFFICERS

1. General procedure

176. The local head of a civil department may call upon the Executive Engineer to report on any proposals for construction of new buildings and for additions or alterations to the existing buildings in his use and to state roughly the probable cost; but Executive Engineers can not be required, except by their departmental superiors, to prepare the detailed drawings and estimates, of projects which they consider likely to cost a sum greater than that which can be administratively approved by the local head of the department concerned, or those, however small their probable cost, in the necessity for which they do not concur.

177. When applications for new buildings, and for additions or alterations to existing buildings required for the use of any department is made, the Divisional Officer must in each case exercise his judgment on the demand made, giving all proper weight to the opinions of the officers of the departments concerned; but it shall be his duty to oppose any application of the funds at his disposal to works of the real necessity for which he is not satisfied; and in every case in which he thinks that he can not recommend the execution of a work called for by a duly constituted authority he should explain his objections to the officer concerned, and, if he fails to convince him, should refer the matter for the orders of the Superintending Engineer.

178. The actual execution of works, asked for by civil officers, must in every case be dependent on the necessary funds being available.

II. Procedure in regard to original works

179. Requisitions for "original works" shall be prepared and dealt with according to procedure stated below:—

(1) When it is proposed to undertake any original work, the principal local officer of the department concerned will furnish to the local Executive Engineer of the Public Works Directorate full particulars as to the necessity and nature of the work and accommodation to be provided.

(2) If the work can be classed as a minor work i.e. a work likely to cost Rs. 10,000 or less the local officer may at the same time request the Executive Engineer to prepare necessary plans and estimate. The P.W.A. form No. 32 may be used whenever suitable in the case of works costing not more than Rs. 2,500. If, however, the work be a major work i.e. a work likely to cost more than Rs. 10,000, the local officer, if not himself the head of his Directorate, shall first obtain the concurrence of the head of the Directorate as to the necessity of the work and accommodation to be provided, and then address the Superintending Engineer to instruct the Executive Engineer to prepare necessary plans and estimate.

(3) On receipt of a requisition the Executive Engineer will prepare plans and estimates which should ordinarily be rough or approximate estimates. In the case of minor works, the estimate may be prepared in detail without a preliminary rough estimate, provided the Executive Engineer is satisfied that the work is likely to be sanctioned on the lines proposed and that the work is one which is likely to be financed in the near future. A minor work estimate when prepared shall be forwarded direct to the officer who called for it. If the estimate exceeds Rs. 10,000, it will be forwarded to the Superintending Engineer, who, after such changes as he may consider necessary and countersignature, will forward it to the civil officer concerned for administrative approval.

(4) If the estimate is in excess of his power of administrative approval, the civil officer will forward the estimate after countersigning it to Government in the department concerned (to Government in the Public Works Department in the case of additions and alterations to residences costing not more than Rs. 200 which limit has been raised to Rs. 400 temporarily with sanction of Government on year to year basis), through the usual channel for administrative approval. When administrative approval has been accorded, orders will issue in the Public Works Department regarding the preparation or disposal of the detailed plans and estimates.

(5) If the amount of the estimate is within the civil officer's power of administrative approval, he will countersign the report prefacing the estimate and the principal plans and will record his approval on the abstract of cost using the words "Approved for Rs. _____", over his signature. He will then return the approved plans and estimate to the Public Works Directorate officer from whom they were received. The civil officer should at the same time either allot funds for expenditure on the work and thus enable the Public Works Directorate to sanction the estimate technically and carry out the work at once, or intimate that the funds at his disposal are exhausted. Grants from the Public Works Department Budget will be placed annually at the disposal of civil officers to enable them to allot funds for works within their powers of administrative approval. Civil officers should ordinarily restrict their approval and recommendation to projects to the aggregate of the grant at their disposal.

(6) On receipt of an approved detailed estimate from the civil officer, the Superintending or Executive Engineer will technically sanction it at once if an allotment of funds has been made by the civil officer. If no allotment has been given, technical sanction to the estimate should be held over till intimation of an allotment has been received.

III. Procedure in regard to repair works

180. The procedure to be followed in the case of repair works is as follows:—

- (1) The requisition will be made by the civil officer concerned in P.W.A. Form No. 32.
- (2) 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".
- (3) 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.
- (4) Should the budget grant under the particular sub-head be insufficient to meet the outlay, reference must be made to the Superintending Engineer.
- (5) When the approximate estimate exceeds Rs. 2,500 a detailed estimate must be framed and sanctioned by the authority competent to accord technical sanction.

IV. Limitation of sanction

181. Nothing in the foregoing rules should be construed to mean that a group of works or alterations or purchases, the aggregate cost of which exceeds what an officer is empowered to sanction, can be so split up as to bring them within the powers of sanction of that officer with a view to carry it out in parts.

D. PREPARATION OF PROJECTS

I. General Rules and procedure (applicable to both original and repair works)

182. (1) 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 of each item. These documents together form what is called "the estimate". In the case of a project consisting of several works, the report may be a single document for all the works, 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 abstracts will ordinarily be required. The report should state in clear terms the object to be gained by the execution of the work estimated for, and explain any peculiarities which require elucidation, including where necessary the reasons for the adoption of the estimated project or design in preference to others. Where necessary drawings showing the proposals should accompany the "estimate" and should be in sufficient detail to enable the entries in the estimate to be followed.

(2) In submitting revised estimate of any project, as and when necessary, it is essential that such revised estimate should be accompanied by the original estimate as well as the variation statement in Bengal Form No. 2590 (P.W.D. Form No. 119).

183. Such details as are obtainable regarding land required for the project, for which compensation must be paid, should be given.

184. The statement of detailed measurements following the specification will include the measurements of land, approximate or detailed as the case may be, for which compensation will have to be paid, the area of each description of land being separately shown.

185. To facilitate the preparation of estimates, a schedule of rates of each kind of work commonly executed should be kept up in each division, which must be revised and brought up-to-date at least once in every three years, and the rates entered in the estimate should generally agree with the scheduled rates, but where from any cause these are not considered sufficient, or in excess, a detailed statement must be given in the report showing the manner in which the rate used in the estimate is arrived at.

186. Fractions of rupees should be omitted in showing the total cost of each kind of work in the abstract of the estimate and miscellaneous petty works may be entered in the abstract without measurements, the estimated cost alone being given as a lump sum.

187. The abstract of the estimate may, under instructions of the Superintending Engineer, be framed to show merely the quantity and cost of each completed item of artificer's work, e.g., brickwork, etc., or it may be framed to show the cost of labour and materials separately. The adoption of either form of abstract should be determined with reference to the mode in which it is proposed to carry on the work. If it is proposed to contract for the completed item of artificer's work, such as masonry, etc., then the first mentioned form of abstract will suffice; if it is intended to purchase or procure material and to employ labour for construction separately, then the second form of abstract will admit of a closer, easier and earlier check on the outlay and it will therefore be preferable.

188. Estimates should include in addition to the usual charge of 5 per cent. for unforeseen contingencies, all incidental expenditure which can be foreseen, such as compensation for or cost of land, sheds for workmen and stores. The provision for contingencies may not be diverted by the Executive Engineers to any new work or repair which is not provided for in the estimate and of which the cost exceeds Rs. 2,500, without the sanction of the Superintending Engineer.

189. (1) In the case of all works other than works on National Highways executed by the Public Works Directorate for the Government of India or for the other State Governments in India or for other departments of the Government of West Bengal, when the costs are chargeable to those Governments or departments, and in the case of non-government works in general, the estimates should ordinarily provide for recovery of the cost of establishment and tools and plant charges at the following percentage rates on estimates of works outlay unless otherwise directed:—

Area.	Establishment (per cent.)	Tools & Plant (per cent.)	Total (per cent.)
Works in all the Circles.	10	1½	11½

(2) An additional charge of one per cent. of works outlay for audit and accounts should further be provided in the estimate for recovery in respect of all non-government works and works done occasionally for Railways, Defence and Posts and Telegraphs Department.

(3) The provision for establishment and tools and plant in the case of works on National Highways should ordinarily include charges at the rate of 8 per cent. on the estimate of works outlay for establishment and 1½ per cent. for tools and plant.

190. Estimates for works, on which it is intended to use free labour, will provide for the full market 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.

191. Duplicate and triplicate copies of report and abstract of rough estimates with duplicate copies of plans need only be submitted in respect of works requiring administrative approval of Government when the cost of the work exceeds Rs. 50,000. The duplicate copy of the report and abstract will be retained by Government in the administrative department and the triplicate copy of the report and abstract with duplicate copies of plans by the Chief Engineer. Duplicate copies of plans, report and abstract will also accompany the detailed estimates of project costing over Rs. 2,00,000, when it is sent up to the Chief Engineer for technical sanction.

II. Special rules for original works

(a) *Civil Buildings*

192. The rough estimates of the cost of building projects are liable to material modification when sites are finally settled, if these sites are not decided on prior to the preparation of the rough project for administrative approval. Unless otherwise instructed the Executive Engineer shall take steps to have the site selected first according to rules laid down in Appendix 5 before the rough project is submitted for administrative approval. Under any circumstances the site must be selected according to the prescribed rules before the detailed designs and estimates are prepared for technical sanction.

193. In the case of works or buildings which are intended to be erected in the neighbourhood 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, Ministry of Defence for concurrence, and when such concurrence has been obtained, no deviation shall be permissible without previous reference to that Government.

194. Rules regarding Zones of Defensive Works may be found in Army Regulations, 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 such zones without the sanction of the Government of India.

195. While drawing up any building project the following special instructions should be observed as circumstances may require:—

- (a) Powder magazines and all buildings, which from their height or exposed situation are likely to be struck by lightning, should be provided with lightning conductors. These conductors and their connections with the earth should be inspected and tested periodically and should not be allowed to fall into disrepair.
- (b) No structure with an inflammable roof should be erected within a radius of 30 yds., nor any structure with inflammable walls and corrugated iron or other type of pucca roof within a radius of 20 yds. from a building constructed of permanent materials.
- (c) All buildings other than residential building borne on the books of this Department should be provided either with buckets or tanks filled with water or sand, or with patent and chemical

extinguishers, or with hose pipes and hose pipe connections, or any other type of up-to-date fire extinguishers for protection against fire as the importance of the building may warrant.

- (d) Preparation of building estimates should be based on type plans where such plans have been approved for any class of buildings (office or residence), and no deviation from the approved type plans shall be permitted during construction without the sanction of Government.
- (e) Line plans and elevation of design of any buildings in sites where the planning design of a building will generally be of vital importance such as in Calcutta, and plans and elevation of design of all buildings of importance (both new construction and additions or modifications) should be referred to the Government Architect for advice. The detailed pencil plans and elevations of all single buildings costing more than Rs. 2,00,000 each, and of buildings of particular importance owing to their position or use though costing less than Rs. 2,00,000 each should be submitted to Chief Engineer for approval before detailed estimates are prepared.
- (f) Building project, which includes both electrical and non-electrical work, may for the purpose of administrative approval be drawn up showing separate cubic (or square) foot rates for electrical or non-electrical portions of the work in the estimate on the basis of past actuals. Detailed estimates for electrical and non-electrical portions may be prepared and technically sanctioned separately by the competent officers of the respective Branches of the Directorate with reference to the combined provision in the administratively approved rough estimate.
- (g) The expert advice of the Chief Engineer, Public Health Directorate may be sought for and obtained through the respective Superintending Engineer, where necessary.

196. The instructions for earthquake resistant construction herein described, should also be followed while preparing projects in the hilly districts of this State and in the districts of West Dinajpur and Malda, namely:—

(a) In the hills—

- (i) the building should be a framed one with frames of steel, reinforced concrete or good timber. The panels between the frames shall be of light type and of materials which can efficiently be tied with the main frame.
- (ii) For stone masonry buildings the foundation shall be reinforced concrete slab, carried over a bed of weak cement concrete. The walls shall be built in good lime or weak cement mortar instead of portions with mud and portions with lime (kutchu-pucca portions). Reinforced concrete continuous slabs, not less than 4 inches thick, should be provided over all walls to the full thickness of walls, at the level of plinth and over door and window openings. The roof and intermediate floors shall be of reinforced concrete over reinforced concrete beams or steel joists having a bearing to the full thickness of walls. Arches should be avoided.

(iii) For unimportant buildings such as out-houses the construction may be in reinforced concrete with corrugated iron sheet roof on steel or wooden frames. Where such specification are found to be expensive, the buildings may have salbullah posts with suitable wooden frames, planked floor, corrugated iron sheet or planked walls and corrugated iron sheet roof. Timber to be used should be sound and treated with suitable preservatives.

(b) In the districts of West Dinajpur and Malda—

- (i) for double storied buildings foundation pressure must not exceed 70 per cent. of the safe bearing pressure of the soil; foundation should be of reinforced concrete slab or raft; continuous reinforced concrete tie should be provided at the plinth level and at the level of the lintels to the full thickness of walls; and roof and intermediate floors should be of reinforced concrete slab having bearing to the full thickness of walls.
- (ii) for big size single storied buildings continuous reinforced concrete tie should be provided at the plinth level and at the level of the lintels to the full thickness of walls; and roof and intermediate floors should be of reinforced concrete slab having bearings to the full thickness of walls.
- (iii) for small single storied buildings and buildings with pitched roof and outhouses no extra precaution need be taken.

(b) Roads

197. (1) Road projects connected with National Highways would require the technical approval and financial sanction of the Government of India. Such projects should be prepared according to their instructions, to contain matters listed under the following main headings, namely:—

1. The report
2. Specification
3. Estimate
4. Analysis of rates
5. Drawings.

Each of these main headings should again be sub-divided into chapters with sections dealing with the various points detailed in Appendix 6 to this Code, information on which will be particularly useful to the Government of India in considering the project. The documents accompanying the project should further be bound into separate books in accordance with the instructions also laid down in the said Appendix 6. Plans and drawings should be prepared according to the prescribed standards and scales noted therein.

(2) In the case of simple estimates, e.g., improvements to an existing National Highway, where many of the items listed may not be applicable, the report should include sub-heads such as earth-work, widening, soling and metalling, surfacing, berms, improvement of geometric standards, bridges and culverts, specifications, rates, etc. and other suitable sub-heads out of the main list in the said Appendix 6.

(3) Revised financial sanction of the Government of India shall be taken if the amount sanctioned for the work by the Government of India is exceeded by more than 10 per cent or Rs. 25,000, whichever is less, in any one case.

(4) Upon technical sanction of detailed estimates by competent authority in each case, the name, number and date and amount of the sanctioned estimates shall be reported to the Government of India for communication to Audit.

198. Road projects to be financed from the Central Road Fund allocations of the State and from the Central Road Fund Reserve would require the approval of the Government of India. Such projects should be prepared for submission to the Government of India according to the procedure hereinafter provided:

- (i) In the case of roads to be financed from the State's Road Fund Allocations a brief memorandum giving a general description of the project and its position, and a copy of the standard road map of the State with the position of the project clearly marked thereon, should accompany the scheme when sent up to the Government of India for approval. Estimates of works proposed need not be sent to the Centre for approval in such cases. The estimate should, however, be carefully prepared on the basis of current rates and the proposal to the Government of India should be accompanied by a certificate from the State Government that there is no reasonable chance of the estimate for the work being exceeded during its execution.
- (ii) In the case of projects to be financed from the Central Road Fund Reserve, if the Government of India on consideration of a proposal submitted by the State Government according to procedure in clause (i) above, agree to meet the whole or a part of the estimated cost of the work from the reserve fund, the detailed estimates with plans, etc. for such work should be submitted to the Government of India for technical approval and financial sanction in each case.
- (iii) Revised approval of the Central Government should be applied for and obtained in the same manner as indicated in sub-clauses (i) and (ii) above when the amounts approved by them are exceeded in the case of roads financed from the State's Road Fund allocations by more than 10 per cent., or in the case of roads financed from Road Fund Reserve by more than Rs. 1,000 in any one case.
- (iv) Upon technical sanction of detailed estimates by competent authority in each case, the name, number and date and amount of the sanctioned estimate shall be reported to the Government of India for communication to Audit for accepting the debit of expenditure against the Central Road Fund.

199. In preparing road projects to be financed from other resources of the State the structure prescribed for preparation of National Highway project should be followed generally, but elaborate details of information on items contemplated in the structure with which the officers of the State are well conversant need not be given. The project for construction of new roads must, however, be accompanied by the following plans:—

- (i) Reports including a brief note on the proposed gradients.
- (ii) Abstract estimate of Cost.
- (iii) Index map.
- (iv) A detailed survey and longitudinal section.

(v) Sheets of transverse sections.

(vi) Drawings of all the masonry, concrete, steel or timber works in the order in which they occur in the line.

III. Special Rules for Repair Works

(a) *General (applicable to both building and road repairs).*

200. (1) 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 painting and white washing of a building, or a new coating of metal on a road, etc.; and

(ii) such other occasional and petty repairs as become necessary from time to time, which may have to be carried out between the times of periodical repairs, or at the time of periodical repairs if found convenient.

(2) Special repairs include repair works which are neither periodical, nor petty, nor frequent, such as re-roofing a building, renewal of flooring of a building, new painting of a road, etc.

201. Except in the case where a lump sum has been fixed by the Superintending Engineer for any repair work under rule 202, a separate detailed estimate should be prepared and sanctioned by competent authority for the maintenance of each work, or of each class of building in each division or subdivision, or of a portion of a work or group of works, so that by recording the total outlay in the principal accounts against each estimate year after year, useful comparison can be made on the maintenance of each particular set of buildings or works.

202. (1) In the case of any repair work, the Superintending Engineer may fix, subject to revision from time to time, a lump sum limited to Rs. 2,500 plus the amount of any municipal taxes payable by the Public Works Department, for the particular work, and within this amount expenditure will be permissible without any detailed estimate being prepared. Separate lump sums may be fixed for ordinary and quadrennial repairs. Such lump sum should be fixed after consideration of the cost of maintenance in the past. If, in any working year, it is anticipated or known that the lump sum will be exceeded, a detailed estimate must be prepared and sanctioned under the ordinary rules. If the excess occurs so late in the year as to render the preparation of an estimate purposeless, the excess may be explained in a Completion Report or statement, but the amount of the excess will be brought to the notice of the sanctioning authority at once, so that fund to cover the excess may be arranged for.

(2) The lump sums fixed as above shall be treated as sanction to estimates for the same amount for all purposes of this Code and all excesses over such lump sums brought to notice in a Completion Report or statement will be dealt with in the same way as excesses over repair estimate.

203. Repair estimates should provide for the removal of all rubbish which may have accumulated; for filling in unsightly pits etc., round the buildings, for all works establishment employed specially on the work, and, under separate sub-heads, for all watchmen sanctioned by competent authority for the care of vacant buildings, guarding works, etc. The annual repair estimates should also include provision for municipal or other taxes when payable by Government.

204. (1) The working year for all repair works will end on the 31st March each year. Sanction to an ordinary repair estimate lapses with the close of the working year, that is on the 31st March of each year. If, however, inconvenience arises in any exceptional case from the stoppage of the work on that date, the repairs may be carried on to completion, the expenditure after that date being treated as expenditure against a fresh repair estimate for the next working year.

(2) Estimates for special repairs shall remain current till the completion of repairs in the same manner as estimates for original works.

205. 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 for the regular estimate being sanctioned or submitted for sanction to the competent authority, as the case may be, at the earliest possible date.

206. 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.

(b) Special rules for buildings repairs

207. To facilitate the preparation of estimates and bills for periodical repairs, a standard measurement book should be prepared according to rules laid down in Appendix 7 and maintained in the office of each Executive Engineer showing the detailed measurements of each kind of repair which is usually subject to renewal in each work under his charge.

208. (1) The special repair estimate when prepared will be submitted to the officer occupying such building for countersignature in token of his approval. Other repair estimates (both annual and quadrennial) will be drawn up by officers of the Directorate in charge of the buildings according to availability of funds, and countersignature of civil officers on such estimates need not be obtained.

(2) In the case of buildings occupied by officers of the Civil Department, occasional repairs not provided for in the annual estimate will be executed on requisitions sanctioned under rule 180.

(c) Special rules for road repairs

209. Unless metal is to be obtained by purchase on contract, 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".

210. In the case of metalled roads the repair operations will include—

- (1) collection of metal;
- (2) spreading and consolidation of metal including making up the unmetalled portions of the road to the proper level;
- (3) ordinary maintenance, either by maintenance gang or other establishment;
- (4) repair of bridges;

(5) repair of buildings and other works pertaining to the road;

(6) repairs and renewals of crockeries, utensils and other accessories in Inspection Bungalows attached to roads.

211. In the maintenance of metalled roads it should be the endeavour to spread the periodical renewals of metal over a series of years according to the period for which the surface is found to last so that equal portions may as far as possible be renewed every year.

212. Specific approval of the Government of India to each detailed estimate of expenditure for maintenance and repairs on National Highways including special repairs, which can be met from the State's allotment for National Highways for the year, is not ordinarily required. But if additional allotments are required for Special Repairs necessitated by serious flood damages or by other conditions not provided against under 'special repairs' in the demand for ordinary maintenance expenditure on the basis of past experience, or if additional allotments are required for repairs to newly constructed roads or roads previously maintained at a lower standard than is now necessitated by traffic requirements, detailed estimates shall be submitted for specific approval of the Government of India in each case except in the case of minor repairs costing Rs. 10,000 or less where the demand need only be accompanied by a statement indicating the necessity of the works and the reason why it could not be foreseen.

E. CONTRACTS

I. General

213. (1) The recognised systems for carrying out work, otherwise than by the employment of daily labour, are "Piece work" and "Contract work". "Piece work" is that for which only a rate is agreed upon without reference to the total quantity of work to be done or the quantity of work to be done within a given period.

(2) The term "Contract", as used in this chapter, does not include agreements for the execution of work by piece-work. All other works done under agreement is termed "Contract work", and in agreements for such work, which should invariably be in writing, there should generally be a stipulation as to the quantity of work to be done, and the time within which it is to be completed.

(3) In case of petty works valued up to Rs. 2,000 each inclusive of cost of materials, the procedure is further simplified and works may be undertaken by officers of the Public Works Directorate on "Work order" system under which the contract may be executed in simple "Work order" agreement form prescribed by Government.

Note.—In case of a "Contract work" where there is a stipulation as to the time within which it is to be completed, the date of completion should be taken as the date on which the contractor finishes all the work covered by his contract.

214. (1) "Contracts" may be of three kinds, viz.:—

- (i) Lump sum contract;
- (ii) Schedule contract i.e. Item rate contract; and
- (iii) Contract which may be a combination of lump sum contract and item rate contract.

(2) In lump sum contract, the contractor engages to execute the work with all its contingencies for a fixed sum.

(3) Schedule contracts, that is item rate contracts, are those in which the contractor undertakes to execute the work at fixed rates, the sum he is to receive depending on the quantities and kind of work done or material supplied.

(4) The third kind of contract is a combination of lump sum contract and item rate contract. In such a contract a fixed sum is proposed for the completion of the work as specified and a schedule of rates is agreed upon by which to regulate the price to be paid or to be deducted for additions or alterations.

215. (1) Lists of approved contractors shall be maintained in the Public Works Directorate separately for three categories of works, namely, (a) general works, that is works other than sanitary and plumbing or electrical works, (b) sanitary and plumbing works, and (c) electrical works. List of approved contractors for each category shall be divided into three or four classes or as many classes as may be prescribed by Government from time to time. Enlistment of contractors in each class shall be made and the area of operation defined in each case as well as the financial and/or technical limit up to which each class may be entrusted with the execution of works fixed according to principles laid down in Appendix 8.

(2) Besides the aforesaid three categories of contractors, another list of approved contractors for lightning conductors shall also be maintained for execution of the said category of works. The list shall be drawn up by the Superintending Engineer, Electrical Circle, for approval of Government.

(3) Lists of approved contractors once published shall continue to operate till amended. Subsequent vacancies in the lists as may occur for any reason whatsoever shall be filled up by issue of supplementary lists drawn up under the same principles laid down in the said appendix 8. The enlisted contractors may be removed, blacklisted, banned or suspended in terms of the rules also laid down in the said Appendix 8.

216. (1) Original works up to Rs. 5,000 and repair works up to Rs. 2,000 may, at the discretion of the Executive Engineer or the Superintendent, Governor's Estates and for reasons to be recorded in writing be distributed to contractors in the approved lists of the appropriate category without calling for tenders, provided that in case of plumbing works the financial limits stated above for original works and repair works shall be reduced to Rs. 2,500 and Rs. 1,000 respectively, and in case of electrical works to Rs. 500 and Rs. 200 respectively. But tenders should always be invited whenever there is sufficient time for such procedure.

(2) In all other cases of a general work up to a limit of Rs. 1,00,000, of a sanitary and plumbing work up to a limit of Rs. 50,000, and of an electrical work up to a limit of Rs. 25,000, competitive tenders shall be called for and the tenders shall be confined to the enlisted contractors of the appropriate class and area for such works, and the lowest tender of the contractor of the appropriate class shall be accepted by the competent authority. Every case in which a tender higher than the lowest is recommended for acceptance shall come up to Government for orders.

(3) If upon calling for competitive tenders a single tender is received, that tender shall not be accepted ordinarily. Fresh tenders shall be called for again without delay. Where on the second call also, a single tender is

received, that tender may be accepted. Where on the second call no tender is received, or where by comparison with the tender(s) received at the second call, the single tender received at the first call is, in the opinion of the accepting authority, the most acceptable, the single tender received at the first call may be accepted provided consent of the contractor concerned has been obtained prior to such acceptance and issue of work orders to him. Under the circumstances stated, the acceptance of single tender shall not require a reference to Government provided that the total amount arrived at on the basis of tendered rates does not exceed the total estimated amount beyond 5 per cent.

217. (1) Open competitive tenders shall be called for from the public whenever the estimated cost of the work of each individual category (general, sanitary and plumbing or electrical) proposed for execution by the Directorate exceeds the financial limit stated in sub-rule 2 of rule 216 for that category of work. The enlisted contractors in classes I and II of the lists of contractors for works other than sanitary and plumbing works and the enlisted contractors in class I for sanitary and plumbing works shall also be eligible to submit tenders in such cases within their respective category. In case of works, not being an electrical work, the enlisted contractors of still lower classes may also form a combination of the appropriate number, such a combine will become a new firm and will be able to submit tender for such works.

(2) The lowest tender for such works shall be accepted as a rule by the competent authority. If for any reason, economical or otherwise, the lowest tender is not accepted, reference shall be made to Government for order as to which of the contractors the work should be given.

Note.—By the term "combination of the appropriate number" it is intended that the contractors in lower classes should form a combination among themselves in such a way that the aggregate value in terms of the financial limits of the contractors forming the combination should at least be equal to the value of the work tendered for.

218. (1) When a big work worth above Rs. 1 (one) lakh in value has to be divided into component parts each below Rs. 1 lakh in value for the sake of expedition in execution of the work and for other administrative reasons, the tender for each section should be treated as part of the tender for the whole work and should accordingly be made in the open market and accepted as such according to rules governing open tenders provided that in such cases individual contractors in Class III or in Class IV shall also be eligible to tender for the component parts of such works if the value of the same falls within their respective financial limits.

(2) Similarly, when contractors are invited to tender for the whole length of a road, the estimated cost of which exceeds Rs. 1 lakh, or for convenient sections of the entire length of that road, the character of the tenders should be evaluated with reference to the estimated cost for the whole length and the tenders should be regarded as open tenders and dealt with accordingly subject to the same proviso as provided in sub-rule (1).

(3) In splitting up any work into component parts the following conditions should be carefully observed—

(a) The primary consideration governing splitting up shall be expedition consistent with economy and efficiency.

(b) When splitting up is not justified on condition (a) above, such a course shall not be resorted to for the purpose of evading the financial powers of the officer distributing the work.

- (c) Care should be taken to see that splitting up does not technically damage the value of the work as a whole, and where such a possibility exists, the work shall not be split up into smaller segments.

219. Works falling within the financial limits of Class I contractors may, if considered expedient for the sake of their expeditious and proper execution, be likewise split up into component parts following the same principles as laid down in rule 218. In such cases, tenders for each component part shall be invited from the enlisted Class I contractors as also from those enlisted lower class contractors within whose financial limits the value of the individual component part may fall.

220. Once the tenders are opened, no tenderer should be allowed to offer fresh quotations unless each of the tenderers is given equal opportunity. In such a case to give equal opportunity to all the tenderers, where time permits fresh tenders may be invited so as to leave no room for any complaint or grievance whatsoever. If, however, there is no time for re-tendering, a bid on the spot among all the tenderers will be the best method to distribute the work without loss of time and on a really competitive basis; it will be within the competence of the competent Engineer Officer of the Directorate to accept the lowest bid in such cases without any further reference to Government, provided that the lowest bid remains within the estimated amount of the work or within an excess of 5 per cent. of the estimated amount.

221. All contracts when finally settled in connection with works undertaken by the Public Works Directorate shall be executed in one or other of the following forms, or such other forms as may be evolved by Government from time to time.

- (i) For petty works costing Rs. 2,000 or less each, when executed under the "Work Order" system—Bengal Form No. 2928.
- (ii) For those original works only, which can be executed on lump sum contracts—Bengal Form No. 2912.
- (iii) For other original works, which cannot be executed on lump sum contracts, and for repair works—Bengal Form No. 2911.
- (iv) For supply of materials—Bengal Form No. 2908.

222. (1) Contractors should be charged fees for contract forms at the following rates:—

- (a) For contract works of value up to Rs. 1,000 each for the number of copies of the printed forms used by each contractor in each case:
 - (i) Bengal Form No. 2908 at Re. 1 each.
 - (ii) Bengal Form No. 2912 at Rs. 2-8 each.
- (b) For contract works of value above Rs. 1,000 each for only two copies of the printed forms used by each contractor in each case:
 - (i) Bengal Form No. 2908 at Rs. 2 each.
 - (ii) Bengal Form No. 2912 at Rs. 5 each.
- (c) For contract works in Bengal Form No. 2911:
 - (i) In case of works valued up to Rs. 10,000—Re. 1 for each form.
 - (ii) In case of works valued above Rs. 10,000 and up to Rs. 50,000—Rs. 3 for each form.

- (iii) In case of works valued above Rs. 50,000—Rs. 5 for each form.
- (d) The Bengal Form No. 2928, which is used only in connection with petty works executed under the "Work Order" system is cost-free.
- (2) Contractors may, where necessary, be also charged fees for copies of drawings, specifications, schedules, etc. at rates to be specified in the tender notice.

II. Contract documents

223. Whenever a work other than a petty work to be executed under the "Work Order" system is proposed to be given out on contract, the Executive Engineer or the Superintendent, Governor's Estates, as the case may be, 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;
- (ii) a complete specification of the work to be done and of the materials to be used, unless reference can be made to some standard specification;
- (iii) a schedule of the quantities of the various descriptions of work and or a schedule of probable items with rates;
- (iv) a set of "conditions of contract" to be complied with as embodied in one or other of the prescribed forms in which the contract shall be finally executed.

224. (1) The contract documents shall be prepared keeping in view the following guiding principles:—

- (i) The terms of contract must be precise and definite and there must be no room for ambiguity or misconstruction therein.
- (ii) As far as possible legal and financial advice should be taken in the drafting of contract and before they are finally entered into.
- (iii) Standard forms of contract should be adopted wherever possible, the terms to be subject to adequate prior scrutiny.
- (iv) Provision must be made in the contract for safeguarding Government property entrusted to a contractor.
- (v) In long-term agreements and contracts enduring or likely to endure for a period of more than five years, provision must be made for an unconditional power of revocation or cancellation of such contracts by Government at any time on the expiry of six months' notice to that effect.
- (vi) In agreements for the execution of a work as a contract work which should invariably be in writing there should generally be a stipulation as to the quantity of work to be done and the time within which it is to be completed.
- (vii) In works of great magnitude the contract deeds should be specially prepared by the Government Law Officers.
- (viii) Security should in all cases be taken for the due fulfilment of a contract.

(ix) In framing contracts of any description care should be taken to retain in the hands of Government the supply of imported materials if required to any considerable extent and to arrange the terms accordingly.

(2) If the amount of the tender is likely to be beyond the Executive Engineer's power of acceptance, or to be of an unusual character he should, before inviting tenders, 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 tenders are to be submitted. The Superintendent, Governor's Estates, should, under such circumstances, submit the contract documents to the Chief Engineer direct for approval.

III. Tender

225. (1) Tender, which should always be sealed, should be invited in the most open and public manner, whether by advertisement in local newspapers, or by notice in English and vernacular posted in public places. In the case where open tender has got to be called for from the public under the rules, the tender must be invited by advertisement in important newspapers through the Publicity Department of Government. The tenderers shall have free access to the contract documents. The notice should in all cases state—

- (i) the place where and the time when the contract documents may be seen, and the blank forms of tender obtained; also the amount to be paid for such forms of tender;
- (ii) the place where, the date on which and the time when tenders are to be submitted and are to be opened (in the case of large contracts this should be at least one month after the date of first advertisement or notice);
- (iii) the amount of earnest money to accompany the tender and the amount and nature of the security deposit required in the case of the accepted tender;
- (iv) with whom or what authority the acceptance of the tender will rest.

(2) 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 or notice.

226. Notices for "open general tender" shall not, as a general rule, include any clause requiring the intending tenderers to produce to the satisfaction of the Superintending Engineer concerned credentials regarding their past experiences, financial stability and special aptitude for the type of constructions for which tenders are called for. Particularly such credentials should not be demanded from the enlisted Class I and Class II contractors in issuing tender forms to them. In special cases when such restrictions are considered necessary even in respect of enlisted Class I and Class II contractors, prior sanction of Government shall be taken in each case.

227. All advertisements or notices of tender should be drawn up in the prescribed form (Bengal Form No. 2914), and all tenders should be submitted by the contractors in one or other of the prescribed forms (Bengal Forms No. 2908, No. 2911 and No. 2912), as the case may be, except that in respect of petty work to be executed under the "Work Order" system tenders may

be submitted in plain papers, and the contractor whose tender for petty work is approved for acceptance, will only be required to execute agreement in the "Work Order" form, that is in Bengal Form No. 2928.

228. At the advertised time and place, all tenders for the same work received in time shall be opened by the Superintending Engineer, the Executive Engineer or the Superintendent, Governor's Estates, as the case may be, if present at the advertised time and place, or, in his absence, by such other officer as may be empowered by him, in person, in the presence of such intending contractors or their agents as may choose to attend.

229. As a rule, no tender for the execution of works of any description should be received except in cases referred to in rule 230 unless accompanied by the deposit of earnest money to the extent which has been notified by the Executive Engineer or other officer in the tender notice.

230. (1) Enlisted contractors may deposit immediately a fixed permanent security, as detailed below, against which he will be eligible to submit tenders in all cases, other than open tender cases, for any number of works within his class without having to deposit the earnest money as before along with each individual tender:—

Class.	Financial limit of each contract.	Amount of fixed security.
1	2	3
(a) General works contractors		Rs.
I. For contracts each above Rs. 50,000 and up to Rs. 1 lakh	..	5,000
II. For contracts each above Rs. 25,000 and up to Rs. 50,000	..	2,500
III. For contracts each above Rs. 10,000 and up to Rs. 25,000	..	1,250
IV. For contracts each up to Rs. 10,000		500
(b) Plumbing works contractors		
I. For contracts each above Rs. 20,000 and up to Rs. 50,000	..	2,500
II. For contracts each above Rs. 5,000 and up to 20,000		1,000
III. For contracts each up to Rs. 5,000		250
(c) Electrical works contractors		
I. For contracts each above Rs. 10,000 and up to Rs. 25,000	..	1,250
II. For contracts each above Rs. 1,000 and up to Rs. 10,000	..	500
III. For contracts each up to Rs. 1,000		50

(2) In cases of open tenders for works valued above Rs. 1 lakh or for sections thereof, where enlisted (a) Class I contractors, or (b) Class II contractors, or (c) Class III and Class IV contractors forming a combination of the appropriate number, or (d) outside contractors are eligible to participate, such contractors, if they so like, may each deposit with this Department a fixed permanent security amounting to Rs. 50,000. This will entitle such depositors to submit open tenders under this Department without having to deposit earnest money along with each individual tender as before.

(3) In cases of tenders for works up to the limit of Rs. 1 lakh for which enlisted contractors alone are eligible, earnest money at 5 per cent. of the estimated value of the work tendered for shall have to be deposited by those tenderers who have not deposited the fixed securities as detailed in sub-rule (1).

(4) In cases of the works in the open tenders costing more than Rs. 1 lakh, or any component part thereof, an earnest money amounting to 2 per cent. of the estimated value of the work for which tender has been called for, shall have to be deposited by those tenderers who have not deposited the fixed permanent security under sub-rule (2).

(5) The successful tenderer in the open tenders, who has deposited an earnest money at 2 per cent. as in sub-rule (4), shall, within 7 days of the receipt of an intimation sent to him by registered post, to the effect that his tender has been accepted, deposit an additional sum which together with the 2 per cent. of the earnest money, will amount to 5 per cent. of the cost as per tendered rates of the works for which the tender has been accepted. Failing to deposit this additional sum within the period specified above, the earnest money shall forthwith stand forfeited to Government and the letter of acceptance of the tender will be considered as automatically cancelled.

231. All officers of the Directorate calling for tenders and receiving earnest money against tenders received should see that the earnest money of the unsuccessful tenderers is refunded as early as possible. The earnest money of all the tenderers other than the three lowest tenderers in such case should be refunded immediately after the comparative statement has been prepared and checked.

232. Further security should be taken for the due fulfilment of a contract in accordance with the following rules in all cases other than in cases where petty works are distributed on "Work Order" form—

(i) In respect of the successful tenderers amongst the contractors who have deposited fixed permanent securities as detailed in sub-rules (1) and (2) of rule 230, a subsequent security amounting to a total of 10 per cent. of the value of work actually done shall have to be deposited by deduction from the progressive bills at 10 per cent. of each such bill.

(ii) In respect of the successful tenderers who have deposited earnest money at 5 per cent. of the estimated value of the work as in sub-rule (3) of rule 230, and at 5 per cent. of the tendered value of the work as in sub-rule (5) of the said rule 230, the earnest money, on acceptance of the tenders, shall be converted as a part of the security money and an additional security shall be deducted from the progressive bills at 5 per cent. of each such bill so that the total deduction together with the 5 per cent. security already taken constitutes 10 per cent. of the total value of the work as actually done.

233. Government securities, National Savings Certificates and Postal Cash Certificates duly hypothecated to the Joint Secretary to the Government of West Bengal, Department of Public Works, may also be accepted at their market values as earnest money and/or as fixed security deposits payable under rule 230.

234. In framing contracts of any description care should be taken to retain in the hands of Government the supply of imported materials, when considered desirable in the interest of public works, and to arrange the terms accordingly. Such stores should either be supplied from the existing

Government stock or be obtained in the ordinary course by purchase in accordance with stores purchase rules in Appendix 10 of the West Bengal Financial Rules, Volume II.

235. Engineers and their subordinates shall be responsible for the terms of contracts being strictly enforced, and for seeing that no act is done tending to nullify or vitiate a contract. All agreements or security bonds entered into with the Public Works Directorate by contractors for the execution of work or for securing the due performance of contracts shall be exempt from stamp duty.

IV. Officers empowered to execute contracts

236. No authority lower than the officer-in-charge of a subdivision shall accept any tender or make a contract for public works. The officers legally empowered to execute on behalf of the Governor of West Bengal the different classes of contracts and assurances are detailed in Appendix 9.

237. It is permissible to give out to different contractors a number of contracts relating to one work subject to conditions imposed in connection with the splitting up of works into component parts in sub-rule (3) of rule 218 even though such works may be estimated to cost more than the amount up to which officers are empowered to accept tenders. But no individual contractor may receive a contract amounting to more than this sum nor, if he has received one contract, may he receive a second in connection with the same work or estimate while the first is still in force, if the sum of the contracts exceeds the power of acceptance of the authority concerned.

238. An Engineer Officer of the Directorate shall not accept, even though it is within his power of acceptance, a supplementary tender for items of work forming a part of but not originally included in a tender approved by any higher authority. The approval of the authority, who accepted the original tender, should invariably be obtained.

239. Subject to the following limitations an Engineer Officer of the Directorate may, in respect of the tender originally accepted by him, authorise execution of supplementary items of work through the working contractor provided that in no case of distribution of supplementary items of work, the extra expenditure, where involved, shall be allowed to exceed the sanctioned estimate beyond 5 per cent. :—

(a) In cases involving quantitative increase in items already tendered for, the supplementary work may be distributed to the working contractor by the Executive Engineer under the same tender, up to the limit of 10 per cent. of the tendered value of the items concerned. Distribution of quantitatively increased work beyond this limit of 10 per cent. shall be referred to the Superintending Engineer-in-charge in writing for decision. The Superintending Engineer may, in his discretion, sanction distribution of such additional work to the working contractor up to the desired extent—subject to the overall financial restriction of five per cent. hereinbefore mentioned.

(b) Supplementary tender will, however, be necessary in case of additional items of works not covered by the original tender. Such items of work may nevertheless be executed through the working contractor after obtaining from him a supplementary tender, up to 10 per cent. of the value of the tender originally accepted.

(c) The works arising out of substitution of the tendered items by alternative items will also require obtaining a supplementary tender. When such items of work can be executed out of the savings in the original tender due to the elimination of the corresponding items from the original tender, those may always be executed through the working contractor on obtaining a supplementary tender from him.

(d) In cases, where the substituted items cannot be executed out of the savings in the original tender, the value of the substituted items distributed to the working contractor on a supplementary tender should not exceed 10 per cent. of the value of the items substituted. Substitution or alternation of any tendered items must, however, have the prior approval of the authority who sanctioned the estimate.

Note.—In cases where the majority of the items of any original tender are substituted due to change of specifications of the work Government Orders should be taken as to whether the new items should be executed through the original contractor on a supplementary tender or fresh tenders should be invited for selection of another contractor.

F. ACQUISITION, SALE AND LEASE OF LAND

I. Acquisition of land

240. All land other than the land belonging to other departments of this Government or to other State Governments or the Government of India, when required by the Public Works Department for public works, should be acquired through the Land and Land Revenue Department under the Land Acquisition Act, 1894, or such other Act as may be for the time being in force in the State. Acquisition of land by private negotiations should be discouraged.

241. When acquisition becomes necessary, the Executive Engineer-in-charge of the work should contact the Collector of the district concerned and obtain from him the fullest possible information as to the probable cost of the land, per acre or otherwise, as well as the cost of buildings, trees etc., if any, situated on the land for which compensation will have to be paid. An estimate of cost of acquisition should be drawn up on that basis and incorporated in the main work estimate when the latter is submitted for administrative sanction.

242. Upon sanction of the work estimate the Executive Engineer-in-charge of the work will apply to the Collector for the draft notification in Form 3 under section 4 of the Land Acquisition Act, 1894, along with a preliminary inspection report specially mentioning what can be acquired without causing any serious loss or injury to the people ordinarily residing or carrying on trade, business or avocations in the area, and for an estimate of cost in cases where acquisition is proposed to be made under the Land Acquisition Act, 1894. Such application shall be accompanied by:

- (i) requisite map or plan of the land prepared on survey and settlement maps, or on maps on equivalent scale if the land to be acquired is of sufficient area to be made out on such maps, if not, on maps of other suitable scales; and
- (ii) a memorandum specifying the nature of the land as well as giving other details as to the number and character of buildings, trees, etc. standing on it.

243. When urgency and importance of a work demand that the land should be acquired speedily under the West Bengal Land (Requisition and Acquisition) Act, 1948, or such other Act as may then be in force, the Executive Engineer shall submit his application for acquisition through the Superintending Engineer, who will forward it to the Collector with recommendation as to whether the said Act should be taken recourse to in obtaining early possession of the land. He will simultaneously inform the requiring department accordingly, so that the requiring department may obtain the approval of the Land and Land Revenue Department for the application of the said Act for acquiring lands for the said particular project.

244. (1) On receipt of a land acquisition proposal, the map and other details from the Engineer-in-charge, the Collector shall at once proceed with its acquisition under the appropriate Act subject to any rules and executive instructions laid down by the Land and Land Revenue Department governing such acquisition.

(2) The draft notification in Form 3 under section 4 of the Land Acquisition Act, 1894, embodying the acquisition proposal, when ready, shall be submitted by the Collector through the Commissioner of the Division to Government in the Public Works Department accompanied by plans in triplicate—two copies of such plans and the draft notification etc. will be transmitted to the Land and Land Revenue Department for publication in the Gazette and one copy retained in the Department for record and future reference. While forwarding the estimate of cost of acquisition of the land and the draft declaration under section 6 of the Land Acquisition Act, 1894, to Government through proper channel the Collector should also furnish the requiring Executive Engineer with a copy of the land acquisition estimate, so that he may decide if due to any increase in the cost of land acquisition as originally estimated, revised administrative sanction to the project would be necessary. The Executive Engineer may, if necessary, request the Collector in specific cases to send to him his estimates of cost of acquisition at the time the Collector submits the draft notification under section 4 of the said Act.

(3) The Department may sanction the land acquisition estimate, if found in order, in consultation with the Land and Land Revenue Department. When required the arithmetical calculation of the estimate will be checked by the Chief Engineer's Drawing Office before it is referred to the Land and Land Revenue Department for concurrence.

(4) The cost of acquisition of the land shall be charged to the respective main work estimate for which the land is acquired. Upon sanction of each land acquisition estimate the Collector should promptly furnish the Superintending Engineer concerned with his estimates of demands for funds and will also apply to him for specific allotment when funds are actually required for making payment of awards for compensation of the land acquired. The Superintending Engineer shall be responsible to include the Collectors' demands for funds for payment of acquisition costs in his revised estimates of demands for the current year and the budget estimates of demands for the following year in respect of works under his charge, and to make necessary provision in the budget under the appropriate heads on that account.

(5) Copies of notifications, declarations and orders of Government sanctioning the land acquisition estimates will be forwarded in each case by the department simultaneously to the Chief Engineer, the Superintending Engineer and the Executive Engineer concerned; and each subordinate officer shall be responsible to report direct to the department keeping the

intermediate officers informed at all stages of any discrepancies, which may come to his notice in this connection, and also any instances, when he finds that the actual cost of acquisition as per Collector's land acquisition estimate sanctioned by Government is likely to exceed the amount provided for the purpose in the main work estimate to such an extent as would require revised administrative approval to the main work.

245. The arrangements between the officers of the department and the Revenue Officers to determine what land to take up should, where practicable, be made without divulging the intentions of the Government so as to admit of a private bargain being, if possible, made before any enhancement of prices has occurred.

246. After the preliminary arrangements described in the preceding rules 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.

247. When any land or building is transferred from one department to another under the same Government, the transfer shall be free of all charges, except when the property is transferred to or from a commercial department in which case the full market value of it will be charged.

Note.—The Irrigation and Waterways Department shall not be treated as a commercial department for the above purpose when the land appertains to or is required for a work or a project for which no capital and revenue account are kept.

248. (1) All proposals for the occupation of land within Cantonment limits, forming part of an encamping ground or otherwise held for military purposes, should be submitted in the case of land within Cantonment limits to the Cantonment Authority and, in other cases, to the General Officer Commanding District or Independent Brigade. These officers will take the necessary steps to obtain the sanction of the Government of India, Ministry of Defence, to the proposals.

(2) 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 the Public Works Department.

(3) No such land should be taken up or occupied for any purpose whatever, either by contractors or any other persons (official or non-official) acting under orders of the Public Works Department of this Government, until the sanction of the Government of India, Ministry of Defence, has been received.

II. Sale or lease of Government land and immovable property

249. (1) All lands belonging to Government should ordinarily be sold through the Land and Land Revenue Department.

(2) 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 is 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 to 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.

(3) As a matter of policy, except where land is needed for Government purposes, no Government land will be sold or leased at anything less than the full market value. No proposal contrary to this policy should be submitted. If a local body or other public body or association deserves Government assistance it must be afforded by a grant-in-aid capable of being exhibited in the budget of the department concerned and not in the form of gift, sale or lease of land, either free or at a concessional rate, which amounts to a concealed subsidy at the expense of public revenues.

250. (1) All lands belonging to the Public Works Department shall be managed in one or the other of the following ways, that is, the department may—

- (i) manage the land themselves subject to the proviso that they should not retain any more than the minimum of land necessary in their charge;
- (ii) make over the surplus land to the Collector for management without relinquishing them; and
- (iii) relinquish the surplus land outright to the Land and Land Revenue Department.

(2) The Collector should consult the Executive Engineer about any settlement proposed in respect of lands described in clause (ii) of sub-rule (1), and when settlement of any such land for non-agricultural purpose is considered, sanction of Government in the Public Works Department should always be obtained.

251. (1) A register of all lands in charge of the department should be maintained regularly in all divisions and subdivisions in the prescribed form No. 1 (vide Appendix 10). Regular reviews of these registers at periodical intervals not less than once a year should be made by the officers responsible for their maintenance to ascertain if the holdings of the department within their respective jurisdiction are at their minimum, and to initiate proposals for making over any excess, when found, outright to the Land and Land Revenue Department for disposal or to the Collector for management, as the case may require.

(2) The land still left in charge of the department and not governed by the Bengal non-Agricultural Tenancy Act may also, under special circumstances, be given out on temporary short-term lease, ordinarily for one year but never exceeding five years at a time, with the sanction of the competent authority in each case and subject to the following restrictions:—

- (a) Land should be carefully and correctly measured and checked with the settlement records and plans and demarcated with boundary pillars when they are leased out and also when the leases are renewed. When a lease is executed for more than two years, the land should be measured once in every two years with a view to securing that there is no unauthorised occupation.
- (b) Other conditions remaining the same land available for agricultural purposes may preferably be settled with cultivating tenants on self-supporting holdings of suitable size, which may be taken as 5 acres each.
- (c) At the time of the first settlement salami may be charged, which should ordinarily be 4 to 10 times the annual rent proposed: and the rent should be at the rates prevailing in the neighbourhood for land of the same fertility, provided that these be not unreasonably high or low and not less than 4 per cent. of the market

value of the land in any case. No salami should be charged at renewal of settlement but rent should be revised in accordance with changed conditions prevailing at the time of renewal.

- (d) The Collector of the district concerned should always be consulted to ascertain the fair rate of salami and/or of rent to be charged before granting or renewing any lease except in cases of annual lease granted by public auction.
- (e) Short-term leases shall not be transferable, and sub-letting or mutation shall also not be allowed except under special circumstances with the approval of the original sanctioning authority.
- (f) Whenever possible land should be settled by public auction.
- (g) Agreements should be executed in either of the prescribed standard forms, that is form of lease for land for agricultural purposes, and form of lease for land for non-agricultural purposes (vide Appendix 10) and should invariably be registered as required under the Indian Registration Act, 1908.
- (h) Cases regarding annual and other leases must invariably be put up once a year on fixed dates to the respective officer for taking steps for their renewal or check. Suitable register should be maintained for the purpose and examined by the Executive Engineers so that there may be no omission.

252. (1) The local bodies or the public or private bodies and individuals may be permitted to execute works, enumerated below, on land in charge of the department with the sanction of competent authority, and upon execution of a proper license to the effect, and on payment of such license fees as may be fixed in each case:—

- (a) construction of building or any other structure on Government land attached to existing buildings borne on the books of the Public Works Department;
- (b) construction of culvert and/or approach roads on road side land and drain;
- (c) laying of pipes and cables;
- (d) erection of poles for electric cables or wires (which include telegraph, telephone and power cables or wires);
- (e) erection of water troughs and hydrants;
- (f) erection of sign posts;
- (g) tube-wells with drains and masonry platforms;
- (h) the linking up of the surface drainage of private premises with the roadside drains belonging to the Department;
- (i) erection of fire alarm pillars by the Telephone authorities;
- (j) construction of Repeater Stations by the Indian Posts and Telegraphs Department;
- (k) Conversion of kutchra road side drains into pucca ones;
- (l) laying of haulage lines;
- (m) temporary stacking of materials; and
- (n) holding of melas or fairs on religious and cultural grounds.

(2) The license should in each case be executed in the prescribed form (vide Appendix 10) where there is any, or otherwise in a suitable form containing terms and conditions on the discretion of the Superintending Engineer, as the circumstances may require in each case, to safeguard the interest of Government in the property and also to safeguard its future development when required.

Note.—No fees should however be charged by this Department from the Electric Supply Companies for the erection of poles or pillars on any land of this Department, which are dedicated to public use and are within the area covered by their licenses under the Indian Electricity Act, 1910; and no fees need also be charged from any one for laying pipe lines along, under and across Government roads.

253. A Government servant who is in any way connected in his official capacity with the disposal of any land or immoveable property belonging to Government shall neither himself acquire nor take lease of such land or property, nor shall permit any member of his family to do so.

Note.—The word "family" shall for the purpose of this rule include any relative residing with a Government servant and any relative who is dependant on him though not residing with him.

G. EXECUTION OF WORKS

I. Commencement of work

254. (1) No original work shall be commenced unless the conditions laid down in rule 175 are fulfilled and orders for its commencement issued by competent authority. Permission, granted by Government in orders on a budget estimate, for the retention of an entry of proposed expenditure during the year on a work conveys no authority for the commencement of outlay.

(2) Commencement of repair work shall likewise be subject to same conditions as stated above and as laid down in rule 205.

255. Verbal orders for the commencement of work are to be deprecated as being liable to misapprehension or dispute, but in cases where such orders are given they should ordinarily be confirmed in writing as soon as possible thereafter.

256. Before any work is begun, the Executive Engineer must see that the assistant or subordinate in charge has, for his guidance, fully detailed instructions and proper working drawings, and that he understands them.

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

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

II. Scope of sanction

259 (1) 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 for a definite project should not, without the authority of the officer competent to accord administrative approval to the project, be applied to carry out additional work not contemplated in the original project, or not fairly

contingent on its actual execution. The provisions for contingencies in a work estimate may, however, be diverted to new work or repair not contemplated in the original project in accordance with rules laid down in rule 188.

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

(3) A substantial section of a project shall be considered to have been abandoned, if the estimated cost of the works in such section is not less than 5 per cent. of the total sanctioned cost of the project.

III. Lapse of sanction

260. (1) Administrative approval or technical sanction to an estimate for a civil work other than annual repairs will, unless such work has been commenced, cease to operate after a period of five years from the date on which it was accorded.

(2) Sanction to an ordinary repair estimate shall lapse on the last day of the working year which for building repairs has been fixed so as to synchronise with the financial year from April to March, and for road repairs from 1st June to 31st May.

Note.—Papers containing estimates or technical data should not, however, be destroyed without orders of the competent authority.

IV. Alterations in design during construction

261. (1) No material alteration in sanctioned, still less in standard, designs may be made by an Executive Engineer in carrying out any work, without the approval of the original sanctioning authority. Should any alteration of importance involving additional expense be considered necessary, a revised or supplementary estimate should be submitted for sanction. In urgent cases, where the delay thus caused would be inconvenient, an immediate report of the circumstances must be made to the superior authority and dealt with as the case may require.

Note.—Revised administrative approval shall be necessary in cases indicated in rule 170.

(2) In the case of works the estimates for which have been sanctioned by a competent authority, no additions or alterations likely to cause an excess, which will not fall within the powers of sanction of that authority, should be permitted without the approval of a higher authority.

V. Miscellaneous rules for the execution of work

262. 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 and bridges 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. Brick and lime-kilns should not be erected so close to the inhabited part of any town or cantonment as to be a nuisance.

263. No religious edifice should be destroyed or injured or occupied for any purpose in the execution of works without the full and free consent of the persons interested in it and without the sanction of the principal civil or political authority on the spot, except on the orders of Government.

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

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

266. Serious accidents should be reported to the Superintending Engineer and also at the discretion of the Executive Engineer to the Chief Engineer direct for information of Government. 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 enquiry has been held.

Note.—In the event of personal injury caused to the work people employed by the department and included in the definition of the term "Workmen" as given in the Workmen's Compensation Act, 1923, by accident arising out of or in the course of their employment, relevant provisions of that Act should be strictly complied with. The notice of fatal accidents should invariably be given to the proper authorities within the prescribed period as required by that Act.

267. The employment of female labourers on works in the neighbourhood of soldiers' barracks should be avoided as far as possible.

VI. Advance to contractors

268. 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 actually done. Exceptions are, however, permitted in the following cases:—

- (a) Cases in which a contractor, whose contract is for finished work, requires an advance on the security of materials brought to site, Executive Engineers may sanction advances up to an amount not exceeding 75 per cent. of the value (as assessed by themselves) of such materials, provided that they are of an imperishable nature and that a formal agreement is drawn up with the contractor under which Government secures a lien on the materials and is safe-guarded against losses due to the contractor postponing the execution of the work or to the shortage or misuse of the materials, and against the expense entailed for their proper watch and safe custody. Payment of such advances should be made only on the certificate of an officer, not below the rank of Sub-divisional Officer, that the quantities of materials upon which the advances are made have actually been brought to site, that the contractor has not previously received any advance on that security and that the materials are all required by the contractor for use on items of work for which rates for finished work have been agreed upon. The officer granting such a certificate will be held personally responsible for any over-payment which may occur in consequence.

Recoveries of advances so made should not be postponed until the whole of the work entrusted to the contractor is completed. They should be made from his bills for work done as the materials are used, the necessary deductions being made whenever the items of work in which they are used are billed for.

- (b) Cases in which, in the interest of works, it is absolutely necessary to make petty advance, advances up to Rs. 50 may be allowed by subordinates.
- (c) When an on account or final bill has been received, and there is likely to be delay in passing it for special reasons which should be recorded, an Executive Engineer may, at his own discretion, make a part payment against the amount billed for, to such extent as he deems advisable in Hand Receipt Form (F.R. Form No. 21). In such cases, the number and date of the Hand Receipt Voucher, and the amount paid will be noted prominently, at the time of payment, on the original bill against which the part payment is made.

The Hand Receipt Voucher (and its counterfoil) should bear reference to the number, date and amount of the bill against which the payment is made, to the number, date and amount of the voucher, if any, on which previous on-account payment was made and also to the page number of the measurement book. The payment should be treated in accounts as advances.

The following certificate should also be recorded on the Hand Receipt Voucher over the signature of the Executive Engineer:—

Certified that the payment now made against the contractor's bill is to the best of my belief less than the net amount billed for, after allowing for deductions on account of security deposit and value of materials issued, if any, and that the payment made will be adjusted against the bill which is being checked.

Note.—Application of this rule should be restricted specifically to bills involving large amounts and check of voluminous arithmetical calculations and to cases where for unavoidable reasons and but for application of this rule payment to a contractor would be long delayed.

- (d) In all other cases only with the sanction of Government, which may, in exceptional circumstances, authorise such advances as may be deemed indispensable, taking the necessary precautions for securing Government against loss and for preventing the system from becoming general or continuing longer than is absolutely essential.

VII. Sanitary rules on extensive works

269. When large construction works are to be carried out either departmentally or by contract, specially where workers are to be employed for any length of time in the same area, the rules and instructions for housing, sanitation, etc. laid down in Appendix 11 should be observed. Any reasonable outlay for medical and sanitary arrangements according to these prescribed rules may be authorised as forming part of the contingent outlay on the work under execution.

VIII. Information to be given to the Survey Department

270. (1) To enable the Survey Department to keep the map of India up-to-date in regard to main lines of road, an index or record map on a scale not less than one inch to one mile, provided it is from original surveys and not a mere eye sketch made on tracings from the Survey of India maps, should be sent to the Survey of India office, Calcutta, whenever any such public works has been constructed or section thereof has been opened. The topography adjoining the alignment such as village

sites, tri-junction boundary pillars, other permanent objects and the crossing of roads and streams, should also be accurately shown, and it should be stated on the maps supplied if the information is derived from actual survey or otherwise.

(2) The Survey of India Office will take steps to have the materials utilised by its own draftsmen and they should be requested to treat index or record maps with every care and to return them as early as possible to the offices from which they have been received, so that the labour of making tracings need not be resorted to.

H. EXECUTION OF WORKS BY CIVIL OFFICERS

271. (1) Government have accepted the principle that certain civil departments should be entrusted with the construction and maintenance of public buildings for their departmental use out of the provision made for the purpose in their departmental budget. The following officers have thus been authorised to undertake construction of works departmentally up to the limit noted against each subject to any rules and procedure laid down for such construction:—

- (i) Inspector-General of Police—up to a limit of Rs. 15,000 in case of investigating centres (that is police-stations and outposts together with attached buildings), and of Rs. 10,000 in all other cases.
- (ii) Conservator of Forests—up to a limit of Rs. 10,000 in all cases.
- (iii) Other Heads of Departments—up to a limit of Rs. 5,000 in all cases.

(2) When the estimated costs of works exceed the limits specified above, their execution should ordinarily be entrusted to the agency of the Public Works Department.

(3) A building constructed by the officers of Civil Departments from their departmental budget should not be taken over for maintenance by the Public Works Department without the sanction of Government, and such sanction should not be recommended unless the building is of substantial and satisfactory condition, such as would in similar circumstances be built by the Public Works Department.

272. (1) No expenditure on construction and repairs of residential buildings borne on the books of the Public Works Department shall be incurred by Civil Officers.

(2) So far as non-residential buildings borne on the books of the Public Works Department are concerned, civil officers in occupation of them may at their option execute from their departmental grant all classes of petty works of construction and repairs costing not more than Rs. 2,500 in each case in respect of such buildings, excluding all works and repairs in connection with sanitary, water-supply and electric installation and the provision of fire appliances, which should invariably be executed through the agency of the Public Works Department. Work undertaken departmentally by Civil Officers must be done to the satisfaction of the Executive Engineer concerned. He should be given facilities to examine materials and inspect work in progress. Officers of the Public Works Department,

however, should not be asked to prepare plans and estimates but the Executive Engineer should be allowed to inspect the plans and estimates prepared by the agency employed by the Civil Officers. On completion of a work carried out departmentally the Civil Officer concerned must send to the Executive Engineer the detailed completion plans after endorsing thereon the actual cost of the work.

(3) Prior sanction of Government in the Public Works Department will not be necessary for the execution of petty works and repairs in the existing buildings of the Public Works Department by Civil authorities concerned provided the plans and estimates in respect of such works are first allowed to be examined by the Executive Engineer, and the works are carried out to his satisfaction, but sanction of Government should invariably be taken when fresh detached structures are erected on land attached to such buildings.

I. DEPOSIT WORKS

273. The Public Works Department may occasionally, with the sanction of competent authority, undertake to execute, subject to rules hereinafter detailed in rules 274-278, contribution works for which the outlay is provided wholly or in part from—

- (a) funds of a public nature, but not included in the financial estimates and accounts of government;
- (b) contributions from the public or private bodies or individuals.

274. Where a work is to be carried out partly from funds provided in the estimates of the department and partly from funds of the foregoing nature, the contribution will be considered as a lump sum in addition to the Government grant, and the work will be executed in strict accordance with the procedure laid down for Government works.

275. The contribution should be realised in full before any liability is incurred on account of the work. In cases where Government are satisfied that the money will be forthcoming when required, they may authorise the recovery from the contributor by suitable instalments on fixed dates. In case of default in the realisation of the said instalments on due dates, Government will be at liberty to stop work till such instalments are realised. No interest will be allowed on sums deposited as private contributions for works.

276. In cases where the department undertakes to design and construct a work wholly from the sources alluded to in rule 273, such as a town hall or reservoir for a municipality, or a school or hospital for which funds have been raised by subscription, the following rules will be observed:—

- (i) The design and estimate will, in the first instance, be drawn up in communication with the party or parties depositing or administering the funds, and submitted for the technical sanction of such departmental authority as the extent of the estimate would require in the case of an ordinary Government work. The design and estimate should be prepared in conformity with the standard specifications and schedules of the Public Works Department.

- (ii) Provision must be made to cover the cost of departmental charges at such percentages as prescribed in rule 189. 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 work is less than Rs. 1,000, these charges may be reduced or remitted with the previous sanction of Government.
- (iii) Prior to the work being put in hand, written approval to the estimate and design must be obtained from the authority depositing or administering the funds and an acknowledgment procured to the effect that in undertaking the work the department does not bind itself to complete the work within the amount of the estimate, and that the authority depositing or administering the funds agrees to finance any excess that may occur. Any material alteration in design must be similarly dealt with.
- (iv) The necessary funds for the prosecution of the work must be realised and paid into the Government treasury either in a lump sum or in such instalments and by such dates as Government may decide in each case. No advance of Government money for such purpose will be permitted, and in a case where the money is paid by instalments, Government will not be responsible for any increase in cost, or damage to the incompleting work, caused by a temporary stoppage of the work pending receipt of further instalments.
- (v) It will be the duty of the officer in charge of the work to bring at once to the notice of his superiors and of the local body or individuals any anticipated excess over the estimate, as well as to provide the fullest information in connection with the progress of expenditure, so that no responsibility may attach to Government in the event of the work having to be stopped for want of funds.
- (vi) In undertaking such works, it should be arranged that the extent to which Government is responsible in regard to the execution of the work is thoroughly understood both by the parties for whom the work is to be constructed and by the executive officers to whom its construction is to be entrusted.
- (vii) Where the work is of magnitude, or there are any special circumstances which seem to render such a course desirable, an agreement should be drawn up under legal advice.

277. (1) In the case of contribution works which eventually become the property of Government, the contribution money should, for accounting purposes only, be divided into two parts, one representing a share of works expenditure against which the actual works expenditure is adjusted and the other, the usual percentage charges on that share against which the percentages leviable on the expenditure actually incurred are debited by credit to the heads concerned. Government will have to bear a share of the expenditure on the work equal to the amount to the percentage charges, and in return for this get a credit equivalent to the percentage charges.

(2) The contributing party should not be required to make any further contribution in such cases to cover the cost of establishment and tools and plant charges. Should there be any excess of the contribution money over the actual expenditure incurred, it should be refunded to the donor. To

explain the matter further the following examples are cited below for guidance taking 15 per cent. as the cost leviable on account of establishment and tools and plant charges:—

Donor's contribution.	Actual works expenditure.	Allocation of expenditure.		Allotment for Government's share of works expenditure.	Amount refundable to the donor, if any.
		Donor's share of works expenditure.	Establishment tools and plant charges.		
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1) 200	200	174	26	26	..
(2) 200	175	152	23	23	25
(3) 200	250	174	26	76	..

Note 1.—In example (3) the donor pays Rs. 200 and Government pay Rs. 50 plus the percentage charges, viz., Rs. 26, arrived at after dividing the contribution into two parts, as laid down in Article 34(a), Note 2 of Account Code, Vol. I. Works of this nature carried out from private contributions should not be treated as non-Government works.

Note 2.—No. work falling under this category should be commenced without allotment of funds for the Government share of expenditure.

Note 3.—The Government share of expenditure including departmental charges in respect of a work which is financed wholly or partly by a local body and which eventually becomes the property of Government should be classified under the minor head pertaining to the Department for which the work is done and not under "Grant-in-aid".

278. It must be distinctly understood that contributions on account of one work can, in no circumstances, be utilised in meeting outlay on account of another work, the contributions for which may be in arrears.

J. DISPOSAL OF ESTIMATES

I. Office of record for estimates

279. Original estimates, after being administratively approved and/or technically sanctioned by competent authority, should be returned to the Executive Engineer concerned for record in his office.

II. Communication of sanctions to estimates to audit

280. (1) A return of all estimates sanctioned by the Executive Engineer should be sent by him to the Superintending Engineer concerned, and these sanctions together with those accorded by the Superintending Engineer should be communicated by the latter to the Accountant-General, West Bengal, so as to reach the audit office by the 15th of the month following that to which they relate.

(2) Although sanctions to estimates accorded and allotment of funds made by authority higher than a Superintending Engineer are communicated to audit office direct, yet they should also be shown by the Superintending Engineer concerned in his monthly return to the Accountant-General, West Bengal.

Note.—When a substantial section of a project sanctioned by higher authority has been abandoned, even though provisionally, the Superintending Engineer should intimate to Audit the aggregate assumed cost (including contingencies) of works included in that section for exclusion from the total sanctioned estimate of the project.

K. SUPPLEMENTARY AND REVISED ESTIMATES

I. Supplementary Estimates

281. Any development of a project thought 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. All supplementary estimates relating to the same project should be numbered consecutively as first supplementary estimate, second supplementary estimate, and so on. The abstract in each case must 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.

II. Revised Estimates

282. (1) A revised estimate must be submitted for technical sanction when a sanctioned estimate is likely to be exceeded by more than 5 per cent. for any cause whatever except as mentioned in rule 281, and also when important structural alterations or material deviations from the original proposals have necessitated revised administrative approval. A revised estimate should likewise be submitted for revised administrative approval when the original estimate is likely to be exceeded by more than 10 per cent. It must be accompanied by a comparative statement in the standard P.W.D. Form No. 119 (Bengal Form No. 2890) and also by a report showing the progress made up to date and explaining fully the cause of the revision. The Executive Engineer and the Superintending Engineer concerned should both watch carefully the progress of expenditure and see that a revised estimate is submitted directly as necessity arises.

(2) It is essential that the revised estimate should be compared with the latest existing sanction of competent authority. When by reason of intermediate modifications such existing sanction differs from that accorded by the highest authority, a statement should be prepared and enclosed with the revised estimate showing how the sanction with which the revised estimate is compared, has been arrived at.

283. (1) If at any time either before or during construction of a work any officer, of a rank not lower than that of a Divisional Officer, in charge of a work finds that the original estimate is excessive and that the tenders for the work received are based on rates not less than 10 per cent. lower in case of projects costing up to Rs. 50,000 and not less than 5 per cent. lower in case of projects costing over Rs. 50,000, he should sanction a revised estimate for it on the basis of the tenders received, even though the amount of such revised estimate may exceed that to which he is ordinarily empowered to accord sanction. In cases where detailed sub-heads are not required

to be maintained, a sanction may be accorded to the reduced amount without revising abstracts of cost, but in the case of estimates for which detailed sub-heads are required to be maintained in the register of works the reduced amount should be arrived at by revising the abstracts of estimates.

(2) The officer according sanction to such a revised estimate should at the same time reduce correspondingly the appropriation made to meet the cost of the work.

(3) The Divisional Officer's power to pass excesses over such revised estimates will be restricted to 5 per cent. of the reconstructed estimate and to the limit of his power to sanction estimates technically.

III. Utilisation of completion report as Revised Estimate

284. 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, may be explained with sufficient details in a Completion Report or Statement to satisfy the authority whose sanction is necessary.

L. COMPLETION REPORTS, CERTIFICATES AND PLANS

I. Completion reports or statements

285. (a) A consolidated completion statement should be prepared monthly in F.R. Form No. 23 (Bengal Form No. 4828) of all completed works other than those referred to in clause (b), the actual expenditure on which is in excess of the sanctioned estimate by an amount greater than that which the Executive Engineer is empowered to pass. This statement should show for each work or group of works the estimated amount, the outlay and the excess. In cases in which the Completion Statement is utilised instead of a revised estimate, 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 F.R. Form No. 22 (Bengal Form No. 4826) need only be prepared in respect of works on which the outlay has been recorded by sub-heads—

- (i) when, if the work was sanctioned by higher authority, the total estimate has been exceeded by more than 5 per cent.; and
- (ii) 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 and should mention the names of the engineers and subordinates by whom the work was supervised.

Note.—The Superintending Engineer may, if he so desires, require a detailed Completion Report to be prepared on the completion of any other work.

II. Completion certificates

286. (1) On completion of an original work executed on behalf of another department, a completion certificate in P.W.D. Form No. 45B (Bengal Form No. 4879) should be forwarded by the Executive Engineer to the Civil authority concerned, who should, after signing it in the space provided for the purpose return it to the Executive Engineer.

(2) In the case of repairs, the Subdivisional Officer should submit a completion certificate in P.W.D. Form No. 45D (Bengal Form No. 4880) to the officer of the department immediately interested in the work, who should, after endorsing it with the remark that the work is in "good" order or otherwise, forward it to his departmental superior (if he is not himself the officer competent to sign the certificate). The latter officer should then transmit it to the Executive Engineer for disposal.

(3) The completion certificate in the case of petty works and repairs will be endorsed on the requisition Public Works Account Form No. 32 (Bengal Form No. 4809) and no separate certificate is then required.

287. Civil officers are required to fill up and sign all authorised forms of requisition, completion report or other certificate of execution that may be required by the Executive Engineer, in consequence of the execution of any work on their application or order.

288. The countersignature of a civil officer merely implies, in the case of an original work, that the work has been completed and taken over, and in the case of repairs that the building or work, generally is in proper order and involves no further responsibility. If the countersigning officer is not satisfied with the work and wishes to make any remarks, he can do so over his signature, but he should bear in mind that, in making remarks which are unnecessary or irrelevant, he may occasion much trouble and delay.

III. Record drawings and completion-plans

289. 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. Completion plans, consisting of copies of the record plans of the more 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

290. (1) On the completion of any work, in respect of which a completion report or statement is required under the rules, 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, which is the office of final record for all completion reports.

(2) 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.

(3) Completion certificates, which should not be submitted to audit, 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 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.

CHAPTER III—PUBLIC BUILDINGS

A. GENERAL (APPLICABLE TO BOTH OFFICE AND RESIDENCE)

1. Allotment and consequent charges thereof

291. When it is not explicitly stated otherwise, the term "public building or buildings" mentioned in different rules throughout this chapter would mean and include "building or buildings" borne on the books of or in the administrative control of the Public Works Department.

292. A public building owned or leased by Government or a portion thereof may, by general or special orders of Government, be allotted as office to one or more departments or offices, and as residence to the incumbent of any post.

293. (1) Service departments are not allowed to make charges against other service departments of the same Government for services rendered which fall within the class of duties for which they are constituted. Services rendered or supplies made to Commercial departments or Government Commercial undertakings should, however, be charged.

(2) Rent should, therefore, be charged at full rate prevailing in the locality for similar accommodation only in cases where office accommodation is supplied to Commercial departments or to Government Commercial undertakings of the State Government as well as in cases where office accommodation is supplied to other Governments.

(3) The supply by a service department, of residential accommodation to the employees of a Commercial department under the same Government or vice versa should not, for the purpose of this rule be held to constitute a service rendered. The rent charged for residential accommodation will thus in all cases be the rent recoverable under the prescribed rules from the persons actually accommodated; but in case of residences occupied by officers under the administrative control of other Governments the full rent will be recoverable under FR45B of the Posts and Telegraphs Department Compilation of the Fundamental and Subsidiary Rules irrespective of whether the rent is more or less than the prevailing rent in the locality.

Note.—For the purpose of sub-rule (2) of this rule only those subordinate offices of the Irrigation and Waterways Department, which entirely deals with works for which Capital accounts are kept, should be treated as Commercial department.

294. No religious function should be performed in buildings and lands owned or controlled by Government without specific orders of the Home (Political) Department.

II. Insurance of buildings

295. Insurance of public buildings is not to be effected except in the case of specially valuable property liable to special risks. In the latter case the sanction of Government should be obtained.

III. Purchase, sale and dismantlement of buildings

296. No building may be purchased for public purposes without the orders of Government. In all cases of proposed purchase of buildings for public purposes, the Executive Engineer should submit through proper channel the survey and valuation reports for Government sanction.

297. (1) Permanent public buildings, whatever be their book value, constructed or purchased from State revenues, may be sold or dismantled under the orders of Government, or where powers have been delegated under orders of such competent authority in each case as indicated in Chapter V. The Executive Engineer should report to the Superintending Engineer when, in his opinion, any building or other property of Government in his charge ought to be sold or dismantled.

(2) Temporary buildings erected during the construction of work may, under the sanction previously obtained of the Superintending Engineer, be sold or dismantled on the completion of the work or when the purpose for which they are erected has been served.

(3) Sale of public building should not be made otherwise than by public auction except with the special orders of Government. Public auction should always be conducted in a lawful and regular manner either through the agency of an auctioneer or by departmental officers in accordance with the rules and procedure set forth in Appendix 12.

(4) In all cases when the write-off of a building has been sanctioned by Government, the Chief Engineer will fix the reserve price taking into consideration the life and condition of the building subject to the minimum noted hereunder, before such building is put to auction by the Executive Engineer under normal rules and procedure laid down by Government in Appendix 12.

Minimum above referred to shall be—

(i) 6 per cent. of the book value of the building, plus

(ii) 25 per cent. of the cost of electrical and water-supply installations.

Note.—In cases of emergency, the buildings may be dismantled departmentally with the specific approval of the Chief Engineer, and the materials, obtained after dismantlement, taken on stock for use on other construction works. All cases in which write-off is not within the competence of the Chief Engineer under powers delegated to him in that behalf should be reported forthwith to Government.

IV. Renting of vacant buildings

298. (1) It is the duty of the Executive Engineer to endeavour to get tenants for public buildings not immediately required for Government use whenever asked for by the District Magistrate or the Deputy Commissioner concerned, to do so. They should generally be let out from month to month basis, but a lease may be given with the approval of the District Magistrate or the Deputy Commissioner, where necessary. A clause in the agreement should be added to enable the Executive Engineer to terminate the lease at short notice in case the building is required by Government.

(2) A period of three months' vacancy may be taken as the maximum period for which a residential building may be allowed to remain vacant without definite steps being taken to obtain a tenant.

299. 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 any 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.

300. When public buildings are let out or leased to private associations such as pleaders' or mukhtears' associations, clubs or other private bodies and individuals, full economic rent should be charged, which means in the case of accommodation supplied for non-residential purposes the full rent at the rate prevailing in the locality for similar accommodation including occupier's share of taxes, if any, and in the case of residential accommodation the rent under Fundamental Rule 45B as mentioned in rule 293 hereinbefore provided.

Note.—The rent to be charged to private persons must be recovered monthly in advance.

301. No public building in the charge of the Executive Engineer may be occupied as a private residence without his consent, except under the orders of his departmental superiors or of Government.

302. On no account shall any church, chapel, mosque, temple, tomb or other building devoted to religious use, 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. No buildings and monuments of historical or architectural interest should be used as residences without the special approval of Government.

V. Sanitary, Water-supply and Electrical Installations

303. (1) All works and repairs in connection with sanitary, water-supply and electrical installations to public buildings should be carried out by, or through the agency of, the Public Works Directorate except in special cases under the orders of the Government.

(2) In making provision for sanitary fittings in different classes of residential buildings care should be taken that no flushing arrangements or septic tanks to any residential building is provided in a mufassil town which is not served by a municipal drainage system.

Note.—The term "Electric installation" includes bells and similar installations only when they form part of the main installation, that is if they are worked through transformers or lamps off a lighting circuit, but not when they derive energy from small primary batteries.

304. (1) When a public supply of electricity is provided in any station or is certain to be provided in the near future, the Superintending Engineer, Electrical Circle will prepare a complete list of buildings in which installations should be provided in consultation with the local officers. A copy of the list will be sent to the Head of each Department concerned for opinion as to whether any of the buildings should be omitted or others added.

(2) The Superintending Engineer will have individual estimates prepared for each building and will submit the whole of these estimates to the Chief Engineer with (a) an abstract giving the cost for each building and the total cost and (b) an abstract grouping the works under the various heads.

(3) The Chief Engineer will forward the estimates in groups to the Head of the Department concerned for administrative approval (or for obtaining administrative approval in the case of residences or estimates in

excess of the powers of the Head of the Department) and return. When administrative approval has been accorded to all the estimates, the Chief Engineer will lump the estimates in one Schedule and submit it to Government in the Public Works Department before the middle of September every year for inclusion in the schedules of new schemes for the following year, stating in the remarks column that the normal minor works grants will be reduced *pro tanto* when this is possible.

(4) When the budget provision is made the amounts will be allotted to the Public Works Department officers direct and the estimates will be forwarded to the Superintending Engineer, Electrical Circle for sanction. The works will then be carried out as individual works and not as one work for the whole station in accordance with the prescribed works rules and procedure.

VI. Inspection of public buildings

305. (1) Every public building should be carefully examined once every year by the officers in charge of them as indicated below, such inspections being made in respect of the general soundness of every part of the buildings and in respect of their general condition:—

Inspecting Officers.	Cost of building to be inspected.	
	In Calcutta and Howrah.	Elsewhere.
Sectional Officers.	Rs. 10,000 and less.	Rs. 5,000 and less.
Subdivisional Officers.	Over Rs. 10,000 and less than Rs. 50,000.	Over Rs. 5,000 and less than Rs. 35,000.
Executive Engineers.	Rs. 50,000 and over.	Rs. 35,000 and over.

Executive Engineers, Subdivisional Officers and Sectional 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 the division. A form of the register is given in Appendix 13.

(2) As it is at the time of quadrennial repairs that any heavy structural repairs are done, particular care should be taken at those annual inspections to consider the soundness of roofs, floors, rafters and purlins, beams and burgahs.

(3) Subdivisional Officers in charge of the buildings must bring to the notice of Executive Engineers at once any buildings that show cracks or definite signs of deterioration and obtain their orders for rectifying the defects.

Note.—For the purpose of this rule, the cost of buildings will not include the cost of land, but will include the cost of subsidiary structures borne under the same number in the Register of Buildings.

VII. Registers and plans of buildings

306. (1) Each Superintending Engineer will keep a register of buildings in charge 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 the 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 paid will be apportioned between the various items comprising the property, e.g., land, main buildings, servants' quarters, compound wall, well, etc.

(2) The Capital value of any portion of the building which is abandoned or dismantled without replacement should be written off the total capital value of the building.

307. In case of buildings and works borne on the returns of the Public Works Department, the Executive Engineer will be held responsible that the plans of such buildings and works are corrected on the completion of any alterations.

B. BUILDINGS OTHER THAN RESIDENCES

I. General rules

308. (1) In the absence of any orders of Government to the contrary, the head of the occupying department or of the principal occupying department when the building is allotted to more than one department, shall be regarded as the officer in charge of the building.

(2) The officer in charge should in each case make some person of his establishment answerable for the general condition of the building, where there is no caretaker appointed for this purpose.

(3) The officer in charge will be responsible for keeping the compound attached to the building in decent order, and this applies to the clearing of weeds from any tank as well as to the clearing of jungles in the said compound. Where the tank is leased out, the lease should ordinarily include provision that the leasee will keep the tank free from weeds.

309. An electric plant or apparatus borne on the books of the Public Works Department in a building should not be removed or disposed of by the head of the department or office in occupation without previous reference to the Executive Engineer of the Electrical division in charge of the plant. Such work should ordinarily be carried out by the Public Works Directorate particularly when skilled handling of any machinery is required.

310. As a theatre is peculiarly liable to fire, no public building in which stores or other Government property are kept should be used for theatrical purposes.

311. In all Government offices, which are not provided with electric fans, punkhas may be used for the period from the 1st March to the 31st October of each year. Where electric fans are provided, the current for electric fans may be cut off from the 20th November each year to the 14th February of the following year.

II. Fixtures and Furniture

312. Every public building should be provided with all necessary fixtures. The periodical repair of these fixtures should be carried out by the Public Works Directorate and charged to the repair estimate of the building. All petty repairs of fixtures and replacement of broken glass in doors and windows required in the intervals between the periodical repairs should be carried out by the officer in occupation of the building and

charged to his contingent accounts. The work of clearing roofs and rain-water pipes and the work of replacement of broken panes of glass in sky lights, as well as replacement of glass panes broken in the operation theatre of a Government hospital should, however, be carried out always by the Public Works Directorate and charged to the repairs grant of the building concerned.

Note 1.—The electric heaters, water heaters, fans, etc. which are fixed to the walls, floors or ceilings of Government buildings are classified as fixtures, their cost being added to the capital cost of electric installations of the building for the purpose of calculating rent, but the portable heaters or water heaters, table fans, etc. which obtain electric energy by means of a moveable plug in a socket shall be classed as furniture.

Note 2.—Punkha, where provided by Government, includes its suspending ropes, tubes, pulleys and its pole or board and flap attached thereto, but does not include covering for the flap, frills or pulling rope.

313. (1) The Executive Engineer will neither supply nor repair furniture, screens, purdahs, or tatties nor will he perform any of the duties specified above as devolving on the departmental officer in charge. Furniture for new offices may, however, be supplied by the Executive Engineer, provided the cost of such furniture is included in the estimates of the offices concerned.

(2) In the case of travellers' rest houses, staging bungalows or circuit houses not belonging to the Public Works Department, the outlay on the supply and repair of furniture will be treated as charges of the civil Department. But in the case of Public Works Department, Inspection Bungalows, etc., the furniture should be supplied and repaired at the cost of that Department.

III. Hire of Office accommodation for Officers of the Public Works Department

314. (1) Office accommodation may be hired for officers of the Public Works Directorate if no Government building is available.

(2) The amount of rent to be paid for office accommodation for Superintending Engineers may be fixed at the discretion of Government.

(3) When a building is hired for separate office accommodation for an Executive Engineer or for a Subdivisional Officer, the rent to be paid by Government, may be fixed by the Superintending Engineer within the following maximum limits, any higher rent being fixed by Government:—

(i) When the accommodation is provided in a separate building
—Rs. 100 a month.

(ii) When the accommodation is provided in a building partly used as a private residence—one half of the total rent subject to a maximum of Rs. 45 a month.

(4) When an Executive Engineer's office or a Subdivisional Officer's office is accommodated in his residence (not being a Government building), the Executive Engineer or the Subdivisional Officer, as the case may be, may under orders of the Superintending Engineer be allowed to draw a fair proportion of the rent limited to one half of the amount actually paid for the whole house on account of the portion set apart for his office subject to a maximum of Rs. 45 a month, any higher rent being fixed by Government.

(5) In according sanction to the rent to be drawn by an Executive Engineer or by a Subdivisional Officer under sub-rule (4) the Superintending Engineer should also take into consideration the following factors:—

- (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 Executive Engineer or the Subdivisional Officer.
- (ii) The immediate superior officer must certify both as to the amount of necessary accommodation, and that it is actually available and suitable in the house in question.
- (iii) He must also certify that no Government building is available, and that no suitable separate building can be hired for the purpose at a lesser cost.

(6) When the Executive Engineer's or the Subdivisional Officer's office is accommodated in his residence, which is a Government building, the rent to be paid by the officer should be regulated by the rent rules for Government buildings used as residences.

(7) The municipal tax assessed on the annual value of buildings in which office accommodation is provided, or on the land appertaining to them, should be treated as separate from the rent. If it is the local rule or custom for the tax to be chargeable to the owner, the tax for the entire building will be paid by Government, otherwise the officer concerned should pay the share of such tax corresponding with the share of the rent payable by him and Government should be debited with the difference.

IV. Payment of taxes

315. (1) As a general rule the owner's share of municipal rates and taxes on public buildings used for non-residential purposes should be paid by the Public Works Department, and charged to the maintenance estimate of the respective buildings.

316. (1) The occupier's share of municipal rates and taxes on a non-residential building, if the building is in the occupation of a single department, should be paid by the occupying department.

(2) If the building is in the occupation of more than one department, or if the occupiers' share of taxes are payable in a lump sum for a number of buildings in a municipal area, the taxes may be paid, in the first instance, by any one department nominated in this behalf by Government. When one of the several departments occupying a building or buildings assessed to lump sum taxes is a Commercial Department, a portion of the taxes calculated pro rata, in proportion to the accommodation actually occupied by each of the several departments, should be passed on to the Commercial Department concerned. The balance thereafter remaining, if it relates to a single non-commercial department occupying the rest of the building, should be passed on to that department; if it relates to more than one non-commercial departments, it should not be passed on.

(3) Taxes on non-residential buildings if paid by a department nominated by Government in this behalf and not passed on to the occupying departments are chargeable to "57—Miscellaneous—Rents and Taxes".

(4) Where the whole or part of the occupier's share of tax is paid by the Public Works Department, the payments may be charged to the maintenance estimate of the buildings concerned.

Note 1.—Before payment is made by a department which is not in occupation of the entire building concerned or if payment cannot be delayed, as soon after payment as possible, an acceptance should be obtained from every department which is in occupation of any portion of it.

Note 2.—No municipal taxes are payable on public buildings situated in cantonments.

317. (1) Payment of taxes by Government to local funds may be made in cash which includes payment by cheque as well.

(2) Whenever there is any alteration in the valuation of buildings, the charges for municipal taxes in respect of the buildings drawn in contingent bill forms should be supported by a certificate from the Executive Engineer concerned in which he states either that he accepts the assessment or if he considers any assessment to be excessive, that all means have been or are being taken to secure its reduction. For periods during which the valuation remains unaltered, the charges on account of taxes for the buildings should be supported by a certificate from the drawing officer to the effect that there has been no change in the assessment since it was last accepted by the Executive Engineer.

(3) If an assessment appears to be excessive, steps should be taken to obtain redress under the ordinary Municipal Law.

Recourse to the special provisions of the Municipal Taxation Act, 1881 (Act II of 1881) may, however, be had when it has been found impossible to effect an amicable, though possibly arbitrary, settlement with the local authority of a case in which the property to be assessed is from its nature such as not to admit of the application of ordinary principles in assessing the payment thereon of any particular tax. An example would be a case in which, whereas the assessment should be on the letting value, the property is of such a nature that it is difficult to conceive of its being let or impossible to form an estimate of the rent which would be obtained if Government offered to let it.

V. Buildings of historical interest

318. All buildings and monuments of historical or architectural interest including every monument or place or object of artistic or historic interest, declared by Parliament by law to be of national importance, should be carefully attended to, and it will be the duty of Executive Engineers to arrange for a systematic annual or even more frequent inspection of such buildings and monuments in their divisions, and of all Executive and Superintending Engineers to keep Government fully informed, as to the condition of those buildings and monuments and to prepare estimates for their repair.

C. RESIDENCES FOR GOVERNMENT OFFICIALS

I. General Rules

319. Residences for public servants may be built or purchased by Government—

- (i) When it is the recognised duty or established custom of Government to do so;
- (ii) When it is necessary on public grounds for the officer to reside in, or close to, the locality in which his duties are performed:

- (iii) when it is necessary to provide residences where no civil station or cantonment exists, and where a longer 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 the vicinity or is available only under circumstances which will be likely to place such officers in an undesirable position in relation to house proprietors.

320. The scale of accommodation supplied to an officer shall not, except at his own request, exceed that which is appropriate to the status of his post.

321. (1) Before submitting a proposal to Government for the construction or purchase 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 Government;
- (iv) in cases in which Government is liable to pay the municipal taxes, the amount of such taxes;
- (v) the standard rent of the residences under existing rules; and
- (vi) the average emoluments of the officer for whom the residence is proposed and the maximum rent recoverable from him.

(2) 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.

(3) The lease should ordinarily provide that the lessor will execute all structural repairs before the building is occupied and will carry out all necessary additions, alterations and repairs to render the building habitable and suitable for the purpose for which it is required.

322. (1) An officer occupying a Government residence provided with electric installation should not connect up with the installation any electric heater (whatever be its consuming capacity), nor any other private electric fitting consuming more than 500 watts of electrical energy without prior approval of the Executive Engineer of the Electrical Branch of the Public Works Directorate.

(2) An officer using or permitting the use of private electric fittings and apparatus such as table lamps, table fans, etc. in such a residence will be held responsible for any damage that may thereby be caused to the electric installation and/or to the structure of the residence. Any extra expenditure, which Government may have to incur to make good such damage, will be recoverable from the occupant of the building concerned.

II. Rent Rules:—Officers' liabilities in respect of residences allotted to them

323. The holder of a post, whether permanent or temporary, to whom a building, owned or leased by Government, has been allotted as a residence, shall be liable to pay during the period he is holding the post, whether he occupies the building or not—

- (i) rent at the rate prescribed in rule 326 unless his monthly emoluments amount to less than Rs. 25; and
- (ii) if his monthly emoluments exceed Rs. 150, municipal and other rates and taxes payable by Government in respect of the residence, not being in the nature of house or property tax; provided that the liability under this clause of an officer residing in such a building situated within the limits of the Calcutta or Howrah municipal areas shall be limited to 1 per centum of his monthly emoluments or the actual amount of such rates and taxes, whichever is less; and
- (iii) meter hire, when charged separately, and the cost of water, electrical energy etc. consumed; and
- (iv) if the residence is supplied with services, other than water supply, sanitary or electrical installations and fittings, such as furniture, tennis court or garden, maintained at the cost of Government, such additional rent or charge therefor as Government may determine without taking into consideration the value of the site.

Note.—Government have from time to time exempted certain officers from the payment of the occupier's share of the taxes on residences which they are compelled to occupy solely for the proper performance of their duties. These exemptions will remain in force so long as these officers hold the posts or exactly similar posts to which the exemptions apply.

324. (1) An officer to whom a residence has been allotted shall continue to be liable for rent etc. under rule 323 while absent on tour, on casual leave or vacation, or at a hill station where he is permitted but not required to reside, but he shall not be so liable, unless Government for special reasons directs otherwise, when on leave other than casual leave.

(2) An officer in occupation of quarters allotted to him by Government shall, when he vacates the building, report the fact to the local head of the department concerned, who should intimate the same to the Executive Engineer in charge of the building.

325. With the specific sanction of Government in each case, an officer may be exempted wholly or in part from any or all of the liabilities enumerated in rule 323 in any of the following circumstances, namely:—

- (a) when he is officiating in the post, but is discharging the duties thereof in addition to those of his substantive post, and does not actually occupy the residence;
- (b) when in addition to the duties of the post, he discharges those of another post and is thereby precluded from occupying the residence;

- (c) when he has been transferred from another post in the same station, for which there is an allotted Government residence, and Government do not consider it necessary that he should change his residence;
- (d) if he habitually lives in orthodox Indian style, when the residence has been constructed in European style, or if he is a European Officer, when the residence has been constructed in orthodox Indian style;
- (e) when he officiates in the post for a period not exceeding two months and is prevented from actually occupying the residence by circumstances which Government consider exceptional;
- (f) when by reason of the necessity for living at or near his place of duty or for other special reasons, Government grant him the concession of reduced rent or rent-free quarters.

Provided that in cases covered by clause (f) the grant of the concession shall be subject to review by Government every five years.

Note 1.—The grant of rent-free quarters under this rule does not in the absence of explicit orders to that effect imply any exemption from the liabilities under clauses (ii), (iii) and (iv) of rule 323.

Note 2.—Inconveniences caused by petty or ordinary repairs are insufficient to warrant remission of rent, which may be granted only, when in the opinion of Government, the carrying out of extensive structural repairs or the existence of exceptional circumstances renders the building unfit for habitation.

326. The rent payable by an officer under clause (i) of rule 323 shall be the standard rent of the residence as determined under rules 331 to 346 or 10 per centum (or in the case of an officer whose monthly emoluments are Rs. 25 or more but do not exceed Rs. 100, 5 per centum) of his monthly emoluments, whichever is less;

Provided that the above percentages of emoluments may be exceeded in the case of an officer—

- (a) who is not required or permitted to reside on duty at the station at which the residence is supplied to him; or
- (b) who, at his own request, is supplied with accommodation which exceeds that which is deemed by Government to be appropriate to the status of the post held by him, or
- (c) who is in receipt of a compensatory allowance granted on account of the dearness of living.

Provided further that the rent shall be waived if such emoluments are less than Rs. 25 per mensem.

327. For the purpose of this Chapter the expression "emoluments" means and includes—

- (a) pay;
- (b) payments from the revenues of the Central or any State Government and fees, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorised remuneration of the post;

- (c) compensatory allowances, other than travelling allowance whether drawn from revenues as in clause (b) or from a local fund;
- (d) full sanctioned pension irrespective of any commutation which may be made, other than a pension drawn under the provisions of Chapter XXXVIII of the Civil Service Regulations or compensation received under the Workmen's Compensation Act, 1923, or allowances attached to the Victoria Cross, the Military Cross, the King's Police Medal, the Indian Police Medal, the Order of British India or the India Order of Merit;
- (e) in the case of a Government servant on leave, the emoluments drawn by him for the last complete calendar month of duty prior to the leave in question;
- (f) in the case of a piece worker employed in the West Bengal Government Press, two hundred times his class rate, and in the case of any other Government servant paid at piece-work rates, an amount determined in such manner as Government may prescribe;
- (g) in the case of a Government servant in receipt of a subsistence grant, the amount of the subsistence grant;

Provided that if he is subsequently allowed to draw pay for a period of suspension, the difference between the amount paid by him as rent, etc. on the basis of the subsistence grant and the amount due on the basis of the emoluments ultimately drawn by him for the period shall be recovered from him.

Note.—Overseas pay shall be converted into rupees at such rate of exchange as Government may from time to time specify.

328. (1) Where a residence is supplied by Government with a metered supply of electrical energy or water, the charges leviable under clause (iii) of rule 323 shall be determined in accordance with the following principles, namely:—

- (a) the charges shall be calculated on the number of units consumed each month as indicated by the meters;
- (b) the rate of cost per unit shall be fixed by the competent authority so as to include the amounts required for payment of—
 - (i) interest at the rate fixed from time to time by Government on the capital outlay incurred on the system up to the point of contact with the internal installation;
 - (ii) depreciation and maintenance charges on the capital assets (excluding internal installations of residences);
 - (iii) actual running expenses; and
 - (iv) such extra charges including overhead charges as Government may deem reasonable;
- (c) rent for meters shall be charged monthly for the period of actual use, broken periods being treated as a whole month, at a fixed rate which shall be one-twelfth of the amount annually required for the payment of—
 - (i) interest at the rate fixed from time to time by Government on the capital cost of the meters; and

(ii) depreciation and maintenance charges thereon;

(d) if the capital outlay or cost referred to in clause (b) or (c) be not known, it shall be estimated.

(2) Where the supply by Government of electrical energy or water is unmetered, the charges leviable under clause (iii) of rule 323 shall be at such rates as the competent authority deems reasonable, regard being had to the factors mentioned in clause (b) of sub-rule (1).

(3) Subject to the condition that the basis of assessment is uniform, the competent authority may for the purpose of assessment of charges for the supply by Government of electrical energy or water and meters therefor group a number of residences in a particular area or of a particular class or classes.

329. An officer liable under rule 323 for rent, etc. may sub-let the residence on the following conditions, namely:—

- (a) the sub-tenancy shall not be recognised by Government;
- (b) the lessee shall be approved by the Superintending Engineer;
- (c) the lessor shall remain personally liable for the rent, etc. and for any damage caused to the residence beyond fair wear and tear;
- (d) the amount received by the lessor from the lessee shall not, without the previous sanction of Government, exceed the lessor's liability under rule 323;
- (e) when the lessor ceases to hold the post to the incumbent of which the residence is allotted, or if Government re-allots the residence to any one else, the tenancy shall terminate forthwith;
- (f) the lessee shall undertake to the satisfaction of the Superintending Engineer to vacate the residence immediately on the tenancy being terminated under clause (a); and
- (g) if the sub-tenancy is permitted by the Superintending Engineer to continue during the leave of the lessor, the lessor shall, notwithstanding anything contained in rule 324 continue to be liable under rule 323 for the rent, etc. in respect of the residence.

330. An officer may be permitted by the Superintending Engineer, to store during absence on leave his furniture and other belongings at his own risk, free of rent, in the residence occupied by him prior to such absence, provided that (a) the officer (if any) who discharges the absent officer's duties does not require the residence and is not held liable for the rent, and (b) arrangements cannot be made to lease the house during the period.

III. Determination of Standard Rent

331. In calculating howsoever the capital cost of a residence owned by Government, the cost or value of sanitary, water-supply and electrical installations and fittings shall be included therein, but the cost or value of the site (including expenditure on its preparation) together with either (a) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work; or (b) when the amount of such charges is not known, the estimated amount of such charges, shall be excluded therefrom.

332. For the purpose of rule 331—

(1) the following shall be regarded as fittings, namely:—

(i) Electrical fittings—

(a) lamps of all kinds (excluding bulbs);

(b) fans, including switches and regulators, the hire of which is not charged separately;

(c) meters, the hire of which is not charged separately.

(ii) Sanitary and water-supply fittings—

(a) plumbing arrangements for hot water supply (but not geysers or similar apparatus for heating);

(b) baths, basins and lavatory equipment;

(c) gas and water meters, the hire of which is not charged separately.

(2) Expenditure incurred upon such works as raising, levelling, piling and clearing sites and the construction of revetments shall be regarded as expenditure on preparation of the site.

Note.—The intention of clause (1) is that only those articles which form an integral part of the installations shall be regarded as fittings. Such fittings are not necessarily fixtures, e.g., moveable electric lamps and fans are fittings; on the other hand fixtures do not necessarily fall under the head of fittings unless they are connected with the supply in question. The basins and baths referred to in the rule mean only fixed lavatory or washing basins and baths of the type generally known as English baths.

333. The capital cost of a residence owned by Government shall be either the cost of acquiring or constructing the residence (including its subsidiary buildings) and any capital expenditure incurred upon it thereafter or when this is not known the present value of the residence:

Provided that where on the authority of Government for special reasons accorded, residences of a specified class or classes within a specified area are revalued, the capital cost of any or all such residences, as Government may determine, shall be revised on the basis of such revaluation:

Provided further that the cost of restoration or special repairs shall not be added to the capital cost or present value, unless such restoration or special repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

334. The annual standard rent shall be calculated on the capital cost of the residence and shall be either—

(a) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by Government, plus additions—

(i) equal to the municipal and other rates and taxes in the nature of house or property tax payable by Government in respect of the residence; and

(ii) for both ordinary and special maintenance and repairs, as determined under rule 335; or

(b) six per centum per annum of such capital cost, whichever is less.

Note.—The rates of interest fixed by Government for the purpose of this rule are shown in the table below. The date of construction of the residence or of the execution of additions or alterations should be taken as the date on which the accounts of the estimates for construction, addition or alteration, as the case may be, are closed:—

Date of acquisition or construction of the residence, or of the execution of additions or alterations thereto.	Rate of interest.	
	Building occupied.	
	On or before 19th June 1922. Per cent.	After 19th June 1922. Per cent.
Before 1st April 1919.	3½	4
1st April 1919 to 31st July 1921. ..	3½	5
1st August 1921 to 31st December 1921. ..	3½	6
1st January 1922 until further orders. ..	6	6

335. The addition to be made under sub-clause (ii) of clause (a) of rule 334 shall be the amount estimated by the Superintending Engineer to be the probable cost of the maintenance and repairs of the residence (including sanitary, water-supply and electrical installations and fittings), or, if no such estimate has been made, a percentage of the capital cost to be fixed by Government and based on the average proportion which the amounts actually charged for such maintenance and repairs in respect of residences of similar design and with similar conveniences in the same locality bear to the capital cost of such residences.

336. The additions to be made under clause (a) of rule 334 shall be reviewed by the competent authority every seven years, and on such other occasions as Government may order.

337. When the standard rent of a residence has been calculated, minor additions and alterations may be made without the rent of the residence being increased, subject to the following conditions, namely:—

- the total cost of such additions and alterations shall not exceed 5 per cent. of the capital cost on which the standard rent was last calculated; and
- such additions and alterations shall be made within seven years after the last calculation of the standard rent.

338. When, by reason of additions and alterations, the capital cost of a residence exceeds by more than 5 per cent. the capital cost on which the standard rent was last calculated, the standard rent shall be recalculated, with effect from the 1st April next following or from the date upon which a new tenant becomes liable for the payment of rent, whichever is earlier.

339. Under special order of Government the annual standard rent of a residence owned by Government may be reduced when Government is satisfied that as determined under the above rules, it is greatly out of proportion to the proper value of the accommodation provided.

340. The annual standard rent of a residence leased by Government shall be the sum paid annually to the lessor plus the following additions to meet charges which fall on Government during the period of lease, namely:—

- (i) for meeting such charges for both ordinary and special maintenance and repairs the estimated cost thereof (including maintenance and repairs of any additional work done at Government expense); and
- (ii) for meeting such charges for capital expenditure on additions or alterations and for the interest thereon, the amount estimated to be sufficient to repay to Government during the period of lease such charges, or such part thereof as the lessor may not have agreed to reimburse to Government, plus interest on half the sum of such charges and the amount (if any) to be reimbursed by the lessor, calculated at the rate fixed under clause (a) of rule 334; and
- (iii) the annual amount of municipal and other rates and taxes in the nature of house or property tax payable in respect of the residence, unless such amount has been included in the sum paid to the lessor.

341. Standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual standard rent as calculated under the aforesaid rules. Rent calculated should be fixed in rupees and annas, fractions of an anna being ignored.

342. In calculating the annual standard rent of a residence, 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 authorised in rule 331.

343. After annual standard rents have been calculated, a number of residences in a particular area or of a particular class or classes may at the discretion of Government be grouped together for the purpose of assessment of standard rent:—

Provided—

- (a) that the basis of assessment is uniform; and
- (b) that the amount taken as rent from any Government servant shall not exceed the limits imposed by rule 326.

344. Under special order of Government the standard rent may be reduced by a specified proportion when a portion of the residence must be set aside by the occupier for the reception of persons visiting him on Government business, or as an office when no separate office accommodation is provided.

345. Where—

- (a) the present value of a residence including its subsidiary buildings and of its site is to be determined, or
- (b) a revaluation authorised by Government under the first proviso to rule 333 is to be made, or
- (c) an estimate is to be prepared under any of the provisions of this chapter,

the work of estimating shall be entrusted to an officer of the Department of Public Works of rank not lower than that of an Executive Engineer nominated in that behalf by the competent authority. The estimate shall be forwarded to the competent authority for determination of the present value or the standard rent or the capital cost, as the case may be.

346. For the purposes of the foregoing rules relating to residential buildings:—

- (i) "competent authority" means in the case of residences in the charge of the Department of Public Works, the Superintending Engineer of the Circle (except in relating to matters connected with electrical installations, when it means the Superintending Engineer, Electrical Circle);
- (ii) "ordinary repairs" shall include repairs executed annually or periodically, but shall not include special repairs; the average annual charges for maintenance and repairs on residential buildings to be included in the rent of such buildings shall be calculated on the following basis:—
 - (a) For pucca buildings constructed before 1945, 9 per cent. of capital cost.
 - (b) For kutchra or semi-permanent buildings constructed before 1945, 20 per cent. of capital cost.
 - (c) For pucca buildings constructed in and after 1945, 4 per cent. of capital cost.
 - (d) For kutchra or semi-permanent buildings constructed in and after 1945, 9 per cent. of capital cost.
 - (e) Where the actual cost of repairs for a number of years is known, as in the case of a building which is already on the books of the Public Works Department and of which it is necessary to revise the rent, the average of the actual annual costs of repairs in the previous four years should be taken into account. To this shall be added half of one per cent. of the capital cost of the building to provide for "special charges" or in other words, depreciation.

Provision for depreciation is included in the percentages specified in sub-clauses (a), (b), (c) and (d) of clause (ii) above.

Note.—The permissible limits of maintenance calculated in accordance with the above rates should be taken as the maximum limits. The standard of maintenance should not, however, be pitched to high and every endeavour should be made to keep the repair charges at a lower level than the maximum fixed as above.

- (iii) "special repairs" shall include renewal of floors and roofs and other replacements recurring at long intervals;
- (iv) the cost or probable cost of repairs necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other natural calamity shall not be taken into account.

IV. Payment of taxes

347. (1) The owners' share of municipal rates and taxes on public buildings used as residences should, in all cases, be paid by the Public Works Department.

(2) The Public Works Department will also pay the occupier's share of taxes in the first instance in case of residences whose occupants are charged rent, and recover the taxes along with rent subsequently from the occupants

unless they are exempted from payment of such taxes by general or special orders of Government. All officers whose pay does not exceed Rs. 150 per month are exempted from payment of "occupier's share" of taxes.

(3) In respect of residences whose occupants are not charged rent, the Heads of Offices in which the occupants may be serving should pay the occupier's share of taxes in all cases and recover the same from the occupants as and when such recovery is admissible under the rules.

(4) Where a building is used partly as a residence and partly as an office or the like, if the residential portion is not separately assessed to rates and taxes, not being in the nature of house or property tax, the total of such rates and taxes in respect of the building shall be apportioned between the residential and other portions by the Chief Engineer, Public Works Department for the purpose of payment of taxes and its recovery according to rules in force.

(5) Taxes on residential buildings if payable by Government are charged to the maintenance estimates of the buildings concerned. But in cases where the whole or any portion of the taxes, which by local rule or custom are ordinarily leviable from the tenant, is paid by a department other than the department in administrative control of the building, the charge may be treated as contingent expenditure of the paying department.

348. (1) The occupier's share of municipal taxes is recoverable monthly in advance from the occupant unless he is specifically exempted from payment of such taxes as a condition of his service.

(2) No claim for refund to any officer of occupier's share of taxes for any broken period of a month recovered in advance shall be admitted to any officer on the ground of vacating the residence before the close of the same month for any reason whatsoever.

(3) Double recovery of occupier's share of taxes for any period of a month in respect of the same residential building from two officers should not be made.

(4) In respect of a residential building at a station that remained vacant at the beginning of a month for which taxes could not be recovered in advance from any officer, retrospective recovery should be made from the occupying officer from the date of his assuming charge at the station, provided he or otherwise his successor at the station which he had left had not paid taxes in advance for the same period of the month in respect of any residential building borne on the books of the Public Works Department.

V. Capital and Revenue Accounts

349. For the purpose of Capital and Revenue Accounts of Residences and their subsidiary Services, Government buildings intended for occupation as residences by Government officials and others should be divided into two classes:—

Class I—Buildings which are ordinarily to be occupied by officers liable to pay the full standard rent subject to the limit of 10 per cent. of their emoluments.

Class II—Buildings from which recovery of the full standard rent is not expected, that is, buildings which will ordinarily be occupied by officers who are entitled to accommodation rent-free or at reduced rent under the sanction of the competent authority.

Note.—The fact that a building of Class I is occasionally occupied by a tenant who is entitled to accommodation rent-free, or at reduced rent, will not justify its removal from Class I to Class II, and *vice versa* a building under 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 under the orders of Government and should have effect in all cases from the commencement of a financial year.

VI. Responsibility for Recovery of rent

350. The officers of this department are responsible for the recovery of the full rent of all residential buildings, and Divisional Accountants are responsible for bringing to the notice of Executive Engineers any case where a revision of rent is to be brought into force and also when assessment on new residences (whether provisional or final) becomes due. The responsibility for any delay in the recovery of rent owing to Executive Engineer's omitting to inform the occupants that the rent of their residences has been raised, or is due, rests entirely on the Executive Engineer concerned and his Accountant.

VII. Special class residence

351. The foregoing rules of this chapter relating to buildings used as residences shall not apply to the following special class Government residences the occupation of which is regulated by special provisions; namely:—

- (a) official residences of the Governor;
- (b) official residences of the Ministers;
- (c) reserved accommodation in Darjeeling;
- (d) inspection bungalows etc. belonging to Public Works Department

(a) Official residences of the Governor

352. (1) The Governor shall be entitled without payment of rent to the use of his official residences within the State of West Bengal, which will be maintained, furnished and supplied with household and table equipment at the expense of the State.

(2) The administration of the furniture funds of the official residences of the Governor including the upkeep of a stock list and the purchase, repair and maintenance of furniture will be conducted by the Military Secretary to the Governor. The duties of the Superintendent, Governor's Estates, Public Works Directorate in this respect will be to satisfy himself that the furniture is being properly maintained in good and serviceable order. In every second and fourth year of the incumbency of the Governor an independent officer will be deputed by Government to carry out in conjunction with the Superintendent, Governor's Estates, an inspection and verification of the furniture. In token of his joint responsibility for the verification this officer will give a certificate to the following effect:

"Between.....(date) and.....(date) in conjunction with the Superintendent, Governor's Estates, I inspected and checked the actual stocks against the inventories as they stood on those dates. I certify that *subject to the remarks below the articles in stock agree with the inventories.

Signature.....
Designation....."

*These words to be scored through where unnecessary.

(3) The maintenance of, and the execution of all works and repairs in connection with, the official residences of the Governor shall be conducted by the Public Works Directorate in accordance with the "Rules for the management of Raj Bhabans in West Bengal" as set forth in Appendix 14.

353. The amount of expenditure incurred on the maintenance, improvement, renewal or replacement of the official residences of the Governor shall not, except with the special order of the President which must be obtained in advance, exceed in any one year the amounts specified below under the different sub-heads of works of maintenance and repairs, namely:—

(i) Improvement	...	...	...	16,000
(ii) Gardens	...	...	...	80,000
(iii) Electricity	...	...	..	45,000
(iv) Taxes	...	..	..	1,50,000
(v) Repairs	...	...	..	2,99,000
Total:				5,90,000

Provided that the Governor may, without exceeding the overall limit of Rs. 5,90,000, reappropriate, when necessary, from or to one sub-head of work specified above to or from another sub-head thereof.

(b) Official residences of Ministers

354. (1) The Chief Minister and each Minister shall be entitled, without payment of rent, to the use of a furnished residence in Calcutta throughout the term of his office and for a period of fifteen days immediately thereafter when such a residence is allotted to him under orders of the State Government.

(2) All expenditure for furnishing the residence on such scales as the State Government may by order determine, and all expenditure for the maintenance thereof including expenditure on structural alterations and repairs, provision of electricity, gas and water therefor and payment of rates and taxes in respect thereof shall be borne by the State Government and charged to the Maintenance grant of the building concerned.

(c) Reserved accommodation in Darjeeling

355. The Leave Hostel, Richmond Hill, and Carmichael Villa in Darjeeling are not available for occupation as permanent residences by the incumbent of any post. These are reserved for accommodation of high officials and others proceeding on tour or on short recess to Darjeeling. Occupation of any of these buildings and rooms or portion thereof will be subject to prior approval of the Deputy Commissioner, Darjeeling in each case and regulated by the prescribed rules set forth in Appendix 15.

(d) Inspection bungalows, etc.

356. Occupation of the Public Works Department inspection bungalows and the bungalow named Banga Bhawan at No. 3, Hailey Road, New Delhi with the Guest House attached to it shall be governed by the prescribed rules and orders set forth in Appendix 15.

CHAPTER IV—MISCELLANEOUS RULES REGARDING OFFICE WORK EXCLUDING ACCOUNTS PROCEDURE

A. INITIAL RECORDS OF ACCOUNTS

357. The initial records upon which the accounts of works are based are—

- (a) The Muster Roll.
- (b) The Measurement Book.

For work done by daily labour, the subordinate in charge of the work will prepare a muster roll which will show the work done by daily labour and the amount payable on this account. For piece-work and for contract work generally, the measurement book will form the basis of account. From the muster rolls the subordinate will prepare the labour reports, and from the Measurement Book he will check (or, if so arranged, prepare) the bills and accounts of contractors and suppliers.

I. Muster Roll

358. The nominal muster roll (Bengal Form No. 4794) is the initial record of the labour employed each day on a work, and must be written up daily by the subordinate deputed for the purpose.

359. For all large works or groups of works labour reports in Bengal Form No. 2881 will be submitted either daily or periodically as may be directed by the Divisional Officer. They show the number of each class of labourers employed on each work or sub-head of work. Discrepancies between labour reports and muster rolls should be investigated as soon as the latter are received after the close of the month.

360. (1) Payments on muster rolls should be made as expeditiously as possible. Each payment should be made or witnessed by the official of highest standing available, who should certify to the payments individually or by groups by a distinctive mark, his initial or signature. The amounts paid on each date should be noted in words as well as in figures at the foot of the muster roll.

(2) Payments on muster rolls should, however, be confined to day labourers only, and should never be extended to permanent and temporary employees, whose pay is charged to the head "Establishment", or to the members of the work-charged establishment.

II. Measurement Books

361. The Measurement Book (Bengal Form No. 2900) must be looked upon as the most important record, since it is the basis of all accounts of quantities, whether of work done by daily labour or by the piece-work system or by contract, or of materials received, which have to be counted or measured. The description of the work must be lucid, so as to admit of easy identification and check. Payments for all works done otherwise than by daily labours and for all supplies should be made on the basis of detailed measurements to be recorded in measurement books in accordance with the rules laid down in Appendix 7.

362. (1) Detailed measurements may be dispensed with in the case of periodical repairs when the quantities are recorded in efficiently maintained Standard Measurement Books under rule 207 of the Code. When a payment

is based on standard measurements, the gazetted officer or subordinate preparing the bill for payment should be required to certify that the whole of the work or work since previous running bill, as the case may be, as per standard measurements has been done and that it has not previously been billed for in any shape.

(2) Detailed measurements may also be dispensed with in cases in which advance payments for work actually executed are made on the certificate of a responsible officer (not below the rank of Subdivisional Officer) to the effect that not less than the quantity of work paid for has actually been done, and the officer granting such a certificate will be held personally responsible for any overpayment which may occur on the work in consequence. Final payments may, however, in no case be made without detailed measurements.

(3) Similarly the detailed measurements may be dispensed with in connection with the works done on lump sum contractors, if a responsible officer (not below the rank of a Subdivisional Officer) certifies in the bill that by a superficial and general measurement or in some other suitable method, which should be specified, he has satisfied himself that the value of the work done is not less than a specified amount in conformity with the contract agreement and that with the exception of authorised additions and alterations the work has been done according to the prescribed specifications. Detailed measurements must invariably be taken in respect of additions and alterations.

363. (1) The ordinary measurement books belonging to a division should be numbered serially and a register of them should be maintained in Bengal Form No. 4870 in the divisional office showing the serial number of each book, the names of the Subdivisions to which issued, the date of issue and the date of its return, so that its eventual return to the divisional office may be watched. Books outstanding in subdivisional offices for over 2 years should be withdrawn promptly even though not completely written up, and thereafter only those books which were completed should be finally recorded, and the partially used up books reissued to the subdivisional offices every two years.

(2) A similar register should also be maintained in the subdivisional office showing the names of the Subdivisional Officer and the Sectional Officers to whom measurement books are issued.

(3) A register of standard measurement books prepared under rule 207 should also be maintained in the divisional offices in Bengal Form No. 4871.

364. The Superintending Engineer is required to see during his tours that measurement books are carefully kept and measurements properly recorded, and that they are complete records of the actual measurements of each kind of work done for which certificates have been granted.

365. More than one advance payment may be made, without detailed measurement of work actually executed on the certificate of a responsible officer (not below the rank of a Subdivisional Officer), as laid down in rule 362. It should, however, be insisted on that all works executed below ground level, that is work which will in due course be covered over and therefore will, later on, not be susceptible of measurement, should be measured in detail before payments are made, and also that all items of work which are completely finished should be measured up as soon as possible after their completion.

III. Progress report of measurements on works executed under contract

366. Every officer or subordinate in charge of a work carried out under contract should furnish to the Divisional Officer at the beginning of each month a progress report of the measurements, and a calculation of the quantities of work paid for during the previous month, together, with a return of all the materials at site on the last day of the month. No such officer or subordinate should be relieved of his charge until a careful inspection by his superior officer has been made, or until a certificate has been granted by the relieving officer. It is the duty of the officer-in-charge to bring to notice any dilatoriness, bad work, or anything militating against the interests of Government on the part of the contractor; and he will be responsible for any neglect in this respect.

B. CUSTODY OF CASH

367. Public money in the custody of offices of the Public Works Directorate should be kept in strong treasure chests and secured by two locks of different patterns. In the absence of any precise orders from Government, the officer-in-charge of the chest should make such arrangements for the custody of the key and the proper disbursement of all moneys as he considers requisite subject to the following general conditions and principles:—

- (i) Duplicate keys of all locks must, save as otherwise expressly provided in the note under this paragraph, be sent to the Treasury Officer for safe custody.
- (ii) The original key of the one lock in use should be kept apart from the original key of the other lock and in a different person's custody when practicable. Whenever a cashier is attached to an office, the key of one of the locks of the treasure chest will necessarily remain in his possession.
- (iii) The chest should never be opened without both custodians being present, in cases where the keys of the two locks are kept in the custody of different persons.
- (iv) In divisional offices where a senior accounts clerk is attached to deal with the cash in place of a cashier, the original key of one lock of the cash chest should be kept in his possession, the key of the other lock remaining in the personal custody of the Accountant.

Note.—Duplicate keys of non-treasury padlocks used in guarding cash or cash chests for offices located in Calcutta, should be sent to the Collector of Calcutta for safe custody.

368. The officer-in-charge of the chest will count the cash in the hands of each cashier or of such other officer authorised to deal with the cash in place of cashier at least once a month; or in the case of outstations, he or any other gazetted officer named by him will count it whenever he may visit them, and will record a note in the cash book showing the date of examination and the amount (in words) he found.

369. The counting should ordinarily be made on the last working day of each month immediately after closing the cash account of the month, but where this is not possible, the cash balance may be counted on the first working day of the following month before any disbursement is made on that date.

370. Gazetted Government servants of the Public Works Directorate, who are stationed at places where there are no treasuries, may utilise the services of barkandaz guards, if any attached to their offices, for the encashment of bills relating to their personal claims, and Government will accept liability for any loss caused by the act of the guard if the gazetted Government servant is not at the station where the money is drawn.

Note.—This is an exception to the general rule that Government accepts no responsibility for any fraud or misappropriation in respect of money on cheques or bills made over to a messenger.

C. CASHIERS

371. Cashiers may be appointed whenever, in the opinion of Government, the cash transactions of a division or subdivision are sufficiently extensive to require it.

372. One cashier may make the cash payments of two or more subdivisions, or throughout the whole of a division, wherever such an arrangement is found to be practicable.

373. In a division where there is no cashier, the Senior accounts clerk attached to the division will do the cash work under the direction of the divisional accountant, who is held responsible in the matter of cash chest, cash books and cheque books.

D. STORES

I. General

374. (1) The stores of the Department of Public Works are divided into the following classes, viz., (i) stock, or general stores, (ii) tools and plant, (iii) road metal and (iv) materials charged direct to works.

(2) The Divisional Officer shall be responsible for proper arrangements throughout his division for the custody of stores and for their protection from deterioration and fire, while, unless there are orders to the contrary, the officer-in-charge of a subdivision shall be responsible for the correctness of all the stores belonging to subdivision.

375. (1) Every departmental officer shall be bound to take over 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.

(2) In cases of transfers of charge of stores, the officer-in-charge of stores should see that the stores in his custody are made over correctly to his successor and a receipt taken from him.

II. Acquisition of stores

376. (1) All purchases of stores for use in public service should be made in the most economical manner in accordance with the definite requirements of the public service and in strict conformity with the rules laid down in Appendix 16. Stores should not be purchased in small quantities. Periodical indents should be prepared and as many articles as possible obtained by means of such indents. At the same time care should be taken not to purchase stores much in advance of actual requirements, if such purchase is likely to prove unprofitable to Government.

(2) Where scales of consumption or limits of stores have been laid down by competent authority, the officer ordering a supply should certify on the purchase order that the prescribed scales or limits have not been exceeded.

(3) Departmental purchase of tools and plant should be restricted only to such articles as, taking local circumstances into consideration, contractors are not likely to possess or cannot readily obtain, to articles required for the use of departmental labour, and to articles which will facilitate the execution of work or result in economy to Government.

377. (1) The policy of the Government is to make purchases of stores for the public service in such a way as to encourage the development of the industries of the country to the utmost possible extent consistent with economy and efficiency. In order to give effect to this policy preference in making purchases will be given in the following order:

First, to articles which are produced in India in the form of raw materials, or are manufactured in India from raw materials produced in India, provided that the quality is sufficiently good for the purpose;

Secondly, to articles wholly or partially manufactured in India from imported materials provided that the quality is sufficiently good for the purpose;

Thirdly, to articles of foreign manufacture held in stock in India provided that they are of suitable type and requisite quality;

Fourthly, to articles manufactured abroad which need to be specially imported.

(2) Departments of the Government may, when they are satisfied that such a measure is justified, allow a limited degree of preference in respect of price to articles produced or manufactured in West Bengal or alternatively elsewhere in India either wholly or in part. The Superintending Engineers of the Public Works Directorate are also authorised to exercise the power of granting such preference up to a limit of 5 per centum.

378. (1) The rules prescribed by Government in consistence with the policy outlined in rule 377 for the purchase of stores (other than printing and stationery stores) for the public service, whether of indigeneous origin or otherwise, are given in Appendix 16.

(2) The restrictions imposed by these rules for purchase of stores for the public service do not apply to purchases made by or on behalf of Port Trusts, Municipalities, or local funds, excepting when the stores purchased are paid for from Government revenue on behalf of Government or from funds advanced by Government; in the latter circumstances Government may, however, direct that the provisions of the rules in question need not apply. When a Public Works Department Officer carries out a work for any of the local bodies referred to above, the said rules shall apply, except when the local body specially desire to have the stores purchased otherwise, with the approval of Government. It should, however, be stipulated that the stores must be approved by the officer carrying out the work before the purchase is concluded.

379. (1) The prescribed rules for purchase of stores for the public service are not also applicable to the purchase of mathematical instruments required for the Public Works Department. All such new instruments as are provided for in the sanctioned estimates should be obtained by indent

from the National Instrument Factory, Calcutta. Each divisional office should procure from the officer-in-charge of the National Instrument Factory, Calcutta, a copy of their latest issue of the complete price list of all instruments available, as and when such lists are published, and keep it up-to-date.

(2) Except when the cost does not exceed Rs. 500, all indents on the National Instrument Factory, Calcutta, should be accompanied by a certificate by the indenting officer to the effect that the supply of the articles detailed therein is covered by a sanctioned estimate; and the specific reference numbers of the instruments shown in the price list of that office should always be quoted.

(3) Instruments requiring repair should ordinarily be sent to the National Instrument Factory, Calcutta, or to the Depot from which they were supplied, for the purpose, unless there is any Government workshop more conveniently situated where the repairs can be properly executed, or in case of urgency, when the work may be entrusted to a local firm.

(4) The Superintending Engineer should see that surveying and mathematical instruments are not stocked in excess of requirements and that surplus instruments are returned either to the National Instrument Factory, Calcutta, or to the Depot from which they were obtained.

380. Stock, road metal and other materials required in ordinary course for the execution of sanctioned works may, subject to the provisions of the rules for the supply of articles for the public service, be procured on the responsibility of the Divisional Officer without special authority, though the Superintending Engineer's approval should be obtained to the measures proposed for the purchase of stock in large quantities. If the stores are to be manufactured, a separate estimate for their preparation may be required, as laid down in rule 382.

381. The articles comprised under the head "Tools and Plant" can only be purchased or manufactured against estimates sanctioned by competent authority, with the exception of purchases or manufactures not exceeding Rs. 500 for which estimates are not required.

382. 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 materials to be received. If the materials be for a work already duly sanctioned, or for reserve stock within the sanctioned limit for the division, the estimate will merely require the approval of the Superintending Engineer, but in all other cases the estimate must be duly sanctioned by competent authority, as though for an original work.

383. (1) Nothing in the rules prescribed for purchase of stores for the Public Service shall be deemed to prohibit purchase of stores by one department from another.

(2) Indents on other departments when not required to be prepared on forms supplied by the department indented upon, should be prepared in the prescribed Public Works Department forms (Bengal Forms Nos. 2841 and 4765) and must be addressed to the officer who is to supply the articles. They must explain fully and in detail the nature of the articles required.

(3) Emergent indents on other departments 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 indents 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 necessary countersignature, so that the Superintending Engineer may exercise a check over such demands.

III. Reserve of Stock

384. (1) A reserve of stock (general stores) may be maintained in the division of the Public Works Directorate when necessitated by the remoteness of the division or works from the market or source of supply, or for use in emergency. The maximum monetary limit up to which such reserve of stock may be maintained will be fixed by the Chief Engineer in each case.

(2) The fixed maximum should be kept at the lowest point compatible with efficiency, and the stock returns of divisions should be carefully scrutinised by Superintending Engineers from time to time with reference to this point.

(3) Stores purchased for reserve of stock in a division should be held in a suspense account of stock of that division.

IV. Stock-taking

(a) *Stores other than tools and plant*

385. Divisional Officers shall get stock taken throughout their divisions at least once a year. Important Stores should, as a rule, be counted by a member of the Engineer establishment, but this duty may be entrusted to a subordinate holding the charge of a subdivision. The Superintending Engineer, when he thinks proper, may depute an officer from one division to aid in the stock-taking of another. As a general rule, verification should be entrusted to an officer independent of and unconnected with the staff responsible for the custody of the stores, and it should also include a certain amount of surprise check.

386. It is not necessary that all the stores of a division, or even of a subdivision, should be checked and counted at the same time; and the stock-taking may be arranged so as to go on gradually with it in the manner most convenient. When the stock of an article is scattered in a subdivision, it may not be possible to test the aggregate book-balance of any article for the subdivision by an actual verification of all the stocks of it at the same time. In such cases, the various stocks in charge of a sectional officer of each article, should as far as possible be verified at or about the same time.

387. The procedure of verification outlined in the foregoing rules is suitable primarily for divisions executing ordinary works. In the cases of special stores depots or divisions, or of construction divisions where there may be a large concentration of stores, a continuous and periodical verification of stores should be arranged for, whenever possible.

388. The results of all verifications of stock should be reported to the Divisional Officer for orders, but, as soon as a discrepancy is noticed, the book-balance must be set right by the verifying officer with a suitable remark.

(b) *Tools and plant*

389. The rule regarding verification of stock of general stores outlined above applies also to verification of stock of tools and plant except that when any articles are found deficient, a note of the deficiency should only be made in the account of issues without any correction of the book balance.

V. Disposal of stores

390. All articles of stock (not including tools and plant) which are not likely to be required during the following twelve months, should be reported to the divisional officer who will, if necessary, take the Superintending Engineer's orders as to their disposal.

391. At the end of each official year, lists of surplus stores should be prepared by Superintending Engineers and circulated to officers of the Department and to other Departments of this Government who are also entrusted with the charge of execution of public works in this State.

392. When stock materials are sold to the public or other departments, an addition of 10 per cent. over their full issue rates (book values) must be made to cover charges on account of supervision, storage and contingencies. 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.

393. Except as provided in rule 392 no public stores may be sold otherwise than by public auction without the permission of the Superintending Engineer. Commission, which should ordinarily not exceed 5 per cent. may be allowed to the auctioneer, not being a departmental subordinate, but no commission can be allowed on private sales. Public auction should always be conducted in a legal and regular manner either through the agency of an auctioneer or by departmental officers in accordance with the rules and procedure laid down in Appendix 12.

Note.—When stores are sold by auction through an auctioneer, a responsible officer or subordinate should attend and record the final bids, in order to enable the sale accounts rendered by the auctioneer to be checked.

394. When stores (including tools and plant) of any kind become unserviceable, a report thereof must be made in the Survey Report Form (Bengal Form No. 4788); this should be done at once on discovery of the fact. In the report all proper explanations together with the cause of deterioration must be given, and the period stated during which the articles have been in store or in use.

395. (1) With the "exception" noted below any loss of stock, caused by defalcation, destruction by fire, or otherwise, should be immediately reported by the officer concerned to his immediate official superior as well as to the Accountant-General, West Bengal, even when such loss has been made good by the party responsible for it. Such reports must be submitted as soon as a suspicion arises that there has been a loss; they must not be delayed while detailed enquiries are made.

(2) When the matter has been fully investigated, the divisional officer should, unless he is specially authorised to write off finally the irrecoverable value of stores, submit a report to the Superintending Engineer who will, if necessary, report the matter through the Chief Engineer to Government for orders.

(3) In the case of serious losses, the divisional officer should hold a departmental enquiry and record in his report the evidence and his findings thereon, including the findings as regards the responsibility and culpability of the persons concerned.

Exception.—Petty cases, that is, cases involving losses not exceeding Rs. 200 each, need not be reported to the Accountant-General, unless there are, in any case, important features which merit detailed investigation and consideration.

396. An immediate report of the loss of stores in a matter requiring police investigation, such as loss by defalcation, theft, etc. 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 Divisional Officer must, in cases where he is not himself authorised to write off the value of the property, obtain and forward as soon as possible, to the Superintending Engineer a copy of the proceedings.

397. Ordnance stores not required by officers of this department must be returned by them to the nearest magazine.

VI. Hire of tools and plant

398. (1) Contractors employed on works of the Public Works Department shall be required to provide all ordinary tools and plant required for the execution of the work.

(2) Where, under the circumstances contemplated in sub-rule (3) of rule 376, it is intended to lend tools and plant to a contractor for use on a work which he is executing for the department, no hire charge will be levied. The tools and plant to be so lent shall be specified in the notice calling for tenders and in the agreement. In such cases unless otherwise provided for in the agreement the cost of carriage from and to the Public Works Department godown shall be borne by the contractor and he shall be responsible for making good any loss or damage done to the tools and plant while in his possession.

399. When tools or plant are lent to a contractor otherwise than in accordance with the terms of his agreement, or to a local body or to others, the hire charge at a rate of 30 per cent. per annum on the original cost, or estimated value where the cost is not known, will be levied. The amount of this charge will be determined by the Superintending Engineer, and he will decide whether the charge will be levied by the month, week or day. Where for special reasons, a reduced charge or an alteration in the method of assessment is considered necessary, the sanction of the Chief Engineer should be obtained. The hirer will meet all charges for carriage and protection of the tools and plant and will make good any loss or damage done to the tools and plant while in his possession.

400. (1) Articles borne on the Tools and Plant account of the division may, subject to conditions laid down in rule 399, be lent temporarily to contractors for use on Government works being executed or maintained by them, or to a local body or to others for use on their works, and it should be seen that the articles are returned without unnecessary delay, and in good condition.

(2) When tools and plant are temporarily lent to a contractor or to a local body or to others with the sanction of competent authority, the sub-divisional officer shall be responsible for regular realisation of the hire and other charges payable by the party concerned and also for the return by the party of articles without unnecessary delay and in good condition.

E. STORE-KEEPERS

401. When the stores are sufficiently extensive to require it, a store-keeper may be appointed to be in charge of them. The store-keeper will have nothing to do with the disbursement of cash, the supply of materials, or the preparation of bills. His duties will be confined to the custody, preservation and issue of the stores under his charge, and to the keeping of the required returns relating to them.

F. RULES FOR DIVISIONAL WORKSHOPS

402. The divisional workshops may be treated as a distinct subdivision, or they may form portions of subdivisional charges.

403. Except under some general or special order of Government, no work other than work required for the various branches of the Public Works Department shall be undertaken in the workshops of the said department.

404. No work should be undertaken for 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 Divisional Officer, or into a Government treasury to the credit of the Public Works Department. This rule may be relaxed at the discretion of the Divisional Officer or Superintendent of the Workshop, 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 officer concerned shall be 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 Government servant's pay for the following month. In all cases prior to work being taken in hand, an undertaking should be procured from the party concerned that it will not hold the Department responsible for loss by fire or theft or by 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.

G. TRANSFERS OF CHARGE

I. General

405. Every transfer of charge of a gazetted Government servant should be reported by post of the same day to the Accountant-General, West Bengal, in Bengal Form No. 2828 in case of a transfer in a subdivisional charge and in Bengal Form No. 2403 in case of any other transfer.

406. An officer must not delay making over charge after the arrival of the relieving officer; nor must he, without a medical certificate or the permission of his immediate superior officer, leave the station before the arrival of his successor.

407. (1) In the case of any sudden casualty occurring or any emergent necessity arising for an officer to quit his charge, the next senior officer of the department present will take charge. When the person, who takes charge, is not a gazetted officer, he must at once report the circumstances to his nearest departmental superior, and obtain orders as to the cash in hand, if any.

(2) In the case of such a vacancy occurring in a divisional or a subdivisional charge, the next senior officer of the department present should, on assuming charge, forward to the Superintending Engineer or the Divisional Officer, as the case may be, the receipts which would otherwise be given to the relieved officer.

408. The cash book or imprest account should be closed on the date of transfer and a note recorded in it over the signature of both the relieved and the relieving officers, showing the cash and imprest balances, and the number of unused cheques, if any, made over and received in transfer by them respectively.

409. The relieving officer will take up the expenditure of cash and stores on and from the first day of month during which the relief takes 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 for proper explanation for transactions during his incumbency.

II. Divisional and Subdivisional Officers

410. In the case of transfers of divisional and subdivisional charges, a copy of the note recorded under rule 408 together with the following documents, should be forwarded the same day to the Superintending Engineer in the case of divisional, or to the Divisional Officer in the case of subdivisional charges:—

- (i) Transfer report in the prescribed form.
- (ii) Receipts of stock, tools and plant and other stores under the immediate charge of the relieved officer, Forms A and B appended herein below being used for divisional and subdivisional charges respectively.
- (iii) A detailed report 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 headquarters only.

FORM A

Received in transfer from Shri....., late Executive Engineer, Division, the stores in his personal charge as detailed in the annexed list.

The balance returns of stock and tools and plant in charge of all subdivisional officers for the year ending on..... are on record, and the divisional stock returns have been prepared to end of.....

(Station and date)

Signature.

Executive Engineer,

..... Division.

FORM B

Received in transfer from Shri....., late officer-in-charge of..... subdivision, the stock and tools and plant which have been in his personal custody, as detailed in the last return showing balances and accounts of receipts and issues up to date. The returns for the year ending on..... and for the month of for the whole subdivision 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.

(Station and date)

Signature.

Relieving Subdivisional Officer.

411. The receipt 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.

412. (1) The relieving officer should then, unless otherwise ordered, proceed with the relieved officer to inspect the records, cash, stores, works and materials at site of works, in charge of subordinates, but in the case of the transfer of a divisional charge, the relieved officer should accompany the relieving officer in the inspection of the outstations only when so directed by the Superintending Engineer.

(2) The relieving officer should examine the accounts, count the cash, inspect the stores, and count, weigh and measure certain selected articles in order to test the accuracy of the returns, and should minutely examine the works in progress as to their quality, and as to their accordance with the sanctioned plans and estimates; he should also record his opinion as to the correctness of the accounts of materials at site.

(3) If the relieving officer fails to bring to notice within a reasonable period any deficiency or defect in work or stores taken over from his predecessor, he will be held responsible for the same, both as to quantity and quality, so far as he was in a position to ascertain it.

413. 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 attention, with full explanation 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 due course, and a report as to any complication likely to arise owing to their nonadjustment.

414. The relieving officer, in reporting that the transfer has been completed, should bring to notice anything irregular or objectionable in the conduct of business that may have come officially to his notice. In the case of the transfer of a divisional charge, he should describe the state of the records, cash, stores and works, mentioning specially whether the works accounts may be considered fairly to represent the progress of the works, and also indicating what outstations he has yet to inspect, and when he proposes to visit each of them.

415. In the case of the transfer of a Divisional charge 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.

416. The transfer report of a Subdivisional charge should, on receipt by the Divisional Officer, be scrutinised by him, any remarks necessary being entered in the column provided for that purpose and returned, if necessary, to the Subdivisional Officer who after acting on the orders received, should return it to the Divisional Officer. The report should then be forwarded to the Superintending Engineer who with any remarks if required, should return it to the Divisional Officer for further action, if necessary, or for record in the Divisional office.

III. Other Officers

417. In the case of transfers of charges other than divisional and subdivisional charges, the Executive Engineer should issue instructions as to the works to be jointly inspected by the relieved and the relieving officers.

H. BUDGET PROCEDURE

I. General

418. Although the responsibility for the preparation of the annual statement of the estimated receipts and expenditure of the State known as Civil Budget Estimate, and its presentation to the Legislature lies with the Finance Department, the Public Works Department as one of the local budgeting authorities is responsible to furnish in due time the Finance Department and the Accountant-General, West Bengal, with all the necessary materials required for preparation of this annual statement relating to such heads of accounts as may be under their administrative control.

419. The time available for examination and consolidation of the estimates is very limited, and any delay in the submission of a single estimate will dislocate the budget programme seriously. It is, therefore, of the utmost importance that all subordinates should adhere strictly to the dates fixed for transmission of their estimates to the higher authorities. A list of officers by whom the different budget estimates under heads concerning the Public Works Department should be prepared and the dates on which these estimates are due for submission are given in the statement in Appendix 17.

420. (1) The budget of the State should show in detail the receipts and expenditure of the State in the following separate columns:

- (i) the budget estimates of the ensuing year,
- (ii) the revised estimates of the current year,
- (iii) the budget estimates of the current year, and
- (iv) the actuals of the past year.

All estimates should be drawn up accordingly.

(2) The estimates of expenditure shall further show separately—

- (i) the sums required to meet expenditure described by the Constitution of India as expenditure charged upon the Consolidated Fund of the State, and
- (ii) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the State,

and shall also distinguish expenditure on revenue account from other expenditure.

421. (1) The estimates of new expenditure proposed to be included in the budget of the ensuing year should be dealt with separately and should not be mixed up with the revised and budget estimates of receipts and of expenditure on other accounts, e.g., expenditure on works-in-progress, repairs, grants-in-aid, etc.

(2) The instructions regarding preparation and submission of estimates of new expenditure, and of revised and budget estimates of receipts and expenditure other than new expenditure, as laid down in the following rules, should be borne in mind in framing the respective estimates.

II. Revised and Budget estimates of receipts and expenditure other than new expenditure

(a) *Revenue and Receipts*

422. In regard to "Revenue and Receipts", the most important guide to the preparation of "Revised Estimates" will ordinarily be found in the actual receipts of those months of the current year which have already elapsed. If an officer observes that the actual receipts from a particular source of revenue reveal a growth or diminution compared with those of the corresponding period of the previous year he will, unless there are definite reasons to the contrary, be justified in assuming a continuance of the growth or decline at the same rate during the remaining months. The proportionate estimate based on this assumption should, however, be corrected by a consideration of the other materials which are available for the formation of a sound forecast; the progress of collection of revenue, for instance, may suggest that the rate of growth or decline will be retarded or accelerated, and the proportionate estimate should, therefore, only be used by the estimating officer, as one among a number of factors which influence his decision. It is rarely suitable for use in estimating land revenue and other receipts, for which the demand is fixed, or income, such as that from sale of land and houses, which necessarily fluctuates widely from year to year.

423. In all cases and especially in dealing with important revenue estimates the reasons, which have led to the adoption of the figures proposed for the Revised Estimate, should be briefly but clearly explained. This explanation should recount the particular circumstances which have, in the budgeting officer's opinion, led to a recorded increase or decrease in the revenue of the earlier months, and the grounds on which they expect to obtain the balance of the estimates in the latter part of the year; it should not be merely mechanical.

424. The actuals of the previous years and revised estimates of the current year ordinarily afford the best guide in framing the budget estimates of the ensuing year; and in the absence of definite reasons to the contrary, it is ordinarily advisable to assume a continuance of any growth or decline which is revealed by these figures. The salient factors which have led to the adoption of figures proposed for the budget estimates should be clearly and briefly explained.

(b) *Expenditure relating to heads other than "Civil Works"*

425. In regard to expenditure heads the following more important points should be borne in mind in framing the revised and budget estimates:—

- (i) Under the heads "Pay of officers" and "Pay of Establishments" the revised estimates are to be based on the actuals of the past few months of the current year plus the probable requirements for the remaining months of the year calculated with reference to the pay charges of incumbents likely to be on duty during the remaining months and leave salary likely to be drawn in India.
- (ii) The budget estimates under the heads "Pay of Officers" and "Pay of Establishments" should likewise include the full amount of pay (including increments) likely to be drawn by the incumbents on duty during the year; provision for those on deputation or on leave in the United Kingdom who are not likely to draw their leave allowance in India should, however,

be excluded. Provisions for leave salary to be drawn in India or in foreign countries other than the United Kingdom may also be proposed in the estimates when considered necessary. They should, however, be exhibited separately under the primary units "Pay of Officers" and "Pay of Establishments", as the case may be, and the reasons for the provision briefly explained.

- (iii) In justification of the budget estimates under "Pay of Officers" and "Pay of Establishments", full details of the number of officers and their pay, together with the number and pay of permanent and temporary establishments should be separately supplied with the estimates in the prescribed form unless otherwise ordered by the Finance Department in regard to estimates under certain heads.
- (iv) For the fluctuating items of expenditure, neither the actuals of the previous year, nor the progress of actuals of the current year should be used as the only guide, but due consideration should be given to exceptional circumstances of the previous years and special features of the current year.
- (v) Every attempt should be made to make the estimates as accurate as possible. The estimates must not include provision for any new unsanctioned schemes which it is desired to introduce in the ensuing financial year.

426. The reasons which have led to the adoption of the figures proposed for the revised and budget estimates should be briefly but clearly explained.

427. The revised estimates of expenditure are merely forecasts, based on later information, of what the actual outlay of the year will be; they do not operate either to increase or to reduce the grants which have been placed at the disposal of officers in the sanctioned budget.

(c) *Expenditure relating to head "Civil Works"*

428. (1) The revised and budget estimates under the heads "50—Civil Works" and "81—Capital Account of Civil Works outside the Revenue Account" should be submitted in Form A—a sample of which is given in Appendix 17.

(2) Entries against "New works" in Form A should be made in the second (current year's budget) column only. The total expenditure anticipated during the current year on works shown in column 2 will be included in column 3 opposite "Works in progress", while the budget of the following year for "New works" will be decided on a consideration of the schedules of new major works and estimates for minor works.

(3) Supporting the entries against "Works in progress" a statement in Form B (a sample of which is also given in appendix 17) should be forwarded simultaneously with the estimates in Form A. The detailed instructions recorded under the sample Form B in Appendix 17 should be strictly complied with in filling up this form.

(4) The subordinate officers of the Directorate should bear in mind that the revised estimates, which they submit of the expenditure they are likely to incur on works, do not operate either to increase or to reduce the sanctioned grant for those works, and that the revised estimate should be framed as accurately as possible after taking into consideration, among other things, the pace at which the work is progressing, the difficulty or otherwise of labour, the possibility of collecting materials, etc.

429. On the 15th of December, similar estimates in Forms A and B based in the same way on reports containing later information then available as to the amounts likely to be spent on works in the current financial year, should be submitted by the Divisional Officers to the Superintending Engineers. The Superintending Engineers in their turn will submit duly checked this second forecast of expenditure to the administrative department through the Chief Engineer not later than the 2nd of January for transmission of the report to the Finance Department positively by the 10th of January at the latest. The date for the submission of this supplementary statement should be most carefully observed, since it will be of no use unless it is received in good time.

(2) By the 10th of January the administrative department should also furnish separately to the Finance Department a complete detailed list of works-in-progress in Form B under "Civil Works" in the estimates of the ensuing year for inclusion in the "Explanatory Memorandum on the Budget of the State".

430. In framing the revised and budget estimates of repairs, establishment charges, etc., under the head "Civil Works", the instructions contained in rules 425 to 427 should be borne in mind. For the budget estimate of repairs the revised estimate with necessary additions for repairs to new works executed in the course of the year will ordinarily be the safest guide.

431. Proposed revisions of the number or pay of establishments in the ensuing year will, of course, be shown in the Public Works Department Schedule of new expenditure, unless they have been finally sanctioned for introduction in the ensuing year. In that case the cost will be included in the budget estimate to be submitted to the Accountant-General, and the Finance Department.

III. Schedule of new expenditure

432. The term "new expenditure" applies not only to expenditure on all new services the provision for which has not been previously included in the sanctioned grant or appropriation but also to new items like those involved in additions to, or extensions of, an existing service, commitment or facility, e.g., provisions for new buildings, new roads, additions to existing establishments, grants-in-aid, contributions and similar items of expenditure. In cases of doubt whether expenditure of a particular kind should be included in the statement of new expenditure, the matter should be referred to the Finance Department through the administrative department for orders.

433. The estimates of new expenditure are, for the sake of convenience, divided into two parts in the preliminary stages of the budget, namely:—

- (a) expenditure on new major constructional works (that is, works above Rs. 10,000 each), and
- (b) other new expenditure including minor works.

434. The schedule of new expenditure, proposed for inclusion in the next year's budget should be furnished to the Finance Department, in duplicate, by the administrative department not later than the 30th September in such forms and with such details as have been prescribed by the Finance Department—vide sample Forms No. 1 and No. 2 in Appendix 17.

435. (1) The Executive Engineers should prepare in the prescribed form No. 2 (Appendix 17) a schedule of new major works, which they may have in view under the heads "Original Works—Buildings" "Civil Works" and "General Administration—Secretariat and Head Quarters Establishments" as well as under the heads "Original Works—Communications" and "Original Works—Miscellaneous" which are under the administrative control of the department and should submit the schedule to the Superintending Engineers concerned positively by the 31st of July each year. Only such schemes, which have been administratively approved, should be included in the schedule of new expenditure, in their order of priority.

(2) The Superintending Engineer should after thorough scrutiny of the schedules submitted by the Executive Engineers along with any other new schemes which he may have separately in view, draw a fresh schedule of new expenditure in their order of priority, and submit it to the Department through Chief Engineer not later than 15th August for transmission to the Finance Department by due date.

436. To ensure that all items of new expenditure for which it is desired to make provision in the budget are actually included in the schedules, all budgeting authorities should maintain separate registers in which they will enter, at the time of receipt, all proposals involving new expenditure in the following year.

437. (1) No proposal for new expenditure, which has not been included in the schedule of new expenditure, will be accepted by the Department after the 15th of August.

(2) The Heads of Directorate may, however, report to the Department through the Chief Engineer all proposals for new unavoidable expenditure, which are received by them after the 15th August, up to the 15th October for transmitting the reports to the Finance Department by the 15th of November.

438. (1) No schedule is required for individual minor works for which lump provisions are made in the Civil Works Budget. If the lump sum allotted each year for minor works is considered inadequate by the administrative department a schedule in Form No. 1 as set forth in Appendix 17 showing the proposed increase in the lump provision should be sent to the Finance Department not later than the 30th September.

(2) The Executive Engineers and in turn the Superintending Engineers should, therefore, submit along with their schedules of new major works expenditure a separate schedule of demand for minor works affecting each head of account with which the department is concerned, so that the department may decide if a schedule need be sent to the Finance Department for increase in the lump sum provision for minor works under that corresponding head.

CHAPTER V—POWERS

439. (1) The Public Works Department shall not, without previous consultation with the Finance Department, authorise any orders (other than orders pursuant to any general delegation made by the Finance Department or to any specific delegation as provided for in this Code) which, either immediately or by their repercussions, will affect the finance of the State or which, in particular, either—

(a) relate to the number or grading or cadres of posts or the emoluments or other conditions of service or posts; or

(b) involve any grant of land or assignment of revenue or concession, grant, lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession; or

(c) in any way involve any relinquishment of revenue.

(2) No proposal, which requires the previous consultation of the Finance Department under this rule, but in which the Finance Department has not concurred, may be proceeded with.

440. The Public Works Department may, without previous reference to the Finance Department, incur expenditure of a non-recurring nature (excluding the appointment of a temporary establishment not otherwise authorised, or the deputation of an officer)—

(a) provided that budget provision has been made on this account; or
(b) if no budget provision has been made on this account, provided that—

- (i) it does not exceed Rs. 200 for any one item;
- (ii) it is not on account of an item of contract contingencies;
- (iii) it does not involve any debit against the budget of the ensuing year;
- (iv) the expenditure can be met by reappropriation within the same minor head of account from a lump sum provision for charges of the same nature, such as "purchase of stores" and "purchase of books" etc.;
- (v) there is nothing novel, doubtful or irregular in the character of the charge.

441. A copy of every order under clause (a) of rule 440 must be sent forthwith to the Accountant-General through the Finance Department. A copy of every order under clause (b) of rule 440 must be sent forthwith to the Accountant-General, also, if the charge is met by reappropriation to the Finance Department.

442. (1) The Public Works Department may sanction, without previous reference to the Finance Department, any reappropriation within a Grant at their disposal subject to the following conditions:—

- (i) that the Grant as a whole is not likely to be exceeded;
- (ii) that a reappropriation from a "charged" to a "voted" head or vice versa is not involved;
- (iii) that the expenditure which will be met by the reappropriation does not involve the undertaking of a new unapproved recurring liability;

Explanation.—Savings that become available as a result of the postponement, whether deliberate or unavoidable, of expenditure for which specific provision exists in the budget may be reappropriated to accelerate the implementation of any approved scheme already in progress, because even should such acceleration involve an immediate temporary increase in Government's recurring liabilities, Government will not be assuming a new unapproved (ultimate) recurring liability.

(iv) that the savings are known in sufficient time to permit of their being spent to good purpose and that the expenditure is not incurred merely to prevent savings lapsing;

(v) that a reappropriation sanctioning the undertaking of a "new service" is not involved;

N.B.—No satisfactory definition of "new service" has been evolved but the general purport of the term is reasonably clear. When there is any doubt the case should be referred to the Finance Department.

(vi) that a reappropriation from a "Deduct" head is not involved.

Note.—If a grant is controlled by two or more administrative departments, an administrative department desiring to sanction a reappropriation from a head controlled by another administrative department must obtain the concurrence of the latter to such reappropriation.

(2) A copy of every order sanctioning reappropriation under these powers must be sent forthwith both to the Accountant-General and the Finance Department.

443. Subject to the conditions laid down in rules 440 and 441, the Public Works Department may, with the previous consent of the Finance Department, delegate its powers of sanction to expenditure to any gazetted officer subordinate to it, the limitations and conditions as may be imposed being expressly specified in the orders of delegation; all such delegation orders should be communicated to the Accountant-General through the Finance Department.

444. (1) In cases where it is desirable to commence work on a project which has been administratively approved before the detailed estimate for the whole project has been prepared, it is permissible for the authority competent to sanction the final technical estimate as a whole to accord sanction to detailed estimates for component parts of the project, subject to the following conditions:—

- (a) For each such work or component part there must be a fully prepared detailed estimate and, in the administrative approval as a whole, there must be a clear and specific amount corresponding to the work or component part in question.
- (b) The amount of a detailed estimate must not exceed the amount included in the administrative approval by more than 10 per cent.
- (c) 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 or component part in question can be appropriately commenced without affecting, or being affected by, any other part of the project, financially or otherwise.

Note.—This rule does not apply to estimates for parts of individual buildings unless the preliminary estimates for administrative approval have been similarly prepared.

(2) In communicating the sanctions to parts of projects, accorded under this rule, the sanctioning authority should also intimate to the Audit Officer the amount administratively approved for the whole project.

445. The other administrative departments of the State Government and officers subordinate to them, as well the officers of the Public Works Directorate may exercise powers in respect of matters connected with "Civil Works" to the extent delegated to them, as detailed in the schedules appended to this rule, namely:—

Schedule A—gives the extent of powers delegated to other administrative departments of Government and officers subordinate to them in respect of matters connected with "Civil Works", as dealt with in the Code.

Schedule B—Part I—gives the extent of powers delegated to officers of the Public Works Directorate in respect "establishment matters" as dealt with in the Code.

Schedule B—Part II—gives the extent of powers delegated to officers of the Public Works Directorate in respect of matters relating to "Works and their execution" as dealt with in the Code.

Schedule B—Part III—gives the extent of powers delegated to officers of the Public Works Directorate in respect of "appropriation, reappropriation and other miscellaneous matters" as dealt with in the Code.

SCHEDULE A

Details of powers delegated to other administrative departments of Government and officers subordinate to them in respect of matters relating to Civil Works as dealt with in the Code.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
1	Administrative approval—Power to accord administrative approval to original works-buildings (residential and non-residential) excluding works in Governor's residences.	Administrative Departments	Full powers in respect of administrative approval to all projects in excess of the financial limits up to which their subordinates can accord administrative approval in terms of the powers delegated to them under Serial 3 below of this schedule, provided that concurrence of the Finance Department should be taken before according such administrative approval in cases— (i) When the project is a major work, i.e. work estimated to cost more than Rs. 10,000 each, and (ii) when the project is a minor work (i.e. work costing Rs. 10,000 or less) in connection with the building or purchasing of new residences.	Exception—Projects for additions and alterations to existing residences amounting to not more than Rs. 200 in each case may, however, be dealt with in the Public Works Department without reference to the administrative Department concerned. (Reference—vide Bengal P. W. D. Code App. IV and Secretariat Manual, Chapter IX, rules 34 and 37).
2	Administrative approval—Power to accord administrative approval to works in Governor's residences.	Secretary to Governor	Up to Rs. 1,000 each when the work is an "original work" and up to Rs. 2,500 each when the work is a "special repair work". When the cost of a project exceeds the above financial limits, it should be submitted by the Secretary to the Government in the Public Works Department for administrative approval.	(Reference—vide W. A. D. Manual, para. 91).

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
3	Administrative approval—Power to accord administrative approval to "original works-buildings" excluding works in residences.	(1) Board of Revenue. (2) Director of Industries. (3) Director of Health Services. (4) Director of Public Instruction. (5) Inspector-General of Police. (6) Inspector-General of Prisons. (7) Inspector-General of Registration. (8) Commissioners of Divisions (except for works of improvement in Government estates). (9) Commissioners of Divisions (for works of improvement in Government estates). (10) Commissioner of Excise. (11) Commissioner of Police. (12) Director of Agriculture. (13) Director of Land Records and Surveys. (14) District Judges. (15) Director of Veterinary Services and Animal Husbandry. (16) Registrar, High Court, Calcutta, Appellate Side. (17) Collectors of districts and Deputy Commissioners. (18) Inspectors of Schools and Governing bodies of Presidency and Bengal Engineering Colleges.	Up to Rs. 10,000 in each case. Up to Rs. 5,000 in each case. Up to Rs. 2,500 in each case. Up to Rs. 2,000 in each case. Up to Rs. 1,000 in each case.	(Reference—vide Bengal P.W. D. Code App. IV and W. A. D. Manual para 95).

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|---|---|-----------------------------|
| (19) Chief Presidency Magistrate,
Calcutta. | } | Up to Rs. 500 in each case. |
| (20) Governing bodies of the
Victoria Boys' School and
Dow Hill Girls' School,
Kurseong. | | |
| (21) Governing bodies of other
colleges. | | |
| (22) Inspectresses of Schools. | | |
| (23) Superintendent, Indian
Botanic Garden. | } | Up to Rs. 100 in each case. |
| (24) Principals of Government
Colleges. | | |

1 Allotment of funds—Power to allot funds from minor works grant in the State Civil Works Budget placed at his disposal.

- (1) Commissioners of Divisions.
- (2) Commissioner of Excise.
- (3) Inspector-General of Registration.
- (4) Inspector-General of Prisons.
- (5) Inspector-General of Police.
- (6) Secretary to Governor.
- (7) Registrar, High Court, Calcutta, Appellate Side.
- (8) Commissioner of Police, Calcutta.
- (9) Director of Public Instruction.
- (10) Director of Health Services.
- (11) Director of Agriculture.
- (12) Director of Veterinary Services.
- (13) Director of Industries.

Full powers provided the work has been administratively approved and plans and estimate therefor technically sanctioned by competent authority and provided the sanctioned estimate of the work does not exceed the minor works limit of Rs. 10,000.

(Reference—vide practice as is now followed in the department.)

3 Buildings—Power to execute departmentally petty works of construction and repairs in buildings other than the residential buildings borne on the books of the Public Works Department.

Civil authorities occupying the buildings.

Up to Rs. 2,500 in each case provided—

- (i) the cost of the work is met from their own departmental budget grant;
- (ii) the work does not relate to a work (original or repairs) in connection with the sanitary, water-supply and electric installations or with provision of fire appliances in the building which should invariably be executed through the Public Works Directorate; and

(Reference—vide rule... 146... W.B.F.R. read with orders issued in B. G. C. & W. Department No. 3262(85)B., dated 29th August 1942).

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
			(iii) the work is carried out in accordance with the rules and procedure laid down in rule 272 of the Code.	
6	<i>Buildings</i> —Power to undertake new construction of public buildings departmentally for departmental use.	(i) Inspector-General of Police.	Up to a limit of Rs. 15,000 each in case of investigating centres (i.e. Police stations and outposts with attached buildings) and of Rs. 10,000 each in all other cases;	<i>Note</i> —When the estimated costs of works exceed these limits, their execution should ordinarily be entrusted to the Public Works Directorate.
		(ii) Conservator of Forests.	Up to a limit of Rs. 10,000 each;	(Reference—vide W. A. D. Manual, para 286.).
		(iii) Other Heads of Departments.	Up to a limit of Rs. 5,000 each provided the project has been administratively approved by the competent authority; the cost is met from the departmental budget grant; and the building when constructed continues to be maintained by the department concerned from its budget and is not made over for maintenance to the Public Works Directorate without the specific sanction of Government in the Public Works Department.	
7	<i>Buildings</i> (Governor's residences)—Power to sanction the demolition of permanent buildings.	Secretary to Governor	Up to Rs. 1,000 in each case i.e. Secretary to Governor may sanction the demolition of a permanent public building of which the book value does not exceed Rs. 1,000.	(Reference—vide W. A. D. Manual, para 91).

- 8 *Lands* (Building compounds excluding Cutchery compounds)—Power to grant license of land for grazing purposes, of tank and of fruit trees for selling fruits, as well as power to sell trees in compounds of buildings (other than the cutchery buildings) borne on the books of the Public Works Department.
- Administrative department in occupation of the building.
- May decide on the merits of each case and grant necessary license of land for grazing purposes, of tank, or of fruit trees for selling fruits, or may authorise selling of trees standing on the compounds of buildings under their occupation subject to the conditions—
- (Reference—vide West Bengal Government Estates Manual, App. XIII, rule 4.)
- (i) that when such license or sale is sanctioned the local head of the department concerned should realise the license fees or the sale proceed and credit the same to the Public Works Department as miscellaneous receipts under "XXXIX State Civil Works"; and
- (ii) that an intimation of any such settlement should be immediately communicated to the Executive Engineer concerned of the Public Works Directorate.
- 9 *Lands* (Cutchery compounds)—Power to grant license of land for grazing purposes, of tanks and of fruit trees for selling fruits as well as power to sell trees, and issue permits for shops in compounds of cutchery buildings borne on the books of the Public Works Department.
- Heads of the Department in occupation of the building.
- May decide on the merits of each case and grant when necessary, the required license of land for grazing purposes, of tank, or of fruit trees for selling fruits, or may authorise selling of trees standing on Cutchery Compounds under their occupation subject to the following conditions—
- (i) that when such license or sale is sanctioned the local head of the department concerned should realise the license fees or the sale proceeds and credit the same to the Public Works Department as miscellaneous receipts under "XXXIX State Civil Works"; and
- The power to settle shops, etc. erected and maintained by the Public Works Department in the Cutchery Compounds is delegated to the Executive Engineers.
- (Reference—vide West Bengal Government Estates Manual, App. XIII, rule 8).

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
			(ii) that an intimation of any such settlement should be immediately communicated to the Executive Engineer concerned of the Public Works Directorate.	
10	Lands (roadside)—Power to grant lease or license of roadside lands.	Collector of the district concerned.	May settle the land which has been either relinquished outright to the Land and Land Revenue Department or has been made over to the Collector for management, as well as land which may partly be in charge of the Collector and partly in charge of officers of Public Works Directorate subject to the following conditions— (i) that the rules prescribed on the subject in the West Bengal Government Estates Manual are strictly followed; (ii) that the Executive Engineer concerned is consulted about any settlement proposed in the case of land made over to the Collector for management only, or land partly in charge of the Collector and partly in charge of Public Works Directorate. (iii) that sanction of Government in the Public Works Department is obtained before any settlement is made of land, which has not been relinquished by the Department for non-agricultural purposes.	(Reference—West Bengal Government Estates Manual, rule 299 and W. & B. Deptt. memo. No. 3768-C., dated 21st—November 1941).
11	Power to sanction disposal of petty surplus and dismantled materials from work.	Secretary to Governor	Up to Rs. 100 in each case.	(Reference—vide W. A. D. Manual, App. R., para. 19).

12 *Site selection.*—Power to approve sites for civil buildings selected by the site selection Committee under rules laid down in the Code.

(i) Deputy Inspector-General of Police.

Power to approve finally the sites for buildings to be used by the Police Department provided the views of the Deputy Inspector-General of Police do not differ from those of the site selection Committee and/or the Superintending Engineer.

(ii) Head of Department concerned.

Power to approve finally the sites for civil buildings (not being police buildings) to be erected in the compounds of existing public buildings, provided the officers comprising the Site Selection Committee unanimously agree as to the sites proposed, and provided the cost in each case is less than Rs. 20,000 and the sites do not relate to buildings considered important from the administrative point of view.

(iii) Commissioner of Division ..

Power to approve finally the sites for all civil buildings (not being police buildings)—

- (i) which are considered important from the administrative point of view ; or
- (ii) which may cost Rs. 20,000 or more in each case ; or
- (iii) which may relate to buildings or groups of buildings such as subdivisional Head Quarters, Munsifies, Schools with hostels and the like when they are to be erected on sites newly acquired or to be newly brought under use ;

Provided the views of the Head of the department concerned on the sites selected do not differ from those of the Site Selection Committee and/or the Superintending Engineer.

Note.—In all cases where the views of the Deputy Inspector-General of Police or the Head of the Department concerned differ from those of the Site Selection Committee and/or the Superintending Engineer the matter should be referred to Government in the Administrative Department through the Inspector-General of Police in case of Police buildings or through the Commissioner of Division concerned in case of other civil buildings.

(Reference.—Bengal P. W. D. Code, App. V, as modified by orders No. 173B, dated 13th January 1945 and No. 2371B, dated 27th June 1942).

SCHEDULE B

PART I—ESTABLISHMENT

Details of powers delegated to officers of the Public Works Directorate in respect of establishment matters dealt with in the Code.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
1	Advances—power to grant advances of pay and travelling allowance to officers on transfer.	(i) Chief Engineer .. (ii) Superintending Engineer (iii) Executive Engineer.	Power to grant to any officer under his jurisdiction having a substantive appointment under Government (including himself in cases where the power is exercised by the Superintending or the Executive Engineer) under orders of transfer an advance upto an amount not exceeding one month's substantive pay plus the travelling allowance to which he may be entitled in consequence of the transfer.	(vide rule 320 read with rule 302 of W. B. F. R.)
2	Advances—power to grant advances to cover travelling expenses of officers on tour.	Head of office ..	.. Powers to grant advances to non-gazetted officers and inferior servants having a substantive appointment under Government, while proceeding on tour, upto an amount sufficient to cover their personal travelling expenses for a month subject to adjustment on completion of their tour or 31st March, whichever is earlier.	[vide rule 323 (ii) of W.B.F.R.]
3	Advances—power to grant advances for the purchase of a tent.	Superintending Engineer ..	.. Powers to grant advances upto a reasonable amount to an engineering subordinate having a substantive appointment under Government for the purchase of a tent on the first occasion of his requiring one.	[vide rule 324 (iv) of W.B.F.R.]
4	Advances—power to grant advances of pay, travelling allowance etc. to officers to enable them to proceed to Pasteur Institute for anti-rabic treatment.	Head of office ..	.. Full powers subject to the general rules and conditions laid down by Government as reproduced in Appendix I to the P. W. Department Code, Volume 2.	[vide rule 324(iii) of W.B.F.R.]

5	Advances—power to grant advances to the Inspector of Lightning Conductors to meet contingent charges for the carriage of instrument box etc. in connection with his tour for inspection of lightning conductors attached to private Explosive Magazines.	Chief Engineer ..	.. Full powers subject to the condition that advance drawn by the inspector on each occasion is adjusted immediately after he returns from tour or by the 31st March whichever is earlier.	[Ref.—vide rule 324 (vii) W.B.F.R., Vol. 1].
6	Advances—power to grant permanent advances for subordinate offices.	(i) Chief Engineer (ii) Superintending Engineer.	.. Power to sanction the grant of permanent advances for offices subordinate to them upto the amount advised by the Accountant General as appropriate.	The permanent advances for the offices of the Chief Engineer and the Superintending Engineers must, however, be sanctioned by Government. (Ref.—vide W.B.F.R. rule 88, sub-rule 2).
7	Deputation—Power to authorise deputation of officers outside the State boundary.	(i) Chief Engineer (ii) Superintending Engineer.	Full powers to authorise any Government servant under his administrative control to proceed on duty to any part of the territory of India.	(Reference.—Vide W.B.S.R. I., rule 31.)
8	Efficiency bar—Power to authorise an officer to cross an efficiency bar.	Appointing authority ..	.. Full powers	(Reference.—Para 72 of Bengal P. W. D. Code as amended by Cor. Slip No. 119).
9	Fees and Honoraria—Power to grant or to permit the acceptance of an honorarium or fee by a Government servant.	(i) Chief Engineer (ii) Superintending Engineer. (iii) Other appointing authority	.. Up to Rs. 500 in the case of each Government servant provided that in respect of a recurring honorarium or fee, the above limit of Rs. 500 shall be applied to the total sum involved and not to a single payment. Up to Rs. 100 in the case of non-gazetted Government servant provided that in respect of a recurring honorarium or fee the above limit of Rs. 100 shall be applied to the total sum involved and not to a single payment.	Power to grant fees and Honoraria in each case shall, however, be exercised subject to the general rules laid down by Government in the W. B. S. R., Part I. Rules 62 and 63. (Reference.—Vide W. B. S. R., Part I, Rules 62 and 63.)

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated	Remarks.
1	2	3	4	5
10	General Provident Fund—Power to grant temporary advances to officers from their General Provident Fund Accounts.	(i) Chief Engineer .. (ii) Superintending Engineers. (iii) Executive Engineers and other Disbursing Officers.	Full powers to grant advances from the General Provident Fund for the grant of which special reasons are not required under rules laid down by Government in the G. P. Fund (West Bengal Services) Rules on that account, to all gazetted and non-gazetted officers subordinate to them. Any advance for the grant of which special reasons are required under the prescribed rules, may be sanctioned by the next higher administrative authority.	(Reference.—Vide Fifth Schedule to General Provident Fund—West Bengal Services Rules, 1950).
11	Increments—Power to sanction increments to a non-gazetted officer.	Head of office ..	Full powers subject to the condition that increment which will carry an officer passed an efficiency bar will require the sanction of the authority competent to sanction his appointment.	(Reference.—para 72 of Bengal P. W. D. Code as amended by Cor. Slip No. 119).
12	Leave—power to grant leave to Gazetted officers.	Chief Engineer ..	May grant leave on full average pay upto 4 months to members of the West Bengal Service of Engineers other than those in temporary charge of a division, and to the Electrical Assistant Engineers and other Gazetted officers below the rank of Divisional Officer, provided it does not involve appointment of additional officers.	The power should be exercised only when the leave is otherwise admissible under rules in Chapter XV of the W. B. S. R., Part I. (Reference.—vide B.G., P.W.D. No. 2152-E., dated 25-6-1929).
13	Leave—(i) power to grant leave to Sub-Assistant Engineers in-charge of Subdivisions.	Chief Engineer ..	May grant any amount of leave due to them after arrangements are made by the Chief Engineer or by Government, as the case may be for the charge of the subdivision concerned.	The powers should be exercised by officers only then the leave to be granted is otherwise admissible under rules in Chapter XV of the West Bengal Service Rules, Part I.

- (2) power to grant leave to Sub-assistant Engineers not in charge of Subdivisions.
- (i) Chief Engineer .. May grant any amount of leave due to them provided it does not involve appointment of additional officers. (Reference.—vide W. B. S. R., I Appendix 4 item IV and No. 2152-E dated 25-6-1929)
- (ii) Superintending Engineer. .. May grant any amount of leave due to them provided that local arrangement can be made by transfer within the circle to carry on the work.
- (iii) Executive Engineer .. May grant leave upto 4 months provided that local arrangements can be made to carry on the work without substitutes.
- (3) power to grant leave to clerical officers and other non-gazetted staff of the Directorate.
- (i) Chief Engineer .. May grant any amount of leave due to the staff working under him provided that local arrangement can be made for carrying on the work and that the grant of leave does not involve appointment of an outsider. (Reference.—vide W. B. S. R., I rule 150.)
- (ii) Superintending Engineer.
- (iii) Executive Engineer.
- 14 Posting and transfer—power to post and transfer members of the subordinate Engineering Service, ministerial officers, and other non-gazetted staff.
- (i) Chief Engineer .. Full powers regarding posting and transfer of Executive subordinates from one Circle of Superintendence to another. Powers relating to Executive Subordinates covered by B. G. P. W. D. No. 2152E, dated 25th June 1929.
- (ii) Superintending Engineer .. Full powers regarding posting and transfer of officers from one Division to another within the same Circle of Superintendence subject to the condition laid down in rule 57 of the Code. (Reference.—vide rule 57 of the Code which corresponds to rule 46 of Bengal P.W.D. Code.)
- (iii) Executive Engineer .. Full powers regarding posting and transfer of Subordinate Engineers from one section to another within the same division with intimation to Superintending Engineer in due course. (Reference.—vide rule 65 of the Code which corresponds to rule 55 of Bengal P.W.D. Code.)
- 15 Promotion—power to promote a non-gazetted Government servant to a non-gazetted post carrying higher scale of pay of which the officer exercising the power is also the appointing authority.
- (i) Chief Engineer .. Full powers when promotion is to be effected considering the Directorate staff as a whole subject to the condition that the sanctioned strength of the category of staff involved is not exceeded, and subject to any rules that may be in force to govern the appointment to such posts. (Reference.—new provision on the analogy of practice in vogue.)

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated	Remarks.
1	2	3	4	5
16	<i>Punishments—power to impose punishments upon members of subordinate Engineering Services and other non-gazetted officers.</i>	(i) Chief Engineer .. (ii) Superintending Engineer .. (iii) Executive Engineer. (iv) Government Architect .. (v) Superintendent Governor's Estates.	The Chief and the Superintending Engineers may, for good and sufficient reasons, impose the following penalties upon members of subordinate services as well as upon other non-gazetted staff working under them, whereas other officers of the Directorate may, for similar reasons, impose the punishments only upon the non-gazetted staff other than the members of subordinate services working under them namely :— (i) Censure; (ii) Withholding of increments or promotions including stoppage at an Efficiency Bar; (iii) Reduction to a lower post or time-scale, or to a lower stage in a time-scale; (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders; (v) Suspension; (vi) Removal from service, which does not disqualify from future employment; (vii) Dismissal from service, which ordinarily disqualifies from future employment;	[Reference—vide rules 7, 8 and 9 of the Bengal Subordinate Services (Discipline and Appeal) Rules 1936 read with delegation shown in Schedule (portion concerning P. W. D.) to these rules].

Provided that punishments enumerated in items (v) to (vii) should not be imposed by an authority subordinate to that by which the officer was appointed.

- 17 *Recruitment*—power to recruit to office and petty establishments (excluding gazetted posts and posts under the West Bengal Subordinate Services).
- (i) Chief Engineer .. Powers to recruit against the sanctioned establishment of his office (Drawing Branch, P. B. X. staff in Writers' Buildings and New Secretariat Buildings and Carotaking Establishments excluding menials staff such as sweepers, visties, etc. to be appointed by the P. A. to Chief Engineer.)
- (ii) Superintending Engineer .. Powers to recruit against sanctioned posts in the circle cadre including posts of unpassed accounts clerks, draftsmen, and sub-assistant surgeons in charge of dispensaries of the Public Works Directorate, if any, attached to the Circle.
- (iii) Executive Engineer and Superior departmental officers Powers to recruit against the sanctioned establishment of his office outside the Circle Cadre. [Reference—vide delegation shown in schedule to the Bengal Subordinate Services (Discipline and Appeal) Rules portions relating to Public Works Department.]
- (iv) P. A. to Chief Engineer .. Powers to recruit Farashes, Visties, Sweepers, Durwans etc. against sanctioned posts of his establishment.
- Note.*—Senior accounts clerks are selected and controlled by the Accountant-General, West Bengal and the Accountants in divisions belong to the establishment of the Accountant-General who appoints them from his staff and controls them.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated	Remarks.
1	2	3	4	5
18	<i>Records</i> —power to authorise destruction of office records.	(i) Chief Engineer .. (ii) Superintending Engineer .. (iii) Executive Engineer .. (iv) Government Architect. (v) Superintendent Governor's Estate.	.. Powers to authorise the destruction of records in his own and subordinate offices, as may be considered useless subject to the conditions laid down in rule 169 of the Code.	(Reference—vide rule 159 of the Public Works Department Code which corresponds to para 120 of Bengal Public Works Department Code introduced by Cor. Slip No. 50).
19	<i>Recruitment</i> —power to recruit to the West Bengal Subordinate Engineering Service (Sub-assistant Engineers, Electrical overseers and estimators, Mechanical assistants, etc.).	Chief Engineer	.. Full powers to recruit against sanctioned posts. <i>Note.</i> —The powers are to be exercised subject to the general recruitment rules and the rules regarding the minimum qualifications, the scales of pay, the age limit etc., where laid down by Government to govern any such appointment.	(Reference—vide provisions in schedule to Bengal Subordinate services—Discipline and Appeal—Rules).
20	<i>Resignation</i> —power to accept resignation of officers.	Appointing authority	.. Full powers.	(Reference—vide rule 45 of the Public Works Department Code).
21	<i>Security deposit</i> —power to fix the amount of security deposit.	Chief Engineer ..	.. Full powers in regard to cashiers, storekeepers, Cash Sirdars, dafudars, treasure guards, burkundazes and chowkidars and other subordinates, excepting senior accounts clerks, in charge of cash or stores under the Directorate.	(Reference—vide para 118 of existing Bengal P. W. D. Code).

- 22 *Security deposit*—power to authorise payment of security deposit by instalments. Superintending Engineer .. Powers to accord special sanction in each case regarding payment of the security deposit by instalments subject to the condition that half the security deposit may be paid down and the balance by instalments of one third of the pay of the incumbent. (Reference—vide para 118 of existing Bengal P. W. D Code).
- 23 *Security deposit*—power to authorise refund of the security deposit. Superintending Engineer .. Powers to authorise refund of a portion not exceeding one half of the security deposit in the case of a subordinate officer of 20 years' pensionable service or upwards.
- 24 *Transit pay*—power to grant transit pay to officers having no substantive appointment. The authority ordering the transfer. The authority ordering the transfer may allow a Government servant having no substantive appointment under Government to draw transit pay, if, while officiating in a post, he is transferred in the interest of public service to another post, subject to the conditions that the transit pay should be the pay which he would have drawn had he not been transferred or the pay which he will draw on taking charge of his new post, whichever is less. (Vide rule 95 read with rule 93 of W. B. S. R., Part I).
- 25 *Work-charged Establishment*—power to accord sanction to— (i) Superintending Engineer .. (i) Up to Rs. 250 per mensem plus usual allowances in each individual case provided that orders are received from competent authority for the commencement of work and that provision exists in a separate sub-head of the sanctioned estimate to cover the cost of such establishment; provided further, that the pay of any such work-charged post does not exceed the prescribed rate where such rates have been definitely laid down by higher authority for any particular class of posts. Reference—vide W. B. F. R. Rule 230 read with P. W. Deptt. memo. No. 354E. dated 31-3-1961.

Serial No.	Nature of power.	Authority to which Power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
			(ii) In case of work-charged Assistant Engineers appointed on an initial pay of Rs. 250 per month, the Superintending Engineer is empowered to grant an increment of Rs. 25 in the scale on the completion of one year's service including broken periods, if any, subject to the maximum of four such increments.	
		(ii) Executive Engineer	.. Up to Rs. 100 per mensem plus usual allowances in each individual case subject to the same conditions as mentioned above.	
26	Work-charged Establishment—power to waive the ruling which requires that work-charged establishment should be employed on a specific work.	Superintending Engineer	.. Full powers subject to the conditions that Superintending Engineer shall in each such case determine the proportion in which the cost of such establishment shall be allocated between the works concerned.	(Reference—vide W. B. F. R. Rule 229).

Details of powers delegated to officers of the Public Works Directorate in respect of matters relating to works and their execution as dealt with in the Code.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
1	Administrative approval—power to accord administrative approval to Original Civil Works in connection with roads and buildings borne on the books of the Public Works Department excluding original works in residences and inspection bungalows.	(i) Superintending Engineer .. (ii) Executive Engineer ..	Up to Rs. 10,000 in each case. .. Up to Rs. 2,500 in each case ..	(Reference—vide para 128 of Bengal P. W. D. Code introduced by Cor. Slip No. 117 as amended). (Reference—vide Bengal P. W. D. Code, App. IV., para 3). .
			Provided the work does not relate to a work on National Highways or to a Central Road Fund Work the cost of which is borne by the Government of India.	
2	Administrative approval—power to accord administrative approval to original works in connection with the residence of the Governor.	Military Secretary to Governor ..	Up to Rs. 1,000 in each case	.. (Reference—vide W. A. D Manual, para 91).
3	Administrative approval—power to accord administrative approval to works of special repairs to Governor's residence.	Military Secretary to Governor ..	Up to Rs. 2,500 in each case	.. (Reference—vide W. A. D. Manual, para 91).
4	Administrative approval—power to accord administrative approval to estimates for new supply of tools and plant except live stock.	(i) Chief Engineer ..	Up to Rs. 25,000 in each case provided the estimate does not include any single item of expenditure costing Rs. 5,000 or more.	(Reference—vide No. 1194-R. S., dated 10th May, 1950 and Bengal P. W. D. Code, App. IV).

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
		(ii) Superintending Engineer ..	Up to Rs. 10,000 in each case provided the estimate does not include any single item of expenditure costing Rs. 2,500 or more.	
		(iii) Executive Engineer ..	Up to Rs. 500 in each case.	
5	Administrative approval—power to accord administrative approval to estimate for purchase of office furniture.	(i) Chief Engineer ..	Up to Rs. 1,250 for his office or for any one division in any one year.	(Reference—vide No. 1194-It.S., dated 10th May 1950 and Bengal P.W.D. Code, App. IV, read with Works and Buildings Department Memo. No. 3199A, dated 3rd May 1960.
		(ii) Superintending Engineer. ..	Up to Rs. 500 for his office in any one year. Note.—Expenditure will be debitable to the contingent grant of the respective offices.	
6	Administrative approval—power to accord administrative approval to estimates for purchase of live stock.	Superintending Engineer, North Circle.	May sanction the purchase of elephants required for public service up to Rs. 1,500 for each animal subject to Budget provision, the expenditure being met from his contingent grant.	[Reference—vide Bengal Audit Manual, paragraph 432, foot-note-(b).]
7	Administrative approval—power to accord administrative approval to revised and supplementary estimates.	(i) Chief Engineer .. (ii) Superintending Engineer. (iii) Executive Engineer. (iv) Military Secretary to the Governor.	May accord administrative approval to the revised or to the supplementary estimate or estimates for a work or for purchase of tools and plant, provided original estimate of that work or purchase was not administratively approved by a higher authority, and provided also the amount of the revised estimate or the total amount of the main and the supplementary estimates remains within the financial limits up to which he is empowered to accord administrative approval to estimates for such works.	(Reference—vide new provision on the analogy of practice in vogue.)

- 8 *Contingencies in work estimates*—power to divert the provision for contingencies in an estimate of a project to new items of works not provided for in the estimate. (i) Superintending Engineer .. Full powers [Reference—vide paras. 450(a) and 464(d) of India P.W.D. Code, 10th Edition road with para. 2(3) of App. VI. of the Bengal P. W. Dept Code, 1925.]
(ii) Executive Engineer. .. Rs. 2,500 for each item, provided the subsidiary works taken up are fairly contingent on the proper execution of the work as sanctioned.
- 9 *Contractors*—power to grant advances to contractors. Executive Engineer .. Up to the limits mentioned and subject to the conditions stated in rule 268 of the Code. (Reference—vide W. B. F. R. rule 227.)
- 10 *Contracts*—Officers empowered to execute contracts. Officers not below the officer in-charge of a subdivision. May exercise power to accept a tender or make a contract within their respective financial limits, or with the approval of the competent authority when it exceeds that limit, subject to any general or special rules prescribed by Government for such contract. (Reference—vide W. B. F. R. rule 183.)
- 11 *Contribution works*—power to authorise undertaking of contribution works. (i) Chief Engineer .. Full powers subject to the rules laid down in rules 274-278 of the Code. (Reference—vide No. 2152E, dated 25th June 1929 and Bengal P.W.D. Code, App. IV.)
(ii) Superintending Engineer .. Rs. 10,000 exclusive of charges for establishment and tools and plant and subject to rules laid down in rules 274-278 of the Code. (Corresponding to paras 210-214 of existing Bengal P.W.D. Code and para. 333 of W.A.D. Manual.)
(iii) Executive Engineer .. Rs. 2,500 exclusive of charges for establishment and tools and plant and subject to rules laid down in rules 274-278 of the Code.
- 12 *Excess over estimates*—power to pass excess over estimates. Chief Engineer .. Up to 5 per cent. over detailed estimate sanctioned by the Chief Engineer himself. (Reference—vide No. 2152E, dated 25th June 1929 and W.A.D. Manual, para. 91.)
Military Secretary to the Governor Up to 5 per cent. of estimate sanctioned by him or by higher authorities provided the amount of such excess is within his power to sanction estimate technically; and upto Rs. 200 on sanctioned original works and repairs irrespective of the total of the sanctioned estimate.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
13	<i>Original works classified as repairs</i> —power to classify a new work of minor additions and alterations in existing building as petty work chargeable to repairs.	Superintending Engineer	.. Up to Rs. 500 each when the petty work operates to reduce the maintenance charges of the building; and Up to Rs. 200 each when it would increase the maintenance cost; Provided if such a work relates to a residence, the cost should be taken into account in determining the capital cost and in calculating the rent in accordance with the rules issued by Government.	(Reference— <i>vide</i> Bengal P.W.D. Code, para. 128, note 2 under sub-para. 3.) The monetary limits of Rs. 500 and Rs. 200 are being raised to Rs. 1,250 and Rs. 500 respectively on year to year basis since 1953 (<i>vide</i> Public Works Department Memo. No. 2769A, dated 3rd May 1961.)
14	<i>Original works classified as repairs</i> —power to classify petty and miscellaneous items of new works in connection with roads, road surfaces, road bridges, causeways, etc., as repair works.	Superintending Engineer	.. Up to Rs. 10,000 in each case, provided the works in question do not in the opinion of the Superintending Engineer form part of any comprehensive scheme or project covered by a works estimate. <i>Note.</i> —The monetary limit of Rs. 10,000 is being raised to Rs. 25,000 on year to year basis (<i>vide</i> Works and Buildings Department Memo. No. 2585A, dated 27th April 1959).	(Reference— <i>vide</i> Bengal P.W.D. Code, para. 128, sub-para. 4.)
15	<i>Repair works</i> —power to fix a lump sum for ordinary or quadrennial repairs connected with buildings or roads in charge of the Public Works Department.	Superintending Engineer	.. Up to Rs. 2,500 in each case plus the amount of any municipal taxes payable by the Public Works Department subject to the condition that this lump sum should be fixed and also revised from time to time taking into consideration the actual cost of its maintenance in the past. This limit of Rs. 2,500 is being raised to Rs. 10,000 since 1953 on year to year basis (<i>vide</i> Works and Buildings Department Memo. No. 3411A, dated 17th May 1960).	(Reference— <i>vide</i> Bengal P.W.D. Code, para. 161A.)

Note.—The lump sum fixed under this rule shall be treated as sanction to estimate for the same amount for all purposes of the Code.

16	<i>Schedule of rates</i> —power to approve the schedule of rates for each division and to revise the schedule at regular intervals.	Superintending Engineer	..	Full powers	..	..	(Reference—vide P. W. Dept. No. 1644/47A, dated 2nd May 1923.)
17	<i>Stock</i> —power to sanction the limit of reserve of stock in a division.	Chief Engineer	..	Full powers	..	..	(Reference—vide W. B. F. R. 116.)
18	<i>Stores other than tools and plant</i> —						
	(1) power to order the purchase or manufacture of any stores required in the ordinary course for the execution of a sanctioned work.	Divisional Officer	..	Full powers subject to provision in the sanctioned work estimate and subject to rules prescribed for the supply of articles for the public service, provided when an outlay of Rs. 10,000 or upwards is involved a separate estimate should be prepared showing the proposed outlay and the materials to be received and the Superintending Engineer's approval obtained to the measures proposed for such purchase or manufacture.	..	..	(Reference—vide W. B. F. R. rules 110 and 113.)
	(2) power to purchase or manufacture stock sufficient to keep the stock of the division upto the reserve limit.	Divisional Officer	..	Up to the reserve stock limit sanctioned for the division, provided that purchase is made in accordance with the rules prescribed for supply of articles for the public service, and provided also that if an outlay of Rs. 10,000 or upwards is involved, the expenditure is covered by an estimate approved by the Superintending Engineer showing the proposed outlay and the materials to be received.	..	..	(Reference—vide W. B. F. R. rules 113 and 116.)

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
	(3) Power to purchase certain articles not manufactured in India in contravention of the rules for the supply of articles required for the public service.	(i) Chief Engineer Rs. 20,000 for each item. (ii) Superintending Engineer Rs. 10,000 for each item. (iii) Executive Engineer Rs. 5,000 for each item. (iv) Superintendent Governor's Estate Rs. 5,000 for each item.	Within the financial limits herein prescribed the officer may, when suitable and economical purchases cannot be made. In accordance with the rules prescribed for the supply of articles required for the public service, sanction purchase of the articles enumerated in Annexure A to rules in Appendix 16 of the Code, as well as any other article of a special or unusual character, without reference to the prescribed rules but subject to conditions laid down in rule 7 of the rules in the said appendix, provided there is Budget provision to meet the cost of such purchase.	Note.—The expression 'for each item' signifies 'for any one article' or 'any number of similar articles' purchased at a time. (Reference—vide W. A. D Manual, para. 99 read with W. B. F. R.—Appendix 10—Rule 7.)
19	Stores—power to grant preference in respect of price to articles produced or manufactured in West Bengal or alternately elsewhere in India wholly or in part.	Superintending Engineer	.. Up to a limit of 5 per centum	.. (Reference—vide W. B. F. R., Appendix 10, preamble.)
20	Stores—power to sanction the issue of any materials from stock to the public or to other departments of Government.	Superintending Engineer	.. Full powers provided the materials are issued at their full issue rates plus an addition of 10 per cent. to cover charges on account of supervision, storage and contingencies. This addition may, however, be waived in the case of surplus stock which, in his opinion, would otherwise be unsaleable.	(Reference—vide W. B. F. R. rule 131.)
	Stores—power to declare stores as unserviceable or surplus.	(i) Chief Engineer .. (ii) Superintending Engineer.	.. Full powers in respect of all stores other than tools and plant. Orders of Government should be obtained before declaring any tools and plant as surplus or unserviceable.	(Reference—vide analogy of rules 130, 132 and 133 of W. B. F. R. Vol. I and practice in vogue.)

	(iii) Officer in charge of a sub-division.	May decide what materials received from buildings, etc., during execution of works should be considered as useless and should be thrown away without formal survey report subject to the condition that a descriptive note regarding the materials is entered in the bill of work concerned, so that the matter may be brought to the notice of the Executive Engineer, at the time of passing the bill.	(Reference—vide No. 610315, dated 19th November 1938.)
22	Stores—power to issue orders for the disposal by sale or otherwise of unserviceable or surplus stores including tools and plant.	Superintending Engineer .. Full powers to issue orders for disposal of all stores declared surplus or unserviceable by competent authority including stock, materials at site of works and materials received from works dismantled or undergoing repair, and to sanction their consequent write off, where necessary.	(Reference—vide analogy of provisions in rules 130, 132 and 133 of the W.B.F.R.)
23	Stores—power to write off losses of stores including tools and plant by fraud or the negligence of the individuals or other causes.	(i) Chief Engineer .. Up to Rs. 1,000 in each case subject to the conditions— (i) that the loss does not disclose a defect of system the amendment of which requires orders of Government; and (ii) that there has not been any serious negligence on the part of some individual Government servant or Government servants which might possibly call for disciplinary action requiring the orders of higher authority. (ii) Superintending Engineer. (iii) Executive Engineer .. Up to Rs. 500 in each case in respect of tools and plant, which have been lent or issued on hire to individuals and which through various causes cannot be recovered from them, subject to the condition that the reason why full value of the articles cannot be recovered should be recorded in each case.	(Reference—vide W.B.F.R. rules 393 and 394 and W.A.D. Manual, para. 101.) 139

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
24	<i>Technical sanction</i> —power to accord technical sanction to estimates for all original works including contribution works.	(i) Chief Engineer .. (ii) Superintending Engineer .. (iii) Executive Engineer .. (iv) Military Secretary to the Governor.	.. Full powers provided the project has received the administrative approval, or the revised administrative approval, as and when required under the prescribed rules, of the competent authority. .. Up to Rs. 2,00,000 in each case. .. Up to Rs. 50,000 in each case. .. Up to Rs. 1,000 in each case. <i>Note.</i> —The increased powers of technical sanction of the Superintending Engineers and Executive Engineers as indicated above are being sanctioned on year to year basis (<i>vide</i> P.W.D. No. 2770A., dated 3rd May 1961).	<i>Note.</i> —The powers of according technical sanction should be considered as being exclusive of departmental charges i.e. charges for establishment and tools and plant leviable in case of works undertaken on behalf of other Government departments etc. (<i>Reference</i> — <i>vide</i> No. 2152E, dated 25th June 1929, No. 1827A., dated 13th May 1953 and W.A.D. Manual, para. 91.)
25	<i>Technical sanction</i> —power to accord technical sanction to estimates for ordinary repair works excluding repair works to residences.	Executive Engineer ..	.. Full powers within the budget allotment, provided in the case of special repair works connected with a building in occupation of another department the estimate is first countersigned by the local head of that department, and provided also in the case of repairs to National Highways necessary administrative approval or financial sanction of the Government of India has been received if the repair works are required to a newly constructed road not previously maintained or maintained to a lower standard.	[<i>Reference</i> — <i>vide</i> Bengal P. W. D. Code Appendix IV read with P. W. D. Memo. No. 6097W(11), dated 24th October 1960, and Government of India, Ministry of Transport letter No. W1-12 (17)/46, dated 5th March 1948 as subsequently amended].
26	<i>Technical sanction</i> —power to accord technical sanction to estimates for ordinary repair works in residences.	(i) Superintending Engineer ..	.. Full powers within the budget allotment.	(<i>Reference</i> — <i>vide</i> Bengal P. W. D. Code, App. IV and W. A. D. Manual, para. 91).

- 27 *Technical sanction*—power to accord technical sanction to estimates for special repair works.
- (i) Chief Engineer .. Full powers provided when the work relates to new painting of roads, the subordinate officer should see that the proposal has received the formal approval of the Chief Engineer. In the case of special repairs to National Highways, it should also be ensured that necessary administrative approval of financial sanction of the Government of India has been received if the special repairs be of an extensive nature owing to wide-spread flood damage or for any other cogent reason, and cannot be met from the annual maintenance grant allotted to the State by the Government of India.
- (ii) Superintending Engineer .. Rs. 2,00,000
- (iii) Executive Engineer .. Rs. 50,000
- (iv) Military Secretary to the Governor .. Rs. 2,500
- 28 *Technical sanction*—power to authorise commencement of urgent periodical repairs in anticipation of formal sanction to the estimates.
- Superintending Engineer .. Full powers subject to the condition that in each case an approximate sum must be fixed to the expenditure of which sanction is provisionally given, and the Executive Engineer should see that the regular estimate is sanctioned at the earliest possible date.
- 29 *Technical sanction*—
- (1) power to accord technical sanction to estimates for new supply of tools and plant (except furniture).
- (i) Chief Engineer .. Rs. 25,000 provided the estimates have received the administrative approval of the competent authority.
- (ii) Superintending Engineer .. Rs. 10,000.
- (Reference.—vide Bengal P. W. D. Code, App. IV, Order No. 2152E, dated 25th June 1929 and Government of India, Ministry of Transport letter No. WI-12 (17)/46, dated 5th March 1948 as subsequently amended.)
- (Reference.—Bengal P. W. D. Code, para. 161).
- No estimates are required to be sanctioned for purchase or manufacture of tools and plant costing not more than Rs. 500.

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
		(iii) Executive Engineer ..	Rs. 2,500.	(Reference.—Bengal P. W. D. Code App. X and IV and W. B. F. R.—Rule 111.)
	(2) power to accord technical sanction to estimates for repairs of tools and plant.	Superintending Engineer ..	Full powers provided the estimate is within the budget allotment placed at his disposal.	(Reference.—vide power delegated to the Superintending Engineer under para. 462(vi) of India, P.W.D. Code, 10th Edition.)
30	Technical sanction—power to accord technical sanction to revised and supplementary estimates.	(i) Chief Engineer .. (ii) Superintending Engineer .. (iii) Executive Engineer. (iv) Military Secretary to the Governor.	.. Power to accord technical sanction to the revised or to the supplementary estimate or estimates provided the original main estimate was not technically sanctioned by a higher authority and provided further the amount of the revised estimate or the total amount of the original and the supplementary estimates remains within the financial limit up to which he is empowered to accord technical sanction to estimates for that category of works.	(Reference.—now provision in classification of powers exercised in serial 29 to govern cases where it may be necessary to prepare supplementary or revised estimates.)
31	Tender—power of acceptance of tenders (not being single tenders) for works, estimates of which have been sanctioned.	(i) Superintending Engineer .. (ii) Executive Engineer .. (iii) Assistant Executive Engineer or (iv) Assistant Engineer in charge of a subdivision.	.. Up to the limit of sanctioned estimate plus an excess up to 5 per cent. of the estimate, provided the lowest tender is accepted. .. Up to Rs. 50,000 in each case provided the sanctioned estimate is not exceeded by more than 5 per cent. and the lowest tender is accepted. .. Up to Rs. 5,000 in each case provided the sanctioned estimate is not exceeded by more than 5 per cent. and the lowest tender is accepted.	Once the tenders are opened, no tenderer should be allowed to offer fresh quotations. If such a contingency ever arises and there is no time for retendering, it will be within the competence of the Public Works Directorate Officers within their respective financial limits, herein proscribed to distribute on the spot among all the tenderers subject to the conditions laid down in rule 220 of the Code.

	(v) Overseer in charge of a subdivision.	Up to Rs. 2,500 in each case provided the sanctioned estimate is not exceeded by more than 5 per cent. and the lowest tender is accepted.	
	(vi) Superintendent, Governor's Estates.	Up to the limit of sanctioned estimate plus an excess up to 5 per cent. of the estimate subject to the condition that when tenders exceed the limit of Rs. 50,000, prior approval of the Chief Engineer should be taken before accepting the tenders.	[Reference.—vide No. 2410(2)-R. S., dated 15th November 1949 and No. 1009(2)-R. S., dated 3rd May 1951 and 931A, dated 18th March 1948].
32	Tender—powers of acceptance of tender for works for which estimates have not been sanctioned.	(i) Superintending Engineer .. (ii) Executive Engineer .. (iii) Assistant Executive Engineer or (iv) Assistant Engineer in charge of a subdivision. (v) Overseer in charge of a subdivision. (vi) Superintendent, Governor's Estates.	Up to the financial limit prescribed for him in connection with acceptance of tenders for sanctioned works, provided the tender is either within the approved schedule of rates of labour, materials, etc., of such work or is within the permissible excess of 5 per cent. over such rates; and provided Government have authorised the work being started in anticipation of sanction to the estimate. The Directorate, in such cases must see that the detailed estimate for such work is prepared forthwith and technically sanctioned by the competent authority within a period of 6 months from the date of actual starting of the work, or before the period a liability of 25 per cent. of the authorised sum for the work is incurred, whichever is earlier. [Reference.—vide Works and Buildings Department No. 664R.S., dated 11th March 1950].
33	Tender—powers of acceptance of single tenders.	(i) Superintending Engineer .. (ii) Executive Engineer. (iii) Assistant Executive Engineer or (iv) Assistant Engineer in charge of a subdivision. (v) Overseer in charge of a subdivision. (vi) Superintendent, Governor's Estates.	Up to the financial limit prescribed for him in connection with acceptance of tender for sanctioned works, subject to the condition that fresh tender should be called for the second time, and when in spite of that a single tender is again received, that tender may be accepted provided the rates do not exceed the sanctioned estimate or the approved scheduled rates beyond 5 per cent. as the case may be. [Reference.—vide Works and Buildings Department No. 2239(2)-R.S., dated 20th October 1951].

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
34	<i>Tender</i> —power of distributing sanctioned works without calling for tenders—			
	(1) Electrical works	(i) Executive Engineer	Up to Rs. 500 each for original works and Rs. 200 each for repair works;	The powers as delegated in this serial should be exercised subject to the condition that the works are distributed to contractors in the appropriate class on the approved lists of contractors, that the reasons are recorded in writing for such distribution of works without calling for tenders in each case. Tenders should always be invited whenever there is sufficient time for such procedure.
	(2) Plumbing works	(i) Executive Engineer (ii) Superintendent, Governor's Estates.	Up to Rs. 2,500 each for original works and Rs. 1,000 each for repair works:	
			Provided that when value of a work so distributed exceeds Rs. 250 for original works and Rs. 500 for repair works, an intimation shall immediately be sent to Government through proper channel.	
	(3) Works other than electrical and plumbing works.	(i) Executive Engineer (ii) Superintendent, Governor's Estates.	Up to Rs. 5,000 each for original works and Rs. 2,000 each for repair works:	
			Provided that when the value of a work so distributed exceeds Rs. 500 for original works and Rs. 1,000 for repair works, an intimation shall immediately be sent to Government through proper channel.	(Reference.—vide W. B. Deptt. No. 2410-R.S., dated 15th November 1949, No. 2374 R.S., dated 10th November 1949 and No. 2375 R.S., dated 10th November 1949.
35	<i>Tender</i> —powers of acceptance of tender of each component part of a big project when splitted up into such parts.	(i) Superintending Engineer (ii) Executive Engineer. (iii) Assistant Executive Engineer or (iv) Assistant Engineer-in-charge of a subdivision. (v) Overseer in charge of a subdivision.	Up to the financial limit prescribed for him in connection with acceptance of tender for sanctioned works subject to conditions laid down in rules 218 and 237 of the Code.	(Reference.—vide rule 218 of the Public Works Department Code based on orders issued with Works and Buildings Department Memo. No. 793A, dated 10th March 1948 and No. 2475A, dated 29th April 1948, and rule 237 based on W. B. F. R., rule 184.)

- 36 *Tender*—power of acceptance of supplementary tender for items of work forming part of but not originally included in the original tender. Authority accepting the original tender. Up to the financial limit prescribed for him in connection with acceptance of tender for sanctioned works with the proviso that the Engineer Officer may authorise execution of supplementary items of works through the working contractor subject to limitations laid down in rules 239 of the Code. (Reference.—vide rule 239 of the Public Works Department Code).
- 37 *Tender*—power to fix rates for altered, additional and substituted works, necessitated during execution of a project and not covered by the accepted tendered rates. Engineer in charge of the work. May exercise power to fix rates for such works subject to the condition that if the altered, additional or substituted work relates to a class of work for which no rates are specified in the contract, the rates should be calculated at the approved schedule of rates of the district concerned, which was in force at the time of acceptance of the contract, *minus* or *plus* the percentage which the total tendered amount bears to the estimate of the entire work put to tender. (Reference.—vide provision in standard contract form).
- 38 *Tender*—power to make refund of earnest money deposited with a tender by unsuccessful tenderers. Officer with whom the earnest money is deposited. Full powers provided, where he himself is not the authority inviting the tender, he should take authority from the Officer inviting the tender in refunding the earnest money deposited by the unsuccessful tenderers. [Reference.—new provision based on orders issued with Works and Buildings Department No. 2283(2)R.S., dated 28th October 1949.]
- 39 *Tools and Plant*—power to lend tools and plant to a contractor for execution of Public Works Department work in accordance with the terms of his contract. Executive Engineer .. May lend tools and plant free of hire charge to the contractor for use on a work which he is executing for the department, subject to the conditions stated in rule 398 of the Code. (Reference.—vide Bengal P. W. D. Code App. IX as incorporated by Cor. Slip No. 95.)

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
40	<i>Tools and plant</i> —power to lend tools and plant to a contractor otherwise than in accordance with the terms of his contract or to a local body or to others.	Executive Engineer ..	.. May lend tools and plant to contractors etc. on payment of full hire charges as well as all charges for carriage, protection, etc. mentioned in rule 399 of the Code, provided the hire charges have been fixed by competent authority.	(Reference—vide para. 374 of Public Works Department Code read with Bengal P. W. D. Code, App. IX, introduced by Cor. Slip No. 95.)
41	<i>Tools and plant</i> —power to fix the hire charges for tools and plant lent to contractors and others and to decide how this should be levied.	(i) Chief Engineer ..	.. Full powers.	
		(ii) Superintending Engineer ..	.. May fix the hire charges at the rate of 30 per cent. per annum on the original cost or estimated value thereof where the cost is not known, and decide whether the charge will be levied by the month, week or day. When a deviation is made from the above procedure in calculating the hire charge, the sanction of the Chief Engineer should be obtained.	(Reference—Bengal P. W. D. Code Appendix IX introduced by Cor. Slip No. 95.)
42	<i>Work</i> —power to split up a big work for facility of execution.	Executive Engineer ..	.. Full powers subject to the rules laid down in rule 218 of the Code.	(Reference—vide rule 218 of the Public Works Department Code.)
43	<i>Work</i> —power to authorise material alterations in sanctioned design and specification of a work during construction.	Original sanctioning authority ..	.. Full powers provided the original sanctioned estimate together with additional expenses involved, if any, remains within the financial limit up to which he is empowered to accord technical sanction to estimates for that category of work, and provided further the project in consequence of such alteration in design or in specification does not require revised administrative approval of a higher authority under the existing rules.	(Reference—vide rule 261 read with rule 170 of the Public Works Department Code.)

SCHEDULE B

PART III—APPROPRIATIONS AND OTHER MISCELLANEOUS MATTERS

Details of powers delegated to officers of the Public Works Directorate in respect of appropriations, re-appropriations and other miscellaneous matters dealt with in the Code.

Serial No.	Nature of power	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
	<i>Appropriations and re-appropriations—power to sanction re-appropriations within the appropriations under a grant placed at their disposal.</i>	(i) Chief Engineer .. (ii) Superintending Engineer	.. Full powers to sanction, without previous reference either to the Finance Department or to the Administrative Department, re-appropriations within the appropriations under a grant placed at his disposal, subject to the following conditions :— (i) that funds are not re-appropriated to meet an item of expenditure which has not been sanctioned by proper authority ; (ii) that the grant as a whole placed at his disposal is not likely to be exceeded ; (iii) that a re-appropriation from a charged to a voted head or vice versa is not involved ;	<i>Explanation—</i> 1. Savings that become available as a result of the postponement of expenditure for which specific provision exists in the budget may be re-appropriated to accelerate the implementation of any approved scheme already in progress, because even should such acceleration involve an immediate temporary increase in Government's recurring liabilities, Government will not be assuming a new unapproved (ultimate) recurring liability as prohibited under condition (iv).

Serial No.	Nature of power	Authority to which power is delegated	Extent of power delegated.	Remarks.
1	2	3	4	5
			(iv) that the expenditure which will be met by re-appropriation does not involve the undertaking of a new unapproved recurring liability ;	2. No satisfactory definition of the term "New Service" mentioned in condition (vi) has been evolved, but the general purport of the term is reasonably clear. When there is any doubt the case should be referred to Government. (Reference—vide W. B. F. R. rule 381.)
			(v) that the savings are known in sufficient time to permit of their being spent to good purpose and that the expenditure is not incurred merely to prevent savings lapsing ;	
			(vi) that a re-appropriation sanctioning the undertaking of a "New Service" is not involved ;	
			(vii) that a re-appropriation from a "Deduct" head is not involved.	
			(viii) that a copy of every such orders sanctioning re-appropriations under these powers as issued by the Officers to the Accountant-General, West Bengal, is sent forthwith to the Finance Department and to the Administrative Department of Government.	
2	Appropriations and re-appropriations—power to allot funds from the minor works grant placed at his disposal under "Original Works—Buildings—Civil Works" and "Original Works—Communications."	Chief Engineer	Full powers provided the work has been administratively approved and plan and estimate therefor technically sanctioned by competent authority, and provided the sanctioned estimate of the works does not exceed the minor works limit of Rs. 10,000.	(Reference—vide power as now exercised by the Chief Engineer.)

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| 3 | <i>Appropriations and re-appropriations</i> —power of P. A. to Chief Engineer. | P. A. to Chief Engineer | .. May sign all communications sanctioning allotments and re-appropriations for "Chief Engineer". | (<i>Reference</i> —No. 1317A., dated 17.6.1940 referred to in W. A. 1). Manual para 82, note 2.) |
| 4 | <i>Buildings</i> —power to sanction the sale and dismantlement of permanent buildings belonging to the Public Works Department. | Chief Engineer | .. Powers to sanction sale and dismantlement of buildings—of which the book value is not over Rs. 10,000 in each case subject to provisions in sub-para. (3) of rule 297 of the Code. | (<i>Reference</i> — <i>vide</i> Works and Buildings Department No. 5659A., dated 23-9-1959.) |
| 5 | <i>Buildings</i> —power to sanction the sale and dismantlement of temporary buildings erected during construction of works. | Superintending Engineer | .. Full powers after the project for execution of which the temporary buildings were erected, is completed, or when the purpose for which they were erected has been served, subject to provisions in sub-rule (3) of rule 297 of the Code. | (<i>Reference</i> — <i>vide</i> W. B. F. R. Rule, 279, sub-para. 2.) |
| 6 | <i>Buildings (vacant)</i> —power to rent or lease out buildings in charge of the Public Works Department when they fall vacant. | Executive Engineer | .. Power to let out vacant buildings on payment of usual rent and on month to month basis provided the building is not immediately required for Government use and is expected to lie vacant for three months or more. The Chief Engineer's sanction should be taken when it is proposed to lease out the building. | (<i>Reference</i> — <i>vide</i> B. G., P. W. D.No. 337A, dated 15.1.1927 and Bengal P. W. D. Code, para. 298.) |
| 7 | <i>Buildings (residences)</i> —power to determine the present value, or the standard rent or the capital cost of a residence in charge of the Public Works Department. | Superintending Engineer | .. Full powers subject to the rules and procedure laid down in rules 331 to 344 of the Code. | (<i>Reference</i> — <i>vide</i> W. B. S. R. I, paras. 20 and 21 of the schedule under rule 241.) |
| 8 | <i>Buildings (Residences)</i> —power to authorise an officer to store his furniture or other belongings during his absence on leave in the Government residence borne on the books of the Public Works Department. | Superintending Engineer | .. May permit an officer to store his furniture and other belongings at his own risk free of rent in the Government residence during his absence on leave provided the officer, who discharges the absent officer's duties, does not require the residence and is not held liable for the rent; and provided also arrangements cannot be made to rent the house for the period of leave. | (<i>Reference</i> — <i>vide</i> para. 4 of the schedule under rule 241 of W. B. S. R., I.) |

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
9	<i>Buildings (residences)</i> —power to authorise use of electric heater and/or other private electric fittings through Government electric installations in residences borne on the books of Public Works Department.	Executive Engineer, Electrical Division.	May authorise an officer occupying a Government residence fitted with electric installation, to connect up with the installation and electric heater of any consuming capacity, and/or any other private fittings (each consuming more than 500 watts of electrical energy) subject to the conditions noted in sub-rule (2) of rule 322 of the Code.	(Reference—vide B. G., P. W. D., No. 1615-62B, dated 4th April, 1936.)
10	<i>Execution of deeds and instruments</i> —power to execute contracts and assurances on behalf of the Governor.	(i) Chief Engineer (ii) Superintending Engineer. (iii) Executive Engineer. (iv) Assistant Executive Engineer, or (v) Assistant Engineer-in-Charge of Subdivision. (vi) Overseer in charge of Subdivision. (vii) Superintendent Governor's Estates.	Power to execute, on behalf of the Governor, the contracts and assurances relating to different objects enumerated and subject to limitations also laid down, in Appendix 9 of the Code, provided each such object has received the sanction of competent authority.	(Reference—vide W. B. F. R., App. 3, items 29, 30 and, 31.)
11	<i>Land (Cutchery compounds)</i> —power to grant licenses of shops, buildings or stalls in cutchery compounds erected by and borne on the books of the Public Works Department.	Executive Engineer	May settle shops etc. on annual license basis on full rents at the rate prevailing in the locality with persons to be approved by the Collector or the District Judge concerned on the recommendation of the Local Civil Officers where necessary. The license in such cases should be executed in the prescribed form and the Collector should be consulted about the fair rent to be charged in each case.	The power to grant leases of land for grazing, of tank, fruit trees etc. in the building compounds is exercised by the occupying departments (vide also delegation in Serial 8 of schedule A to Chapter V of the Code). (Reference—vide West Bengal Government Estates Manual, App. XIII, rule 8(e) of Part B read with rule 4 of Part A.)

- 12 *Lands*—power to grant license for execution of the following petty works on lands in charge of the Public Works Department, viz.—

- (i) laying of pipes and cables ;
- (ii) erection of poles for electric cables or wires (which include telegraph, telephone and power cables) ;
- (iii) erection of water troughs and hydrants ;
- (iv) erection of sign-posts (i.e. A.A.B. signs and also posts to indicate lorry or bus stands) ;
- (v) erection of tube-wells with drains and masonry platforms ;
- (vi) linking up of the surface drainage of private premises with Public Works Department roadside drains.
- (vii) construction of culverts over roadside drains.

- 13 *Lands (roadside)*—power to settle roadside lands for grazing purposes, tanks, fruit trees for selling fruits, as well as power to sell trees by the side of roads in charge of Public Works Department.

Executive Engineer ..

- 14 *Purchase (miscellaneous)*—power to sanction petty local purchases of stationery and rubber stamp.

(i) Chief Engineer ..

(ii) Superintending Engineer.

- .. Full powers provided a proper license ordinarily in the prescribed form is executed to the effect in each case subject to the conditions laid down in rule 252 of the Code.

(Reference—*vide* No. 3235H dated 3rd November 1932)

Note.—In the case of large works costing Rs. 10,000 or more as well as in the case of all water gas, or drainage pipes of over 3" in diameter, the previous sanction of Government should be taken.

- .. Full powers subject to the condition that settlement should be on annual basis, and that each such settlement or sale of trees should be made by public auction, whenever possible. Where public auction cannot be held reasons should be recorded in writing.

(Reference—analogy of powers exercised by occupying departments in respect of compound lands of buildings under West Bengal Government Estate Manual, App. XIII, rule 4.)

- .. Up to a limit of Rs. 100 in each case ..

(*Vide* Works and Buildings Department Memo. No. 2421E., dated 2nd August 1951 regarding powers of Chief Engineer and No 3276G., dated 15th November 1948 regarding power of Superintending Engineer.)

Serial No.	Nature of power.	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
15	<i>Purchase (miscellaneous)</i> —power to sanction purchase of typewriters.	(i) Chief Engineer .. (ii) Superintending Engineer.	Power to sanction purchase of typewriters in his office and in offices subordinate to him subject to budget provision and subject to any other special instructions of Government regarding the manner in which the purchase should be made.	[Reference—vide Bengal Audit Manual, para. 432, footnote (h).]
16	<i>Purchase (miscellaneous)</i> —power to sanction purchase of bicycles for official use.	(i) Chief Engineer .. (ii) Superintending Engineer.	May sanction expenditure up to Rs. 250 in each case subject to budget provision for purchase of bicycles.	(Reference—vide W. A. D. Manual, para. 100.)
17	<i>Purchase (miscellaneous)</i> —power to sanction purchase of books and newspapers.	Chief Engineer ..	Power to authorise purchase of books, newspapers and other periodicals required for use of their own office or offices subordinate to them, subject to the condition that all charges incurred or sanctioned are within the provision sanctioned for this. Reappropriation to and from any other source requires the previous sanction of Government.	(Reference—vide W.B.F.R., App. 11, item 24.)
18	<i>Purchase (miscellaneous)</i> —power to sanction purchase of miscellaneous articles other than those mentioned in serials 14, 15, 16 and 17 of this schedule from grant under contingencies placed at his disposal.	(i) Chief Engineer .. (ii) Superintending Engineer.	Up to Rs. 250 for each item subject to budget provision. <i>Explanations.</i> —The expression for "each item" denotes one article or several articles of the same kind purchased at one time, but when as in the case of stores it is necessary to purchase in one order several articles of different kinds, all the articles purchased in one order should be regarded as one item and if the total exceeds the proscribed limit the previous sanction of Government should be obtained to the expenditure.	(Reference—vide Bengal Audit Manual, para. 433.)

- 19 *Refund of rent*—power to sanction refund of rent and taxes of residential buildings recovered in excess. Executive Engineer ..
- .. May sanction refund of rent and taxes recovered in excess where the excess recovery was unambiguously wrong and adjustment of such excess is not possible by subsequent assessment. (Reference—vide W. A. D. Manual, para. 172, note 1 as modified by Works and Buildings Department No. 3001A., dated 18th September 1948.)
- 20 *Rent*—power to fix rent for office accommodation hired for an Executive Engineer. Superintending Engineer
- .. Up to Rs.100 per mensem when separate office accommodation is provided; but when an executive Engineer's office is accommodated in his residence (not being a Government building), the Superintending Engineer may allow him to draw a fair proportion of rent limited to one half of the amount actually paid by him for the entire house subject to a maximum of Rs. 45 a month. (Reference—vide W.B.F.R., App. 11, item 15, read with India P.W.D. Code, 10th Edition, para. 306.)
- 21 *Rent*—power to fix rent for office accommodation for a Subdivisional Officer. Superintending Engineer
- .. Up to Rs. 20 per mensem when separate office accommodation is provided; but when the office is accommodated in the Subdivisional Officer's residence (not being a Government building) the Superintending Engineer may allow him to draw a fair proportion of rent limited to one third of the amount actually paid by him for the entire house, subject to a maximum of Rs. 20 per month. (Reference—vide W.B.F.R., App. 11, item 15 read with India P.W.D. Code, 10th Edition, para. 306.)
- 22 *Rent*—power to sanction rent on lands and buildings leased by Government. (i) Chief Engineer ..
- .. Power to sanction rent on lands and buildings leased by Government up to a limit of Rs. 144 a year, subject to existence of budget provision and on the understanding that in the case of renting a building for Government purposes the necessity is attested by the Executive Engineer every year, i.e. the Executive Engineer certifies on the first charge in every year, that a suitable public building is not available for the purpose required. (Reference—vide Bengal Audit Manual, para. 430(G) read with provision in W.B.F.R., App. 11, item 15.)
- (ii) Superintending Engineer.

Serial No.	Nature of power	Authority to which power is delegated.	Extent of power delegated.	Remarks.
1	2	3	4	5
23	<i>Write off</i> —power to write off losses due to irrecoverable public money lost by fraud or the negligence of the individuals or other causes.	(i) Chief Engineer .. (ii) Superintending Engineer.	Up to Rs. 1,000 in each case subject to the conditions— (i) that the loss does not disclose a defect of system the amendment of which requires the orders of Government; and (ii) that there has not been any serious negligence on the part of some individual Government servants or Government servants which might possibly call for disciplinary action requiring the orders of higher authority.	The power to write off losses as delegated to the Directorate officers under this serial should not be taken as to cover cases of losses of rent etc. which do not actually represent losses due to fraud or negligence or similar other causes. Such losses are debts due to Government and should not be remitted or written off without Government sanction. (Reference—vide W.B.F.R. rules 393 and 394.)
<i>Note.</i>—A statement as to the fulfilment of the two conditions noted above should be stated in the order.				

ANNEXURE 1

(Concordance showing the source of each paragraph adopted in the Public Works Department Code)

Chapter I—Establishment.

Rules 1-2	.. Redraft of paragraph 1 of B.P.W.D.C., based on provisions in items 13 and 35 of the State List in the Seventh Schedule to the Constitution of India.
Rule 3	.. Based on paragraph 2 of B.P.W.D.C. and Art 166(1) of the Constitution of India.
Rule 4	.. New, based on Works and Buildings Department notification No. 94, dated 20th August 1959.
Rule 5	.. Based on paragraph 3 of B.P.W.D.C. with modification to indicate up-to-date position.
Rule 6	.. Based on rule 10 of W.B.S.R.—Part I read with Finance Department Memo. No. 4436F., dated 30th December 1959.
Rule 7	.. Based on instructions contained in the Finance (Audit) Department No. 934F., dated 26th March 1952.
Rule 8	.. Based on rule 13 of the West Bengal Services (Revision of Pay) Rules, 1950.
Rule 9	.. Based on rule 7(1) of W.B.S.R., Part I.
Rule 10	.. New, based on Works and Buildings Department notification No. 94 dated 20th August 1959.
Rules 11-25	.. New, based on Works and Buildings Department notification No. 94, dated 20th August 1959, as amended by notification No. 106, dated 13th August 1960.
Rules 26-27	.. New, based on orders contained in Communications and Works (C & B.) No. 2870E., dated 15th September 1942 as modified by No. 3362E., dated 18th November 1946.
Rules 28-32	.. New.
Rules 33-34	.. Based on paragraph 21 of B.P.W.D.C., and Chief Minister's (C.S.) Department Memo. No. 7001(18)C.S., dated 10th December 1946 with minor modifications.
Rules 35-36	.. Reproduces paragraph 22 of B.P.W.D.C. with minor modifications.
Rule 37	.. Redraft of paragraph 23 of B.P.W.D.C., based on Chief Minister's (C.S.) Department Memo. No. 7001(18)C.S., dated 10th December 1946 with minor modifications.
Rules 38-39	.. Redraft of paragraphs 24 and 25 of B.P.W.D.C.

Note A.—1. B.P.W.D.C. stands for Bengal Public Works Department Code, 1st Edition, 1925.

2. W.B.F.R. stands for the West Bengal Financial Rules, 1953.

3. W.B.S.R. stands for the West Bengal Service Rules, 1948, reprint 1953.

Note B.—Paragraphs 4, 5, 7 to 14 of B.P.W.D.C. deleted.

Rules 40-43	Redraft of paragraphs 26 and 28 of B.P.W.D.C., based on provisions in the Civil Services (Classification, Control and Appeal) Rules, 1931 and in the Subordinate Services (Discipline and Appeal) Rules, 1936.
Rule 44	.. Reproduces paragraph 29 of B.P.W.D.C.
Rule 45	.. Based on paragraph 30 of B.P.W.D.C.
Rule 46	.. Based on paragraph 54 of the India, Public Works Department Code, 10th Edition, 1919, and Home (Poll.) Department No. 3252P. dated 26th May 1949.
Rule 47	.. Reproduces paragraph 36 of B.P.W.D.C.
Rule 48	.. Based on paragraph 37 of B.P.W.D.C.
Rules 49-52	.. Reproduce paragraphs 39 to 42 of B.P.W.D.C. with minor modifications.
Rule 53	.. Redraft of paragraph 43 of B.P.W.D.C. based on rule 160 of W.B.F.R.
Rule 54	.. Reproduces paragraph 44 of B.P.W.D.C.
Rule 55	.. Is new, based on paragraph 65 of the India Public Works Department Code, 10th Edition, 1919.
Rules 56-58	.. Reproduce paragraphs 45 to 47 of B.P.W.D.C. with minor modifications.
Rule 59	.. Redraft of paragraph 48 of B.P.W.D.C. based on rule 161 of W.B.F.R.
Rule 60	.. Reproduces paragraph 49 of B.P.W.D.C. with minor modifications.
Rules 61-69	.. Reproduce paragraphs 51 to 59 of B.P.W.D.C. with minor modifications based on rule 162(7) of W.B.F.R.
Rule 70	.. Redraft of paragraph 60 of B.P.W.D.C. based on rule 69(ii) of the West Bengal Treasury Rules, 1952.
Rules 71-72	.. Reproduce paragraphs 62 and 63 of B.P.W.D.C.
Rule 73	.. Reproduces paragraph 65 of B.P.W.D.C.
Rule 74	.. Redraft of paragraph 66 of B.P.W.D.C. based on rule 162 of W.B.F.R.
Rule 75	.. Redraft of paragraph 67 of B.P.W.D.C. with modification based on rule 163 of W.B.F.R.
Rules 76-77	.. New.
Rule 78	.. New (invites a reference to part XIII of Schedule 1 appended to the West Bengal Services (Revision of Pay) Rules, 1950 regarding details of scales of pay of officers of the department).
Rules 79-80	.. Reproduce paragraphs 71 and 72 of B.P.W.D.C.
Rule 81	.. Based on paragraph 73 of B.P.W.D.C.
Rules 82-83	.. New.
Rule 84	.. Redraft of paragraph 75 of B.P.W.D.C. based on rule 95 read with rule 93 of W.B.S.R., Part I

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Note B.—Paragraphs 31 to 35, 38, 43A, 50, 61, 64, 68 to 70 of B.P.W.D.C. deleted.

Rule 85	.. Reproduces paragraph 74 of B.P.W.D.C.
Rule 86	.. Reproduces paragraph 74A of B.P.W.D.C. with minor modifications.
Rule 87	.. Reproduces paragraph 76 of B.P.W.D.C.
Rules 88-90	.. Redraft of paragraph 77 of B.P.W.D.C., based on Article 159(a), 159(d)(ii), 159(h) and 159(j) read with Article 154A of the Government of India, Civil Account Code, 1935, Vol.I.
Rule 91	.. New, based on rule 324(iii) of W.B.F.R., Vol. I, read with rules in appendix 18 of W.B.F.R., Vol. 2.
Rule 92	.. New.
Rules 93-106	.. Redraft of paragraph 82 of B.P.W.D.C., based on revised rules for professional examination incorporated in Services (Training and Examination) Rules, 1953.
Rules 107-131	.. New, based on departmental examination rules included in the Services (Training and Examination) Rules, 1953.
Rules 132-136	.. Redraft of paragraphs 87 to 95 of B.P.W.D.C.
Rule 137	.. Reproduces paragraph 96 of B.P.W.D.C., with minor modifications.
Rules 138-139	.. Redraft of paragraphs 97 and 98 of B.P.W.D.C. based on Home (Appointment) Department notification No. 3764A., dated 7th September 1942.
Rule 140	.. New.
Rule 141	.. Reproduces paragraph 99 of B.P.W.D.C., with minor modifications deleting portion on powers of Directorate Officers to appoint temporary establishments.
Rule 142	.. Redraft of paragraph 100 of B.P.W.D.C., based on instructions contained in Finance Department No. 2302F., dated 4th May 1953.
Rules 143-144	.. Redraft of paragraph 101 of B.P.W.D.C., based on rules 229 and 230 of W.B.F.R.
Rule 145	.. Reproduces paragraph 102 of B.P.W.D.C.
Rules 146-147	.. Reproduce paragraphs 103-104 of B.P.W.D.C. with minor change.
Rule 148	.. Reproduces paragraph 106 of B.P.W.D.C. omitting portion dealing with the powers formerly exercised by the Superintending Engineer, Northern Circle, to appoint Sub-assistant Surgeons outside the cadre.
Rules 149-151	.. Reproduce paragraphs 112 to 114 of B.P.W.D.C. with minor modifications.
Rule 152	.. Based on paragraph 115 of B.P.W.D.C.
Rule 153	.. Reproduces paragraph 116 of B.P.W.D.C.
Rule 154	.. Reproduces paragraph 117 of B.P.W.D.C.
Rule 155	.. Based on paragraph 160 of the India Public Works Department Code, 10th Edition, 1919.
Rule 156	.. Redraft of paragraph 118 of B.P.W.D.C.
Rules 157-158	.. Redraft of paragraphs 119 and 119A of B.P.W.D.C.
Rule 159	.. Reproduces paragraph 120 of B.P.W.D.C.
Rule 160	.. Reproduces paragraph 122 of B.P.W.D.C.
Rules 161-162	.. Reproduce paragraphs 123-124 of B.P.W.D.C.
Rule 163	.. Redraft of paragraph 126 of B.P.W.D.C., based on instructions contained in Finance Department No. 3615F., dated 17th August 1953.
Rule 164	.. Reproduces paragraph 125 of B.P.W.D.C.

Note A.—1. B.P.W.D.C. stands for Bengal Public Works Department Code, 1st Edition, 1925.

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Note B.—Paragraphs 78 to 81, 85, 86, 105 and 107 to 111, 121 of B.P.W.D.C. deleted.

Chapter II—Works.

Rules 165-166	.. Reproduce paragraphs 127 and 128 of B.P.W.D.C. with minor modifications and modification in financial limits based on Government orders issued to that behalf.
Rule 167	.. Is new, based on paragraph 53 of the Central Public Works Department Code, 1st edition, reprint 1937.
Rules 168-171	.. Are new, based on rules 165 to 168 of W.B.F.R.
Rule 172	.. Is new, based on paragraph 55 of the Central Public Works Department Code, 1st Edition, reprint 1937.
Rule 173	.. Is new, based on rule 164 of W.B.F.R. and note under paragraph 56 of the Central Public Works Department Code, 1st Edition, reprint 1937.
Rule 174	.. Is new, based on paragraph 57 of the Central Public Works Department Code, 1st Edition, reprint 1937.
Rule 175	.. Is new, based on paragraph 58 of the Central Public Works Department Code, 1st Edition, reprint 1937, and rule 186 of W.B.F.R., Vol 1.
Rule 176	.. Reproduces paragraph 130 of B.P.W.D.C.
Rules 177-178	.. Are new, based on rules 171 and 172 of W.B.F.R.
Rule 179	.. Redraft of paragraph 131 of B.P.W.D.C., based on rules embodied in paragraphs 6 to 8 of Appendix IV to the same Code (B.P.W.D.C.) with change in financial limit sanctioned on year-to-year basis.
Rule 180	.. Reproduces paragraph 133 of B.P.W.D.C.
Rule 181	.. Redraft of paragraph 134 of B.P.W.D.C.
Rules 182-184	.. Reproduce paragraphs 135 to 137 of B.P.W.D.C.
Rule 185	.. Reproduces paragraph 138 of B.P.W.D.C. with minor modifications.
Rule 186	.. Redraft of paragraph 139 of B.P.W.D.C.
Rule 187	.. Reproduces paragraph 140 of B.P.W.D.C.
Rule 188	.. Redraft of paragraph 141 of B.P.W.D.C., based on paragraphs 459(d) and 464(d) of the India, Public Works Department Code, 10th Edition, 1919.
Rule 189	.. Redraft of paragraph 142 of B.P.W.D.C. based on Government Orders issued under Works and Buildings Department's Memo. No. 2992E dated 11-12-1953.
Rule 190	.. Reproduces paragraph 143 of B.P.W.D.C. with minor modifications.
Rule 191	.. Is new, based on instructions contained in Chief Engineer's letter No. 1295-98B., dated 5th April 1930 as subsequently modified.
Rule 192	.. Redraft of paragraph 146 of B.P.W.D.C.
Rules 193-194	.. Reproduces paragraphs 147-148 of B.P.W.D.C. with minor modifications.
Rule 195(a)	.. Based on paragraph 149 of B.P.W.D.C.
Rules 195(b) to (c)	.. Are new, based on orders contained in Public Works Department No. 3958-4008B, dated 18th November 1933 and No. 285-367B., dated 26th January 1933.

Note A.—1. B.P.W.D.C. stands for Bengal Public Works Department Code, 1st Edition, 1925.

2. W.B.F.R. stands for the West Bengal Financial Rules 1953.

3. W.B.S.R. stands for the West Bengal Service Rules, 1948, reprint 1953.

Note B.—Paragraphs 129, 132, 144 and 145 of B.P.W.D.C. deleted.

- Rule 195(d) .. Is new, based on orders contained in Communications and Works (C. & B.) Department No. 1164B., dated 15th May 1941.
- Rule 195(e) .. Is new, based on orders contained in Chief Engineer's letter No. 7B., dated 5th July 1915 as modified by No. 855B., dated 20th March 1928 and No. 1001-1004B., dated 13th March 1933.
- Rule 195(f) .. Is new, based on orders contained in Chief Engineer's No. 2318-22B., dated 15th July 1930 and No. 3131B., dated 30th August 1934.
- Rule 195(g) .. Is new, based on orders contained in Public Works Department No. 3115B., dated 29th August 1934.
- Rule 196 .. Is new, based on orders contained in Chief Engineer's No. 2082(5)B., dated 25th September 1940.
- Rule 197 .. Is new, based on Government of India, Ministry of Transport, letter No. WI-12(17)/46, dated 5th March 1948 as amended by their No. N63(90)/47, dated 16th June 1949 and No. WI-12(49)/48., dated 27th July 1949.
- Rule 198 .. Is new, based on Government of India, Ministry of Transport, letter No. WII-21(2)/50, dated 13th June 1950, as modified.
- Rule 199 .. Redraft of paragraph 153 of B.P.W.D.C.
- Rule 200 .. Redraft of paragraphs 154-155 of B.P.W.D.C.
- Rule 201 .. Redraft of paragraph 156 of B.P.W.D.C.
- Rule 202 .. Reproduces paragraph 161A of B.P.W.D.C.
- Rule 203 .. Reproduces paragraphs 158 and 166 of B.P.W.D.C. with minor modification.
- Rule 204 .. Redraft of paragraphs 157, 159 and 160 of B.P.W.D.C.
- Rules 205-206 .. Reproduce paragraphs 161 and 162 of B.P.W.D.C.
- Rule 207 .. Reproduces paragraph 163 of B.P.W.D.C. with minor modifications.
- Rule 208 .. Reproduces paragraph 165 of B.P.W.D.C. with modifications based on orders contained in Public Works Department No. 6097W(B), dated 24th October 1960.
- Rules 209-211 .. Reproduce paragraphs 168 to 170 of B.P.W.D.C. with minor modification in para 210.
- Rule 212 .. Is new, based on Government of India, Ministry of Transport, letter No. WI-12(17)/46, dated 5th March 1948 as subsequently amended.

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Note B.—Paragraphs 150 to 152, 164, 167 and 171 of B.P.W.D.C. deleted.

Rule 213	.. Is new, based on rule 174 of W.B.F.R. and orders contained in Works and Buildings Department No. 2961(2)R.S., dated 29th December 1950, as modified by No. 2427A dated 19th August 1952.
Rule 214	.. Is new, based on rule 175 of W.B.F.R.
Rule 215	.. Is new, based on orders contained in Works and Buildings Department No. 2410(2)R.S., dated 15th November 1949, No. 2374(2)R.S., dated 10th November, 1949, and No. 2375 (2)R.S., dated 10th November, 1949.
Rules 216-217	.. Are new, based on orders contained in Works and Buildings Department No. 2410(2) R.S., dated 15th November, 1949 etc., (vide note against paragraph 215) read with orders contained in that Department No. 1735A, dated 27th May, 1948 and No. 2239(2)R.S., dated 20th October, 1951.
Rule 218	.. Is new, based on orders contained in Works and Buildings Department No. 793A, dated 10th March, 1948, No. 1475A., dated 29th April, 1948 and No. 4457A., dated 4th September, 1956.
Rule 219	.. Is new, based on orders contained in Works and Buildings Department No. 4457A., dated 4th September, 1956.
Rule 220	.. Is new, based on orders contained in Works and Buildings Department No. 931A., dated 19th March, 1948 and No. 1171(2)R.S., dated 6th June, 1949.
Rules 221-222	.. Are new, based on orders contained in Communications and Works (C. & B.) Department No. 3349A., dated 15th August, 1944, No. 1649A., dated 5th May, 1945, No. 337R.S., dated 13th February 1951, and No. 1306 (2) R. S., dated 2nd June, 1952.
Rules 223-224	.. Reproduce paragraphs 172-173 of B.P.W.D.C., with minor modifications in para 224 based on rule 47 of W.B.F.R., Vol. 1.
Rule 225	.. Redraft of paragraph 175 of B.P.W.D.C.
Rule 226	.. Is new, based on orders contained in Works and Buildings Department No. 1070A., dated 27th February, 1958.
Rule 227	.. Is new, based on instructions contained in Works and Buildings Directorate No. 337R.S., dated 13th February, 1951.
Rule 228	.. Based on paragraph 176 of B.P.W.D.C.
Rules 229-233	.. Redraft of paragraphs 177 and 178 of B.P.W.D.C. based on orders contained in Works and Buildings Department No. 1998A., dated 11th May, 1954.
Rule 234	.. Redraft of paragraph 179 of B.P.W.D.C. based on rule 181 of W.B.F.R.
Rule 235	.. Redraft of paragraph 180 of B.P.W.D.C. based on rule 182 of W.B.F.R.
Rules 236-237	.. Redraft of paragraph 181 of B.P.W.D.C. based on rules 183-184 of W.B.F.R.
Rule 238	.. Reproduces paragraph 181A of B.P.W.D.C. as inserted by corrigendum No. 4, dated 13th August, 1925.
Rule 239	.. Is new, based on orders contained in Works and Buildings Department No. 2230A, dated 1st June, 1959.

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Note B.—Paragraph 174 of B.P.W.D.C. deleted.

Rule 240	.. Is new.
Rule 241	.. Redraft of paragraph 183 of B.P.W.D.C.
Rule 242	.. Is new, based on paragraphs 16 and 17 of the Executive Instruction embodied in the Land Acquisition Manual, 1917, Part I.
Rule 243	.. Is new, based on orders contained in Irrigation and Waterways Department No. 3607-I., dated 17th September 1952.
Rule 244	.. Is new, based on analogy of procedure now in-vogue in the department and the special instructions contained in Irrigation and Waterways Department No. 5427-I dated 3rd December 1947 and No. 8723-I dated 29th November, 1950.
Rules 245-246	.. Reproduce paragraphs 185 and 186 of B.P.W.D.C.
Rule 247	.. Is new, based on rule 254 of W.B.F.R. and orders contained in Communication and Works (Irrigation) Department No. 2511-I., dated 10th October, 1939.
Rule 248	.. Based on paragraph 187 of B.P.W.D.C.
Rule 249	.. Redraft of paragraph 182 of B.P.W.D.C., based on rules 252 and 253 of W.B.F.R. and rule 310(i) of Bengal Crown Estates Manual, 1932.
Rule 250	.. Is new, based on rules 283 and 284 of Bengal Crown Estates Manual, 1932.
Rule 251	.. Is new, based on rules, 82, 88, 219 and 221 of Bengal Crown Estates Manual, 1932, and on the analogy of instructions contained in Irrigation and Waterways Department No. 688(26)I, dated 9th February 1952 and No. 2457-I., dated 1st December 1942 as modified by No. 2705-I., dated 4th December 1943.
Rule 252	.. Is new, based on orders contained in Public Works Department No. 3235B., dated 3rd November, 1932, and in Communications and Works (C & B) Department No. 3659C., dated 1st August 1938 and No. 1695C., dated 4th July 1939 (G.O. for additions suggested by the Department are wanting.)
Rule 253	.. Is new, based on orders contained in Irrigation and Waterways Department No. 3758(24)I., dated 3rd June 1950.
Rule 254	.. Redraft of paragraph 189 of B.P.W.D.C.
Rules 255-257	.. Reproduce paragraphs 190 to 192 of B.P.W.D.C.
Rule 258	.. Reproduces paragraph 193 of B.P.W.D.C. with minor modifications.

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Note B.—Paragraphs 184 and 188 of B.P.W.D.C. deleted.

Rule 259	.. Redraft of paragraph 194 of B.P.W.D.C.
Rule 260	.. Redraft of paragraph 195 of B.P.W.D.C., based on rule 402 of W.B.F.R.
Rule 261	.. Redraft of paragraph 196 of B.P.W.D.C., based on rule 188 read with rule 190 and rule 189 of W.B.F.R.
Rules 262-267	.. Reproduce paragraphs 197 to 202 of B.P.W.D.C., with modifications in paragraph 201.
Rule 268	.. Redraft of paragraph 203 of B.P.W.D.C., based on rules 222 and 227 of W.B.F.R., read with Finance (Budget) Department Memo. No. 11077F.B., dated 29th October 1959.
Rule 269	.. Redraft of paragraphs 206 and 207 of B.P.W.D.C.
Rule 270	.. Redraft of paragraph 208 of B.P.W.D.C.
Rule 271	.. Is new, based on Finance Department Circular No. 4336 (55) F.B., dated 5th May 1941 as incorporated in paragraph 286 of the Work Audit Department Manual, 3rd Edition, 1950 and on orders contained in Public Works Department No. 1483B., dated 24th June 1931.
Rule 272	.. Reproduces paragraph 209 of B.P.W.D.C. as inserted by corrigendum No. 131 with modifications based on rule 146 of W.B.F.R., and on orders contained in Communications and Works (C. & B.) Department No. 3262(85)B., dated 29th August, 1942.
Rule 273	.. Redraft of paragraph 210 of B.P.W.D.C.
Rule 274	.. Reproduces paragraph 211 of B.P.W.D.C.
Rule 275	.. Based on paragraph 212 of B.P.W.D.C.
Rule 276	.. Reproduces paragraph 213 of B.P.W.D.C. with minor modifications.
Rule 277	.. Is new, based on orders contained in Public Works Department No. 421T/A., dated 15th May 1933 as embodied in paragraph 333 of the Works Audit Department Manual, 3rd Edition, 1950.
Rule 278	.. Reproduces paragraph 214 of B.P.W.D.C.
Rule 279	.. Redraft of paragraph 215 of B.P.W.D.C.
Rule 280	.. Redraft of paragraph 216 of B.P.W.D.C., based on paragraph 146 of the Works Audit Department Manual, 3rd Edition, 1950.
Rules 281-284	.. Redraft of paragraphs 217 and 218 of B.P.W.D.C., based on rules 191 to 196 of W.B.F.R.
Rule 285	.. Redraft of paragraph 219 of B.P.W.D.C., based on rule 247 of W.B.F.R.
Rules 286-288	.. Reproduce paragraphs 221 to 223 of B.P.W.D.C.
Rule 289	.. Reproduces paragraph 224 of B.P.W.D.C.
Rule 290	.. Reproduces paragraph 225 of B.P.W.D.C.

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Note B.—Paragraphs 203, 204 and 220 of B.P.W.D.C. deleted.

Chapter III—Public Buildings.

- Rule 291 .. Is new.
- Rules 292-293 .. Are new, based on rules in Appendix 6 of the Government of India, Civil Account Code, 1935, Vol. I, read with orders contained in Public Works Department No. 5909A., dated 26th August 1927 and notes leading to the issue of orders in Communications and Works (Irrigation) Department No. 2771-I.E., dated 16th December 1943 as well as rule 284 of W.B.F.R.
- Rule 294 .. Is new.
- Rule 295 .. Redraft of paragraph 229 of B.P.W.D.C.
- Rules 296-297 .. Redraft of paragraph 232 of B.P.W.D.C., based on rules 278 and 279 of W.B.F.R. and orders contained in the Communications and Works (C. & B.) Department No. 4144B., dated 14th November 1942 and No. 1032B., dated 24th March 1945 read with Works and Buildings Department No. 5659A., dated 23rd September 1959.
- Rule 298 .. Reproduces paragraph 234 of B.P.W.D.C. with modification based on Public Works Department No. 337A., dated 15th January 1927.
- Rule 299 .. Reproduces paragraph 235 of B.P.W.D.C.
- Rule 300 .. Is new, based on orders contained in Public Works Department No. 138T/B., dated 23rd May 1936 and No. 531B., dated 8th February 1937 read with rules 11 and 284 of W.B.F.R.
- Rules 301-302 .. Reproduce paragraphs 236 and 237 of B.P.W.D.C.
- Rule 303 .. Redraft of paragraph 239 of B.P.W.D.C. based on rules in item 4 in Appendix 11 of W.B.F.R. and orders contained in communications and Works (C. & B.) Department No. 4596B., dated 23rd August 1938.
- Rule 304 .. Is new, based on Public Works Department No. 4382-95B., dated 29th December 1931.
- Rule 305 .. Reproduces paragraph 244 of B.P.W.D.C.
- Rule 306 .. Redraft of paragraph 245 of B.P.W.D.C., based on rule 281 of W.B.F.R.
- Rule 307 .. Reproduces paragraph 246 of B.P.W.D.C.
- Rule 308 .. Redraft of paragraph 227 of B.P.W.D.C. based on orders contained in Public Works Department No. 5285-88B., dated 31st July 1929 and No. 3749B., dated 4th November 1930.
- Rule 309 .. Is new, based on orders contained in Public Works Department No. 3255-86B., dated 12th September 1933.
- Rule 310 .. Reproduces paragraph 228 of B.P.W.D.C.
- Rule 311 .. Is new, based on Public Works Department No. 3728B., dated 9th November 1929 and Finance Department No. 69(25)F., dated 11th January 1943.
- Rules 312-313 .. Redraft of paragraphs 230-231 of B.P.W.D.C. based on rule 276 of W.B.F.R. and orders contained in Public Works Department No. 1A., dated 30th January 1935 and No. 4835-97B., dated 6th September 1938.
- Rule 314 .. Redraft of paragraph 233 of B.P.W.D.C., based on rule 280 of W.B.F.R. Vol. I and note under para. 15(c) of Appendix 11 to W.B.F.R., Vol. II.

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3. W.B.S.R. stands for the West Bengal Service Rules, 1948, reprint 1953.

Note B.—Paragraph 226 of B.P.W.D.C. deleted.

Rules 315—317

graph 238 of B.P.W.D.C. based on rules in item 22 W.B.F.R. and orders contained in Finance Department No. 777F., dated 27th December 1933.

- Rule 318 .. Reproduces paragraph 241 of B.P.W.D.C. with modification based on Article 49 of the Constitution of India.
- Rule 319 .. Redraft of paragraph 247 of B.P.W.D.C. based on rule 282 of W.B.F.R.
- Rule 320 .. Is new, based on para. 1 of the schedule appended to Chapter XVI of W.B.S.R., Part I.
- Rule 321 .. Is new, based on rule 283 of W.B.F.R.
- Rule 322 .. Is new, based on orders contained in Public Works Department No. 1615-62B, dated 4th April 1936.
- Rule 323 .. Is new, based on rule 236 of W.B.S.R., Part I.
- Rule 324 .. Is new, based on para 2 of the Schedule appended to Chapter XVI of W.B.S.R., Part I, and orders contained in Public Works Department No. 2T/A, dated 11th May 1911.
- Rule 325 .. Is new, based on rule 237 of W.B.S.R., Part I.
- Rules 326-328 .. Are new, based on rules 238-239 of W.B.S.R., Part I, read with para 22 of the schedule appended to Chapter XVI of W.B.S.R., Part I.
- Rule 329 .. Is new, based on para 3 of the schedule appended to Chapter XVI of W.B.S.R., Part I.
- Rule 330 .. Is new, based on para 4 of the schedule appended to Chapter XVI of W.B.S.R., Part I.
- Rules 331-346 .. Are new, based on paras 5 to 14, 16 to 21 of the schedule appended to Chapter XVI of W.B.S.R., Part I and orders contained in Public Works Department No. 4750A, dated 4th August 1930 (as incorporated in paragraph 104 of the Works Audit Department Manual, 3rd Edition, 1950) and Works and Buildings Department No. 1957A, dated 8th June 1951 and No. 3026A., dated 30th May 1956.
- Rules 347-348 .. Are new, based on para 23 of the schedule appended to Chapter XVI of W.B.S.R., Part I, and orders contained in Finance Department No. 6993-7077F., dated 27th January 1933 and Public Works Department No. 6112A., dated 16th October 1935.
- Rule 349 .. Redraft of paragraph 252 of B.P.W.D.C.
- Rule 350 .. Reproduces paragraph 257A of B.P.W.D.C.
- Rule 351 .. Is new.
- Rules 352-353 .. Are new, based on Article 158(3) of the Constitution of India, rule 277 read with clause (i) and the concluding portion of rules in Appendix 14 of W.B.F.R., rules in Appendix R of the Works Audit Department Manual, 3rd Edition, 1950 and on the Government of India, Ministry of Home Affairs, No. 15/3/47 appointment (S.P.)/Public, dated 16th January 1950.
- Rule 354 .. Is new, based on Sections 2 and 4 of the West Bengal Salaries and Allowances Act, 1952.
- Rules 355-356 ... Are new.

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Note B.—Paragraph 240, 248 to 251, 253 to 257 of B.P.W.D.C. deleted.

Chapter IV—Miscellaneous Rules regarding office work excluding accounts procedure.

Rule 357	.. Is new, based on rule 197 of W.B.F.R.
Rules 358-360	.. Are new, based on rules 198 to 200 of W.B.F.R. and paragraph 204 of the Central Public Works Accounts Code, 1st Edition.
Rules 361-362	.. Are new, based on rules 201(a) and (c) and 203(iv) of W.B.F.R.
Rule 363	.. Is new, based on rule 201(b) of W.B.F.R. and orders contained in Public Works Department No. 1127-31A, dated 7th February 1928 as embodied in para 312 of the Works Audit Department Manual, 3rd Edition, 1950.
Rule 364	.. Is new, based on rule 161(3) of W.B.F.R.
Rule 365	.. Reproduces paragraph 259 of B.P.W.D.C.
Rule 366	.. Reproduces paragraph 262 of B.P.W.D.C.
Rules 367-369	.. Redraft of paragraph 263 of B.P.W.D.C., based on rules SR-63 to SR 65 of the West Bengal Treasury Rules, 1952.
Rule 370	.. Redraft of paragraph 263 of B.P.W.D.C., based on rule 55 of the Bengal Financial Rules, 1st Edition, 1924 (Reprint 1930).
Rules 371-372	.. Reproduce paragraphs 264-265 of B.P.W.D.C.
Rule 373	.. Is new.
Rules 374-375	.. Redraft of paragraph 266 of B.P.W.D.C., based on rules 105 and 109 of W.B.F.R.
Rules 376	.. Is new, based on rules 100 and 101 of W.B.F.R., read with rules in para 1 of Appendix IX to B.P.W.D.C. as inserted by Corrigendum No. 95, dated 31st May 1932.
Rules 377-378	.. Redraft of paragraphs 268-269 of B.P.W.D.C., based on rule 112 and Appendix 10 of W.B.F.R.
Rule 379	.. Reproduces paragraph 287 of B.P.W.D.C., with minor modifications.
Rules 380-382	.. Redraft of paragraphs 267 and 276 of B.P.W.D.C., based on rules 110, 111 and 113 of W.B.F.R.
Rule 383	.. Based on paragraphs 270 to 274 of B.P.W.D.C.
Rule 384	.. Redraft of paragraphs 277-278 of B.P.W.D.C., based on rule 110 of W.B.F.R.

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Note B.—Paragraphs 258 of B.P.W.D.C. deleted. Paragraphs 260 and 261 retained as rules 5 and 6 of the rules in Appendix V of this Code. Paragraph 275 of B.P.W.D.C. deleted.

Rules 385-389	.. Redraft of paragraph 279 of B.P.W.D.C., based on rules 137 to 139 and 143 of W.B.F.R.
Rule 390	.. Reproduces paragraph 280 of B.P.W.D.C.
Rule 391	.. Redraft of paragraph 283 of B.P.W.D.C. with minor modification.
Rules 392-393	.. Redraft of paragraph 285 of B.P.W.D.C., based on rules 131 and 132 of W.B.F.R.
Rule 394	.. Reproduces paragraph 284 of B.P.W.D.C.
Rules 395-396	.. Redraft of paragraphs 281-282 of B.P.W.D.C., based on rules 39 and 134 of W.B.F.R.
Rule 397	.. Reproduces paragraph 286 of B.P.W.D.C.
Rules 398-399	.. Based on paragraph 286A of B.P.W.D.C. with Appendix IX referred to in it.
Rule 400	.. Is new, based on rule 142 and 240 of W.B.F.R.
Rule 401	.. Reproduces paragraph 288 of B.P.W.D.C.
Rules 402-404	.. Redraft of paragraph 289 of B.P.W.D.C., based on rules 264 and 265 of W.B.F.R.
Rule 405	.. Is new, based on rule 61 of W.B.F.R.
Rule 406	.. Reproduces paragraph 290 of B.P.W.D.C.
Rules 407-409	.. Redraft of paragraphs 291 and 295 of B.P.W.D.C. based on rules 62 and 63 of W.B.F.R.
Rules 410-411	.. Reproduces paragraph 292 of B.P.W.D.C. with minor modifications.
Rules 412-414	.. Are new, based on rules 64, 66 to 69 of W.B.F.R.
Rules 415-416	.. Reproduces paragraphs 293-294 of B.P.W.D.C., with minor modifications.
Rule 417	.. Reproduces paragraph 296 of B.P.W.D.C.
Rules 418-427	.. Are new, based on rules 326, 327, 329, 330, 333, 336, 347 and 353 of W.B.F.R.
Rules 422-424	.. Are new, based on rules 338, 339 and 343 of W.B.F.R.
Rules 425-427	.. Are new, based on rules 340 to 342, 344 and 345 of W.B.F.R.
Rules 428-431	.. Are new, based on rules 353 to 357 of W.B.F.R.
Rules 432-438	.. Are new, based on rules 347 to 352 of W.B.F.R.

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Note B.—Paragraphs 297 to 299, 301, 303 to 320 of B.P.W.D.C. deleted.

Rule 439	.. Based on rule 390 of W.B.F.R., Vol. 1.
Rule 440	.. Based on rule 391, sub-para 1 of W.B.F.R., Vol. 1.
Rule 441	.. Based on rule 391, sub-para 2 of W.B.F.R., Vol. 1.
Rule 442	.. Based on rule 380 of W.B.F.R., Vol. 1.
Rule 443	.. Based on rule 392 of W.B.F.R., Vol. 1.
Rule 444	.. Reproduce paragraph 300 of B.P.W.D.C.
Rule 445	.. Is new.
<i>Schedule A appended to rule 445.</i>	
Serial 1	.. Based on para 3 of appendix IV to B.P.W.D.C., and rules 34 and 37 of Chapter IX of the Secretariat Manual.
Serial 2	.. Based on para 91 of the Works Audit Department Manual, 3rd Edition 1950.
Serial 3	.. Based on para 3 of Appendix IV to B.P.W.D.C. and paragraph 95 of the Works Audit Department Manual, 3rd Edition, 1950.
Serial 4	.. Is new.
Serial 5	.. Based on rule 272 of this Code.
Serial 6	.. Based on paragraph 286 of the Works Audit Department Manual, 3rd Edition, 1950.
Serial 7	.. Based on paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.
Serials 8-9	.. Based on rules 4 and 8 of rules in appendix XIII to the West Bengal Government Estates Manual, 1953.
Serial 10	.. Based on rules 299 of the West Bengal Government Estates Manual, 1953.
Serial 11	.. Based on para 19 of rules in appendix R of the Works Audit Department Manual, 3rd Edition, 1950.
Serial 12	.. Based on rules in appendix V to B.P.W.D.C. modified by orders contained in Communications and Works (C. and B.) Department No. 173B dated 13th January 1945 and No. 2371B, dated 27th June 1942.
<i>Schedule B—Part I appended to rule 445.</i>	
Serials 1-4	.. Based on articles 159(a), 159(d)(ii), 159(j) and 159(h) of the Government of India, Civil Account Code, 1935, Vol. 1.
Serial 5	.. Based on rule 324(VII) of W.B.F.R., Vol. 1.
Serial 6	.. Based on rule 88(2) of W.B.F.R.
Serial 7	.. Based on rule 31 of W.B.F.R.—Part I.
Serial 8	.. Based on rule 80 of this Code.
Serial 9	.. Based on rules 62 and 63 of W.B.S.R., Part I.
Serial 10	.. Based on rules in the fifth Schedule to the General Provident Fund (West Bengal Services) Rules, 1950.
Serial 11	.. Based on rule 80 of this Code.

- Note A.—1. B.P.W.D.C. stands for Bengal Public Works Department Code 1st Edition, 1925.
 2. W.B.F.R. stands for the West Bengal Financial Rules, 1953.
 3. W.B.S.R. stands for the West Bengal Service Rules, 1948.

- Serial 12 .. Based on orders contained in Public Works Department No. 2152E dated 25th June 1929.
- Serial 13 .. Based on rule 150 and rules in item IV of appendix 4 of W.B.S.R., Part I and orders contained in Public Works Department No. 2152E dated 25th June 1929.
- Serial 14 .. Based on rules 57 and 65 of this Code and analogy of powers exercised by Chief Engineer, Irrigation, in this respect.
- Serial 15 .. Is new.
- Serial 16 .. Based on rule 41 of this Code read with provisions in the Bengal Subordinate Services (Discipline and Appeal) Rules, 1936.
- Serial 17 .. Based on the Schedule appended to the Bengal Subordinate Services (Discipline and Appeal) Rules, 1936.
- Serial 18 .. Based on rule 159 of this Code.
- Serial 19 .. Based on the provisions in Bengal Subordinate Services (Discipline and Appeal) Rules, 1936.
- Serial 20 .. Based on rule 45 of this Code.
- Serials 21-23 .. Based on rule 156 of this Code.
- Serial 24 .. Based on rule 84 of this Code read with rule 93 of W.B.S.R., Part I.
- Serial 25 .. Based on rule 230 of W.B.F.R. read with P. W. Department Memo No. 354E, dated 31st March 1961.
- Serial 26 .. Based on rule 229 of W.B.F.R.
- Schedule B—Part II appended to rule 44j.*
- Serial 1 .. Based on para 3 of Appendix IV to B.P.W.D.C.
- Serial 2 .. Based on paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serial 3 .. Based on paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serials 4-5 .. Based on para 3 of Appendix IV to B.P.W.D.C. and on orders contained in Works and Buildings Department No. 1194R.S., dated 10th May 1950.
- Serial 6 .. Based on paragraph 432 footnote (b) of the Bengal Audit Manual, 2nd Edition, 1929.
- Serial 7 .. Is new.
- Serial 8 .. Based on paragraphs 459(d) and 464(d) of the India, Public Works Department Code, 10th Edition, 1919, read with para 2(3) of App. VI of the Bengal P.W.D. Code, 1925.
- Serial 9 .. Based on rule 227 of W.B.F.R.
- Serial 10 .. Based on rule 183 of W.B.F.R.
- Serial 11 .. Based on para 3 of Appendix IV to B.P.W.D.C., and on orders contained in Public Works Department No. 2152E., dated 25th June 1929.
- Serial 12 .. Based on orders contained in Public Works Department No. 2152E., dated 25th June 1929 and paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.

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- Serials 13-14 .. Based on rule 165 of this Code.
- Serial 15 .. Based on rule 202 of this Code.
- Serial 16 .. Based on P. W. Department Memo. No. 1644/47A, dated 2nd May 1923.
- Serial 17 .. Based on rule 116 of W.B.F.R.
- Serial 18 .. Based on rules 380 and 382 of this Code, read with rules 110, 113 and 116 as well as rule 7 of Appendix 10 of W.B.F.R., and paragraph 99 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serial 19 .. Based on preamble of Appendix 10 to W.B.F.R.
- Serial 20 .. Based on rule 131 of W.B.F.R.
- Serial 21 .. Based on analogy of practice in vogue and orders contained in Communications and Works (C. & B.) Department No. 6193B., dated 19th November 1938.
- Serial 22 .. Based on rules 130, 132 and 133 of W.B.F.R.
- Serial 23 .. Based on rules 393 and 394 of W.B.F.R. and paragraph 101 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serial 24 .. Based on orders contained in Public Works Department No. 2152E., dated 25th June 1929 and in Works and Buildings Department No. 1827A, dated 13th May 1953, as well as orders embodied in paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serial 25 .. Based on para. 4 of Appendix IV to B.P.W.D.C. read with P. W. Department memo. No. 6097W(B), dated 24th October 1960 and orders contained in the Government of India, Ministry of Transport, letter No. WI-12(17)/46, dated 5th March 1948 as subsequently amended.
- Serial 26 .. Based on para. 4 of Appendix IV to B.P.W.D.C. and paragraph 91 of the Works Audit Department Manual, 3rd Edition, 1950.
- Serial 27 .. Based on para. 4 of Appendix IV to B.P.W.D.C. read with orders contained in the Government of India, Ministry of Transport, letter No. WI-12(17)/46, dated 5th March 1948, as subsequently amended, and in Public Works Department letter No. 2152E., dated 25th June 1929.
- Serial 28 .. Based on rule 205 of this Code.
- Serial 29 .. Based on para. 4 of Appendix IV and Appendix X to B.P.W.D.C. and paragraph 462(vi) of the Indian Public Works Department Code, 10th Edition, 1919.
- Serial 30 .. Is now.
- Serial 31 .. Based on orders contained in Works and Buildings Department No. 2410(2)R.S., dated 15th November 1949, No. 1009(2)R.S., dated 3rd May 1951 and No. 931A., dated 18th March 1948.
- Serial 32 .. Based on rule 175 of this Code and orders contained in Works and Buildings Department No. 664R.S., dated 11th March 1950.
- Serial 33 .. Based on sub-rule (3) of rule 223 of this Code and Works and Buildings Department No. 2239(2)R.S., dated 20th October 1951.
- Serial 34 .. Based on orders contained in Works and Buildings Department No. 2374R.S., dated 10th November 1949, No. 2375R.S., dated 10th November 1949 and No. 2410(2)R.S., dated 15th November 1949.
- Serial 35 .. Based on rule 218 of this Code.

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Serial 36	.. Based on rule 239 of this Code.
Serial 37	.. Based on provision in the Standard Contract Form.
Serial 38	.. Is new.
Serials 39-41	.. Based on Appendix IX to B.P.W.D.C. as inserted by Correction Slip No. 95, dated 31st May 1932.
Serial 42	.. Based on rule 218 of this Code.
Serial 43	.. Based on rule 261 read with paragraph 170 of this Code.
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Serial 1	.. Based on rule 381 of W.B.F.R.
Serial 2	.. Is new.
Serial 3	.. Based on paragraph 82, note 2 of the Works Audit Department Manual, 3rd Edition, 1950.
Serial 4	.. Based on orders contained in Works and Buildings Department No. 5659A, dated 23rd September 1959.
Serial 5	.. Based on rule 279, sub-para. 2 of W.B.F.R.
Serial 6	.. Based on rule 298 of this Code and orders contained in Public Works Department No. 337A, dated 15th January 1927.
Serials 7-8	.. Based on paras. 4, 20 and 21 of the Schedule to rule 241 of W.B.S.R., Part I.
Serial 9	.. Based on orders contained in Public Works Department No. 1615-62B dated 4th April 1936.
Serial 10	.. Based on rules in items 29, 30 and 31 of appendix 3 to W.B.F.R.
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Serial 12	.. Based on orders contained in Public Works Department No. 3235B, dated 3rd November 1932.
Serial 13	.. Based on analogy of powers exercised by occupying departments under rule 4 of rules in appendix XIII to the West Bengal Government Estates Manual, 1953.
Serial 14	.. Based on paragraph 432 of the Bengal Audit Manual, 2nd Edition, 1939.
Serial 15	.. Based on paragraph 432, foot note (h) of the Bengal Audit Manual, 2nd Edition, 1939.
Serial 16	.. Based on paragraph 100 of the Works Audit Department Manual, 3rd Edition, 1950.
Serial 17	.. Based on rule in item 24 of rules in Appendix 11 to W.B.F.R.
Serial 18	.. Based on paragraph 433 of the Bengal Audit Manual, 2nd Edition, 1939.
Serial 19	.. Based on paragraph 172, note 1 of the Works Audit Department Manual, 3rd Edition, 1950 as modified by Works and Buildings Department No. 3001A, dated 18th September 1948.
Serials 20-21	.. Based on rule 314 of this Code.
Serial 22	.. Based on paragraph 430(6) of the Bengal Audit Manual, 2nd Edition, 1939 read with rules in item 15 of appendix 11 of W.B.F.R.
Serial	.. Based on rules 393-394 of W.B.F.R.

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ANNEXURE 2.

Detailed Index

(It has been compiled solely for the purpose of assisting references and no expression used in it should be considered as in any way interpreting the rule).

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