

Government of West Bengal
Finance Department
Audit Branch

No.8954-F(Y)

Dated, 20th December, 2013

MEMORANDUM

Finance Department issued a Panel of Transaction Advisors (TA) vide notification no., FS-116(PPP Cell)/2012 dt. 10.9.12. In the meantime, Government departments, vide FD memo no. 8384-F(Y) and 8385-F(Y) dt. 22.11.13, have been exempted from the necessity of obtaining FD's approval to the Terms of Reference (TOR) of the TA's for PPP and other projects. Now, a question has been raised by various Government departments with regard to examination of PPP documents from legal point of view.

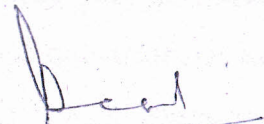
2. It is clarified that the job of the TA's of the FD panel includes providing legal advisory service for PPP projects as per para 5 of the notification no. FS-116(PPP Cell)/2012 dt. 10.9.12. Therefore, the TOR of the Transaction Advisors should include vetting of the PPP document / DPR from legal point of view. All the Government Departments who undertake PPP and other such projects availing TA services for the purpose shall ensure that the PPP documents, such as, RFP, RFQ, Concession Agreements etc., prepared by the TA's are vetted by their legal experts before its finalisation.

(H.K. Dwivedi)

Principal Secretary to the
Government of West Bengal

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Additional Chief Secretary/Principal Secretary/Secretary ,
..... Department.
4. Joint Secretary, Finance Department, PPP Cell, Government of West Bengal.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata – 700 001.
6. The Commissioner, _____
7. The District Magistrate, _____
8. The Sub-Divisional Officer, _____
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – I, 81/2/2, Phears Lane, Kolkata – 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – II, P-1, Hyde Lane, Kolkata – 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – III, IB Market, 1st Floor, Salt Lake, Sector –III, Kolkata – 700 106.
12. The Treasury Officer, _____.
13. _____
14. The Principal Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.



(Gautam Samanta)
Joint Secretary to the
Government of West Bengal.